

MINUTES OF THE REGULAR MEETING

of the

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

Madison, Wisconsin

Held in Room 1820 Van Hise Hall  
Friday, February 7, 1992  
8:30 a.m.

-President Lyon presiding-

PRESENT: Regents Barry, Clusen, Davis, Flores, Gelatt, Grebe, Gundersen,  
Hirsch, Krutsch, Lubar, Lyon, Nicholas, Schilling, Steil and  
Vattendahl

ABSENT: Regents Dreyfus and Grover

Approval of Minutes

Upon motion by Regent Davis, seconded by Regent Lubar, the minutes of the December 6, 1991, meeting of the Board of Regents were approved as distributed.

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REPORT OF THE PRESIDENT OF THE BOARD

Report of Regent Member of the Educational Communications Board

Regent Clusen, Regent member of the Educational Communications Board, reported on the status of the review of options for licensing of stations, pursuant to the Legislative Audit Bureau recommendation that all licenses be held by the Educational Communications Board. A working group had examined the various options and the ECB is likely to vote on the matter in March, with a report due to the Legislature by April 1.

Chancellor Boyle indicated that the working group will have a recommendation that will provide for a broad-based, cooperative partnership for all licensees.

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Report of the Vice President of the State VTAE Board

Regent Barry, Vice President of the VTAE Board provided a written report.

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Report on Meeting of the Council of Trustees, UW Hospitals and Clinics

Regent Flores, Chair of the Council of Trustees, reported that at its February meeting the Council approved a proposal for restructuring University Hospital and Clinics to achieve greater flexibility in the areas of personnel, purchasing and facilities.

Vice Chancellor Jay Noren reviewed the status of the consensus process, which involved over 140 meetings with university faculty, hospital staff, and others. Input from the meetings led to two principal conclusions: (1) change in structure to streamline operations is necessary; and (2) any option that is perceived as private in character is not viable. Based on feedback from the meetings and other comments submitted to the Chancellor and the Vice Chancellor, a resolution proposing delegated statutory authority for streamlined operation of the hospital based upon nine key principles was discussed. This resolution had been presented to faculty of the schools of Medicine, Nursing and Pharmacy, as well as the Faculty Senate, all of which endorsed the proposal.

The new statutory authority for operation of the hospital and clinics would assure continuation of the current statutory mission. The new authority would follow several principles, including: continuation of the hospital's identity as a public institution; governance by a board selected by UW System, UW-Madison, the Legislature and the Governor; delegated authority for a hospital personnel system, contracts, purchases, and facilities acquisition; and assurance that the hospital will remain an integral part of UW-Madison.

Following Dr. Noren's presentation, Chancellor Shalala spoke to the Council, stating her endorsement of the proposal, and her intent to develop detailed plans for implementation and operation of the new authority. Upon completion of her plans and specific proposed language for statutory change, the proposal will again be presented to faculty, staff, and the Council of Trustees. It will then come to the Board of Regents for action, probably in September 1992. Development of the operating details will involve a series of work groups comprising participants from several related bodies.

The resolution was unanimously endorsed by the Council and will be presented to the Board of Regents in March 1992.

Vice Chancellor Noren presented a proposal to construct a new facility in the University Research Park for UW Hospital's Sports Medicine, Spine Center and Cardiac Rehabilitation programs. The project had been approved earlier by the Council and by the Board of Regents as a lease with potential future purchase option. However, the State Division of Facilities Management had recently agreed to support enumeration of the project in the 1992-93 budget bill, with program-revenue-supported borrowing authority to construct the building. Dr. Noren noted that this approach will save a significant amount of money. Following discussion, the Council approved a motion permitting the hospital to request enumeration in the 1992-93 budget adjustment bill of \$7.6 million to finance the Sports Medicine, Spine Center, Cardiac Rehabilitation facility. The project is submitted for Board of Regents consideration at this meeting (See page 12).

The Council also considered a proposal for development of a primary care facility in Hilldale Shopping Center. Senior Associate Superintendent Lester Brower explained that Hilldale's management group, following extensive

feasibility studies on such issues as parking and the viability of health care facilities in shopping centers, supports the hospital's proposal to establish a clinic facility in the Hilldale Center. The hospital is interested in doing so because it would help to accomplish the hospital and Medical School goal of enhancing primary care activity, thus providing greater learning opportunities for medical students and residents. In addition, the new facility would allow the hospital to relocate several clinic services from within the hospital and other sites, thus freeing much needed space for other clinical programs. The Council approved a motion supporting the concept of developing an ambulatory care facility in Hilldale Shopping Center and recommended that the hospital administration pursue implementation of the project through appropriate campus, system, Regent, and state review and approval processes.

Regent Flores informed the Council that he had appointed Eloise Anderson to represent the Council of Trustees on a Quality Assurance Subcommittee which will review the hospital's quality assurance program, as required by the Joint Commission on Accreditation. The subcommittee will meet five times a year and report to the Council.

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#### Report on the Governor's Commission on UW System Compensation

Regent Grebe, Vice Chair, reported on the Commission's first meeting on January 13, 1992, at which work has begun toward the September 1, 1992, deadline for submitting a report and recommendations to the Governor, Legislature and the Board of Regents.

At the first meeting, the Commission approved a work plan and divided efforts into three general categories. The first is to gather information; the second is to identify problems and the extent of those problems; and the third is to focus on solutions and formulate recommendations.

At the first meeting, the Commission heard a series of presentations about the process concerning faculty and staff compensation, presented by UW System Administration, the Department of Administration, and the Department of Employment Relations.

Planned for the February 10 meeting were presentations on methodology from representatives of the UW System Administration, as well as from the Legislative Audit Bureau and the Legislative Fiscal Bureau.

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#### Report on the Presidential Search

Regent Lyon, Chair of the Presidential Search Committee, reported that the Committee met on January 7, 1992, to begin reviewing credentials of applicants and nominees for the position of President. The next meeting will be on February 12.

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#### Report on Legislative Matters

Regent President Lyon asked Acting Vice President Ward to give an

overview of the status and provisions of legislation on tenure recently passed by both houses of the Legislature.

Acting Vice President Ward reported that AB 561 addressed problems resulting from a 1986 court decision which made the Board of Regents powerless to award tenure to individuals who had been found, through the established faculty appeals process, to have been denied tenure on impermissible factors, such as race or gender.

The bill creates an ad hoc committee to conduct a de novo review in such cases. The committee would include persons who are not in the department that denied tenure but who are experienced in the same academic field. If AB 561 is signed by the Governor and enacted into law, the Board will be able to grant tenure in cases where the department denial is based on impermissible factors, if tenure is recommended by the ad hoc committee and the Chancellor.

In response to a question by Regent Lubar, Acting Vice President Ward explained that, under the existing process, the faculty appeals committee can refer a case back to the department if it is found that impermissible factors were involved in the decision. However, if the department does not change its denial decision, tenure cannot be granted. The appeals committee considers only the fairness of the process. The new element in this legislation is the ad hoc committee, which would review the academic credentials of the faculty member.

In reply to a question by Regent Clusen, Acting Vice President Ward indicated that under the new legislation the Board could not grant tenure in the absence of an affirmative recommendation by both the ad hoc committee and the Chancellor.

Regent Krutsch asked how the ad hoc committee will be appointed, and Vice President Portch explained that each institution will develop personnel rules on that subject. A large campus might use faculty from related departments within the institution, while a smaller campus would be more likely to use faculty from other institutions.

Regent Davis stated that, as Chair of the Personnel Matters Review Committee, he was supportive of the legislation. He asked if the Regent Committee would have the ability to remand cases to the ad hoc committee, rather than the department.

Senior Counsel Tallman explained that the legislation should reduce the number of cases appealed to the Regents, since a review by the ad hoc committee would address most problems at the campus level. The legislation does not specify the level to which the Personnel Matters Review Committee could remand a case.

Regent Hirsch asked if consideration had been given to the type of relationship that might occur within a department if a person were granted tenure over the objection of the department.

Vice President Portch replied that professional conduct within the department will be expected. Existing grievance and complaint procedures could be used to address any problems.

Regent Krutsch asked how frequently faculty complained that they were

denied tenure for impermissible reasons, and Regent Davis replied that the Personnel Matters Review Committee has received two or three such appeals a year.

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## REPORT OF THE ACTING PRESIDENT OF THE SYSTEM

### Report of Nonpersonnel Actions

Presenting Resolution 5996, Acting President Lyall noted that the list of nonpersonnel actions included an academic support services contract for a law lecturer, which is an instructional function and not one providing legal services.

Upon motion by Regent Gelatt, seconded by Regent Schilling, the following resolution was adopted unanimously:

Resolution 5996: That the report of nonpersonnel actions by administrative officers to the Board of Regents and informational items reported for the record (copy on file with the papers of this meeting) be received for the record; and that actions included in the report be approved, ratified and confirmed.

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### Introduction of Dean, UW Center-Sheboygan County

Chancellor Grugel introduced Dr. Kathleen O'Connor, who had taken office on January 15, 1992, as the Dean of the UW Center-Sheboygan County.

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### Statement on the Budget Adjustment Bill

Acting President Lyall reported that the Governor's 1992-93 budget adjustment bill proposes a .9 percent GPR increase for the UW System's noncompensation operating budget, excluding one-time lapses. After lapses, it is essentially a steady state budget. The previously approved fee increases are preserved.

The most serious losses are the previously scheduled GPR increases of \$2.3 million for supplies and expenses, \$1.5 million for learning technologies and \$.5 million for libraries. It is hoped that the Legislature will restore the previously approved increases for these top-priority quality educational needs.

In the broader sense, she commented that Wisconsin students will benefit in 1992-93 from the far-sighted strategic planning of the Board of Regents, the State and the UW institutions, which has enabled the UW to avoid the financial roller coaster that is plunging many other universities into crisis, drastic enrollment cuts, layoffs and double-digit tuition increases.

Acting President Lyall noted the importance of planning ahead for the

1993-95 biennium, which will bring an upturn in the number of high school graduates seeking higher education opportunities. Through the policies of enrollment management and planned reallocation, the UW is managing to maintain quality educational opportunities in the short run. In looking ahead to the 1993-95 biennial budget, consideration will need to be given to the tougher questions of enrollment and support in the second half of the decade and beyond.

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#### Streamlining Agenda Materials

Acting President Lyall noted the initial efforts this month to streamline and present agenda materials in a common format. She invited any suggestions as to additional ways to simplify reading materials.

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#### Death of UW System Acting Associate Vice President Kenneth L. Warren

It was reported by Acting President Lyall that UW System Administration lost a valued and veteran colleague in January with the death of University Relations Acting Associate Vice President Kenneth Warren. Stating that Dr. Warren knew and practiced his profession very well, she cited his dedication and leadership in statewide media coordination, the systemwide advocates program, numerous award-winning outreach efforts, his work with educational telecommunications colleagues at each UW institution, with the Educational Communications Board, the VTAE system, Department of Public Instruction and the Department of Administration. Everywhere, he earned and commanded great respect and affection. On behalf of his friends and colleagues throughout the UW System and the state, Acting President Lyall extended sincere condolences to his wife, Karen, and to his family.

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#### UW-Madison/UW-Extension Presentation on Ice Engineering for Rivers and Lakes

Introducing Professor C. Allen Wortley, Associate Dean for Engineering Outreach and Professor of Engineering Professional Development and Civil and Environmental Engineering at UW-Madison, Acting President Lyall stated that Dr. Wortley's research is in ice engineering.

Dr. Wortley explained that his work for the past twelve years has been through the College of Engineering and the Sea Grant program. Involving seven or eight campuses and two or three private universities, the Sea Grant program is a statewide program which has a research and civil engineering department with several master's and Ph.D. students performing advisory services to aid the state's economic development and development of small craft harbors on Lakes Michigan and Superior. Harbor ice conditions are being monitored and recommendations developed for design engineers who must treat ice as an environmental factor on all five of the Great Lakes and connecting channels.

Showing slides of various problems that are being studied, Dr. Wortley further explained specific examples in the various lakes and harbors where his research has been able to help.

Regent President Lyon thanked Dr. Wortley for his informative presentation.

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REPORT OF THE EXECUTIVE COMMITTEE

Regent Lyon, Chair, reported on the January 7, 1992, Executive Committee meeting, at which the Committee granted authorization to recruit for a Provost and Vice Chancellor at UW-La Crosse, approved appointment of Dean of the UW Center-Sheboygan County, and approved a salary adjustment for a UW-Madison professor.

(The minutes of the Executive Committee meeting are attached as EXHIBIT A.)

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REPORT OF THE BUSINESS AND FINANCE COMMITTEE

Regent Gelatt, Chair, presented the report.

Consent Agenda Items

Presenting Resolutions 5997-5999, which were approved unanimously by the Business and Finance Committee, Regent Gelatt moved their adoption as consent agenda items by the Board of Regents.

The motion was seconded by Regent Steil and carried, with Regent Davis abstaining on Resolution 5997.

Approval of Gifts, Grants and Contracts

Resolution 5997: That, upon recommendation of the Acting President of the University of Wisconsin System, the gifts, grants and contracts presented at this meeting (copy on file with the papers of this meeting) be accepted, approved, ratified and confirmed; and that, where signature authority has not been previously delegated, appropriate officers be authorized to sign agreements.

Approval of 1992-93 Compensation Guidelines

Resolution 5998: That upon the recommendation of the President of the University of Wisconsin System the 1992-93 Unclassified Pay Plan Guidelines be approved and that if changes are required to the guidelines as a result of actions by the Joint Committee on Employment Relations, the Executive Committee, in consultation with the System President, is authorized to act on these changes.

Amendments to Investment Objectives and Guidelines

Resolution 5999: That, upon the recommendation of the Trust Fund Evaluation Team the modified Investment Objectives and Guidelines for the Principal fund and the Investment Objectives and Guidelines for the Income fund, attached, be approved, effective September 1, 1992.

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#### Quality Reinvestment Program

The Business and Finance Committee, with all Regents invited to attend, discussed the UW System Quality Reinvestment Plan. Regent President Lyon stated that the Quality Reinvestment Plan reaffirms the university's commitment to funding the top-priority educational needs that were identified in the 1991-93 biennial budget. Regent Davis pointed out that priority setting must be based on a foundation of facts and that comments about declining affordability and access are at variance with the facts. Regent Hirsch felt students were not adequately involved in the quality reinvestment process at all institutions; however, he was pleased with the contents of the report.

The Board offered thanks to UW System Administration, chancellors and campus governance groups for bringing this important plan to fruition.

Adoption by the Board of Resolution 6000, which was approved unanimously in Committee, was moved by Regent Gelatt, seconded by Regent Steil and carried unanimously.

Resolution 6000: That, upon the recommendation of the Acting President of the University of Wisconsin System, the Board of Regents accepts the report of the Quality Reinvestment Plan (Report on Base Resources) and authorizes its transmittal to the Governor and Joint Committee on Finance as directed by section 36.47, of the Wisconsin Statutes and section 9157 (5H) 1991 Wisconsin Act 39.

The Board expresses appreciation to the Acting President, Chancellors, and to faculty, staff, and students who participated in this difficult assignment to meet urgent needs to sustain the quality of education at UW System institutions.

The Board further directs the Acting President to implement the 1992-93 plan as approved and to report to the Board on its first year implementation in June, 1993.

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#### UW-Madison Federal Research Award Presentation

Graduate Dean John Wiley made a presentation to the Committee on federal support at UW-Madison, which indicated that awards for federal research have increased over the past ten years. UW-Madison's national ranking has remained relatively stable, going from eighth in 1980-81 to ninth in 1988-89 in federal

support and remains essentially tied for second in total support. UW-Madison's share of the total federal research dollars awarded to the top 20 federal research universities dropped from 2 percent in 1980-81 to 1.8 percent in 1988-89 due to an increase in the number of institutions competing for research dollars.

Regent Lyon noted that UW-Madison would rank even higher in federal research support if Department of Defense classified research monies, which are not accepted by UW-Madison, were excluded from the total.

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#### Review of Recurring Reports

In its review of recurring reports, the Committee recommended that the sick leave usage report be sunset once all institutions are in compliance; that the transaction report be removed from the investment transactions and performance report; that frequency of the report on the competition policy be changed from an annual to an as-needed basis; that the trademark licensing report be changed to an as-needed basis; that the report on implementing the Supplies and Expense Task Force recommendations be sunset in July 1993; and that the proxy voting report be eliminated.

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#### Audit Subcommittee

Internal Audit Director Brunkow summarized the audits in process, and reported that the federally required Corporation for Public Broadcasting audits have been completed at UW-Milwaukee and UW-La Crosse; that the Legislative Audit Bureau completed its audit of UW-Madison indirect cost pool determinations; and that the LAB audit of 1990-91 financial statements and the A-133 audit are still in process.

The Audit Subcommittee adjourned into closed session for preliminary investigation of specific personnel problems as permitted by s. 19.85(1)(f), Wis. Stats.

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#### REPORT OF THE PHYSICAL PLANNING AND DEVELOPMENT COMMITTEE

Regent Gundersen, Chair, presented the report.

#### Consent Agenda Items

Presenting Resolutions 6001-6011, which were approved unanimously by the Physical Planning and Development Committee, Regent Gundersen moved their adoption by the Board as consent agenda items. The motion was seconded by Regent Barry.

Regent Gelatt inquired about the fiber optic backbone to be installed pursuant to Resolution 6008, cautioning that this technology is changing rapidly. Vice President Brown will provide information on that point.

Regent Gelatt asked if an environmental audit had been done on the land involved in Resolution 6009. Replying in the affirmative, Vice President Brown said there is no contamination on the land being given to the university.

Regent Davis asked if there is a standard environmental protocol on land acquisitions, and Vice President Brown replied in the affirmative.

Regent Hirsch inquired as to any need for future renovations to the facility involved in the project. Vice President Brown replied that no future renovation will be needed for the existing building but that a federally funded addition is anticipated.

Regent Nicholas asked about progress made in accumulating the \$10 million contribution from Vilas Trust net income for the Biotechnology/Genetics facility. Chancellor Shalala replied that accumulation of the \$10 million was essentially completed, a year ahead of schedule.

Put to the vote, Resolutions 6001-6011 were adopted, with Regent Steil abstaining.

UW Centers-Waukesha County: Authority to Execute Easement

Resolution 6001: That, upon the recommendation of the UW Centers Chancellor and the President of the University of Wisconsin System, authority be granted for the President or Vice President and Secretary or Assistant Secretary of the Board of Regents to execute a utility and access easement of approximately 0.25 acres of land for the UW Center-Waukesha County to enable a private developer to build a retirement center on adjacent private land.

UW-La Crosse: Authority to Construct Fine Arts Center Roof Replacement Project

Resolution 6002: That, upon the recommendation of the UW-LaCrosse Chancellor and the President of the University of Wisconsin System, authority be granted to construct a Fine Arts Center Roof Replacement project, for an estimated total cost of \$259,000 of General Fund Supported Borrowing - Facility Repair and Renovation Funds.

UW-Madison: Approval of the Design Report and Authority to Construct the Biotechnology/Genetics Center

Resolution 6003: That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, the Design Report be approved and authority granted to construct the 1991-93 Biotechnology/Genetics Center at an estimated total project cost of \$27,745,000 (\$5,045,760 of 1991-93 General Fund Supported Borrowing - WISTAR Funds, \$10,000,000 Gift Funds, and \$12,699,240 Federal Funds).

UW-Madison: Authority to Construct a Charter Street Heating Plant Boiler Repair Project

Resolution 6004: That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted to construct a Charter Street Heating Plant Boiler No. 4 Superheater Tube Replacement project, for an estimated project cost of \$350,000 of General Fund Supported Borrowing - Utilities Repair and Renovation Funds.

UW-Madison: Authority to Construct a Camp Randall Stadium/Field House Electrical Power Improvement Project

Resolution 6005: That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted to construct a Camp Randall Stadium/Field House Electrical Power Improvement project at an estimated total project cost of \$180,000, using Program Revenue Supported Borrowing.

UW-Platteville: Authority to Construct Pioneer Tower Plaza and Roof Replacement Project

Resolution 6006: That, upon the recommendation of the UW-Platteville Chancellor and the President of the University of Wisconsin System, authority be granted to construct a Pioneer Tower Plaza and Roof Replacement project, at an estimated cost of \$235,250 of General Fund Supported Borrowing - Facility Repair and Renovation Funds.

UW-Stevens Point: Authority to Amend Scope of Work, Approval of Design Report, and Authority to Construct Residence Halls Renovation - Phase I

Resolution 6007: That, upon the recommendation of the UW-Stevens Point Chancellor and the President of the University of Wisconsin System, authority be granted to reduce the scope of work, the Design Report be approved reflecting this reduced scope, and authority granted to construct the Residence Halls Renovation - Phase I project, at an estimated cost of \$2,200,000 of Program Revenue Supported Borrowing.

UW System: Design Report Approval and Construction Authority for Nine-Campus Fiber Optic Backbone Project

Resolution 6008: That, upon the recommendation of the UW-Eau Claire, UW-Milwaukee, UW-Parkside, UW-Platteville, UW-River Falls, UW-Stevens Point, UW-Stout, UW-Superior, and UW-Whitewater Chancellors and the President of the University of Wisconsin System, the Design Report be approved and authority granted to construct the 1989-91 Nine Campus Fiber Optic Backbone project for a total project cost of \$5,162,000 (\$2,162,000 of General Fund Supported Borrowing - Telecommunications

Funds and \$3,000,000 of General Fund Supported  
Borrowing - Utilities Repair and Renovation Funds.)

UW-Superior: Willingness to Accept a Gift of Land and a Building and  
Authority to Remodel a Portion of the Building as the Lake Superior  
Environmental Health Laboratory - Phase 1 Project

Resolution 6009: That, upon the recommendation of the UW-Superior  
Acting Chancellor and the President of the University  
of Wisconsin System, the Board expresses a willingness  
to accept a gift from the Superior Water, Light and  
Power Company of approximately 2 acres of land,  
including a building, located at 1801 East Second  
Street in the City of Superior and grants authority to  
remodel a portion of the building as a UW-Superior  
Environmental Health Laboratory-Phase 1 project at a  
total estimated cost of \$548,700 (\$250,000 UW-Superior  
1991-92 Operating Budget Funds, \$50,000 Douglas County  
Funds, \$50,000 City of Superior Funds, and \$198,700  
General Fund Supported Borrowing - WISTAR Funds).

UW-Madison: Authority to Construct a Facility to House the University of  
Wisconsin Hospital and Clinics Sports Medicine, Spine Center and Cardiac  
Rehabilitation Programs

Resolution 6010: That, upon the recommendation of the UW-Madison  
Chancellor and the President of the University of  
Wisconsin System, authority be granted to construct a  
facility to house the University of Wisconsin Hospital  
and Clinics Sports Medicine, Spine Center and Cardiac  
Rehabilitation programs at an estimated cost of \$7.6  
million, to be funded by Program Revenue Supported  
Borrowing.

UW-Green Bay: Authority to Issue a Request for Proposal to Provide Child  
Care Services

Resolution 6011: That, upon the recommendation of the UW-Green Bay  
Chancellor and the President of the University of  
Wisconsin System, authority be granted to issue a  
Request for Proposal for a public/private partnership  
for the operation and/or construction of expanded  
child care facilities at UW-Green Bay. The results of  
the Request for Proposal process will be reported to  
the Board of Regents.

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UW-Green Bay Child Care Program

Regent Gundersen reported that prior to Committee action on Resolution  
6011, a presentation was made to the Committee by Chancellor Outcalt on the  
interrelationship between UW-Green Bay's child care facility and its academic  
programming. The Committee also was pleased to have several UW-Green Bay  
administrators, students and the United Council President appear to share  
their views regarding the university's day care program and issues they wished

to have addressed as part of the RFP process to secure a service provider. The students were very enthusiastic about upgrading this facility.

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## Report of the Vice President

### Milwaukee Civic Center Project

Vice President Brown gave a status report on the Milwaukee Civic Center project, pursuant to Board action in December, at which time System Administration was authorized to negotiate a lease with an option to purchase up to 80,000 assignable square feet of space in the Plankinton Building in Milwaukee and to explore enumeration of this project in the authorized building program. This space is intended to meet the programmatic needs of UW-Milwaukee's and UW-Extension's Center for Continuing Education. Since the December meeting, considerable time had been spent by Chancellors Schroeder and Boyle, by System Administration, and by representatives of the Grand Avenue Corporation to establish the terms of an agreement which will meet the programmatic needs for the continuing education programs and still fall within the parameters established by the Board. Vice President Brown also had been in contact with Robert Brandherm, the Administrator of the Division of Facilities Management, and had submitted a request to place this item on the agenda for the February 13 meeting of the Building Commission. The cost estimate submitted to the Commission was \$13.5 million, which exceeded the \$12 million level set by the Board. However, the \$13.5 million figure did not include a deduction for the value of the present Civic Center property, which is estimated to be \$2 million to \$3 million.

Mr. Brandherm advised Vice President Brown that Secretary Klauser declined to put the request on the February Building Commission agenda and that the Department of Administration will not process the request to negotiate a lease until it is known how the UW System would intend to meet certain conditions. A critical condition is the DOA position that no additional GPR funds be authorized for this project and that the UW System must absorb any additional costs associated with lease payments, purchase, operations, maintenance, and debt service. This means the cost must come from the current operating budget of the UW System or be supplemented with gifts and program revenues. The initial lease terms provided by the Grand Avenue Corporation would result in costs that exceed \$1.5 million per year. Even if the project were bond financed, the cost would be about \$1 million per year. The Committee was advised that it is not possible to raise fees to generate that much revenue, and the prospect for reallocation of existing monies is very doubtful in view of the \$26 million Quality Reinvestment Program to reallocate resources to needs not provided in the operating budget.

As an academic continuing education facility, Vice President Brown noted, funding should come from general purpose revenues, as has been the case for other extension academic facilities. Without authorization to offer assurance that funding will be available to pay the lease/purchase cost, extensive negotiations with the Grand Avenue Corporation could not be continued.

In discussion at the Board meeting, Regent Gundersen stated the request that the position of the Department of Administration on funding for this

project be communicated in writing to the President of the Board or the Chair of the Physical Planning and Development Committee.

Regent Lubar commented that, while he was sensitive to the need for fiscal responsibility, he thought the necessity of going forward with this high-priority project was understood by all concerned.

Regent Schilling asked if everything possible is being done to stay ready to go forward if the project is enumerated by the Governor or by the Legislature.

Replying in the affirmative, Vice President Brown indicated that all programmatic work had been done and an appraisal of the property has been completed. However, the Grand Avenue Corporation is not willing to spend any more money on architectural drawings for a project which may not come to fruition.

Regent Hirsch stated that he had seen the current facility and agreed that it must be replaced. With regard to the proposed project, it had been his understanding that the cost of \$12 million set forth in December was gross cost and did not include any subtraction of the current facility's value.

Vice President Brown explained that the \$13.5 million figure was an initial estimate by the Grand Avenue Corporation and that there had not yet been negotiations to reduce the cost. When cost reductions and the current facility's value are subtracted, the cost should be well below \$12 million.

Regent Barry noted that the Board had not yet approved the project but had authorized staff to enter negotiations. However, negotiations could not proceed absent approval by the Building Commission. He was concerned the current situation might invite legislative intervention on what should be decided initially by the Board. He favored at this time expression of support for the concept, although approval could not be granted until final figures are obtained.

In response to a question by Regent Vattendahl, Vice President Brown said the project could not go forward without legislative authorization which would have to be obtained by February 17 to be included in the budget bill.

Regent Nicholas commented that, although he was enthusiastic about the project, it seems clear that no funding is available.

Regent Schilling commented that the Board must not acquiesce in the concept of funding capital projects from the operating base. If there is need for an instructional building, it should be financed with general obligation bonds or a lease arrangement approved by the Building Commission.

Regent Flores cautioned against proceeding further without complete information on financing questions and alternatives.

Regent Gelatt's understanding of the Board's December action was approval of the concept and authorization to negotiate the details. No final approval was intended.

Regent Gundersen noted that considerable information had been presented to the Committee about the proposed project. More cost data could be presented, but that seemed futile if funding could not be obtained.

Regent Lubar characterized the project as a desirable and necessary one. He thought discussions should proceed with the Department of Administration on possible alternatives for moving forward.

Vice President Brown noted that the Department of Administration would not proceed with lease negotiations until the question of how to fund the project is answered.

Regent Lubar asked about the timing of the project in view of missing the February budget deadline.

Vice President Brown replied that the project would be postponed at least a year and would have to be part of the next capital budget. Whether or not that timing would be acceptable to the Grand Avenue Corporation was an open question.

Regent Hirsch noted that the December resolution authorized advancing the concept and exploring enumeration. It did not directly ask for enumeration. He asked if the details were worked out sufficiently to send a positive request to the Building Commission.

Vice President Brown replied that all the space needs had been identified and work had been done with the Grand Avenue Corporation on initial cost estimates. The Department of Administration had been asked to put the project on the Building Commission's agenda so that negotiation of the lease could be authorized, and materials had been submitted to the DOA leasing office. No more could be done pending resolution of the funding issue.

It seemed to Regent Hirsch that too much space was being allocated to office and administration use and too little to instructional use. There were many other details that remained to be worked out.

Regent Flores felt that while there was agreement on the need to replace the current facility, the Grand Avenue proposal may have been forwarded too quickly. He asked if other alternatives had been explored.

Vice President Brown replied that other alternatives had been examined over the past six years by two different committees appointed by the UW-Milwaukee Chancellor. Options reviewed included a new building on the current site and a joint venture with the city, county, state and private sector. The alternatives had been discussed with the Physical Planning and Development Committee.

Regent Schilling noted that the Vice President and the two Chancellors had forwarded the proposal after lengthy deliberations because it appears to provide the much needed solution to a long-standing problem. The Physical Planning and Development Committee had reviewed the details of the proposal and agreed with the recommendation to proceed. The December resolution had advanced the project toward enumeration, with details to be supplied in the interim, and those details had since been provided. He urged continuation of work on the project and efforts toward enumeration.

Regent Hirsch noted that no tentative budget had been provided other than a single cost figure.

Regent Barry felt there was sufficient information to request

enumeration. More detail would be presented to the Board and Building Commission for approval later. He favored affirming a request for enumeration based on the information now in hand, and commented that the DOA requests for information should be answered in line with the standing policy for financing academic facilities with general obligation bonding.

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#### Report on Campus Planning Efforts

The Physical Planning and Development Committee heard a presentation describing the positive results produced by intensive campus planning efforts at UW-Eau Claire, UW-Stout and UW-Whitewater, and the impact on the next capital budget of these planning efforts. The intent is additional planning presentations in the coming month.

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#### Review of Recurring Reports

A first review was conducted of recurring reports required to be provided to the Physical Planning and Development Committee. The Committee concurred with Vice President Brown's recommendations, but recommended that the monthly "checkbook" report be eliminated rather than prepared quarterly.

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#### REPORT OF THE EDUCATION COMMITTEE

The Committee's report was presented by Regent Davis, Vice Chair.

Presenting Resolutions 6012-6019, which were approved unanimously by the Education Committee, Regent Davis moved their adoption by the Board of Regents. The motion was seconded by Regent Vattendahl and carried unanimously.

#### Report on Dissemination of Information of Sexual Assault and Sexual Harassment

Resolution 6012: That, pursuant to 1989 Wisconsin Act 177, s. 36.11(21),

Wisconsin Statutes, the Board of Regents accepts the attached Report on the Implementation of the Act and directs that the report be submitted to the Chief Clerk of each house of the Legislature for distribution to the appropriate standing committees under s. 13.172(3).

#### Report on Supplemental Bovine Somatotropin (BST) Study

Resolution 6013: That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the Acting President of the University of Wisconsin System, the Board of Regents accepts the Report on the Status of Research to Determine Effects of Supplemental Bovine

Somatotropin (rBST) on Efficacy and Animal Health for submission to the Governor and to the Chief Clerk of each house of the Legislature, pursuant to 1989 ACT 352 [s. 36.25(32)(f)].

Revisions to the UW-Oshkosh Faculty Personnel Policies and Procedures

Resolution 6014: That, upon recommendation of the Chancellor of the University of Wisconsin-Oshkosh and the Acting President of the University of Wisconsin System, the Faculty Personnel Polici