Minutes, June 26, 2001

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MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES
THE UNIVERSITY OF CONNECTICUT

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

June 26, 2001

The meeting was called to order at 2:30 p.m. by Chairman Roger Gelfenbien. Trustees present were:
Louise Bailey, Louise Berry, Linda Gatling, Lenworth Jacobs, Claire Leonardi, Michael Martinez, Frank
Napolitano, and Anne George, who represents the Governor's Office.

Trustees James Abromaitis, William Berkley, Michael Cicchetti, James Donich, Shirley Ferris,
David O'Leary, Irving Saslow, and Theodore Sergi were absent from the meeting.

Trustees Christopher Albanese and Richard Treibick participated by telephone.

University Staff present were: President Austin, Chancellor and Provost for University Affairs Petersen,
Executive Vice President for Health Affairs Deckers, Vice President for Institutional Advancement Allenby, Vice
President for Financial Planning and Management Aronson, Vice Chancellor for Business and Administration
Dreyfuss, Vice Chancellor for Student Affairs Triponey, Interim Vice Provost for Undergraduate Education Suman
Singha, Assistant Attorney General Shapiro, Assistant Attorney General Kleinman, Dr. Schurin, and Ms. Locke.

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

1. Public Participation

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

Miguel Ilzarbe, Student, Veteran
Tuition Waiver for Veterans

Mr. Ilzarbe indicated that he was accepted into the Molecular Diagnostic Program in the School of Allied
Health. He is a veteran receiving a veteran tuition waiver because he served in wartime, as provided by
Connecticut State Statute. He has been told by the Veterans' Affairs office at the University that his tuition
waiver would not be applicable to this Certificate Program because it is not a degree-granting program. His
interpretation of the law is that the waiver should apply to certificate programs, and this position has been
supported by an official at the Connecticut Department of Higher Education. The Financial Aid Office at
the University has not been responsive, and he needs prompt clarification because he has a deadline in
terms of enrollment in the program. President Austin responded that the University would get an answer
and that the deadline for enrollment would be waived. Chairman Gelfenbien committed that the University
administration would get back to Mr. Ilzarbe on this issue.

2. Chairman's Report

The Chairman's Report included the following items:

Chairman Gelfenbien welcomed Chris Hattayer, who has been elected by students as the new student
member of the Board of Trustees and will take office on July 1. Chris has long been active in student
issues and the Chairman indicated that he was sure Chris would be a great addition to the Board.
(a) Minutes of the meetings of February 22 and March 13, 2001

On a motion by Mrs. Berry, seconded by Ms. Bailey, THE BOARD VOTED to approve the minutes of the meetings of February 22 and March 13, 2001.

(b) Consent Agenda Items:

On a motion by Ms. Bailey, seconded by Mrs. Berry, THE BOARD VOTED to approve the following items listed on the Consent Agenda:

(1) Contracts and Agreements for the Health Center (Attachment 1)

(2) Approval of a Basic Nursing Certificate at Storrs (Attachment 2)

Ms. Leonardi asked if this program would only be offered at Storrs. Mrs. Berry called on Associate Vice Chancellor Fox, who responded that initially the program would only be offered at Storrs, but that it is set up in such a way that it might be offered at other sites. The administration is putting together a proposal for a Nursing program at Avery Point and this certificate program might be offered there, and possibly later at Torrington. Ms. Leonardi encouraged the administration to consider this expeditiously, in light of the nursing shortage in Connecticut and the needs of older or geographically bound potential students. Mrs. Berry indicated that there is some concern about the program’s likely success and that the administration is eager to get evidence of success before expanding the program.

(3) Authorization for the University of Connecticut Health Center Finance Corporation to Enter into a Five-Year Lease with Mount Sinai Hospital Foundation, Inc., on Behalf of the Burgdorf Dental Clinic Program (Attachment 3)

(4) Transfer of Funds to the UCHC Finance Corporation to Perform Functions for UConn Medical Group and UConn Health Partners for the Period July 1, 2001 to June 30, 2002 (Attachment 4)

(5) Transfer of Funds to the UCHC Finance Corporation to Perform Functions for University Dentists and Faculty Practice for the Period July 1, 2001 to June 30, 2002 (Attachment 5)

(6) Transfer of Funds to the UCHC Finance Corporation to Perform Functions for the Correctional Managed Health Care Program for the Period July 1, 2001 to June 30, 2002 (Attachment 6)

(7) Transfer of Funds to the UCHC Finance Corporation to Perform Functions for the John Dempsey Hospital for the Period July 1, 2001 to June 30, 2002 (Attachment 7)

(c) Personnel matters (Storrs-based programs and the Health Center) (Attachment 8)

(1) Promotion, tenure, and reappointment lists

On a motion by Ms. Leonardi, seconded by Mr. Martinez, THE BOARD VOTED to approve the recommendations indicated on Attachment 8.
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(2) Informational matters

3. President's Report

President Austin referred to the extensive briefings on programmatic and budgetary issues presented at the Budget Workshop earlier in the day, including a status report on the General Assembly's action on the State budget. The President mentioned one unqualifiedly positive action by the Legislature, the approval of the extension of the Matching Grant program. We have a $5 million match through FY 2005. The new legislation, which the Governor is expected to sign, extends the $5 million through FY '06 and '07, and from FY '08 through FY '14 provides $15 million, for a total of $115 million. With a two-for-one match this calls forth $230 million in private giving, which provides a total of $345 million. The President earlier praised Vice President Allenby and others for their work in taking an endowment from $50 million to nearly $300 million. We are embarked on a $300 million campaign, which could approach $500 million if market conditions hold. We are getting close, over the next decade, to $1 billion, which will help greatly in achieving our objectives. This should be a source of great pride for the Board, and the President thanked the Board for its help.

4. Financial Affairs Committee Report

(a) Committee Chairman's report on Committee Activities

Dr. Jacobs reported that the Finance Committee has undertaken extensive discussion and review of the proposed budget, including the Budget Workshop earlier in the day. Dr. Jacobs recommended that the Board approve the budget of $609.4 million outlined in the resolution that was distributed at the Board meeting for addition to the agenda.

(b) Items requiring Board discussion and approval:

(1) Approval of FY 2001-02 Operating Budget (Attachment 9)

THE BOARD APPROVED a motion by Dr. Jacobs, seconded by Mr. Treibick, to add to the agenda (as a revision of the resolution previously presented to the Board as Attachment 9) a resolution for Approval of the FY 2001-02 Operating Budget.

On a motion by Dr. Jacobs, seconded by Mrs. Leonardi, THE BOARD VOTED to approve a FY 2001-02 Operating Budget of $609.4 million (expenditure and mandatory transfers-$607.5 million, non-mandatory transfers-$2.0 million) including State support of $255.0 million, net Tuition and Fees of $152.2 million, unrestricted expenditures and transfers of $531.4 million and restricted expenditures of $78.1 million.

(2) Fiscal Year 2002-2003 Fee Adjustments (Attachment 10)

Dr. Jacobs offered a motion, seconded by Mrs. Berry, to approve three fee adjustments for the Fiscal Year 2002-2003, outlined in Attachment 10.

Mr. Hattayer expressed his opposition to the proposed Transit Fee increase, because it was not reviewed by students. He noted that proposed fee increases should be reviewed by affected groups. Mr. Hattayer agreed that the transit system needs this funding, but he wanted to emphasize that students should have been consulted on this issue, and expects that students will be consulted on these types of issues in the future. Mr. Hattayer also expressed concern that there be some kind of assurance that this funding will go to improve the transportation system and not to make the system more self-sufficient by allowing funds now coming to transportation from General University Fees and Parking Services to be allocated to some other unit of the University. Vice Chancellor
Dreyfuss indicated that there were general discussions with students, who indicated that they were willing to pay more for better service. It was in that spirit that the extra funds are being requested for a year from now, to deal with the extra demand for service at Northwest and Hilltop. This is not effective for another year. Ms. Leonardi also noted that specific fees were not discussed with students. Chairman Gelfenbien suggested that approval be delayed until after students are consulted. Mr. Treibick agreed. Ms. Bailey asked if this was among fees that had been discussed by Vice Chancellor Triponey at the Student Life Committee; she responded that it had not been discussed in detail. Vice Chancellor Triponey reported that the Student Fee Task Force will make recommendations about better ways of consulting with students.

Ms. Leonardi moved, and Mr. Treibick seconded, a motion to remove the Transit Fee Increase from the motion to approve fee adjustments (Attachment 10). Ms. Leonardi asked if this delays acquisition of new buses or any plans to improve service. Vice Chancellor Dreyfuss indicated that this may affect planning, but this funding does not cover acquisition of new buses. Chairman Gelfenbien asked that this be put on the agenda for the September meeting.

THE BOARD APPROVED the motion to delete the Transit Fee Increase from the resolution.

Mr. Napolitano asked if at the September meeting there could be discussion of the student health insurance issue as part of the general student fee package. Vice Chancellor Dreyfuss indicated that this item was approved by the Board several years ago. This is a mandatory fee to assure that all students have minimal health insurance coverage. Those who present evidence of coverage through family or other policies may have this fee waived. Vice Chancellor Dreyfuss noted that the insurance is purchased by the University and is bid out every several years. This is not a new fee. Mr. Napolitano indicated that this resolved his question.

THE BOARD APPROVED the amended resolution on two student fee adjustments, covering Differential Room Rates and Student Government Activity Fee Increase.

(3) Resolution Amending the Fifth Supplemental Indenture and Sixth Supplemental Indenture to Reallocate Fiscal Years 1999-2000 and 2000-2001 General Obligation Bond Proceeds

Vice President Aronson indicated that the proposed resolution is a technical amendment to deal appropriately with allocations for the Central Warehouse and Drama-Music building, which is complicated by the fact that those two projects had prior bond authorization before UCONN 2000 and then were completed with UCONN 2000 funds. Several months ago bond counsel recommended that the University amend the Sixth Supplemental Indenture, but they subsequently said this should be dealt with in the Fifth Supplemental Indenture. Vice President Aronson introduced Laurie Hall from Hawkins, Delafield & Wood to explain the change. Ms. Hall indicated that under tax code once a building is placed in service there are eighteen months in which bond proceeds can be used following that date. When the technical amendment was presented in February 2001, Hawkins, Delafield & Wood did not realize that the eighteen months had expired by approximately two weeks, because Music-Drama had been placed in service in September 1999; thus bond proceeds need to revert back to the Fifth Supplemental to year 1999-2000 bond authorization, and make the corresponding change to deferred maintenance.
THE BOARD APPROVED a motion by Dr. Jacobs, seconded by Mr. Martinez, to amend the Fifth Supplemental Indenture and Sixth Supplemental Indenture to reallocate Fiscal Years 1999-2000 and 2000-2001 General Obligation Bond proceeds.

Dr. Jacobs then asked Vice President Aronson to clarify issues relating to the Capital program. Vice President Aronson said that what was presented in the Budget Workshop book (Tab I) is an integrated proposal for the final years of UCONN 2000. There are various components to the building program. She noted that in September the administration will come to the Board with recommendations regarding the Special Obligation bonds for the purpose of augmenting what the University is doing regarding residential projects, Greek housing, and the possibility of cogeneration. Vice President Aronson also noted that the administration has aggregated the remaining amount in UCONN 2000 that is available for residential facilities ($47.8 million). She noted that the administration will discuss in September a more detailed plan that will also integrate the Special Obligation bond proposal. Vice President Aronson noted that the administration brought the Board a plan last November, which was not for specific action but for a general "go-ahead" on the broad outlines of the remaining UCONN 2000 program. Vice President Aronson indicated that what is presented under Tab I (Budget Workshop book) is a revision of what was brought to the Board in November. She indicated that some of this is occasioned by the need for us to do significant capital investment related to the consultants' recommendations on research animal care, which may require an allocation of $20 million, and noted that the administration has had to make significant revisions because of the additional cost driven by that need. The administration has already reduced funding for the Learning Center, as suggested by Mr. Napolitano earlier, by $7 million. Vice President Aronson noted that the administration is juggling many priorities. She indicated that the University is entering the final years of UCONN 2000. There is little time to make critical decisions given what is required for a construction program, including sequencing the location of projects on campus and providing swing space for programs. Vice President Aronson reiterated the importance of the Board's review of this revised plan before the administration moves ahead.

Vice President Aronson also noted that the Board received a list of deferred maintenance plans. She indicated that these are flexible dollars in which the Board gave the administration approval to allocate for significant but previously unplanned activities, such as in the School of Nursing. Vice President Aronson directed Trustee Attention to the annotated list of deferred maintenance projects for the coming year (Tab I). She reported that the University has about $40 million more in requests than is available. These requests have been carefully reviewed and prioritized by management. Vice President Aronson reiterated that the administration needs the Board to give a "go-ahead" to proceed with this general outline or, if there are problems, to alert the administration about the Board's concerns. It will be extremely difficult to start the FY '02 building program with the knowledge that we are going to be able to juggle so many projects and activities.

Chairman Gelfenbien suggested that a Finance Committee meeting be held in the next month to look at these projects more closely.

5. Health Affairs Committee Report
(a) Committee Chairman's report on Committee Activities
(b) Items requiring Board discussion and approval:
Approval of the Operating Budget for the University of Connecticut Health Center for FY 2002

THE BOARD APPROVED a motion by Mr. Martinez and seconded by Chairman Gelfenbien to add to the agenda a revised motion for Approval of the Operating Budget for the University of Connecticut Health Center for FY 2002. (This replaces the original motion included as Attachment 12 in the Board agenda.)

THE BOARD APPROVED a motion by Mr. Martinez and seconded by Mrs. Bailey a resolution to approve the Operating Budget for the University of Connecticut Health Center for the Fiscal Year 2002. The Fiscal Year 2002 Operating Budget for the Health Center includes $470.6 million of revenue, including state funding, to cover $470.5 million in expenses, yielding a $90,440 surplus.


Ms. Bailey moved and Dr. Jacobs seconded a motion that the Board of Trustees approve the University of Connecticut Health Center Capital Spending Plan for FY 2002 and the Five-Year Capital Spending Plan for FY 2003-2007.

Ms. Leonardi reported that the Capital Spending Plan for FY 2002 for the Health Center provides for State Bond Fund expenditures totaling $28,180,644 and $13,205,424 from other funds that include Research Use Allowance, John Dempsey Hospital, UConn Medical Group and others. The Five-Year Capital Spending Plan reflects the planned use of existing capital bond funds, other non-bond fund sources, and anticipated future capital spending needs through 2007.

Ms. Leonardi asked Vice President Aronson to outline the details of the Capital Spending Plan. Vice President Aronson indicated that the University has about $26 million outstanding in bond authorizations. The General Assembly has not authorized any additional bond allocations because there is such a great volume of funds available awaiting Bond Commission approval. She noted that this proposal is a movement of existing authorizations from the current biennium to the next biennium. In addition, there is a five-year plan displaying what the University had requested as part of the biennium budget, plus the piece generated by other than bond funds generated from within the Health Center that supports clinical operations.

Ms. Leonardi indicated that there are essential items on the list of specific activities that internal dollars will need to be generated to fund. Health Center Chief Financial Officer Dan Upton indicated that each month the Health Center requests that unallocated funds be released by the Bond Commission. There is about $13-14 million in requests that go to the Bond Commission each month. There is also $13.2 million in internal funds budgeted for specific projects and programs.

Ms. Leonardi said the five-year spending plan represents management's best judgment of the level of support needed. The Health Affairs Committee will examine the RFP for the facilities master plan in the fall, which will provide a more comprehensive plan of the long-term investments required, combined with the RFP for the Information Technology master plan. Ms. Leonardi noted that this is a "best-guess," but the FY '02-07 numbers may still change.

Trustee Albanese joined the meeting by telephone.
Chairman Gelfenbien said that it is clear that no funds will be spent until the plan has been reviewed by the Health Affairs Committee, and suggested that the resolution be approved with that understanding. Ms. Leonardi pointed out that the FY ’02 plan is indeed a specific approval for a spending plan, and Chairman Gelfenbien agreed.


(3) Approval of Changes to the University of Connecticut Laws and By-Laws

Ms. Leonardi removed the proposed approval of changes to the University of Connecticut Laws and By-Laws, which would revise the Health Center’s governance structure. While the enabling legislation has been approved by the General Assembly, the Governor has not yet signed the bill. His approval is anticipated shortly, and the By-Law changes will come before the Board at the July meeting. She indicated that there are two minor changes in the By-Laws proposal: Under Article V, Section (4)(b)(1)(e), relating to adjudication of all issues including faculty grievances related to promotion, tenure or reappointments, she suggested adding the words “incentive compensation” or another appropriate reference to compensation; and in section (4)(c)(2)(f)(I), the first nominating committee should include the President. On Section (5), the question of whether two voting members of the Health Center Board of Directors can be added to the Board of Trustees Finance Committee is being investigated. Mr. Napolitano asked for clarification of the wording that these members “may not be” members of the Board of Trustees. Chairman Gelfenbien indicated that the intent of this language is that the two Finance Committee members not be members of the Board of Trustees. Chairman Gelfenbien indicated that while the By-Law changes will not be voted on today there is a clear understanding that preliminary work to implement the structure will move forward before the next meeting.

(4) Health Center Lease Agreements

Ms. Leonardi informed the Board that the Health Affairs Committee approved two leases for properties, in Rocky Hill and in East Hartford, that deal with hiring of physicians in what is now called Connecticut Health Partners.

THE BOARD APPROVED a motion by Ms. Bailey and seconded by Mrs. Berry that the Board of Trustees request that the University of Connecticut Health Center Finance Corporation execute a lease for a term of five years commencing June 21, 2001 through June 30, 2006, with 2080 Silas Deane Highway, LLC, a Connecticut Limited Liability Company, in order to secure the use of facilities at 2080 Silas Deane Highway, Rocky Hill, CT, for the operation of UConn Health Partners.

THE BOARD APPROVED a motion by Ms. Bailey and seconded by Mrs. Berry that the Board of Trustees request that the University of Connecticut Health Center Finance Corporation execute a lease for a term of five (5) years commencing June 21, 2001 through June 30, 2006, with 2080 Silas Deane Highway, LLC, a Connecticut Limited Liability Company, in order to secure the use of facilities at 2080 Silas Deane Highway, Rocky Hill, CT, for the operation of UConn Health Partners.
THE BOARD APPROVED a motion by Ms. Bailey and seconded by Mrs. Berry that the Board of Trustees request that the University of Connecticut Health Center Finance Corporation execute sublease agreements with entities who seek to use available space in the off-campus facilities leased by UCHC for the operation of UConn Health Partners. Said sublease agreements shall be income generating, structured such that the terms represent fair market value.

6. Academic Affairs Committee Report
(a) Committee Chairwoman's report on Committee Activities

Mrs. Berry reported that the Academic Affairs Committee reviewed the Nursing Certificate proposal earlier in the day and this item was approved as part of the Consent Agenda.

7. Student Life Committee Report
(a) Committee Chairwoman's report on Committee Activities

Ms. Bailey reported that the Student Life Committee met on May 2, 2001. Ms. Bailey expressed her regret that the Committee did not hold a comprehensive discussion of all the fee adjustments, especially the fee that Mr. Hattayer was concerned about.

Ms. Bailey noted that the Committee welcomed Trustee-elect Hattayer and the new Dean of Students to their first Student Life meeting. Ms. Bailey indicated that the new Dean of Students also attended Spring Weekend.

The Committee toured the Student Health Services, Hilltop Apartments, Hilltop Suites, the Wilbur Cross Building, Northwest, and Towers and was impressed with the progress in all these areas.

8. Institutional Advancement Committee Report
(a) Committee Chairman's report on Committee Activities

Mr. Treibick reported that the Institutional Advancement Committee held a teleconference on Wednesday, June 20, 2001. The Committee heard a report from Mr. Riordan, President of the Alumni Association, regarding the outcome of the Alumni Association’s annual meeting on June 2. Mr. Treibick noted that the turnout was strong and the slate of Board candidates recommended by the nominating committee won by a significant margin.

Mr. Treibick also reported that the 14-month plan is on schedule and the next step will be to revise the bylaws this summer for a vote at a special meeting in the fall.

Mr. Brohinsky, Director of University Communications, reported that the University has issued an RFP to update the University’s Strategic Communications Plan. Selection will occur over the summer, with a review during the fall.

Mr. Kessler, UConn Foundation Vice President for Development, reported that new business and cash flow projections are on schedule for a $300 million Campaign, despite some softening in the economy. The May 31 reports indicate that new business totals are up 40% over last year and cash receipts are up 46% over last year. Regional campaigns will be launched in Hartford, Fairfield County, West Coast Florida and Washington D.C. during FY '02.

The Committee discussed the University’s initiatives in the area of Science and Technology Commercialization, and learned that the Foundation Board of Directors is reviewing the reactivation of an R&D corporation to assist the University in this area.
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The Committee also discussed the Marine Sciences Program at Avery Point and is looking forward to an update on these issues at the July 24 Board of Trustees meeting at the Avery Point Campus.

(b) Items requiring Board discussion and approval:

(1) Naming Recommendations for the New School of Business Administration Building (Attachment 15)

THE BOARD APPROVED a motion by Mr. Treibick and seconded by Ms. Leonardi for approval of the following Naming Recommendations for the New School of Business Administration Building:

(a) Airbus Industrie of North America, Inc.
   Student Breakout Room

(b) Barnes Group Inc. Student Breakout Room

(c) Howard & Sheila Crossman
   Accounting Department Head Office (Accounting)

(d) Anthony Esposito Student Breakout Room

(e) Samuel Gang Classroom

(f) Robert L. Gery SBA ’65 and Gloria Sposito Gery
   CLAS ’66 Faculty Office (Finance)

(g) Gladstein MIS Research Lab (OPIM)

(h) Edward F. Heberger Real Estate Library (Finance)

(i) Dr. Harry M. & Lynn A. Johnson Classroom

(j) John & Diane Kim Finance Suite (Finance)

(k) Theodore R. Rosenberg & Mary McVay Classroom Change

(l) Newtown Savings Bank Faculty Office (Accounting)

(m) David R. & Kathleen E. Pepin Interview Room

(n) Arnold M. Robin ’63 Student Breakout Room

(o) Art Stengel ’76 Interview Room

(p) Thomas A. and Doris E. Tedford Faculty Office (Finance)

Chairman Gelfenbien expressed his sympathy for the loss of Ms. Bailey’s mother, who served as a Trustee on the Board, and his gratitude to Ms. Bailey as her successor.

EXECUTIVE SESSION

On a motion by Chairman Gelfenbien, seconded by Ms. Leonardi, THE BOARD VOTED to go into Executive Session at 3:15 p.m. to discuss matters that would result in the disclosure of public records described in Section 1-19 (b) of the Connecticut General Statutes. The Chairman noted that on the advice of counsel only staff members whose presence was necessary to provide their opinion would attend Executive Session.
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Trustees present were: Bailey, Berry, Gatling, Gelfenbien, Jacobs, Leonardi, Martinez, Napolitano, and Anne George, who represents the Governor's Office.

Trustees Albanese and Treibick participated by telephone.

President Austin, Executive Vice President Deckers, Assistant Attorney General Shapiro, Assistant Attorney General Kleinman, Dr. Schurin, and Dr. Wetstone were also present.

Executive Session ended at 3:55 p.m. and the Board returned to Open Session.

THE BOARD APPROVED the following motion, offered by Ms. Leonardi and seconded by Mrs. Berry:

That the Board of Trustees defer action on the appeal of Dr. David Dorsky for a merit salary increase for 1999-2000, but remand this matter to the School of Medicine Compensation Appeals Committee for its consideration within sixty days following receipt of this letter. If Dr. Dorsky is in disagreement with the response of the Dean to the recommendation of the School of Medicine Compensation Appeals Committee, he has the option of having his appeal heard at the September 2001 meeting of the Board of Trustees.

In addition, the Board requests Dr. Dorsky to provide it with more detailed information to clarify his fourth request for relief listed in his confidential June 11, 2001 letter to the Board of Trustees. Dr. Dorsky is asked to indicate specifically which units of the administration are alleged to have violated University By-Laws and in what ways.

As to Dr. Dorsky's third request for relief in the June 11, 2001 letter to the Board, there is no evidence in the materials submitted by Dr. Dorsky that he has previously pursued established review mechanisms within the Health Center. Therefore the Board declines to review this requested remedy.

Chairman Gelfenbien announced that the next regular meeting of the Board of Trustees is scheduled for Tuesday, July 24 2001 at 1:00 p.m. at the University of Connecticut at Avery Point, Groton, Connecticut.

There being no further business, the Board meeting adjourned at 3:55 p.m.

Respectfully submitted,

Louise Bailey
Secretary