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Minutes, 2013 November 13

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

MINUTES

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

November 13, 2013

OPEN SESSION

The meeting was called to order at 10:15 a.m. by Chairman Lawrence D. McHugh. Trustees Louise M. Bailey, Rose A. Barham, Andy F. Bessette, Charles F. Bunnell, Shari G. Cantor, Richard T. Carbray, Jr., Sanford Cloud, Jr., Michael K. Daniels, Andrea Dennis-LaVigne, Marilda L. Gandara, Juanita T. James, Thomas E. Kruger, Denis J. Nayden, Thomas D. Ritter, and Mary Ann Handley, Governor Malloy's designee were in attendance.

Trustee Rebecca R. Lobo participated by telephone.

Trustees Donny Marshall, Stefan Pryor, Steven K. Reviczky, and Catherine H. Smith were not in attendance.

The following University staff were present: President Herbst, Provost and Executive Vice President for Academic Affairs Choi, Executive Vice President for Administration and Chief Financial Officer Gray, Vice President for Communications Kendig, Vice Provost and Chief Information Officer Mundrane, Associate Vice President of Finance and Budget Teal, Executive Secretary to the Board Rubin, General Counsel Orr, Associate General Counsel Gelston, and Deputy Chief of Staff Kirk.

Assistant Attorney General Bray was also present.

Senate Representatives Rajeev Bansal, Lynne Healy, Donna Korbel, Zeki Simsek, and William Stwalley were in attendance.

1. Public Participation

Undergraduate Student Government (USG) representatives Claire Price, Comptroller, and Hailey Manfredi, Student Development Chairperson, spoke in support of a new student recreational facility and the associated student fee. They stated that this support was contingent on the University accepting USG's request that student stakeholders have input in the construction, operation, and use of the new facility. They urged that the facility not be used as practice space for varsity athletic teams.

2. Chairman's Report

(a) Matters outstanding

General Counsel Orr briefly updated the Board on the legal aspects of the complaint filed with the U.S. Department of Education's Office of Civil Rights, litigation filed in U.S. District Court and a complaint with the state Commission on Human Rights and Opportunities. Given the multitude and complexity of the proceedings, the University has requested that the Attorney General hire outside counsel to assist with these matters.

Chairman McHugh stated that because of the ongoing litigation neither the University nor the Board was able to discuss specific allegations. Chairman McHugh acknowledged that the University's first and foremost priority is the safety of its students. Chairman McHugh also reiterated the Board's continued support of President Herbst and the entire University community for their commitment to zero tolerance regarding sexual violence and for providing continued access to critical resources toward prevention, education, and support to victims. Similarly,

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continued efforts will be made to monitor and self-evaluate relevant University policies and procedures to ensure national best practices continue to be followed.

(b) Minutes of the meeting of October 23, 2013

On a motion by Mr. Ritter, seconded by Mr. Nayden, the Board voted unanimously to approve the minutes of the meeting of October 23, 2013.

(c) Consent Agenda Items:

On a motion by Mr. Ritter, seconded by Dr. Dennis-LaVigne, the Board voted unanimously to remove the following item from the Consent Agenda for further consideration:

- (6) Graduate Certificate in Arts Administration (Attachment 6)

On a motion by Mr. Ritter, seconded by Dr. Dennis-LaVigne, the Board voted unanimously to approve the following Consent Agenda items:

- (1) Contracts and Agreements for the Storrs-based Programs and the Health Center (Attachment 1)
- (2) Tenure at Hire (Attachment 2)
- (3) Sabbatical Leave Recommendations (Attachment 3)
- (4) Establishment of the John and Donna Krenicki Endowed Professorship in Genomics and Personalized Healthcare in the Institute for Systems Genomics (Attachment 4)
- (5) Graduate Certificate in Sustainable Environmental Planning and Management (Attachment 5)

(d) Election of Board Secretary

On a motion by Dr. Dennis-LaVigne, seconded by Mr. Daniels, the Board voted unanimously to elect Ms. Louise M. Bailey as Secretary.

3. President's Report

President Herbst reiterated the University's commitment to protecting all students from sexual assault or harassment, and assisting victims of sexual violence or other crimes in their recovery. She clarified that her comments delivered at the October 23rd Board meeting were in response to the broad allegation that the "institution was deliberately indifferent" to reports of sexual assault and that they were not a comment on any individual student or any individual case.

President Herbst introduced Associate Vice President for Diversity and Equity and Title IX Coordinator Elizabeth Conklin, Vice President for Student Affairs Gilbert, Chief of Police O'Connor, and Kathleen Holgerson, Director of the Women's Center, to present on the University policies, practices, and procedures regarding the issues of sexual assault and harassment.

4. Academic Affairs Committee Report

(a) Report on Committee activities

(b) Informational item:

- (1) Renaming the Undergraduate Major Latin American Studies to Latino and Latin American Studies in the College of Liberal Arts and Sciences (Attachment 7)

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5. Financial Affairs Committee Report

- (a) Report on Committee activities
- (b) Items requiring Board discussion and approval:

On a motion by Ms. Cantor, seconded by Ms. James, the Board voted unanimously to remove the following items from the agenda for further consideration:

- (9) Project Budget (Final) for Beach Hall Renovations –
Molecular Cell Biology Laboratory for New Faculty (Attachment 15)
- (10) Project Budget (Final) for Gant Building Renovations –
Data Center Stabilization (Attachment 16)
- (11) Project Budget (Final) for the New Faculty Renovations –
George C. White Building, Animal Science Lab (Attachment 17)

On a motion by Mr. Kruger, seconded by Mr. Ritter, the Board voted unanimously to amend the Project Budget (Revised Planning) for Intramural, Recreational and Intercollegiate Facilities – Recreation Center as recommended by the Financial Affairs Committee.

- (7) Project Budget (Revised Planning) for Intramural, Recreational
and Intercollegiate Facilities – Recreation Center (Attachment 13)

The Recommendation has been amended to include the following statements:

“That each stage of the project, plans must be brought before the Buildings, Grounds and Environment and Financial Affairs Committees for approval before they are presented to the full Board for consideration.

That this resolution is contingent upon future affirmative votes by the Buildings, Grounds and Environment and Financial Affairs Committees after each has conducted a thorough review of the proposal.”)

On a motion by Dr. Dennis-LaVigne, seconded by Ms. Gandara, the Board voted unanimously to approve the following items, including the amendment to the Recreation Center:

- (1) Memorandum of Agreement (MOA) Between the
University of Connecticut and the American
Association of University Professors Regarding
Summer and Intersession Compensation (Separate cover)
- (2) Project Budget (Planning) for Academic and Research Facilities –
New Science, Technology, Engineering, and Math (STEM)
Research Center (Attachment 8)
- (3) Project Budget (Planning) for Gant Building Renovations –
STEM (Attachment 9)
- (4) Project Budget (Planning) for Residential Life Facilities –
Honors Residence Hall (Attachment 10)
- (5) Project Budget (Planning) for Residential Life Facilities –
Science, Technology, Engineering and Math (STEM)
Residence Hall (Attachment 11)
- (6) Project Budget (Revised Planning) for Heating Plant Upgrade –
Upgrade Chilled Water System (Attachment 12)
- (8) Project Budget (Final) for Atwater Laboratory Electrical
Service (Attachment 14)

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- (12) Project Budget (Final) for the UConn Health Center (UHC) Water Infrastructure Improvements (Attachment 18)
- (13) Project Budget (Revised Final) for the UConn Health Center (UHC) Center for Laboratory Animal Care (CLAC) Renovation (Attachment 19)
- (c) Informational item:
 - (1) UCONN 2000 Book 37
<http://www.uc2000.uconn.edu/reports/report37/report37.pdf>
- 6. Health Center Report
 - (a) Report on Health Center activities
- 7. Joint Audit and Compliance Committee Report
 - (a) Report on Committee activities
- 8. Buildings, Grounds and Environment Committee Report
 - (a) Report on Committee activities
 - (b) Item requiring Board discussion and approval:
 - On a motion by Mr. Ritter, seconded by Mr. Kruger, the Board voted unanimously to approve the following item:
 - (1) Telephone Distribution Easement to SNET/AT&T – Torrington Campus (Attachment 20)
- 9. Construction Management Oversight Committee Report
 - (a) Report on Committee activities
- 10. Student Life Committee Report
 - (a) Report of Committee activities
- 11. Institutional Advancement Committee Report
 - (a) Report on Committee activities
 - (b) Informational items:
 - (1) Development Progress Executive Summaries (Attachment 21)
- 12. Committee on Compensation Report
 - (a) Report of Committee activities
- 13. Other business
- 14. Executive Session anticipated.

EXECUTIVE SESSION

On a motion by Dr. Dennis-LaVigne, seconded by Mr. Kruger, the Board voted unanimously to go into Executive Session at 11:20 a.m. to discuss:

- 1. Preliminary drafts and notes that the University has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure; and
- 2. Records of law enforcement agencies not otherwise available to the public which records were compiled in connection with the detection or investigation of a crime pursuant to Sec. 1-210(b)(3); and

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3. Records pertaining to strategy and negotiations with respect to pending claims or pending litigation to which the public agency is a party until such litigation or claim has been finally adjudicated or otherwise settled.

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

Trustees Bailey, Barham, Bessette, Bunnell, Cantor, Carbray, Cloud, Daniels, Dennis-LaVigne, Gandara, James, Kruger, McHugh, Nayden, Ritter, and Mary Ann Handley, Governor Malloy's designee were in attendance.

Trustees Lobo and Marshall participated by telephone.

The following University staff were present for the Executive Session: President Herbst, Provost and Executive Vice President for Academic Affairs Choi, Executive Vice President for Administration and Chief Financial Officer Gray, Vice President for Communications Kendig, Executive Secretary to the Board Rubin, General Counsel Orr, Associate General Counsel Gelston, and Deputy Chief of Staff Kirk.

Assistant Attorney General Bray was also present for the Executive Session.

The following University staff were present for part of the Executive Session: Associate Vice President of Finance and Budget Teal and Vice Provost and Chief Information Officer Mundrane.

The Executive Session ended at 12:33 p.m.

OPEN SESSION

The Board returned to Open Session at 12:33 p.m.

15. Adjournment

There being no further business appearing, the Board meeting adjourned at 12:34 p.m.

Chairman McHugh announced that the next meeting of the Board of Trustees is scheduled for Wednesday, December 11, 2013 in the Rome Commons Ballroom.

Respectfully submitted,

Louise M. Bailey
Secretary