

UNIVERSITY OF MASSACHUSETTS

AMHERST•BOSTON•DARTMOUTH•LOWELL•WORCESTER

**MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES**

Wednesday, August 24, 2005; 9:15 a.m.

Alumni Lounge – Campus Center

University of Massachusetts

100 Morrissey Boulevard

Boston, Massachusetts

Trustees Present: Chair Karam; Vice Chair White; Trustees Armstrong, Austin, Carlin, Cassel, DiBiaggio, Dubilo, Fey, Hyppolite, Kennedy, Longo, Louis, Makrez, O’Shea, Rainey, Sheridan and Silver

Trustees Absent: Trustees Boyle, Mahoney, McCarthy and Pearl

University Administration: President Wilson; General Counsel O’Malley; Chancellors Lombardi, Collins, MacCormack, Hogan and Lazare; Vice Presidents Julian, Chmura, Gray and Lenhardt, Motley and Williams

Faculty Representatives: Professor O’Connor, UMASS Amherst; Professor May, UMASS Amherst; Professor Tirrell, UMASS Boston; Professor Ashrafi, UMASS Boston; Professor Gibbs, UMASS Dartmouth; Professor Carter, UMASS Lowell; Dr. Cooke, UMASS Worcester

Chair Karam convened the meeting at 9:25 a.m.

The first item on the agenda was the **Chair’s Report.** Chair Karam welcomed the new Trustees to the Board: Matthew Carlin, a former member of the Board of Higher Education and the Massachusetts State College Building Authority. Trustee Carlin is President and Chief Executive Officer of Resource Options, Inc. He also serves on several boards including the Advisory Board for Jobs for Youth, Boston’s largest work force and career development training center for youths and adults. His father, James Carlin served on the Board and the BHE as well.

Chair Karam also welcomed the new Student Trustee members: Valerie Louis from the Amherst campus has a double major in Sociology and Biochemistry and Molecular Biology and has been active in the Student Government Association for the past three years.

Fritz Hyppolite from the Boston campus is enrolled in the Honors Programs and is a past winner of the Chancellor’s Outstanding Leadership Awards and has served as President and Vice President of the Student Government Association.

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Brian Silver from the Dartmouth campus is a Business Operations Management major and has been active in numerous campus organizations, serving as President of the Student Senate and is involved with fund raising for the American Cancer Society.

Heather Makrez from the Lowell campus is the recipient of the Paul Tsongas Scholarship and has also received a Dean's Scholarship. She has been named the Emerging Student Leader of the Year.

Craig Longo from the Worcester campus is a summa cum laude graduate of the Amherst campus and has won academic honors for his research in Biology. He is a member of the Emergency Medicine Residents Association and the American College of Emergency Physicians.

Chair Karam thanked Trustee Grace Fey for her enormous contribution to the University and the Board. Grace will continue to work with the University playing a key role in the creation of the University of Massachusetts Club.

Chair Karam then highlighted some of the positive things that have taken place on the University:

The University of Massachusetts Club will open on the 33rd Floor of 225 Franklin Street in the Fall. UMASS alumni and friends can gather to socialize and do business; we have launched a membership drive with a 74 person volunteer Board of Governors; the Board is co-chaired by Grace Fey, John Fish, Marian Heard, Jack Welch and Chair Karam. Eight people have stepped forward with \$10,000 contributions becoming founding life members; invitations to over 25,000 alumni will be mailed out over the Labor Day weekend.

Some of the other successes include: the state budget appropriation is up for a second consecutive year, a \$21 million increase; enrollment and applications are up on all five campuses; this has been a record breaking year earning \$28 million from commercial ventures and intellectual property; the University is moving ahead with the creation of an integrated marketing campaign restructuring the UMASS Foundation; nearly \$1 billion in capital improvement have been made over the past five years; we are hiring new faculty and building strength in key areas.

Chair Karam congratulated President Wilson and his staff, the Chancellors and the faculty and staff on all five campuses. He also congratulated Trustee Robert Mahoney for the progress made on the development front; the endowment now tops \$200 million; thanks to Roy Zuckerberg and his colleagues on the Investment Committee for their success.

The next item on the agenda was **Consideration of Minutes of the Previous Meeting of the Board.**

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It was moved, seconded and

VOTED: To approve the minutes of the May 25, 2005 meeting of the Board.

Trustee Fritz Hyppolite then gave the Student Trustee Report. Trustee Hyppolite provided a brief history of his experiences leading to his enrollment on the Boston campus. Trustee Hyppolite attended Belmont High and took some time off to work and travel around the country. He returned home realizing the need for higher education.

Following a recommendation from a family member, Trustee Hyppolite enrolled at UMASS Boston and has found it to be an honor and a privilege to attend. There are many positive events on campus; concerts, the folk festival in the Fall; there is an active student life despite it being a commuter campus.

Trustee Hyppolite looks forward to his term on the Board that will supplement his education.

Professor Schwartz addressed the Board as outgoing Faculty Representative to the Board from UMASS Boston and thanked the Trustees for their patience and receptiveness. He reiterated the President's statement "the path to economic and social development in the Commonwealth goes through the University of Massachusetts".

Professor Schwartz urged the Board to continue the proud record in the tradition of former Trustee Barney Troy, one of the founders of UMASS Boston, to the value of an excellent, accessible, liberal arts education for all citizens of the Commonwealth and asked that they continue to support the excellence provided by the outstanding faculty members on this campus.

Professor Schwartz was awarded a round of applause. Chair Karam thanked Professor Schwartz for his many years of service to the University and to the Board.

Mr. Uri Strauss from the Graduate Student Senate, UMASS Amherst addressed the Board on issues related to student government agencies on the Amherst campus and the Report from the Commission on Campus Diversity. The Committee on Academic and Student Affairs voted down a resolution at yesterday's meeting that would have returned control and oversight of certain agencies to the students.

Some future options include a return to the Board in November with a revised resolution or fight for acceptance through the courts and/or the court of public opinion. He asked the Board members to consider the missions and control of these agencies.

Ms. Jennifer Turner, President, GEO, UMASS Amherst addressed the Board about the GEO's support for the efforts of the undergraduate Student Government Agency and Graduate

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Student Senate to maintain control of student advocacy agencies. Some of the members work in student advocacy agencies including the Office of ALANA Affairs and the Commuter Services and Housing Resource Center. There is the opinion that recent campus policies conflict with the policy of the Board of Trustees.

The University as a land grant institution and public University have always been committed to increasing diversity and setting a democratic example to the citizens of the Commonwealth. Ms. Turner urged the Trustees to consider the resolution proposed at the meeting of the Committee on Academic and Student Affairs.

Mr. Pavel Payano, President, SGA, UMASS Amherst addressed the Board about restoring control over the Office of ALANA Affairs and the Commuter Services and Housing Resource Center and asked the Trustees to consider this request.

Mr. Thomas Coish, President, Professional Staff Union, UMASS Amherst addressed the Board about his concern over the direction the Amherst campus is taking on issues of diversity. The Administration's control of student government agencies is a violation of the Governance Policy.

Mr. John Drews, Maintenance Department, UMASS Boston addressed the Board about the need to support several contracts that have not yet been fulfilled and asked the Trustees to contact the Governor and urge him to make these contracts whole.

The next item was the **President's Report**. President Wilson thanked Chancellor Collins and his staff for their hospitality over the past two days. He welcomed Matthew Carlin, Valerie Louis, Fritz Hyppolite, Brian Silver, Heather Makrez and Craig Longo to their first Board meeting. He thanked Professor Schwartz for his work over the years and Grace Fey for her commitment to the University.

Earlier at the Trustee Breakfast, President Wilson presented an annual report on the Progress Against the Priorities. The progress the University has made is attributed to the hard work of the Chancellors, students, faculty and the Trustees.

In the past two years, the University's funding has risen from 327 million to 480 million, an increase of twenty-five percent. President Wilson stressed the need to work on the University's capital needs; the Governor recently visited the Boston and Amherst campuses and offered his support for the University's capital funding needs.

President Wilson reported the successes of UMASS Online and CVIP which earned \$28.7 million in gross revenue in 2005. We've increased our fund raising and our endowments. Enrollment is up on all of the campuses.

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President Wilson thanked Trustee John Armstrong for agreeing to Chair a Science and Technology Task Force whose purpose will be to advise the University and the Board on such issues.

We have also concluded reviews for Chancellors Hogan and Lazare; the results of those external reviews show the Chancellors doing outstanding jobs and thanked Vice Presidents Lenhardt and Gray that provided the staff work for those reviews. Reviews for members of the President's Office are ongoing.

Under the Consent Agenda, Chair Karam read the following Resolution. It was moved, seconded and

VOTED: **WHEREAS,** Grace K. Fey has served on the Board of Trustees since 1996 and as its Chair from 2000 to 2004, serving as a member of the Committee on Administration and Finance, the Audit Committee, the Development Committee, the Compensation Committee and the Investment Committee of the University of Massachusetts Foundation and

WHEREAS, Grace K. Fey served the University during its time of unparalleled growth and expansion bringing her leadership abilities to bear in solving many perplexing challenges;

WHEREAS, Grace's contributions to the University of Massachusetts and to the Commonwealth have been dedicated and exemplary;

WHEREAS, Grace you have conducted yourself at all times in the discharge of your duties with grace and dignity, in a professional manner, and by so doing have been a great University ambassador of good will, and have, accordingly, reflected well on yourself, this Board of Trustees, and the entire University community;

WHEREAS, Each of us who has been honored to serve as a Trustee during her tenure is the better for the friendship of Grace;

NOW THEREFORE BE IT RESOLVED,

That the Board of Trustees of the University of Massachusetts extends to her on behalf of the people of Massachusetts whose interests it serves, sincere and abiding appreciation for a task well done and most of all for her distinctive grace;

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BE IT FURTHER RESOLVED,

That her friendship, wisdom and counsel will always be welcomed.
(Doc. T05-051)

Following the motion, there was a standing ovation for Trustee Fey who thanked everyone and expressed her pleasure working with the Trustees and on behalf of the University.

The next item on the agenda was the **Report of the Committee on Academic and Student Affairs**. Trustee Austin, Chair of the Committee reported that the Committee met on August 23rd and had one discussion item which addressed the role of international relations and its centrality to the mission of a public university. Senior Vice President Williams, Provosts Seymour, Fonteyn, Esposito, Wooding and Vice Chancellor Scheid, Associate Provost Langley, Professors Hugus and Godkin gave examples of programs in the area of international relations.

The President's Office is working with Information Technology to determine ways in which information regarding international opportunities can be made more available to students and faculty in a database form.

Trustee Austin introduced the first action item: the approval of **Doctorate of Audiology (Au.D.) Degree, UMASS Amherst**. The Committee heard from Dean Breslin and Professor Baran about the proposal. An evaluation team reported that the Amherst campus and the Department of Communications Disorders have strong national and international reputations for academic, research and clinic excellence.

It was moved, seconded, and

VOTED: To approve the Doctorate of Audiology (Au.D.) Degree at the University of Massachusetts Amherst as contained in Doc. T05-043.

The next item was **Appointments to Named Professorships, UMASS Amherst**. Trustee Austin reported on the quality of the reputations for each candidate.

It was moved, seconded and

VOTED: To concur with the President in the appointment of Sonia E. Alvarez to the Leonard Horowitz Professorship in Latin American Politics and Studies at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Jay Demerath as a Distinguished Professor at the University of Massachusetts Amherst. (Doc. T05-044)

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The next item was **Delegation of Authority for Appointing the Roy J. Zuckerberg Endowed Leadership Chair**. Trustee Austin reported that Mr. Zuckerberg's generous gift to the University will be used to endow a chair which will foster and encourage leadership and celebrate service to the University. Nominees for the chair may be from any of the campuses across the system and will be chosen by a committee comprised of campus and President's Office representatives.

It was moved, seconded and

VOTED: To delegate to the President of the University the authority to appoint the Roy J. Zuckerberg Endowed Leadership Chair. (Doc. T05-054)

Trustee Austin reported on a resolution regarding Student Government Agencies proposed by Trustee Louis. Trustee Louis and other students spoke to the resolution regarding reorganizations which occurred as part of the campus response to the Commission on Diversity Report and recommendations. The resolution had been defeated.

The remaining action items would be taken up in Executive Session.

The next item was the **Report of the Committee on Administration and Finance**. Trustee Dubilo reported that the Committee had met on August 17th. President Wilson and Vice President Lenhardt gave brief reports on current activities taking place in the University. The Committee approved a number of actions including the establishment of two new endowed chairs, a change in the University's management of funds policy for investment expenses and approval of the FY06 Operating Budget and Capital Plan for the University.

Each Chancellor provided extensive presentations on the University's operating budget including a review of new priority expenses for FY06. Faculty hires and capital investment were high on the list of spending priorities. The FY06 budget reflects a very positive trend for the University with continued challenges related to basic infrastructure.

There was also a discussion of the University's capital program that included the needs of infrastructure maintenance, new construction and upgrades of the University's facilities. There has been \$995 million spent on capital activity in the last five years and a desire to spend at least \$1.7 billion in the next five years.

Trustee Dubilo thanked the President's Office and campus staff who contributed to these presentations.

The first item was **Establishment of the Rudd Family Foundation Endowed Chair in Psychology, UMASS Amherst**.

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It was moved, seconded and

VOTED: In accordance with sections 1A(e) and 11 of Chapter 75 of the General Laws, to establish an Endowed Chair in Psychology at the University of Massachusetts Amherst to be known as the Rudd Family Foundation Endowed Chair in Psychology. (Doc. T05-052)

The next item for action was **Establishment of the Roy J. Zuckerberg Endowed Chair in Leadership, UMASS Lowell.**

It was moved, seconded and

VOTED: To delegate to the President of the University the authority to appoint the Roy J. Zuckerberg Endowed Leadership Chair. (Doc. T05-053)

The next item for action was **Amendment to Policy for the Management of University Funds.**

It was moved, seconded and

VOTED: To approve the changes to the Policy for the Management of University Funds outlined in Doc. T92-031, as amended.

The next item was **FY2006 University Operating Budget.**

It was moved, seconded and

VOTED: To approve the FY2006 University Operating Budget as contained in Doc. T05-049.

Trustee Carlin abstained from the motion.

The next item was **FY2006-2010 University Capital Plan.**

It was moved, seconded and

VOTED: Pursuant to Trustee policy T93-122, to approve the following new capital projects:

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Amherst	Proj. Type	Total Proj. Cost Est. as of 7/1/2005
PVTA Transit Garage	NC	\$4,000,000
Thatcher & Infirmary Way Road Improvements	RV	\$3,525,000
Garber Field Turf Replacement	DM	\$2,000,000
Hazardous Chemical Storage and Distribution	CO	\$900,000
Electric Infrastructure Repairs	DM	\$3,000,000
University Drive Pedestrian Safety Improvements	RV	\$3,650,000
Campus Center Steam Tunnel Repairs	DM	\$3,525,000
Science Facilities Improvements	RV	\$3,000,000
Campus Space Reallocation	RV	\$3,150,000
Boyden Intramural Fields Light Replacement	DM	\$700,000
Polymer Chiller Replacement	DM	\$675,000
Morrill Fume Hood Exhaust	DM	\$600,000
Goessmann Addition Roof Replacement	DM	\$500,000
Central Campus Steamline Replacement	DM	\$4,700,000
Utility Upgrades/Steamline Lot 62	DM	\$2,500,000
Garber Field Turf Replacement	DM	\$2,000,000
Utility Upgrades/Steamline Lot 62	DM	\$2,500,000
Morrill Science Chilled Water	NC	\$1,000,000
Campus Landscape Improvement Study	CO	\$500,000
Hazardous Chemical Storage and Distribution	CO	\$900,000
Morrill Science Renovations Phase II	RV	\$24,000,000
Morrill Science Renovations Phase III	RV	\$27,000,000
Boyden Gym Renovations	RV	\$20,000,000
Graduate Research Center Renovations	RV	\$22,000,000
Goessmann Science Renovations	RV	\$18,000,000
CNRE Lab Building	NC	\$65,000,000
Road Repairs/Pedestrian Safety	DM	\$8,000,000
Dubois Library Replace Plumbing Risers	DM	\$2,500,000
Campus Utility Upgrades - Replace Electric Transformers	DM	\$3,000,000
Campus Utility Upgrades - Replace Electric Feeders	DM	\$1,500,000
Campus Utility Upgrades - Sewer Line Replacement	DM	\$1,000,000
Campus Utility Upgrades - Water Line Replacement	DM	\$750,000

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	Proj.	Total Proj. Cost Est.
	Type	as of 7/1/2005
Boston		
Clark Pool Upgrade	DM	\$2,000,000
New Academic Classroom Building	NC	\$40,000,000
Campus Security	NC	\$2,000,000
Dartmouth		
ATMC Acquisition	NC	11,500,000
Charlton College Phase II	BR	2,500,000
Health Services Modular	NC	750,000
Worcester		
Parking/Roadway Mitigation - Master Plan Ph. - I	NC	\$13,000,000
School Window Removal	RV	\$1,000,000
A.Q. - Aquatics II	RV	\$635,000

And further,

To approve the following revised project cost estimates for previously approved capital projects:

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	Initial Total Proj. Cost	Revised Total Proj. Cost Est. as of July 2005
Amherst		
Berkshire Dining Common Renovations	\$7,428,400	\$10,000,000
HTM Culinary Arts Renovations	\$3,500,000	\$5,400,000
Turf Research Facility	\$700,000	\$1,051,000
Student Union Elevator	\$855,200	\$1,206,000
Boston		
Elevator Upgrades	Initially a single \$5.5 M	\$5,500,000
ADA Upgrades	Elevator & ADA project.	\$5,000,000
Repair UMass Boston Foundation	\$52,200,000	\$73,000,000
Replace Lift Stations	\$1,500,000	\$2,000,000
HVAC Campus Wide	\$9,000,000	\$35,000,000
Electrical System Replacement	\$1,350,000	\$10,000,000
Building waterproofing	\$5,625,000	\$8,000,000
Scientific and IT Equipment	\$12,000,000	\$61,500,000
New Marine Operations Vessel	\$900,000	\$1,100,000
Dartmouth		
SMAST/DMF	\$1,500,000	\$2,500,000
Naval Reserve Center (NRC)	\$1,600,000	\$2,800,000
Laboratory Upgrades	\$1,800,000	\$2,800,000
Library Addition/Upgrade	\$4,140,000	\$10,000,000
Residence Hall Annual Repair	\$10,000,000	\$20,000,000
Cedar Dell Replacement	\$59,500,000	\$72,236,000
Lowell		
Allen House Renovation	\$1,525,000	\$1,833,000
UML Nanomanufacturing Center	\$32,000,000	\$80,000,000
Worcester		
JP Bio Labs	\$80,000,000	\$90,000,000
JP Main Sw. Gear	\$1,000,000	\$2,100,000

And further,

To approve the FY2006 to FY2010 University Capital Plan as described in Doc. T05-050.

Trustee Carlin abstained from the motion.

The next item was the **Report of the Audit Committee**. Vice Chair White reported that the Committee had met on August 17th. Robert Harrison, Director of Internal Auditing had summarized audit related activities in process throughout the five campuses and central offices. These reviews are initiated by the internal audit office and the Office of the State Auditor and federal audit agencies.

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The first two items were **Approval of Audits.**

It was moved, seconded and

VOTED: To accept the following Audit Reports:

1. Operational Review of the Parking and Transportation Trust Fund, UMASS Boston (Doc. T05-027)
2. Operational Review of Continuing Studies and Corporate Education, UMASS Lowell (Doc. T05-028)

The next item was **Revisions to the Audit Committee Charter.**

It was moved, seconded and

VOTED: To approve the revisions to the Audit Committee Charter listed in the Addendum to the By-Laws, Doc. T91-100.

Vice Chair White reported that the Committee had entered Executive Session to hear a full briefing on audit matters that pertained to the potential filing of legal matters.

The next item was **Report of the Compensation Committee.** Trustee DiBiaggio reported that the Committee had met on August 23rd and considered revisions to the Executive Compensation Policy. An amendment had been made to the Annuities and/or Other Savings section that will allow more flexibility when structuring benefits for executives. Contributions towards annuities for the Chancellors and the President shall be made by the Chairperson of the Board following consultation with the Compensation Committee.

It was moved, seconded and

VOTED: To approve the changes to the Executive Compensation Policy as outlined in Doc. T93-062, as amended.

Chair Karam announced that the Development Committee meeting had been postponed. We are currently in the process of presenting a report on the restructuring of the entire development organization and will be announcing the Chair of the Development Committee in the near future.

The next item was the **Report of the Governance Committee.** Trustee Rainey reported that the Committee had met July 8 and 28th and had individual discussions with all Board members. She thanked the members of the Committee: Trustees Austin, Kennedy, O'Shea and Sheridan and Chair Karam for their participation.

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The Committee had considered a number of issues: the Committee schedule: the meeting of the Committee on Academic and Student Affairs will move from the morning to the afternoon, and the Audit Committee will meet following the Committee on Administration and Finance.

The second item discussed was the need for a Committee on Technology and Research. The first step will be the establishment of an ad hoc Committee led by Trustees Armstrong, O'Shea and Cassel to discuss the structure of this Committee and if it should remain ad hoc or become a standing committee.

The third item was the consideration of the Officers and Committee Chairs that basically will continue as the prior year with a couple of changes.

It was moved, seconded and

VOTED: To confirm and approve the Officers and Committee Chairs of the Board of Trustees set forth in Doc. T05-048, all to serve until the next annual meeting of the Board.

Under **Other Business** the Chairman asked for a motion to approve the **Department of Defense Exclusion List**.

It was moved, seconded and

VOTED: WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the Chairman of the Board, the President, the Secretary, and the designated Facility Security Officer meet the personnel clearance requirements established for a contractor's facility clearance; and

WHEREAS, said Department of Defense Regulations permit the exclusion from the personnel clearance requirements of certain members of the Board of Trustees and other officers, provided that this action is recorded in the minutes.

NOW, THEREFORE, BE IT DECLARED that the Chairman of the Board, the President, the Secretary and the designated Facility Security Officer at the present time do possess, or will be processed for, the required security clearance; and

BE IT RESOLVED that in the future, when any individual enters upon any duties as Chairman of the Board, the President, the Secretary or the designated Facility Security Officer, such individual shall immediately make application for the required security clearance; and

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BE IT RESOLVED FURTHER that the following members of the Board of Trustees and other officers shall not have, and can be effectively excluded from access to all classified information in the possession of the corporation and do not occupy positions that would enable them to affect adversely policies or practices in the performance of classified contracts for the Department of Defense or the User Agencies of its Industrial Security Program:

<u>NAME</u>	<u>TITLE</u>
John A. Armstrong	Trustee
Dennis G. Austin	Trustee
Lawrence F. Boyle	Trustee
Matthew E. Carlin	Trustee
Christine K. Cassel	Trustee
John A. DiBiaggio	Trustee
Edward A. Dubilo	Trustee
Grace K. Fey	Trustee
Fritz Hyppolite	Trustee
William F. Kennedy	Trustee
Craig Longo	Trustee
Valerie Louis	Trustee
Robert M. Mahoney	Trustee
Heather Makrez	Trustee
Robert McCarthy	Trustee
William T. O'Shea	Trustee
Janet D. Pearl	Trustee
Stacey Rainey	Trustee
Robert K. Sheridan	Trustee
Brian Silver	Trustee
Karl E. White	Trustee

Chair Karam then announced the Board would enter Executive Session to consider certain Appointments with Tenure, UMASS Amherst, UMASS Boston, UMASS Dartmouth, UMASS Lowell, Awards of Tenure, UMASS Amherst, UMASS Boston, UMASS Dartmouth and UMASS Lowell and Transfers of Tenure, UMASS Amherst, UMASS Boston, UMASS Dartmouth.

The Board will not reconvene in Open Session. The Secretary will call the Roll; Trustees are requested to state yes or no.

It was moved, seconded and

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VOTED: To enter Executive Session to consider certain **Appointments with Tenure, UMASS Amherst, UMASS Boston, UMASS Dartmouth, UMASS Lowell, Awards of Tenure, UMASS Amherst, UMASS Boston, UMASS Dartmouth and UMASS Lowell** and **Transfers of Tenure, UMASS Amherst, UMASS Boston, UMASS Dartmouth.**

Chair Karam voted for the motion as did Vice Chair White and Trustees Armstrong, Austin, Carlin, Cassel, DiBiaggio, Dubilo, Fey, Hyppolite, Kennedy, Louis, O'Shea, Rainey and Sheridan. The time was 10:50 a.m.

Barbara F. DeVico
Secretary to the Board of Trustees