

June 2005

## Minutes June 21, 2005

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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

June 21, 2005

**OPEN SESSION**

The meeting was called to order at 11:51 a.m. by Chairman John Rowe. Trustees present were: Louise Bailey, Philip Barry, Peter Drotch, Linda Gatling, Lenworth Jacobs, Rebecca Lobo, F. Philip Prelli, Michael Martinez, Denis Nayden, Michael Nichols, and Brenda Sisco, who represents the Governor's Office. Student Trustee-elect Salmun Kazerounian was also present.

Trustees Stephen Kuchta and Richard Treibick participated by telephone.

Trustees James Abromaitis, William Berkley, Andrea Dennis-LaVigne, Thomas Ritter, 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 Operations Dreyfuss, Vice President for Student Affairs Saddlemyre, Vice Provost for Enrollment Management Evanovich, Vice Provost for Research and Graduate Education Greger, Vice Provost for Academic Programs Singha, Vice Provost for Academic Affairs Makowsky, Vice Provost for Multicultural and International Affairs Taylor, Special Assistant to the President Callahan, University Communications Director Brohinsky, Chief Audit and Compliance Officer Walker, Interim Director of Architectural and Engineering Services Kraus, Chief of Police Hudd (effective July 1 – Associate Vice President for Public and Environmental Safety and Chief of Police), Chief Financial Officer DeTora, Health Center Chief Financial Officer Upton, Health Center Chief Administrative Officer Whetstone, Health Center Chief of Staff Carlson, Dr. Schurin, University Senate representative Gerald Gianutsos, and Ms. Locke. Assistant Attorney General McCarthy was also present.

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

**EXECUTIVE SESSION**

On a motion by Mr. Nayden, seconded by Mr. Nichols, **THE BOARD VOTED** to go into Executive Session at 11:53 a.m. to discuss matters pertaining to personnel and 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: Bailey, Barry, Drotch, Gatling, Jacobs, Lobo, Martinez, Nayden, Nichols, Prelli, Rowe, and Brenda Sisco, who represents the Governor's Office. Student Trustee-elect Kazerounian was also present.

Trustees Kuchta and Treibick participated by telephone.

University staff present were: President Austin, Provost and Vice President for Academic Affairs Nicholls, 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, Interim Director of Architectural and Engineering Services Kraus, and Chief of Police Hudd

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(effective July 1 – Associate Vice President for Public and Environmental Safety and Chief of Police), Assistant Attorney General McCarthy was also present.

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

Executive Session ended at 12:31 p.m. The Board returned to Open Session at 1:14 p.m. All actions taken were by unanimous vote of the Trustees present.

## 1. Public Participation

There were no members of the public who wished to speak.

## 2. Chairman's Report

### (a) Board recognition

Chairman Rowe welcomed again to the Board Commissioner F. Philip Prelli and Student Trustee-elect Salmun Kazerounian.

Vice-Chair Bailey read the following resolution in honor of Michael J. Nichols and presented him with the framed resolution.

On a motion by Ms. Bailey, seconded by Mr. Kuchta, **THE BOARD VOTED** to approve the resolution for Trustee Nichols.

### **MICHAEL J. NICHOLS 2003-2005**

**WHEREAS**, Michael J. Nichols will complete his term as student-elected trustee on June 30, 2005; and

**WHEREAS**, Mr. Nichols has served with great dedication as a member of the Board of Trustees and the Committees on Financial Affairs, Student Life, and Honors and Awards; and

**WHEREAS**, his service on the Board is continued a record of service to the University's students that began with his election, while still a freshman, as the President of the Undergraduate Student Government and continued throughout his college career; and

**WHEREAS**, Mr. Nichols has been an articulate, responsible, effective member of the Board of Trustees, always responsive to student concerns and committed to the University as a whole; and

**WHEREAS**, Mr. Nichols has graduated from the University and goes on to other pursuits, taking with him the respect and best wishes of his colleagues on the Board;

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Board of Trustees of the University of Connecticut records its gratitude to Michael J. Nichols for his outstanding commitment and dedicated service and extends to him its best wishes for the future.

Vice-Chair Bailey expressed her pleasure in working with Trustee Nichols over the past two years and thanked him for all his hard work and dedication on behalf of the students. She also welcomed Mr. Kazerounian to the Board.

Chairman Rowe added that Trustee Nichols has been very positive, helpful and effective in representing the students.

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- (b) Matters outstanding
- (c) Minutes of the meetings of April 12, May 9, and June 1, 2005  
On a motion by Mr. Treibick, seconded by Mr. Barry, **THE BOARD VOTED** to approve the minutes of the meetings of April 12, May 9, and June 1, 2005.
- (d) 2005-06 Board meeting schedule (Attachment 1)  
On a motion by Mr. Barry, seconded by Mrs. Gatling, **THE BOARD VOTED** to approve the 2005-06 Board meeting schedule.

Chairman Rowe directed Trustee attention to an article from the *Willimantic Chronicle* titled, "Is UConn too elite for a State School?" He and President Austin indicated that the answer is negative.

- (e) Consent Agenda Items:  
Chairman Rowe noted that Trustees have at their places a revised lease for the City of Waterbury (Attachment 2). Vice President and Chief Operating Officer Flaherty-Goldsmith explained that the revised lease reflects that the University of Connecticut is the lessee and the City of Waterbury is the lessor.  
On a motion by Mr. Treibick, seconded by Dr. Jacobs, **THE BOARD VOTED** to approve the following items listed on the Consent Agenda.
  - (1) Contracts and Agreements for the Storrs-based programs (Attachment 2)
  - (2) Fiscal Year 2007 New England Regional Student Program Tuition Rate (Attachment 3)
  - (3) Approval of Proposed Changes to the *University of Connecticut Laws and By-Laws* (University Senate Membership – Administrative Title Changes) (Attachment 4)
  - (4) Approval of Proposed Changes to the *University of Connecticut Laws and By-Laws* (Board of Trustees Distinguished Professor Selection Process) (Attachment 5)
  - (5) Reappointment of Board Representative to the Connecticut Agricultural Experiment Station Board of Control (Attachment 6)
- (f) Personnel matters (Storrs-based programs) (Attachment 7)
  - (1) Awards of Promotion and Tenure

On a motion by Mrs. Gatling, seconded by Ms. Bailey, **THE BOARD VOTED** to award promotion and/or tenure to the following faculty members:

Award of Promotion

1. Peter L. Lindseth, Professor, School of Law, effective August 23, 2005.

Award of Tenure

1. Robert P. Mason, Professor, Department of Marine Sciences, College of Liberal Arts and Sciences, effective August 23, 2005.

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Award of Promotion and Tenure

1. Barris Malcolm, Associate Professor, School of Social Work, effective August 23, 2005.

## (2) Designation of Emeritus Faculty

On a motion by Mrs. Galting, seconded by Ms. Bailey, **THE BOARD VOTED** to approve the designation of emeritus status to the following faculty members:

1. Thomas P. Riggio, Professor, Department of English, College of Liberal Arts and Sciences, effective June 1, 2005.
2. Eileen L. Silverstein, Professor, School of Law, effective June 1, 2005.
3. John A. Tanaka, Professor, Department of Chemistry, College, of Liberal Arts and Sciences, effective June 1, 2005.

## (3) Sabbatics

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

## (4) Informational matters

**3. President's Report**

## (a) Other matters

President Austin reported that summer continues to be an active time on the Storrs campus and elsewhere. Last week the University welcomed the Connecticut affiliate of the American Institute of Architects and next month we will host the 28<sup>th</sup> annual conference of teachers of the gifted and talented or "Confratute," which serves as a good recruiting device in our continued effort to attract excellent students from across the country.

We are well into the middle of summer orientation sessions and it is evident that students are enthusiastic about coming to UConn.

President Austin noted that Chairman Rowe made reference earlier to the change in our relationship with the New England Board of Higher Education with respect to moving out-of-state tuition rates from 150% of in-state tuition to 175%. The University requested this change, because we are having difficulty accommodating all of the competitive high school students from Connecticut. President Austin and Vice Provost for Enrollment Evanovich discussed this issue extensively with the staff of the New England Board and they have agreed. President Austin said that there are some deans that are concerned about how this will impact their recruiting efforts. This policy change authorizes but does not mandate the increase. The deans of the School of Dental Medicine, the School of Law, and the School of Social Work, who are concerned that we have to continue to draw excellent students from the New England region and want incentives to draw high quality students from surrounding states, will continue to be able to advocate reduced rates.

President Austin reported that next year the University will begin its ten-year accreditation process, which is primarily for Storrs and the Storrs-based programs. President Austin and Provost Nicholls

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thanked Professor Karla Fox for chairing the accreditation team. President Austin added that this is an effective discipline platform for review of institutional quality and setting priorities.

President Austin announced that this year marks the 50<sup>th</sup> anniversary of Jorgensen Center for the Performing Arts. He expressed his appreciation to Mr. Rodney Rock, Director, and Dean David Woods for the exemplary events. This year they were able to secure Bill Cosby as the honorary artistic director for the season.

Finally, last week President Austin announced to the Health Center Board of Directors that the term of Peter Deckers as Executive Vice President for Health Affairs and Dean of the School of Medicine has been extended to 2008. This will help assure that we continue without interruption the very significant progress that has been ongoing since 2000, and he expressed his appreciation to Dr. Deckers for his willingness to serve. Chairman Rowe also thanked Dr. Deckers for his leadership.

#### 4. Financial Affairs Committee Report

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

Vice-Chair Nayden recapped the budget workshop discussion this morning. Members of the Financial Affairs Committee and other members of the Board reviewed extensively the materials prepared by Vice President Aronson and her staff regarding activities concluding Fiscal Year 2005 and those going forward in Fiscal Year 2006. He summarized that the aggregate budget is approximately \$1.433 billion - \$797 million for Storrs and the regional campuses and \$636 million for the Health Center. They reviewed the Fiscal Year 2006 Capital Budget, which included \$79,000,000 to be funded by UCONN 2000 General Obligation Bonds. The Board also reviewed a number of fee adjustments, authorities to issue the bonds associated with the capital budget, and a number of reallocations of bond proceeds to ensure that the proper accounting of the expenditures have been completed. All of these items are detailed in the materials provided in the Budget Workshop binder.

Chairman Rowe directed Trustee attention to the following items for approval:

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

- (1) Approval of the Spending Plan for Fiscal Year 2006  
(Storrs-based Programs) (Attachment 8)

On a motion by Mr. Treibick, seconded by Mr. Barry, **THE BOARD VOTED** to approve a Spending Plan for Fiscal Year 2006 of \$797.2 million.

- (2) Fiscal Year 2006 Institutional Fee Adjustments  
(Storrs-based Programs) (Attachment 9)

On a motion by Mr. Nayden, seconded by Mr. Barry, **THE BOARD VOTED** to approve a revised schedule of student charges for FY 2006 comprised of an adjustment to the previously approved School of Social Work STEP per credit Program Fee.

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- (3) Fiscal Year 2007 Student Activity and Service Fee Adjustments  
(Storrs-based Programs) (Attachment 10)

On a motion by Ms. Bailey, seconded by Mr. Barry, **THE BOARD VOTED** to approve a revised schedule of student activity and service charges for FY 2007 comprised of an adjustment to the previously approved Torrington Student Government Fee.

- (4) Fiscal Year 2007 Academic Materials Fees Adjustments  
(Storrs-based Programs) (Attachment 11)

On a motion by Mrs. Gatling, seconded by Mr. Barry, **THE BOARD VOTED** to approve a revised schedule of Academic Materials Fees FY 2007 comprised of an adjustment to the previously approved School of Social Work STEP per credit Program Fee.

- (5) Fiscal Year 2006 Capital Budget (Attachment 12)

On a motion by Mr. Barry, seconded by Mrs. Gatling, **THE BOARD VOTED** to approve a capital budget in the amount of \$79,000,000 in UCONN 2000 General Obligation Bonds for Fiscal Year 2006.

Chairman Rowe reiterated that the Board held a very extensive discussion of the capital budget.

- (6) Revised Allocation of Bond Proceeds of the Fifth  
Supplemental Indenture (University of Connecticut  
General Obligation Bonds, 2000 Series A) (Attachment 13)

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

- Decrease the Monteith Renovation Project by \$288,652 for a total Fiscal Year 1999-2000 bond authorization for such project of \$444,348; and
- Increase the Deferred Maintenance and Renovation Lump Sum Balance – Phase II Project by \$288,652 for a total Fiscal Year 1999-2000 bond authorization of \$13,388,652.

- (7) Revised Allocation of Bond Proceeds of the Sixth  
Supplemental Indenture (University of Connecticut  
General Obligation Bonds, 2001 Series A) (Attachment 14)

On a motion by Mrs. Gatling, seconded by Mr. Barry, **THE BOARD VOTED** to approve the reallocation of bond authorizations among capital projects amending Appendix A of the Sixth Supplemental Indenture as follows:

- Decrease the Equipment, Library Collections and Telecommunications Completion – Phase II by \$7,000,000 for a total Fiscal Year 2000-2001 bond authorization for such project of \$13,000,000; and

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- Decrease School of Pharmacy by \$6,067,172 for a total Fiscal Year 2000-2001 bond authorization for such project of \$16,932,828; and
- Increase Deferred Maintenance and Renovation Lump Sum Balance – Phase II Project by \$11,715,926 for a total Fiscal Year 2000-2001 bond authorization for such project of \$32,568,880.13; and
- Increase Gant Plaza Deck by \$757,880 for a total Fiscal Year 2000-2001 bond authorization for such project of \$3,771,174.10; and
- Increase School of Business by \$593,366 for a total Fiscal Year 2000-2001 bond authorization for such project of \$3,593,366.

- (8) Revised Allocation of Bond Proceeds of the Seventh Supplemental Indenture (University of Connecticut General Obligation Bonds, 2002 Series A) (Attachment 15)

On a motion by Mr. Kuchta, seconded by Ms. Bailey, **THE BOARD VOTED** to approve the reallocation of bond authorizations among capital projects amending Appendix A of the Seventh Supplemental Indenture as follows:

- Decrease the Deferred Maintenance and Renovation Lump Sum Balance – Phase II Project by \$7,000,000 for a total Fiscal Year 2001-2002 bond authorization for such project of \$29,000,000; and
- Increase the Equipment, Library Collections and Telecommunications Completion – Phase II by \$7,000,000 for a total Fiscal Year 2001-2002 bond authorization of \$25,000,000.

- (9) Revised Allocation of Bond Proceeds of the Eleventh Supplemental Indenture (University of Connecticut General Obligation Bonds, 2005 Series A) (Attachment 16)

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

- Decrease Deferred Maintenance and Renovation Lump Sum Balance – Phase II by \$6,067,172 for a total Fiscal Year 2004-2005 bond authorization for such project of \$2,847,828; and
- Increase School of Pharmacy by \$6,067,172 for a total Fiscal Year 2004-2005 bond authorization for such project of \$30,820,172.

- (10) Twelfth Supplemental Indenture Authorizing University of Connecticut General Obligation Bonds (Attachment 17)

On a motion by Dr. Jacobs, seconded by Dr. Rowe, **THE BOARD VOTED** to approve the Twelfth Supplemental Indenture authorizing University of Connecticut General Obligation Bonds. This provides for the twelfth bond issuance under the Master Indenture and authorizes issuance in an amount not to exceed \$79,000,000, plus cost of issuance.



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**5. Health Center Report**

- (a) Report on Health Center activities
- (b) Items requiring Board discussion and approval:
  - (1) Approval of the Spending Plan for the University of Connecticut Health Center for Fiscal Year 2006 (Attachment 18)

Health Center Board of Directors Chair Leonardi reported that the Board of Directors held their last meeting on June 13, 2005 in which they reviewed the capital and operating budgets for the Health Center. As was mentioned earlier in Dr. Deckers' presentation, those spending plans reflect the Health Center's priorities and strategies. She directed Trustee attention to the following items for approval:

On a motion by Dr. Jacobs, seconded by Mr. Barry, **THE BOARD VOTED** to approve the University of Connecticut Health Center Spending Plan for the Fiscal Year 2006.

- (2) Approval of the Capital Spending Plan for Fiscal Year 2006 and the Five-Year Capital Spending Plan for Fiscal Years 2007-2011 for the University of Connecticut Health Center (Attachment 19)

On a motion by Dr. Jacobs, seconded by Mr. Martinez, **THE BOARD VOTED** to approve the Capital Spending Plan for Fiscal Year 2006 and the Five Year Capital Spending Plan for Fiscal Years 2007-2011 for the University of Connecticut Health Center.

Ms. Leonardi also stated that the Board of Directors heard a presentation on their campaign planning study. The UConn Foundation has contracted with Marts & Lundy to review the potential for philanthropic prospects at the Health Center. Marts & Lundy reported back that there is good potential, but investments need to be made in personnel and communications plans, which are reflected in the budget. They hope to move forward quickly and achieve enhanced performance within the next year.

The Board of Directors also heard a presentation from Dr. Deckers on the Affirmative Action Plan to be submitted in the fall to the Commission on Human Rights and Opportunities (CHRO). Ms. Leonardi reported that last year's plan was deemed unacceptable, but the administration believes that this decision was primarily based on a lack of information rather than any discriminatory practices. The administration has taken this matter very seriously and has developed an action plan to address the noted deficits. It is expected that this year's Plan will be approved.

The Signature Programs continue to be successful and have exceeded their projections as far as patient volume and returns. In addition, the clinical enterprise has made a very strong commitment to quality and they are moving forward in an effort to earn the Malcolm Baldrige National Quality Award.

The Board of Directors awarded Dr. Peter Albertson the Health Center Board of Directors Faculty Recognition Award, which celebrates and rewards excellence in areas of clinical research and service.

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Ms. Leonardi indicated that she will be stepping down as Chair of the Health Center Board of Directors. Chairman Rowe has asked Gerard N. Burrow, M.D. to take her place as Chair for a three-year term. Dr. Burrow is the President and Chief Executive Officer of the Sea Research Foundation, Inc., Mystic Aquarium and Institute for Exploration, Dean Emeritus and David Paige Smith Professor of Medicine Emeritus of the Yale University School of Medicine, and he is also a former dean of the University of California at San Diego. Ms. Leonardi indicated that she will serve out the remaining two years of his term as an at-large member of the Board and she has agreed to also chair the Health Center Board of Directors Finance Committee.

Chairman Rowe added that Dr. Burrow has served on the Health Center Board for two years and has been a very active and an effective participant. He is delighted that he has expressed his willingness to serve as Chair. As Ms. Leonardi mentioned, he is a former dean of the Yale School of Medicine and has had a very distinguished career as an academic endocrinologist at the University of California at San Diego and at Yale. He is an internationally respected physician, researcher, and academic administrator and it is very generous of him to make this commitment of time.

Chairman Rowe commended Ms. Leonardi for her dedication and efforts for the University and the Health Center over the past decade.

Vice-Chair Jacobs added that it has been his pleasure to work with Ms. Leonardi. He knows of no other individual that has been more committed to the University.

## **6. Joint Audit and Compliance Committee Report**

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

Vice-Chair Nayden reported that since the special Board meeting held on June 1, which focused on an examination of the UCONN 2000 construction program, the Joint Audit and Compliance Committee continues to examine and explore what has happened historically to external audit and compliance work done by various firms. This review is expected to conclude shortly.

Separately, the Committee has asked Chief Audit and Compliance Officer Walker to work with Blum Shapiro, the external audit firm that has been contracted to conduct a variety of audits, to expeditiously conclude their 2001-02 audit, finalize that report, allow for management comment, and then present the report to the Committee and then to the full Board. Likewise, they will be asked to complete the 2003 audit work, which will conclude past activity. The Committee will continue their efforts and report regularly to the Board on findings and observations.

Chairman Rowe mentioned that in addition to the interim reports that will be presented periodically, the Board will expect to receive a formal report in the fall from Mr. Walker and President Austin regarding the Corrective Action Plan, which has been put in place and is at the same time in development and evolving.

The Governor's Panel has received the materials presented at the June 1 meeting. The Panel will review the capacity of the University to effectively oversee construction projects and related activities going forward. Members of the University staff will be meeting with the Panel shortly to provide them with information. The University will continue to communicate and provide documentation as needed.

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**7. Academic Affairs Committee Report****(a) Committee Chairman's report on Committee activities**

Vice-Chair Jacobs reported that Provost Nicholls has been working to focus his vision and stewardship of the academic enterprise. The Provost informed the Board this morning that he will hold a retreat with the deans to present and discuss their goals and strategies. At a later date, he will report to the Board his vision for academic affairs.

At the last Academic Affairs meeting, the Committee devoted the entire meeting to a discussion on the "Report on the Feasibility of Establishing a College of Veterinary Medicine," which was commissioned to consider the potential for a veterinary school at UConn. The Committee reviewed the report in-depth and discussed three different plans that could be brought forward ranging from transferring Connecticut students to other facilities to building a facility at the University. The financial costs range in the millions. The Committee asked Provost Nicholls to review the proposal further and to come up with his findings that will take into consideration the financial implications, and the potential need in Connecticut. It is expected that later this year or early next year he will report his findings to the Board.

**8. Student Life Committee Report****(a) Committee Chairwoman's report on Committee activities**

Vice-Chair Bailey directed Trustee attention to the revised Graduate Student Senate Constitution in Attachment 20. She noted that these changes were discussed and approved at the Student Life Committee on Monday, April 18, 2005. The Graduate Student Senate ratified changes to their constitution on Monday, March 14, 2005. Significant changes (not including changes in formatting or corrections in grammar or spelling) are summarized in the materials in Attachment 20, and it concerns officers, organization, procedures, and amendments.

**(b) Item requiring Board discussion and approval:****(1) Graduate Student Senate Constitution (Attachment 20)**

On a motion by Dr. Rowe, seconded by Mr. Barry, **THE BOARD VOTED** to approve the changes in the constitution of the Graduate Student Senate. Trustee Nichols indicated that these changes were discussed at various meetings and he supported the changes proposed.

**9. Institutional Advancement Committee Report****(a) Committee Chairman's report on Committee activities**

Vice-Chair Treibick noted that there was no report of the Institutional Advancement Committee.

**(b) Development Progress Executive Summary (Attachment 21)**

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**11. Adjournment**

Chairman Rowe noted that during the summer he will make assignments to Board committees, so if any Board members wished to make changes in their assignments they should contact Dr. Rowe or Aetna Chief of Staff Patricia Hassett.

Chairman Rowe announced that the next meeting will be held on Tuesday, August 2, 2005 at 1:00 p.m. at the University of Connecticut at Avery Point, Groton, Connecticut.

There being no further business appearing, the Board meeting adjourned at 1:46 p.m.

Respectfully submitted,

Louise M. Bailey  
Secretary