

September 2006

Minutes, September 26, 2006

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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 26, 2006

OPEN SESSION

The meeting was called to order at 11:45 a.m. by Chairman John Rowe. Trustees present were: James Abromaitis, Louise Bailey, Philip Barry, Gerard Burrow, Andrea Dennis-LaVigne, Peter Drotch, Linda Gatling, Lenworth Jacobs, Jr., Salmun Kazerounian, Rebecca Lobo, Michael Nichols, F. Philip Prelli, Thomas Ritter, Wayne Shepperd, and Janine Braun, who represents the Governor's Office.

Trustee Michael Martinez participated by telephone.

Trustees Michael Bozzuto, George Coleman, Denis Nayden, and Richard Treibick 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, Interim Vice President and Chief Operating Officer Feldman, Vice President for Student Affairs Saddlemire, Vice Provost for Academic Administration Singha, Vice Provost for Academic Affairs Makowsky, Vice Provost for Enrollment Management Evanovich, Interim Vice Provost for Research and Graduate Education Anderson, Dr. Schurin, Special Assistant to the President Callahan, Chief Audit and Compliance Officer Walker, Interim Executive Director of Architectural and Engineering Services Bradley, Health Center Chief Financial Officer Upton, Health Center Chief Administrative Officer Whetstone, Health Center Chief of Staff Carlson, Health Center Director of Campus Planning, Design & Construction Trutter, and Ms. Locke.

University Senate representatives Nancy Bull, Gerald Gianutsos, Kent Holsinger, Michael Turvey were present.

Assistant Attorney General Michael Sullivan was also present.

Also in attendance was Aetna Chief of Staff Patricia Hassett.

EXECUTIVE SESSION

On a motion by Mr. Barry, seconded by Ms. Bailey, **THE BOARD VOTED** to go into Executive Session at 11:55 a.m. to discuss matters pertaining to 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, Bailey, Barry, Burrow, Dennis-LaVigne, Drotch, Gatling, Jacobs, Kazerounian, Lobo, Nichols, Prelli, Ritter, Rowe, Shepperd, and Janine Braun, who represents the Governor's Office.

Trustee Martinez participated by telephone.

University staff present were: President Austin, Provost and Executive Vice President for Academic Affairs Nicholls, Vice President and Chief Financial Officer Aronson, Interim Vice President and Chief

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Operating Officer Feldman, Dr. Schurin, Special Assistant to the President Callahan, Chief Audit and Compliance Officer Walker, and Interim Executive Director of Architectural and Engineering Services Bradley. Assistant Attorney General Michael Sullivan was also present.

Also in attendance was Aetna Chief of Staff Patricia Hassett.

At 12:40 p.m., University staff members, Assistant Attorney General Sullivan, and Aetna Chief of Staff Patricia Hassett left Executive Session.

Executive Session ended at 1:02 p.m. The Board returned to Open Session at 1:12 p.m. Trustee Martinez participated by telephone.

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

1. **Financial Affairs Committee Report**

(a) Committee Chairman's report on Committee activities

Vice-Chair Drotch provided a summary of the items discussed during the Financial Affairs meeting this morning. Mr. Drotch reviewed the Financial Affairs Committee discussion related to the Health Center Research Tower Project definition, underscoring the involvement of Bond Counsel with regard to ensuring the Board of Trustees' authority under the law, the need to acquire the space for research purposes, and the related adjustment of the capital budget to ensure that funds are available for the acquisition. The Board of Trustee items on the supplemental indentures provide for technical revisions required by virtue of the revised FY 2007 capital budget. Having explained the interrelationship of Attachments 15 through 19, he opened the floor for discussion of the project.

The Financial Affairs Committee also discussed the revised spending plans for FY 2007 for the Storrs-based program and the Health Center. These revisions accommodate changes in the State's fringe benefit rate and update the plans based on the preliminary closeout of FY 2006.

The Committee also approved the current services requests for Fiscal Years 2008 and 2009 for the Storrs-based program and the Health Center. Also, the Committee approved the final list for the Deferred Maintenance/Code/ADA Renovation Lump Sum expenditures for FY 2006, an item which is presented to the Board annually in September following the closeout of the prior fiscal year. Finally, the committee approved sixteen project budgets.

In addition, the Committee reviewed a proposal for authorizing the administration to engage in long-term purchases of natural gas for the University's central utility plant. The University's immediate objective is to meet or beat its budgeted fuel costs for FY07 while assuming minimal risk. After discussion, the Committee authorized the administration to negotiate a contract with Connecticut Natural Gas subject to the approval of the Chair of the Financial Affairs Committee within the parameters designated in the presentation made to the Board.

(b) Items requiring Board discussion and approval:

- (1) Health Center Research Tower Project Definition (Attachment 15)

On a motion by Mr. Ritter, seconded by Ms. Bailey, **THE BOARD VOTED** to approve the resolution clarifying that the project entitled Research Tower may include a facility or facilities suited to research purposes regardless of architectural design, which facility or facilities

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may be newly constructed or purchased and renovated to accomplish said purpose, and hereby finds and determines that such project definition and scope is consistent with the intent and purpose of the original project.

(2) Health Center Research Space Acquisition (Attachment 16)

Vice-Chair Ritter asked if there were additional environmental reviews being conducted on the property. Interim Vice President Feldman responded that they expect to have information by early to mid-October. There is also an architect who is reviewing the building envelope, which should also be available by early to mid-October. Vice President Feldman said that the offer to purchase will be conditioned by certain environmental requirements that the administration will ask of the owner if there should be additional remediation or additional problems. At this time, we do not know that to be the case, but the agreement for sale will require that the owner be responsible for further remediation any environmental issues.

Vice-Chair Ritter asked if the results of the peer review would be made available to the Buildings, Grounds and Environment Committee prior to further action.

Interim Vice President Feldman responded that the process as described, which requires approval by the Board of Trustees to proceed, will allow the administration to finalize negotiation for the sale of the property. Before that is completed, the peer review will be reviewed by the Health Center Board of Directors' Finance Subcommittee.

Vice-Chair Ritter said that it would be also appropriate for the Buildings, Grounds and Environment Committee to obtain the final results of the peer review. Interim Vice President Feldman agreed.

Vice-Chair Ritter also noted that the Committee's other concern was regarding potential liability. He said that he knew that it was discussed and wanted to know if the administration had gone back to the owner to see if the owner would accept the liability or whether they needed to conform to an environmental policy.

Interim Vice president Feldman indicated that the owner has been notified of the University's concern. They are waiting for the peer review of the environmental information. If there should be environmental concerns, the owner is aware that the agreement for purchase will include requirements for any subsequent remediation or any corrective action that needs to be taken. The owner has been made aware of that. At this time, the administration is waiting for results from its own review to confirm any concerns or problems.

Vice-Chair Ritter asked Vice-Chair Drotch if he could amend the motion for approval to allow the Buildings, Grounds, and Environment Committee access to the documentation, and call a subsequent telephone meeting to vote on the additional documentation.

Vice-Chair Drotch agreed with the request.

On a motion by Mr. Ritter, seconded by Ms. Bailey, **THE BOARD VOTED** to authorize the acquisition of the property and building located at 400 Farmington Avenue, Farmington, Connecticut (also known as Farm Tech) subject to final approval by the Finance Subcommittee of the University of Connecticut Health Center Board of

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Directors, and by the University of Connecticut Board of Trustees Buildings, Grounds and Environment Committee.

Vice-Chair Ritter asked that the resolution to be added to the agenda regarding authorization to negotiate a contract for the purchase of natural gas be approved separately, so that he could abstain from voting.

- (3) Revised Fiscal Year 2007 Health Center Capital Budget (Attachment 17)

On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a revised Fiscal Year 2007 capital budget for UCONN 2000 Phase III for the Health Center in the amount of \$23,510,425.

- (4) Revised Allocation of Bond Proceeds of the Twelfth Supplemental Indenture (University of Connecticut General Obligation Bonds, 2006 Series A) (Attachment 18)

On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the reallocation of bond authorizations among capital projects amending Appendix A of the Twelfth Supplemental Indenture as follows:

- Decrease the Center for Laboratory Animal Care (CLAC) Biosafety Level 3 Lab by \$500,000 for a total Fiscal Year 2006 bond authorization for such project of \$0; and
- Decrease Equipment, Library Collections & Telecommunications – Health Center Project by \$700,000 for a total Fiscal Year 2006 bond authorization for such project of \$6,135,425; and
- Decrease Main Building Renovation by \$1,600,000 for a total Fiscal Year 2006 bond authorization for such project of \$0; and
- Increase Research Tower Project by \$2,800,000 for a total Fiscal Year 2006 bond authorization for such project of \$2,800,000.

- (5) Revised Allocation of Bond Proceeds of the Thirteenth Supplemental Indenture (University of Connecticut General Obligation Bonds, 2007 Series A) (Attachment 19)

On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the reallocation of bond authorizations among University of Connecticut Health Center capital projects amending Appendix A of the Thirteenth Supplemental Indenture (University of Connecticut General Obligation Bonds, 2007 Series A) as follows:

- Decrease the Center for Laboratory Animal Care (CLAC) Biosafety Level 3 Lab Project by \$4,800,000 for a total Fiscal Year 2007 bond authorization for such project of \$0; and
- Decrease the Deferred Maintenance/Code/ADA Renovation Lump Sum Project by \$820,000 for a total Fiscal Year 2007 bond authorization for such project of \$4,000,000; and
- Decrease the Main Building Renovation by \$3,200,000 for a total Fiscal Year 2007 bond authorization for such project of \$1,200,000; and

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- Increase the Research Tower Project by \$8,820,000 for a total Fiscal Year 2007 bond authorization for such project of \$8,820,000.”
- (6) Revised Spending Plan for Fiscal Year 2007 for the University of Connecticut, Storrs and Regional Campuses (Attachment 20)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Revised Spending Plan for Fiscal Year 2007 of \$856.0 million for the University of Connecticut, Storrs and Regional Campuses.
- (7) State Appropriation Current Services Request for the Biennium Fiscal Years 2008 and 2009 for the University of Connecticut, Storrs and Regional Campuses (Attachment 21)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Current Services State Appropriation Request for the Biennium Fiscal Years 2008 and 2009 as follows: \$226.1 million for Fiscal Year 2008 and \$228.2 million for Fiscal Year 2009 for the Storrs-based program.
- (8) Deferred Maintenance/Code/ADA Renovation Lump Sum Expenditures for Fiscal Year 2006 (Attachment 22)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Fiscal Year 2006 Deferred Maintenance/Code/ADA Renovation Lump Sum expenditures of \$2.7 million for Storrs and the Regional Campuses and of \$0 for the Health Center.
- (9) Project Budget (Revised Planning) for the University of Connecticut Health Center Research Tower (Attachment 23)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Revised Planning Budget in the amount of \$46,815,000 for the University of Connecticut Health Center Research Tower Project.
- (10) Project Budget (Planning) for Arjona and Monteith (New Classroom Buildings) (Attachment 24)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Planning Budget in the amount of \$86,100,000 to replace the Arjona and Monteith classroom buildings.
- (11) Project Budget (Planning) for Mansfield Training School Improvements (Phase II) – Merritt Building (Attachment 25)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Planning Budget in the amount of \$3,000,000 for the renovation of the Merritt Building at the Mansfield Training School (Depot Campus).
- (12) Project Budget (Planning) for the University of Connecticut Health Center Tomotherapy Equipment Installation (Attachment 26)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Planning Budget in the amount of \$3,700,000 for the University of Connecticut Health Center Tomotherapy Equipment Installation.

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- (13) Project Budget (Planning) for the East Campus Steam and Condensate Piping Replacement at the Avery Point Campus (Attachment 27)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Planning Budget in the amount of \$800,000 for the replacement of the east campus steam and condensate piping at the Avery Point Campus.
- (14) Project Budget (Planning) for Torrington ADA Improvements (Attachment 28)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Planning Budget in the amount of \$550,000 for design services and construction to correct existing deficiencies in handicap accessibility at the University of Connecticut Torrington Campus.
- (15) Project Budget (Planning) for Central Utility Plant Emergency Generator System (Attachment 29)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Planning Budget for the Central Utility Plant Emergency Generator System in the amount of \$750,000.
- (16) Project Budget (Design) for Interior Remediation, Demolition and Removal of Pharmacy Buildings (Attachment 30)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Design Budget in the amount of \$1,793,000 for the building interior environmental remediation, demolition and removal of the former Pharmacy facility (Harold G. Hewitt and Pharmacy Research Buildings).
- (17) Project Budget (Design) for the Ryan Refectory Renovations (Attachment 31)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Design Budget of \$2,970,000 for the Ryan Refectory renovations.
- (18) Project Budget (Design) for the University of Connecticut Health Center Main Building Renovation – Clinical Skills Renovation (Attachment 32)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Design Budget of \$1,605,000 for the University of Connecticut Health Center Main Building Renovation – Clinical Skills Renovation.
- (19) Project Budget (Final) for the University of Connecticut Health Center Medical School Academic Building Renovation – Patterson & Massey Auditoria (Attachment 33)
On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Final Budget of \$4,350,000 for the University of Connecticut Health Center Medical School Academic Building Renovation – Patterson and Massey Auditoria.

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- (20) Project Budget (Final) for the Charter Oak
Corrective Action Plan – Phase II (Attachment 34)
- On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Final Budget of \$860,000 for the Charter Oak Corrective Action Plan – Phase II. Because of the nature and timetable of this activity, resulting in a Final Budget approval request, an exception to the three-phase budget process was also requested.
- (21) Project Budget (Final) for Meter Installation –
Multiple Locations (Phase I) (Attachment 35)
- On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve a Final Budget in the amount of \$600,000 for meter installation at multiple locations on the Storrs Campus. Because of the nature of this activity, resulting in a Final Budget approval request, an exception to the three-phase budget process is also required.
- (22) Project Budget (Revised Final) for the Intramural, Recreational
and Intercollegiate Facilities (Burton Family Football Complex/
Mark R. Shenkman Training Center) (Attachment 36)
- On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Revised Final Budget totaling \$48,777,660 for Intramural, Recreational and Intercollegiate Facilities (Burton Family Football Complex/Mark R. Shenkman Training Center).
- (23) Project Budget (Revised Final) for the Natural
History Museum Completion (Attachment 37)
- On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Revised Final Budget of \$1,022,997 for the completion of the Natural History Museum.
- (24) Project Budget (Revised Final) for the Willimantic
River Water Transmission Line – Partial Replacement (Attachment 38)
- On a motion by Dr. Rowe, seconded by Mr. Drotch, **THE BOARD VOTED** to approve the Revised Final Budget of \$712,819 to replace a 2,000 linear feet section of the Willimantic River water transmission line.
- Chairman Rowe asked Interim Associate Vice President for Administration and Operations Callahan to read the recommendation, because there was a modification recommended during the Financial Affairs meeting.
- Associate Vice President for Administration and Operations Callahan read the following recommendation regarding the purchase of natural gas.
- That the Board of Trustees authorize the administration to negotiate a contract to purchase natural gas for up to a 12-month period with Connecticut Natural Gas (CNG), subject to the approval of the Chair of the Board of Trustees Financial Affairs Committee.

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Because English graduate students frequently teach freshmen English classes, a course nearly every University of Connecticut student is required to take, graduate students in their program have the opportunity to interact with a large number of the campus population and thus have a unique opportunity to act as standards vary for diversity. On behalf of the Diversity Committee of the English Graduate Students Association, she thanked the Board of Trustees for its endorsement of their endeavors in the past and asked for its continued support. They look forward to working together toward building an exciting and diverse University community.

3. Chairman's Report

(a) Matters outstanding

Chairman Rowe reported that the Construction Management Oversight Committee held its first meeting on September 20, 2006 at the Health Center chaired by Trustee Ritter, with representative of the Board of Trustees and members appointed by the Governor's Office and other elected officials. That meeting was televised on CT-N.

(b) Minutes of the meeting of June 20, 2006

On a motion by Mrs. Gatling, seconded by Ms. Bailey, **THE BOARD VOTED** to approve the minutes of the meeting of June 20, 2006.

(c) Consent Agenda Items:

Chairman Rowe removed Items 2 and 8 from the Consent Agenda to vote on separately.

- (2) Annual Report of the Endowed Chair Program Entitled "Aetna English Chair in Writing" (Attachment 2)

On a motion by Mr. Nichols, seconded by Mrs. Gatling, **THE BOARD VOTED** to approve the Annual Report of the Endowed Chair Program entitled "Aetna English Chair in Writing." Chairman Rowe recused himself.

- (8) Approval of the Revised Extra Compensation Policy (Attachment 8)

On a motion by Mrs. Gatling, seconded by Mr. Barry, **THE BOARD VOTED** to approve the revised Extra Compensation Policy applicable to full-time faculty at the University of Connecticut. Trustee Kazerounian recused himself.

On a motion by Dr. Dennis-LaVigne, seconded by Mr. Abromaitis, **THE BOARD VOTED** to approve Consent Agenda Items 1, and 3 through 7.

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

- (3) Reports of the Endowed Chairs for the Period July 1, 2005 to June 30, 2006 (Health Center) (Attachment 3)

- (4) Appointment of John E. Mathieu to the Robert Cizik Chair in Manufacturing and Technology Management at the School of Business (Attachment 4)

- (5) Appointment of Patricia A. McCoy to the George J. and Helen M. England Professorship at the School of Law (Attachment 5)

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- (6) Establishment of the Department of Extension within the College of Agriculture and Natural Resources (Attachment 6)
- (7) Discontinuation of the Bachelor of Science in Pharmacy Degree within the School of Pharmacy (Attachment 7)
- (d) Personnel matters (Storrs-based programs) (Attachment 9)
 - (1) Awards of Promotion and Tenure

On a motion by Ms. Bailey, seconded by Mr. Abromaitis, **THE BOARD VOTED** to approve the following awards of promotion, tenure and reappointment:

Promotion to Full Professor

School of Engineering

Thomas Peters, Computer Science and Engineering, effective August 23, 2006

Promotion to Associate Professor and Tenure

College of Liberal Arts and Sciences

Christian Bruckner, Department of Chemistry, effective August 23, 2006

Tenure as Full Professor

College of Liberal Arts and Sciences

Changfeng Gui, Department of Mathematics, effective August 23, 2006

Appointment as Professor with Tenure

School of Law

Richard Michael Fischl, effective August 23, 2007

- (2) Designation of Emeritus Faculty

On a motion by Ms. Lobo, seconded by Mr. Barry, **THE BOARD VOTED** to approve the designation of emeritus status to the following faculty members:

Effective August 1, 2006

1. Demars, Kenneth R., Assoc. Professor, Department of Civil & Environmental Engineering
2. Lerman, Manuel, Professor, Department of Mathematics
3. Vinopal, Robert T., Assoc. Professor, Department of Molecular & Cell Biology

Effective September 1, 2006

1. Gilbert, Margaret P., Professor, Department of Philosophy
2. Lammi-Keefe, Carol J., Professor, Department of Nutritional Sciences
3. Miller, Thomas W., Professor, Allied Health/Health Promotions (Change in retirement date from June 1 to September 1, 2006)
4. Nunn, Kenneth P., Associate Professor, Department of Finance
5. Yiannakis, Andrew, Professor, Department of Kinesiology

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(3) Sabbatics

On a motion by Ms. Bailey, seconded Mr. Barry, **THE BOARD VOTED** to approve the sabbatic leave list.

(4) Informational matters

(e) Election of Board Secretary

Chairman Rowe called for nominations for the Office of Secretary of the Board of Trustees. Trustee Barry offered a motion, seconded by Mr. Nichols, to nominate Ms. Bailey as Secretary. The motion was approved unanimously.

4. President's Report

President Austin stated that the Board would hear updates from Vice Provost Dolan Evanovich and Vice President John Saddlemire shortly.

President Austin reported that the external evaluations that have been reported on provisionally in the past are all making progress. One of which is the previously reported ten-year re-accreditation of the New England Association of Schools and Colleges (NEASC), which is one of six regional free standing accrediting groups. The real strength of the re-accreditation process is the preparation of a self-assessment, and the work of the different subcommittees, which provides a sense of clarification and reaffirmation of our values and programmatic directions. Professor Karla Fox has been leading the NEASC effort University-wide and reported that the visit will take place in January.

Similarly the Division of Athletics will undergo shortly the NCAA re-certification process. Ten years ago Dr. Peter McFadden chaired the self-study committee and this year Dr. Ronald Schurin will chair a very similarly structured review effort where subcommittees review different dimensions of the Division. President Austin proudly acknowledged the Division of Athletics, which has enjoyed wonderful success and has done so primarily as a self-sustaining unit.

Every year attention is drawn to the *US News and World Report* rankings. In the past, President Austin stated that he has shared with the Board his concerns about how institutions are ranked in that publication. He does, however, take very seriously the National Research Council's evaluation of individual programs. He believes that the University has made much progress in recent years with respect to several of those programs. The process undertaken involves peers within those disciplines who rank the standing of academic programs. The recommendations have been taken very seriously and have modified the way we have structured and organized the University, particularly in the biological sciences.

- (a) Presenters: Vice Provost for Enrollment Management M. Dolan Evanovich
Vice President for Student Affairs John R. Saddlemire
Presentation: Start of the year update

Vice Provost for Enrollment Management Evanovich gave a power point presentation on freshmen enrollment. A copy of the handout is attached to the file copy of the Board minutes.

Trustee Nichols noted that information regarding minority freshman enrollment was absent from the data. He said that it was much more helpful to illustrate the percentage of minority freshman enrollment as it relates to the total student population, especially since the entire freshman class has been getting larger since 1995 and it is difficult to see how much of the total student population has changed as it pertains to minority freshman enrollment.

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Vice Provost Evanovich said that he had mentioned that the overall percentage of the freshman class at Storrs was 19%, and at the regional campuses it was 30%, and then overall it was 22.5%.

Trustee Nichols asked what the percentage of minority freshman enrollment was in 1995. Vice Provost Evanovich responded that it was approximately 13 or 14%, but since then it has been a significant upward trend.

Trustee Nichols asked if the percentage of minority freshman enrollment has grown faster than freshman enrollment. Vice Provost Evanovich indicated that it has.

Trustee Kazerounian raised concerns about the fact that the reports indicate that the freshman class is increasing in size, but there is a reduction of 50 minority students in the incoming freshman class. He asked why this occurred. In addition, he wondered if this trend would continue and how many minority students are anticipated in the coming year.

Vice Provost Evanovich said that the Admissions Office utilizes a holistic review process and they look at the overall quality of all of the applicants and they select the best. The Admissions Office applies the same standards to all students. Unfortunately, the pool of minority applicants this year did not lead to an increase in minority students, in part because some admitted students chose to go elsewhere. All institutions are recruiting the talented minority students, so we are in a very competitive market place. We admitted approximately the same number of minority students but our conversion rate went down. That is one of our challenges – we need to continue to compete for very talented students.

Trustee Kazerounian asked what the University was doing to reverse this. Vice Provost Evanovich responded that there are a number of things. Mr. Lee Melvin, Director of Admission is present today. They have implemented probably 20 new strategies in the last two years involving high school guidance counselors, parents, increasing outreach through relationships in the cities of Hartford, Bridgeport, New Haven, and Stamford. They are reaching out now nationally to become more of a national university. There are guidance counselors programs that they host on campus. They go into the communities as well.

Trustee Kazerounian asked how long ago these strategies were implemented. Vice Provost Evanovich responded that they have been doing some of these things for the last seven or eight years, but when Mr. Melvin was hired a few years ago, he brought with him a lot of techniques and expertise that really helped increase our enrollment last year. Mr. Melvin was director of minority recruitment at the University of Michigan, the University of Georgia, and the University of Wisconsin. If you review the chart on minority enrollment, last year was a high watermark year as we were at about 22% of our freshman class. This year was not as successful. The staff will be working to get the percentage back up to last year's level.

Trustee Kazerounian also raised concerns about retention rate and asked if he had data regarding the reasons for students who do not graduate, specifically as they differ between minority and non-minority students.

Vice Provost Evanovich said that they have a significant longitudinal quantitative database that was created over the last six years, which includes the reasons why students stay and why they leave UConn. They also have a qualitative database where they call students who leave the University and also call students to ask them why they are graduating or not graduating in a reasonable amount of time. The main reasons that students provide are that they have

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changed their major, oftentimes more than once, or that they take time off. These are two very personal reasons. The University monitors course availability through a committee of representatives from every school and college on campus, so we have done a better job of maintaining equilibrium of course availability and will continue to monitor that. They thought that maybe cost would have been an issue, but that did not come up in the survey. More often than not students cited personal reasons. The four-year graduation rate has increased from 43% to 54% and they will continue to push that four-year rate into the sixties.

Trustee Kazerounian asked if Vice Provost Evanovich was familiar with a national study which suggests that 69% of Black students who don't graduate cite the inability to pay or mounting student debt as their reason nationwide. Trustee Kazerounian asked Vice Provost Evanovich if he was suggesting cost was not a problem at UConn. Vice Provost Evanovich stated that it is part of the qualitative database, so it is not an exact science, but when they asked students the reason why they took longer they tell the reasons why. There were very few students who indicated that cost was a factor. As they begin to disaggregate by race, they are beginning to develop the capability to stack years so that can monitor more effectively. The cell sizes of the qualitative database are very, very small, so they don't want to draw immediate conclusions from a sample size of 3 or 4 students, so over a period of time they will continue to monitor that. He feels that they do a good job of packaging low income students with need-based gift aid from the University. Vice Provost Evanovich said that he was not surprised, because they put a lot of institutional need-based aid into the poorest students' packages and at UConn that is oftentimes the minority students.

Trustee Kazerounian asked to receive soon and in the future demographic information related to family income as well as the data presented in the categories today. He would like to see how that has changed over the years. Chairman Rowe asked if that information is available.

Vice Provost Evanovich said that they only have family income for those students who complete a FAFSA (Free Application for Federal Student Aid) form, so a student or family who decides to apply for financial aid, the federal form asks for family income. He estimated that about 30% of the student population do not apply for financial aid.

Trustee Nichols mentioned the recent decision announced by Harvard University to change its early decision program, and said that while our situation is not exactly the same and not a similar clientele, our early action program could be subject to the same criticisms as benefiting certain student groups over others. Trustee Nichols asked if there were conversations going on now to revisit our early action program.

Vice Provost Evanovich said that at this point we have not entertained those discussions, because early action and early decision are fundamentally different. Early decision requires students once they are admitted to take all of their offers off the table and make a decision in December without having the financial aid information to make a decision on how they are going to pay. Early action is what UConn supports and it is non-binding. A student can be admitted in December, January, February and we do not ask for them to make a commitment until May 1, which is the nationally agreed upon candidates reply date. It is what all the admissions offices across the country agreed to. That gives the family an opportunity to get their financial aid in place, to have their award letter, and to make a good decision for the entire family. They think that the early action program that has been supported for the last decade works well for all types of students.

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Trustee Nichols understands the differences and it is good for the Board to hear the two different types, but he asked if he had numbers that separate the different ethnic and racial groups as they pertain to early action v. the regular decision date. Vice Provost Evanovich said that he could get that if a student self-reports their race on an application. We have to make that an optional question, but for those who do fill it out they have that information and he can provide the data.

Trustee Kazerounian said he had one final comment. The extent to which we deny as an institution, which is a problem that extends far beyond UConn, the effect of cost on diversity is significant. He thinks that we need to address this as an institution if we are going to diversify in a way that is meaningful.

Chairman Rowe responded that if the data do not show that there is an effect, then we would be denying the data if we said there was an effect. Trustee Kazerounian said that UConn needs to do more effective data gathering.

Chairman Rowe asked Vice Provost Evanovich had concerns about the ways in which the Admissions Office collects their data. Vice Provost Evanovich did not, but said that they would review the information presented. He said that they have statistical educational psychologist who runs the reports of all of their longitudinal data. She is an associate professor formerly from the Neag School of Education and is now on contract from Penn State.

Chairman Rowe asked that she contact Trustee Kazerounian to review the methodology with him.

Vice President Saddlemire suggested that the Student Life Committee further discuss this issue with Vice Provost Evanovich and Mr. Melvin at an upcoming meeting.

Vice President for Student Affairs Saddlemire gave a power point presentation on opening weekend. A copy of the handout is attached to the file copy of the Board minutes.

- (b) Other matters

5. Academic Affairs Committee Report

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

Vice-Chair Jacobs reported that the Academic Affairs Committee met this morning and discussed a number of action items were approved under the Consent Agenda. The items listed as informational below were also discussed. Associate Vice Provost Keith Barker and Executive Director of Educational Partnerships Gillian Thorne gave a power point presentation on the Early College Experience. It was particularly important, because this program is drawing high school students into the University's concepts and environment. Dr. Thorne said that 25% of those students come to UConn.

- (b) Informational items:

- (1) Designation of the College of Continuing Studies
as the Center for Continuing Studies (Attachment 10)
- (2) Designation of the School of Family Studies as the
Department of Human Development and Family Studies (Attachment 11)

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- (3) Renaming of the Environmental Research Institute (ERI) to Center for Environmental Sciences and Engineering (CESE) (Attachment 12)
- (4) Renaming of the Center for Health/HIV Intervention and Prevention to the Center for Health, Intervention, and Prevention (Attachment 13)
- (5) Establishment of the Center for Behavioral Education and Research (Attachment 14)

6. Health Center Report

- (a) Report on Health Center activities
- (b) Items requiring Board discussion and approval:
 - (1) Revised Spending Plan for the University of Connecticut Health Center for Fiscal Year 2007 (Attachment 39)
 On a motion by Dr. Jacobs, seconded Mr. Abromaitis, **THE BOARD VOTED** to approve the Revised Spending Plan for Fiscal Year 2007 of \$660.3 million for the University of Connecticut Health Center.
 - (2) State Appropriation Current Services Request for the Biennium Fiscal Years 2008 and 2009 for the University of Connecticut Health Center (Attachment 40)
 On a motion by Dr. Jacobs, seconded Mr. Abromaitis, **THE BOARD VOTED** to approve a Current Services State Appropriation Request for the Biennium Fiscal Years 2008 and 2009 as follows: \$93.5 million for Fiscal Year 2008 and \$103.2 million for Fiscal Year 2009 for the University of Connecticut Health Center.
- (c) Informational item:
 - (1) Health Center Board of Directors recognition: Nancy Hutson (Attachment 41)
 Health Center Board of Directors Chair Burrow announced that Dr. Nancy J. Hutson has resigned from the Health Center Board of Directors. She played a key role in strategic planning.
 Chairman Rowe said that he served with Dr. Hutson and she has made significant contributions.

7. Joint Audit and Compliance Committee Report

- (a) Committee report on Committee activities
 Trustee Barry gave the report of the Joint Audit and Compliance Report on behalf of Vice-Chair Nayden. The Joint Audit and Compliance Committee met on September 7, 2006. The Committee approved the Office of Audit, Compliance and Ethics Mission Statement. The Committee also approved the Joint Audit and Compliance Committee Schedule for the upcoming year. At this meeting, the member list was also updated.

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Trustee Barry reported that gifts to the State were discussed in detail. The auditors for the annual Athletics NCAA audit are to be selected by September 29, 2006. PricewaterhouseCoopers will complete the last of their audit shortly.

Mr. Feldman updated the Committee on the University's follow-up plan that addresses recommendations made by the Governor's Commission regarding UCONN 2000. The Construction Management Oversight Committee has been established and will be chaired by Trustee Ritter.

Dr. Anne Hiskes and Dr. Marc Lalande gave a report on Stem Cell Research.

The Hot/Reportline has been active since June 19, 2006. To date there have been 31 calls.

Trustee Barry asked Mr. Walker, Director, Office of Audit, Compliance and Ethics to discuss the hiring of an independent auditor. Mr. Walker stated that Blum Shapiro has been the external auditor for UCONN 2000 until the end of Fiscal Year 2003. In an effort to select another auditor, the University completed a competitive bidding process, created a five-member committee in July, and has since received seven proposals, six of which were considered. The company selected for auditing UCONN 2000 for Fiscal Years 2004, 2005, and 2006 Deferred Maintenance and equipment was UHY, Inc. They have an office in New Haven and are a national and global company that specializes in audit construction projects.

Mr. Walker indicated that he is chairing the search for the Construction Assurance Director. They have 37 applications of which 30 individuals are highly qualified. The applications will be reviewed by Mr. Walker, Mr. Rob Bouvier, President, Bouvier, Beckwith, and Lennox, Inc., and Associate Dean Laurie Werling, School of Law. They expect to nominate candidates for interview to President Austin and Trustee Ritter by the end of October.

Mr. Walker also reported that training for the compliance program (Code of Ethics) has begun at Storrs.

8. Buildings, Grounds and Environment Committee Report

(a) Committee Chairman's report on Committee activities

Vice-Chair Ritter reported that the Buildings, Grounds and Environment Committee met on September 12, 2006. The Committee discussed the differences between this committee and the newly created Construction Management Oversight Committee (CMOC). The CMOC also reviewed the different charges at their last meeting.

The Buildings, Grounds, and Environment Committee heard a report from Associate Vice President for Public and Environmental Safety Hudd about the progress on building inspections and all UCONN 2000 facilities in which students reside or take classes. The inspections are expected to be complete by the end of September.

The Committee also heard an update on the search for the Construction Assurance Director.

The Committee completed a comprehensive review of the administration's efforts to identify Deferred Maintenance, which was one of the Governor's directives. Mr. Bradley led that discussion.

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Health Center Chief Administrative Officer Whetstone updated the Committee on the Master Plan for the Health Center. They also reviewed the Research Tower, which the Board discussed and voted on earlier the revised planning phase of the project budget.

The Committee heard an update on the status of the Law School Façade project, which is progressing. The Whiting-Turner Contracting Company has been selected as the construction manager and work has already begun.

Mr. Richard Miller, Director of Environmental Policy, discussed LEED (Leadership in Energy and Environmental Design) certification for the Burton Family Football Complex/Mark R. Shenkman Training Center. During a previous discussion on green buildings, Chairman Rowe discussed some of the issues that he suggested for consideration. Chairman Rowe said that he was not sure if they have delegated responsibility to the staff, but further discussion was needed on the process. The Committee will discuss further the process for green buildings, but LEED certification is something that all members thought was moving in the right direction.

Mr. Callahan reported on the Fenton River Study and provided a Water System Improvements update. The Committee asked the administration to come back with possible proposals before amending the water rules and rates. Vice-Chair Ritter wanted to pursue this matter first internally and then develop proposals to review in the future.

9. Construction Management Oversight Committee

(a) Committee Chairman's report on Committee activities

Vice-Chair Ritter reported that the first meeting of the newly formed Construction Management Oversight Committee was held on September 20, 2006. Vice-Chair Ritter said he was encouraged that the Committee will fulfill its role. Chairman Rowe suggested at the next meeting the Committee walk through the process that takes place to build an educational building. This will help Committee members understand the process.

Chairman Rowe was also encouraged by the Committee participation. He stated that it was very clear that all the members were on the same page even though half of the committee membership is representative of the Board and the other half appointed by the Legislature. The Committee began its first meeting by Vice-Chair Ritter reading a letter from Governor Rell, which was very supportive but was clear about her expectations. The Governor's correspondence set the tone for the seriousness of purpose.

10. Student Life Committee Report

(a) Committee Chairwoman's report on Committee activities

Vice-Chair Bailey reported that the Student Life Committee met on September 18, 2006. The Committee heard a presentation about textbook costs from Mr. William Simpson, President and General Manager of the UConn Co-op. Mr. Simpson cited the following reasons why students feel so strongly about textbook costs: 1) many students pay for the books themselves; 2) most students come from public schools and do not have the experience of buying textbooks; 3) despite the efforts of the UConn Co-op to inform students and their families of the expense of the textbooks, they still seem surprised; and 4) many students and their families do not value textbooks as a key component to the educational process. The average UConn student spent \$465 on textbooks last year. Based on the full-time equivalency (FTE) basis, the amount increased to \$555. Another factor that can impact textbook expense is the student's major.

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Choices that students make can also impact prices. Students usually buy used books, share books, delay the purchase of books until they are used in class, or do not buy all the required books or buy from other students or online. Mr. Simpson also discussed how students are sometimes asked to purchase a bundle of books in which some are not used in class.

The UConn Co-op has several programs in place that have saved UConn students over \$3.3 million last year and is one of about 10 bookstores nationally that offers a patronage rebate. It is also the only store in the nation that offers anything similar to the Buyback Pledge. Last year, the Co-op paid out about \$32,801 to students under this program.

Ms. Donna Korbel, Director, Center for Students with Disabilities, thanked Mr. Simpson and the Co-op for supplying books to the Center for Students with Disabilities.

Chairman Rowe asked if there were similar concerns at the graduate/professional schools. Vice-Chair Bailey responded she did not know for a fact, but assumed that there were probably similar concerns.

Chairman Rowe asked Executive Vice President for Health Affairs Deckers about the Schools of Medicine and Dental Medicine. Dr. Deckers said that more and more of the textbooks are not in the traditional format. The students are provided syllabi and most of the materials are provided electronically.

Trustee Gatling noted that she is not sure how we can do this better, but it appears that families and students are always shocked when they see the cost even though attempts have been made to let them know ahead of time. She said that one of things they talked about was how to improve that process so that students know in the beginning of the summer.

(b) Item requiring Board discussion and approval:

(1) Public Act Concerning Student Textbook Affordability (Attachment 42)

On a motion by Mr. Nichols, seconded by Mr. Kazerounian, **THE BOARD VOTED** to approve the resolution regarding Public Act No. 06-103, An Act Concerning Textbook Affordability, and to confirm the University's current process and practice for the disbursement of financial aid to students who have met all federal, state and institutional requirements for financial aid by the first day of the academic term (effective July 1, 2006).

11. Institutional Advancement Committee Report

(a) Committee Chairman's report on Committee activities

Trustee Barry gave the report of the Institutional Advancement Committee on behalf of Vice-Chair Treibick. The Committee met via teleconference on Tuesday, September 19, 2006. Vice-Chair Treibick welcomed to the Committee Dr. Francis X. Archambault, as the new President of the Alumni Association.

Mr. John Martin, President of The University of Connecticut Foundation, Inc., updated the Committee on the fundraising results as of August 31, 2006. The Foundation is well organized for success this fiscal year. Summer planning has been completed, and the expanded Annual Fund goal of \$4 million has been established. The Foundation has hired Grezenbach, Glier to be the campaign planning consultant. They have visited the University for an initial meeting with the President and

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the Provost. The next step will be a survey instrument, which involves the Trustees, Foundation leadership, the Alumni Association leaders, and the deans.

The Foundation is actively recruiting to fill several fundraising positions to replace staff who have moved on to other opportunities.

Mr. Brohinsky provided the Committee with a legislative update. He discussed the emerging major goals and challenges facing the University for both the Storrs campus and the Health Center in the upcoming 2007 legislative session.

Dr. Archambault reported to the Committee that the search for the Executive Director of the Alumni Association is underway. Vice Provost Evanovich is chairing the search committee.

Dr. Archambault also informed the Committee that the 2006 Alumni Association Awards ceremony will be held on Saturday, October 21, 2006.

(b) Items requiring Board discussion and approval:

- (1) Facilities Naming Recommendations (Attachment 43)

On a motion by Mr. Nichols, seconded by Ms. Bailey, **THE BOARD VOTED** to approve the following facilities naming recommendations for the Division of Athletics and the Health Center.

(a) Division of Athletics

- (1) J. Robert Donnelly Football Foyer
- (2) Mr. and Mrs. Scott A. LaBonte and Family Head Football Coach's Office and Helen T. Bianca Women's Basketball Team Locker Room
- (3) Russell C. Ordway, Sr. Team Meeting Room
- (4) The Polo Family Strength and Conditioning Center
- (5) Sonny and K.C. Whelen Women's Basketball Office
- (6) Herb and Marcia Dunn Academic Support Center
- (7) The Karl Krapek Family Strength and Conditioning Room

(b) Health Center

- (1) The Ethel Donaghue Center for Translating Research into Practice and Policy

(c) Informational items:

- (1) Development Progress Executive Summary (Attachment 44)
- (2) Endowment Management Performance Report (Attachment 45)

Assistant Vice President of Treasury Services Kevin Edwards gave a powerpoint presentation on Endowment Investment Performance, which illustrates the investment management at the Foundation.

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Chairman Rowe stated that normally when he sees these kinds of data, he sees information on the expenses associated with the fundraising, not just fees for management of the funds, but the real net effect. He asked how much were we spending on the development activities and vetting those out of the annual gifts as well. He knows that the presentation has focused upon investment performance and not including the annual gifts, etc., but Chairman Rowe asked if Assistant Vice President Edwards was able to get information from the BIG EAST about how we perform on the expense side as well as on the earning side.

Assistant Vice President Edwards responded that he did not have the expense information from the BIG EAST, and certainly not on the development aspect, but looking at the NACUBO (National Association of College and University Business Officers) Survey from last year, the average runs about .5% to about .6% as far as investment management costs and we are in that same realm, which is in the fees. Assistant Vice President Edwards deferred to Mr. Martin for matters pertaining our costs related to development.

Trustee Nichols asked about the University's policy of investing in Hedge Funds, which is a high profile area these days that has suffered some high profile crashes involving endowments of universities, pension funds of smaller, and some larger, towns, etc. He asked Assistant Vice President Edwards to talk a little bit about not necessarily our strategy, but the thinking that goes into continuing to invest in this area.

Assistant Vice President Edwards responded that alternative investments in general, not just Hedge Funds, are really geared toward "sophisticated" investors of which endowments, pensions are considered to be in that realm. They are trying to diversify the University's portfolio by getting additional returns and reduce our overall risk. If they were to invest purely in public markets or purely in S & P 500, over the past ten years they'd have about an 8.5% return, but you would have seen volatility and huge swings in those returns. By investing in things such as Hedge Funds, private capital, venture capital, real estate, hopefully it will at least attain that same return, but rather than having the big swings year over year, which affects the spending allocation, they can make it a much smoother ride, which is what they are trying to do, which means risk adjusted return.

Trustee Nichols asked if the Foundation is pretty well diversified amongst that 17% that goes into Hedge Funds or is it concentrating heavily in a few and in what areas.

Assistant Vice President Edwards responded that they have eight managers that they are invested in, so on average they have about a 2% investment in any one manager. Most of those investments for Hedge Funds are publicly traded equities traded long and traded short, so there is truly a Hedge strategy involved. They are not dealing with derivative products or tremendous amounts of volatility because they are hedging their long position. That is most of their Hedge Funds. They also get into some other areas, such as distress debt.

President Austin expressed his appreciation to Assistant Vice President Edwards for his expertise in continuing the Foundation's upward momentum. President Austin compared our admissions goals back when the University received only 9,000

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applications and admitted 70% to now in which we have in excess of 20,000 applications and admit 3,200 plus some transfer students. The ratio here as to where we stand among the Big East schools and perhaps another peer or reporting group would be as appropriate as the Big East schools, but being second in terms of increased activity as opposed to being 12th in terms of size of corpus, represents the Foundation's progress first under former Vice President Allenby's leadership and now under John Martin's, and the investment Committee and staff headed by Assistant Vice President Edwards. Trustee Ritter has been on that Board and also Vice-Chair Drotch, who formerly chaired the Committee. For two or three consecutive years, the performance of the endowment was in the top 1% in the country, which is an indication of the loyalty of high achieving graduates of the University. Many of whom are in key positions all over the country and have come back to support the University's Foundation. With increased performance, the University will grow in size. President Austin stated that it is precisely the flexibility of the Foundation that will allow the successful pursuit of academic excellence at the University after many have left. Again, he thanked Vice President Edwards and President John Martin for their good work.

12. Faculty member appeal

EXECUTIVE SESSION

On a motion by Mr. Barry, seconded by Ms. Bailey, **THE BOARD VOTED** to go into Executive Session at 2:35 p.m. to discuss the appeal of Dr. Roberto Gaxiola of the Department of Plant Science. 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, Burrow, Dennis-LaVigne, Gatling, Jacobs, Kazerounian, Lobo, Nichols, Prelli, Ritter, Rowe, Shepperd, and Janine Braun, who represents the Governor's Office.

Trustee Drotch participated by telephone.

University staff present were: President Austin, Provost and Executive Vice President for Academic Affairs Nicholls, Vice Provost for Academic Administration Singha, Dr. Schurin, Mr. Edward Marth, Executive Director of the UConn Chapter of the American Association of University Professors, Dr. Kirklyn Kerr, Dean, College of Agriculture and Natural Resources, Dr. Mary Musgrave, Department Head of Plant Science, and Associate Professor Wolf-Deiter Reiter, Department of Molecular and Cell Biology.

Assistant Attorney General Michael Sullivan was also present.

Also in attendance was Aetna Chief of Staff Patricia Hassett.

The following University faculty and staff members left the meeting at 3:09 p.m.: Provost and Executive Vice President for Academic Affairs Nicholls, Vice Provost for Academic Administration Singha, Mr. Edward Marth, Dean Kirklyn Kerr, Dr. Mary Musgrave, Dr. Roberto Gaxiola, and Dr. Wolf-Deiter Reiter.

Executive Session ended at 3:20 p.m. and the Board returned to Open Session at 3:21 p.m.

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Chairman Rowe reconvened the meeting and asked Dr. Schurin to read the following resolution:

Be it resolved, that the Board of Trustees denies the appeal of Dr. Roberto Gaxiola for tenure and promotion to Associate Professor and confers a terminal one-year appointment.

Chairman Rowe asked the Board to vote on the resolution.

Those voting in favor of the resolution were: Trustees Abromaitis, Bailey, Barry, Burrow, Drotch, Gatling, Jacobs, Lobo, Prelli, Ritter, Rowe, and Shepperd. Trustee Kazerounian voted in opposition. Trustees Dennis-LaVigne and Nichols abstained. The resolution passed.

13. Adjournment

The next meeting of the Board of Trustees is scheduled for Tuesday, November 14, 2006 at 1:00 p.m. at the Stamford Campus, Stamford, Connecticut.

There being no further business appearing, the Board meeting adjourned at 3:22 p.m.

Respectfully submitted,

Louise M. Bailey
Secretary