

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, June 5, 1992  
9:00 a.m.

-Vice President Nicholas presiding-

PRESENT: Regents Barry, Davis, Dreyfus, Flores, Gelatt, Grebe, Grover,  
Gundersen, Hempel, Hirsch, Krutsch, Lubar, Nicholas and Steil

ABSENT: Regents Budzinski, Lyon and Schilling

Welcome to New Regents

Regent Nicholas welcomed Regent Kathleen Hempel, of Green Bay, whose appointment to the Board recently had been confirmed by the State Senate. Regent Hempel is Vice Chair and Chief Financial Officer of the Fort Howard Corporation, of Green Bay.

It was noted by Regent Nicholas that the appointment of John Budzinski, of Whitefish Bay, also was recently confirmed by the State Senate. Regent Budzinski is Business Manager of Steamfitters Local Union 601, of Milwaukee.

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Approval of the Minutes

Upon motion by Regent Davis, seconded by Regent Hirsch the minutes of the meeting of the Board of Regents held on May 8, 1992, were approved as distributed.

REPORT OF THE VICE PRESIDENT OF THE BOARD

Election of Vice President Pro Tempore

Upon a motion by Regent Flores, seconded by Regent Steil, Regent Lubar was elected by unanimous consent to serve as Vice President Pro Tempore for this meeting.

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#### Report of the Vice Chair of the Council of Trustees of the UW Hospital and Clinics

Reporting on the previous day's meeting, Regent Gundersen, Vice Chair of the Council of Trustees, noted that, for the first ten months of the fiscal year, revenues exceeded expenses by \$9.8 million, a significant decrease from last year's \$19.6 million for the same ten-month period. Superintendent Derzon attributed this sharp decline primarily to shortfalls in reimbursements from Medicare and Medicaid. The hospital has been faced with a combination of increasing volume and patient acuity and declining payments for hospital charges, a condition which is projected to worsen in the coming years.

Presenting a progress report to the Council on the proposals for hospital restructuring, Vice Chancellor Noren noted that the six work groups appointed by Chancellor Shalala are expected to complete their report in early summer. The groups' individual reports will then be merged into a comprehensive report, which will be presented to the schools of Medicine, Nursing and Pharmacy, as well as to the Faculty Senate and Academic Staff Assembly. In September, the Council and Board of Regents will review the report prior to action by the Regents in October. If approved, the proposal will be forwarded to the Legislature. The intention is to brief the Council and Regents fully prior to introduction of the proposal in September.

Superintendent Derzon presented to the Council the budget request for the 1992-93 fiscal year, which calls for a rate increase of 6.5 percent. This will be less than recent rate increases at many other hospitals throughout Wisconsin, and the per diem rate will be low compared to peer teaching hospitals across the country. Because deductions from revenue are expected to increase, control of expenditures will be a primary focus this year. Mr. Derzon noted that the challenge of continuing to provide a broad range of services in an era of shrinking reimbursement will become even more acute in the coming year.

Following discussion of the budget and rate increase proposal, the Council adopted a resolution approving the 1992-93 budget, subject to the June 30 public hearing which is required by recently enacted legislation. The budget proposal will be considered by the Board of Regents at the July meeting.

The Council accepted a document presented by Dr. Noren outlining projected UW Hospital lease renewals and anticipated new leases for the next 18 months. The list was requested by the Department of Administration prior to approval of any lease proposals related to the hospital. The list is a planning document only and will not preclude or substitute for the normal review process for leases.

The Council received a status report on the Sports Medicine and Spine Clinic facility which was previously approved by the Board and is now in design phase. Associate Superintendent Les Brower noted that the Zimmerman Design Group has been selected as the project architect. Following design approval and blueprint drafting, construction is projected to begin in late winter or early spring of 1993, with completion anticipated by the summer of

1994. The facility will be built on a five-acre site in University Research Park with a land use agreement to be made between the Research Park and the university.

In other actions, the Council approved revisions to the medical staff bylaws and approved medical staff appointments. The Council also approved the hospital quality assurance review, which showed that all of the issues raised by the Joint Commission for Hospital Accreditation during its last visit have been successfully addressed.

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#### Report on Legislative Matters

Vice President Nicholas noted that a written report had been provided to the Regents.

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#### REPORT OF THE PRESIDENT OF THE SYSTEM

##### Approval of Nonpersonnel Actions

Presenting Resolution 6125, President Lyall noted that the list included academic support services agreements with law firms for individuals to provide course lecturing services at the Law School.

Upon motion by Regent Davis, seconded by Regent Krutsch, Resolution 6125 was adopted, with Regent Steil abstaining from the vote.

Resolution 6125: 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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##### 1992 Commencement Ceremonies

President Lyall reported that in the past month UW institutions have conducted 21 commencements, 13 honors ceremonies and have graduated 15,500 students. Noting that commencements mark an important contribution that the university makes to the future of the state and the nation, she said the 1992 graduates are well prepared, enthusiastic and eager to make their mark in the world. Because they are graduating into a job market that is tighter than it has been for several years, they wonder whether they will be able to succeed and enjoy a higher standard of living than their parents' generation did. They are more socially aware than their recent predecessors and more concerned with what is happening in the environment and the world.

Graduates she had spoken with mentioned repeatedly how much the special attention of a particular faculty member or advisor meant to them during their college career. It was clear to her that UW graduates found their studies

challenging and rewarding. According to a recent study by the American Council on Education, the difference in average lifetime earnings between a high school graduate and a college graduate in the United States is about \$400,000. This percentage gain is greater for women college graduates than for men, with women's average salaries increasing from \$17,000 to \$29,000 with a college degree, while average salaries for men increase from \$25,800 to \$41,000. The greater percentage gain in expected incomes for women, President Lyall pointed out, may account for the steady rise in the proportion of UW students who are women--now over 55 percent of the student body. However, the average annual income of women with a college degree still is only roughly equal to the income of men who do not have a degree.

Stating pride in the new UW alumni and the universities from which they graduated, President Lyall commented that Wisconsin and the world will be a better place because of them in the years to come.

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#### UW System Research Grants and Contracts

It was noted by President Lyall that competition for support of research in the United States has become increasingly intense, with federal funding for certain kinds of research and facilities having been cut significantly and the cost of research, especially in the sciences, having grown very rapidly.

In this highly competitive environment, the volume of grants and contracts secured by the UW System continues to grow. As of May 1992, the number of grants and contracts in the UW System was 15 percent above the previous year, and the total of \$465 million is an increase of about \$61 million over last year. Research activity supported by these funds, she pointed out, adds more than 4,000 jobs and \$100 million of personal income to the State of Wisconsin and more than \$5 million in state income tax returns. This funding supports the work of both established and promising young scholars who will provide the basic knowledge for breakthroughs in medicine, technology, economics and many other fields that will determine the society and world of the future.

While in the past year support for research grew 15 percent, she noted, support for the instructional mission of the UW System grew .5 percent.

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#### Announcement of Retirement, UW-La Crosse Vice Chancellor

President Lyall announced that Carl Wimberly, Vice Chancellor of UW-La Crosse, has retired after thirty-nine years of service as a faculty member, department chair, dean, vice chancellor and acting chancellor. Stating appreciation for his distinguished service, she remarked that Dr. Wimberly's academic values, his caring philosophy and his deep commitment to teaching, research and teacher education, have benefited thousands of students, both at UW-La Crosse and in the public schools.

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Presentation: Summer Minority Student Research Apprentice Program,  
UW-Madison

President Lyall introduced Dr. Robert Brown, Assistant Dean of Minority

Affairs, UW-Madison Medical School, who said that there is no question as to the importance of pre-college programs to the Medical School. With such programs as the Summer Pre-Med Program, the National Institute of Health Summer Minority High School Student Research Apprentice Program, the College Access Program, and the Summer Engineering Program, the Medical School's chances of informing minority students about medical education has been made easier.

The Medical School also has an excellent working relationship with UW-Milwaukee's Med-Prep Program, which is designed to prepare minority and disadvantaged students for medical education. The Medical School has hosted tours and demonstrations for the Med-Prep students on course work, volunteering ideas and letters of recommendation toward entering Medical School. There is no question, he said, that the relationship begun about four years ago with the staff and students of Med-Prep will continue to flourish over the next few years.

Other organizations the Medical School works with on a regular basis are: Centro Hispanics of Madison; Oneida Tribal School; Marquette Middle School, Madison; United Community School of Madison; Third World Pre-Health Society of Marquette University; and the School of Allied Health Professions of UW-Milwaukee. Because of the continued trust and support of these organizations and others, the Medical School is experiencing an increase in interest from bright minority men and women looking to medicine as a career and wishing to do their professional work at the Medical School.

The increase in interest of minorities to medicine in Wisconsin, Dr. Brown concluded, could not have happened without the support of minority and majority faculty, students and staff of the University of Wisconsin Medical School.

Regent Gundersen asked about class size and Dr. Brown stated that there are 143 students per class.

Responding to questions by Regent Dreyfus, Dr. Brown said it is increasingly difficult to attract qualified minority medical students in Wisconsin in light of more lucrative incentives being offered by other states. With regard to the level of science and mathematics knowledge of freshmen students, he said there has been an attempt to work with students over the years, and their progress is watched and encouraged.

Regent Dreyfus further asked if it would be possible to target students for the program as early as their sophomore year in high school, and Dr. Brown said it would be easy and is being done to some extent. Chancellor Shalala added that UW-Madison conducts its own upward bound program beginning with the freshman year in high school. Of the thirteen students from this year's class, seven will be attending UW-Madison. The problem with attracting these qualified students is that other states are in positions to offer a more complete financial aid package than Wisconsin.

In answer to a question by Regent Grebe about how the Program works with the Minority Information Center, Dr. Brown said that they work and cooperate with all groups, whether they are minority or non-minority organizations.

President Lyall thanked Assistant Dean Brown for the presentation and

encouraged its continued efforts.

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#### REPORT OF THE SPECIAL REGENT COMMITTEE

##### Recipients of the Joyce Erdman Teaching Excellence Awards

Regent Krutsch, Chair, presented the report of the Special Regent Committee, composed of Regent Krutsch, Regent Flores, and Regent Emeritus Clusen, which was appointed by Regent President Lyon for the purpose of selecting the first recipients of the 1992 Regents Teaching Excellence Awards. On May 22, 1992, the Special Regent Committee met to select two recipients of this year's awards from among the nominees.

The 1992 awards are named in honor of former Regent President Joyce Erdman, who was instrumental in initiating the awards program as part of the UW System's continuing commitment to teaching excellence. Nominations for the awards were made by UW institutions on the basis of career achievement in teaching, commitment to teaching and learning, use of highly effective teaching strategies, and impact on students' intellectual development.

Regent Krutsch announced that the winners of the 1992 Joyce Erdman Teaching Excellence Awards are UW-Eau Claire Professor Maxwell Schoenfeld and UW-Whitewater Professor Robert Burrows. Professor Schoenfeld has been a member of the history faculty at UW-Eau Claire since 1964. Professor Burrows has been a member of the UW-Whitewater English faculty since 1965. Both recipients, Regent Krutsch stated, have established and sustained impressive records of excellent teaching throughout their careers. Their ability to inspire in students a love of learning and to have a lasting impact on their lives through the knowledge, skills and values they have imparted are marks of truly great teachers. The two recipients each will receive a \$5,000 award. They will be invited to attend the September 1992 Board of Regents meeting and will be honored at that time.

Commending the other nominees for this prestigious award, Regent Krutsch noted that all were chosen by their institutions on the basis of outstanding teaching throughout their careers and that inclusion in this distinguished group of excellent teachers is a high honor.

The nominees were: Dr. William Floyd, UW-La Crosse; Dr. Cyrena Pondrom, UW-Madison; Dr. Ethel Sloane, UW-Milwaukee; Dr. Edward Tabor Linenthal, UW-Oshkosh; Dr. Oliver Hayward, UW-Parkside; Dr. Walter Iselin, UW-Platteville; Dr. DeAn Krey, UW-River Falls; Dr. Thomas McCaig, UW-Stevens Point; Dr. Charles T. Krueger, UW-Stout; Dr. Darol Kaufman, UW-Superior; and Dr. Robert Bermant, UW-Centers.

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#### REPORT OF THE EDUCATION COMMITTEE

Regent Grover, Chair of the Committee, presented the report.

#### Consent Agenda Items

Presenting Resolutions 6126-6134, which were unanimously approved by the Committee, Regent Grover moved their adoption as consent agenda items by the Board of Regents. The motion was seconded by Regent Flores.

At the request of Regent Gundersen, Resolution 6134 was removed from the consent agenda.

Put to the vote, Resolutions 6126-6133 were adopted unanimously by the Board of Regents.

#### Joint Review: Ph.D., Child and Family Studies, UW-Madison

Resolution 6126: That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Ph.D. in Child and Family Studies be continued with the understanding that the program will be included within UW-Madison's normal academic evaluation cycle.

#### 1992-93 Tenure Designations and New Tenured Appointments

Resolution 6127: That, upon recommendation of the respective Chancellors and the President of the University of Wisconsin System, the 1992-93 tenure designations and new tenured appointments, reported in the attached materials by institutions, be approved.

#### Emeritus Designations/Distinguished Service Designations 1991-92

Resolution 6128: That, for their many years of dedicated service to public higher education in the state of Wisconsin, the Board of Regents expresses its deep appreciation to the members of the faculty and staff who have been granted emeritus status and distinguished service designations by the chancellors; further, the Board of Regents extends to each of them its best wishes for many productive years ahead.

#### Report on Criteria Used and Distribution by Institution of Special Supplemental Salary Increases and Support Costs for Selected Academic Staff and Faculty

Resolution 6129: That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents accepts the proposed specific criteria used in developing the institutional plans for the distribution of special supplemental salary increases and support costs, and that the Board accepts the amounts and types of support to be provided to UW institutions as shown in Table I of this report.

#### Approval of Amendments to Faculty Personnel Policies and Procedures,

UW-Madison

Resolution 6130: That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the revisions to ss. 7.10(C), through 7.10(E) and 7.14(B) through 7.15(H), Faculty Policies and Procedures, University of Wisconsin-Madison, be approved.

Approval of Amendments to Faculty Personnel Policies and Procedures,  
UW-Whitewater

Resolution 6131: That, upon recommendation of the Chancellor of the University of Wisconsin-Whitewater and the President of the University of Wisconsin System, the revisions to Chapter VIII, Faculty Personnel Rules, University of Wisconsin-Whitewater, be approved.

Authorization to Recruit Chancellor, UW-Platteville

Resolution 6132: That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the Request for Authorization to Recruit for a Chancellor of the University of Wisconsin-Platteville.

Authorization to Recruit Dean, UW Center-Fox Valley

Resolution 6133: That, upon recommendation of the Chancellor of the University of Wisconsin Centers and the President of the University of Wisconsin System, the Chancellor be authorized to recruit for a Dean of the University of Wisconsin Center-Fox Valley.

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Outstanding Teaching Awards 1992-93

With respect to Resolution 6134, Regent Gundersen voiced the concern of a number of faculty about the methodology by which outstanding teachers are identified. With assurance that this matter will be reviewed, he was prepared to support the resolution.

President Lyall responded that such a review will be undertaken. The difficulty this year was that the .25 percent set aside early in the budget process to recognize teaching excellence was so small an amount, considering the subsequently adopted one percent pay plan, that the exercise became more divisive than helpful to faculty.

Upon motion by Regent Gundersen, seconded by Regent Davis, Resolution 6134 was adopted unanimously.

Resolution 6134: That the Board of Regents of the University of Wisconsin System recognizes the achievements of the 1992-93 Outstanding Teaching Award recipients, commends them for their commitment to teaching excellence, and asks the chancellors to extend our appreciation for their



efforts.

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#### Report of the Vice President for Academic Affairs

Vice President Portch reported to the Committee that an amendment to the budget bill removed statutory language requiring the UW to conduct BST research, as well as the requirement to establish a panel of dairy farmers to advise on the research. The budget also provided money for developing a blood test to detect bovine tuberculosis in commercially raised deer and asked the Board to discuss setting aside additional funds to assist in this research. Dr. Portch proposed that research proposals for this purpose be eligible to compete with other proposals as part of the regular applied research program.

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#### Equal Opportunities in Employment Report: A Report on the Status of Women and Minority Faculty Members

The Committee discussed an Equal Opportunities in Employment Report on the status of women and minority faculty members.

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#### Occasional Research Brief 92/5: Annual Status Report on Student Financial Aid in the UW System: 1990-91

The Committee discussed a report on student financial aid in the UW System in 1990-91.

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#### REPORT OF THE BUSINESS AND FINANCE COMMITTEE

Regent Gelatt, Chair of the Business and Finance Committee, presented the report.

#### Consent Agenda Items

Regent Gelatt presented Resolutions 6135 and 6136, which had been approved by the Business and Finance Committee, as consent agenda items for action as a single unit.

Upon motion by Regent Gelatt, the following resolutions were adopted, with Regents Davis and Steil abstaining from the vote on Resolution 6135.

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#### Approval of Gifts, Grants and Contracts

Resolution 6135: That, upon recommendation of the 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 Budget Allocation Decision Rules

Resolution 6136: That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the 1992-93 annual budget allocation decision rules.

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#### Segregated Fee for Intercollegiate Athletics at UW-Madison

Regent Gelatt reported that, at the May 1992 meeting, the Committee had tabled a motion to extend the segregated fee for UW-Madison athletics to enable legal counsel to review applicable statutes, Board policies and internal UW System policies to answer student questions about the Board's authority to establish the \$10 fee recommended by the UW-Madison Chancellor.

At the previous day's meeting, Legal Counsel Hodulik assured the Committee that the Board does have the authority to establish fees necessary and convenient to the university's legitimate educational purpose. The key feature of Resolution 6137 is approval of the fee by the Board for one year, with the fee becoming part of the normal segregated fee process the following year. This means that the Chancellor may impose a non-allocable fee which would be non-allocable in 1993-94 and 1994-95, and at student option, allocable in 1995-96. In 1993-94, the students would need to notify the Chancellor of their intent to make the fee allocable in the third year. The Committee heard testimony from two of the four students who addressed the Committee at the May meeting. After discussion, the Committee approved Resolution 6137.

It was moved by Regent Gelatt and seconded by Regent Lubar that the following resolution be adopted by the Board of Regents:

Resolution 6137: That, upon the recommendation of the President of the University of Wisconsin System and the Chancellor of the University of Wisconsin-Madison, the \$10 segregated fee per semester for intercollegiate athletics at UW-Madison be continued for the 1992-93 fiscal year. Further:

That, accounting procedures be maintained which makes information on this source of income and its subsequent expenditure readily accessible to student government representatives responsible for recommending segregated fees;

That, the outstanding deficit at the end of the 1991-92 fiscal year be retired within five years. Deficit retirement shall be included in the annual operating budget of the Athletic Department for each of the five years. The amount of budgeted deficit retirement shall be no less than the balance of deficit outstanding at the close of the prior fiscal year divided by the number of years remaining.

Deficit retirement monies may not be taken from the segregated fee income;

That, unanticipated revenue and expenditure savings be applied to the outstanding deficit;

That, beginning in 1993-94, the segregated fee for athletics be addressed within the segregated fee policy by student government, the athletic board and the chancellor, with presentation to the Board of Regents included in the annual operating budget;

That, the Board of Regents be assured each unit within the Athletic Department receives regular budget versus expenditure comparisons, and is being properly counseled regarding variations;

That, the Athletic Department maintains accounting practices consistent with Generally Accepted Accounting Practices (GAAP); and

That, a proper funding relationship with the UW Foundation is maintained.

Regent Grebe asked if legal counsel's written opinion specifically stated that the Board has authority to impose the fee, and Ms. Hodulik replied in the affirmative.

Regent Gelatt noted that such a fee has been used on many of the other campuses, establishing ample precedent for the imposition of a fee of this kind at UW-Madison.

In reply to a question by Regent Flores, Regent Gelatt explained that the meaning of the resolution is for the fee to be non-allocable for several years but then to become allocable, which means that the students have the choice of whether to continue it for the year 1995-96. At that time, if the students decide against allocating it to athletics, the fee would not be imposed.

Regent Flores said it was his understanding when the fee was initiated that it was a temporary, three-year measure, primarily needed to keep the non-revenue-producing sports viable. Subsequently, five non-revenue sports were eliminated, but the fee was being continued.

Regent Gelatt noted that the clear intent of discussion by the Business and Finance Committee was that the Board would not reimpose a non-allocable fee for the Athletic Department and that the standard procedure has been set in motion and will run its course. He would strongly oppose the Board extending the fee as non-allocable in 1995-96. If the Athletic Department could at that time convince the students to continue the fee by their choice, the fee would be continued; but it would not be a permanent fee if the students choose not to continue it.

Regent Flores asked how much money has been contributed to the Athletic Department by the student fee and how much the deficit has been reduced.

Regent Gelatt replied that approximately \$2.4 million has been collected by the fee, and reduction in the debt has been \$300,000.

Regent Flores emphasized his concern about students having no voice in the decision to impose the fee. While he did not disagree that the Board of Regents has authority under the statutes to levy the fee, he disagreed with the mandatory manner in which it was being imposed. Such a Board mandated fee is unique to UW-Madison and is different from processes used at other institutions in the UW System.

If fee monies were applied to a personnel contract that extended beyond the three-year period, Regent Hirsch asked if the fee would remain non-allocable and be extended for the duration of that contract. Legal Counsel Hodulik replied that such contractual obligations would have to be funded with other monies if the fee were not extended.

Regent Hirsch noted that the faculty and staff parking fee raises another \$400,000 per year. Over three years, about \$3.4 million had been put into the Athletic Department for a net debt reduction of about \$300,000. While the Athletic Department is an important part of the institution and is addressing some of its problems, he felt the financial management performance clearly had not been successful.

Regent Lubar commented that, if the university is to have an athletic department, there must be commitment to pay for it. In this case, GPR is not available; sports revenues are increasing but still are not adequate; and gifts alone cannot be relied upon to fill the gap. The remaining possibility is continuation of a temporary special fee. While Regents are not pleased with the fee, he felt it must be recognized as a valid source of income. He saw no intention on the part of the Business and Finance Committee to continue the fee beyond the time period provided in the resolution. Noting that other UW campuses have athletic fees, he did not consider the fee at UW-Madison to be unreasonable or unduly burdensome.

Regent Flores quoted the following language from s.36.09(5) of the statutes: "Students shall have primary responsibility for the formulation and review of policies concerning student life, services and interests. Students in consultation with the chancellor and subject to final confirmation of the Board shall have the responsibility for the disposition of those student fees which constitute substantial support for campus student activities." While the Board has the final authority to set fees, Regent Flores felt that, in this case, students had not had the required level of participation in the decision.

Regent Davis agreed that the salient issue in this matter relates to the question of authority rather than to the amount of the fee. Believing that the Board has authority to levy the fee, he urged adoption of the resolution.

Regent Gelatt explained that the intent of the resolution is to pass responsibility for the fee to the students as quickly as is fiscally responsible. The period before the fee becomes allocable will provide the opportunity of full discussion with students of the merits of continuing the fee. Therefore, he strongly supported adoption of the resolution by the Board.

Regent Hirsch commented that, while the resolution would in three years give the students a role in determining the fee, the students rightly were asking to play that role now.

Regent Grebe asked legal counsel if the Board has the legal authority to impose the fee, notwithstanding the language of s.36.09(5). Senior Counsel Hodulik replied in the affirmative.

Put to the vote, Resolution 6137 was adopted, with Regents Flores and Hirsch voting in opposition.

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#### Annual Report on Administrative Computing Strategic Planning

This report was presented to the Business and Finance Committee by William Hogue, Senior Consultant for Information Technology, who noted that the report contains descriptions of a wide range of activities that reflect the diversity of the UW System institutions. Citing four C's of information technology-- communication, coordination, compatibility and coherence-- Mr. Hogue said if communication among the institutions and with System Administration is open, coordination and compatibility will follow, which in turn will lead to coherence. He reported that work on development plans for the utility will continue, as well as development and expansion of the Wisconsin Strategic Planning Project. The most important effort in the coming years is the support, enhancement and planning for networks to improve data communications.

The Chair suggested that the following information technology goals for System Administration be part of System Administration's work plan for 1992-93: to establish a process for ongoing assessment of de facto industry standards for information technology; to adopt software, hardware and data architecture standards in consultation with UW institutions; to review proposed hardware and software purchases, and to review proposed software development projects for adherence to adopted standards; to identify prototype projects that can make early use of a standardized environment to ensure maximum software portability among institutions; and to review and revise the UW System five-year MIS Strategic Plan, identifying and adopting standards as a central component of the plan.

The Committee asked for a progress report on these goals as part of the annual MIS report at the June 1993 meeting.

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#### Supplies and Expense Implementation Report

Deputy Vice President Marnocha outlined for the Committee the steps taken to implement the recommendations of the Supplies and Expense Task Force Report, initial implementation plans having been presented to the Board in May and June of 1991. Much has been accomplished, especially with respect to the adoption of the total quality management philosophy. More can be expected after the System total quality management consultant, Sue Rohan, begins work in mid-June 1992.

The systemwide Quality Reinvestment Plan has helped to identify the supplies and expense deficiency and reallocate resources to pressing needs. While the Task Force report directed the institutions to reallocate savings to meet supplies and expense needs, the forced GPR lapses of \$3.2 million in

1991-92 and \$7.4 million in 1992-93 make quality reinvestment decisions more difficult.

Regent Lubar asked System Administration and the Business and Finance Committee to work together to establish targets to quantify the savings resulting from the implementation of the Supplies and Expense Task Force recommendations.

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#### Budget Briefing

Regent Gelatt reported that the briefing provided for Regents on the operating and capital budget processes had been extremely helpful and informative. On behalf of the Business and Finance Committee, he thanked Associate Vice President Kathi Sell and Vice President Paul Brown for a clear explanation of this multi-step process.

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#### Presentation: UW-Stevens Point--Implementation of Quality Reinvestment Plan

The Committee heard a presentation on UW-Stevens Point's implementation of the Quality Reinvestment Plan. It was an interesting presentation by Chancellor Sanders on how UW-Stevens Point has integrated strategic planning and quality reinvestment into the budget process. Assistant Vice Chancellor Diemer outlined the budget process timetable and gave examples of the sources and applications of quality reinvestment funds. The Committee was pleased to learn that strategic planning produced a clear set of institutional priorities to guide decision making in the 1990s.

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#### Supplemental Gift, Grant and Contract Report

Deputy Vice President Marnocha distributed to the Committee three supplemental gift, grant and contract summary reports. The Committee expressed support for receiving such alternate reports on an annual basis.

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#### Audit Subcommittee Report

##### Role and Responsibilities of the Subcommittee

The Subcommittee approved a resolution on its role and responsibilities. The resolution provides a mechanism whereby the Board, through the Audit Subcommittee, can have direct access to the internal and external audit functions of the UW System.

This resolution will be brought to the Business and Finance Committee at the July 1992 meeting

#### Staffing of Audit Function

The Audit Subcommittee passed a resolution introduced by the Chair to encourage System Administration to hire a sufficient number of auditors to complete Priority One audits as identified on the audit schedule. This resolution will be brought to the Business and Finance Committee at the July 1992 meeting.

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

Regent Gundersen, Chair, presented the Committee's report.

Approval of 1992 Campus Development Plan, UW-Madison

Chancellor Shalala presented to the Committee the UW-Madison 1992 Campus Development Plan. After hearing the presentation, the Committee unanimously adopted Resolution 6138.

It was moved by Regent Gundersen, seconded by Regent Dreyfus and carried unanimously that the following resolution be adopted by the Board of Regents.

Resolution 6138: That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, the 1992 Campus Development Plan, reflecting updates to the 1980 Campus Development Plan and documenting physical facilities and campus boundaries, be approved.

Regent Davis asked if the Madison Mayor's Office had received a copy of the UW-Madison Campus Development Plan. When advised that a copy was sent to the City Planning Department, he noted that, because the plan involved taking property off the tax rolls, the city should be made aware in a specific manner of those intentions.

Put to the vote, Resolution 6138 was adopted unanimously.

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#### Improvements in the Capital Budget Process

Regent Gundersen summarized a report describing the improvements which have occurred in the capital budget process. Much of what has taken place has emanated from the Physical Planning and Development Committee's serious concerns about multiple layers of approval through which project requests must advance from the time of initiation to the time of completion. As a first step, Vice President Brown was asked to develop a flow chart visualizing the process. This led to the preparation of a paper entitled "Roles and Relationship in the Capital Budget," a document that served as a springboard for developing solutions to problems created by the lengthy process for moving projects forward.

There have been a number of activities initiated over the past year which have resulted in improvements, and there is a feeling that more of a partnership is evolving between the staffs of the Division of Facilities Development and UW System Administration. Because of this improved

relationship, it has been possible to make numerous changes that streamline the process and help to ensure that buildings are constructed to meet quality standards. Additional areas for improvement have been identified and solutions are being developed. This is expected to be an ongoing process, and the Committee will receive periodic reports on the results of those efforts.

Mr. Robert Brandherm, Administrator of the Division of Facilities Development, had been invited to the meeting but could not attend because of a scheduling conflict. He did, however, send a letter commending Vice President Brown, members of his staff and the administrators of the various universities for their initiatives and cooperation.

On behalf of the Committee, Regent Gundersen commended and thanked the Division of Facilities Development and UW staff for their cooperation in working together to achieve these positive results.

In discussion at the Board meeting, Regent Grover commended Regent Gundersen for his dedication as Chair of the Physical Planning and Development Committee. His leadership had played a key role in promoting the improvements made in the facility development process.

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#### Energy Management Report

The Committee discussed a special report on energy management, which is one in a series of special reports on subjects associated with responsibilities assigned to the Physical Planning and Development Committee. This report discussed past and present energy management activities in the UW System, the methods of providing energy to system institutions, and data on current and historical energy consumption levels and costs. The report included recommendations that the UW System take a leadership role in increasing the energy efficiency of its operations by participating as a partner in Governor Thompson's Wisconsin Energy Initiative, and that, to the extent possible, the UW System advance the energy efficiency and environmental benefit principles of the Environmental Protection Agency's Green Lights Program. The Committee members were very impressed with the data reflected in the report. The Committee encouraged continuing efforts to enhance energy management and urged staff to continue to strive for enactment of incentive programs which will allow agencies to retain their energy saving dollars instead of having them revert to the state's general fund. Under recent legislation, the institutions will be able to keep 30 percent of their savings.

Commending the UW System for the energy management accomplishments outlined in the report, Regent Davis agreed with the recommendations to take part in the Wisconsin Energy Initiative and the Green Lights Program. He suggested that, because the industry is changing so rapidly, the university rely more on its energy suppliers to provide programmatic expertise, which could be made available at little or not cost.

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#### UW-Madison Sports Medicine Facility



Vice President Brown reported to the Committee on the outcome of discussions related to purchase of land for the UW-Madison Sports Medicine facility.

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#### Tour of UW-Madison Biochemistry Building

Regent Gundersen reported that the tour showed laboratories in the Biochemistry Building to be in a state of disrepair, with problems which included inadequate fume venting and lack of air conditioning. As a result of laboratory inadequacies, a world-class researcher in the department had recently moved to the Massachusetts Institute of Technology.

Stating that construction and renovation of this facility must carry a high priority, Regent Gundersen thanked the staff for providing this informative tour.

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#### REPORT OF THE PERSONNEL MATTERS REVIEW COMMITTEE

Regent Davis, Chair of the Committee, presented the report.

The Personnel Matters Review Committee met on June 1, 1992, to consider the appeal of Dr. Jean Elefson from a UW-River Falls decision not to grant her a tenured appointment. The appeal was considered pursuant to the November 1991 decision of the Board to grant a review of the record in this matter. The Committee proceeded to conduct such an analysis, and supplemental information was gathered by Senior Counsel Hodulik who served as counsel to the Committee.

Senior Counsel Hodulik explained that the issues giving rise to the review were the questions of whether there might have been discriminatory animus for the decision to deny tenure and whether the decision was based on facts not supported by the record. After completing the review, the Personnel Matters Review Committee determined: 1) Dr. Elefson had not satisfied her burden of showing that there was discriminatory animus; and 2) that she had failed to satisfy her burden of showing insufficient fact in the record to support the decision.

Stating that it was the unanimous recommendation of the Personnel Matters Review Committee to sustain the Chancellor's decision denying tenure, Regent Davis moved adoption by the Board of Regents of Resolution 6139 and the motion was seconded by Regent Dreyfus.

Resolution 6139: That, upon the recommendation of the Personnel Matters Review Committee, the Board approves and adopts the following findings and decision in the matter of UW-River Falls Assistant Professor Jean Elefson:

1. This matter is before the Board upon Dr. Elefson's petition for review of the decision of UW-River Falls not to renew her faculty appointment, which decision resulted in the denial of tenure to Dr. Elefson.
2. At its November 8, 1991 meeting, the Board granted Dr. Elefson's petition for review, on the grounds that the insufficiency of the reasons given for the denial of tenure, together with the allegation that Dr. Elefson was asked at a pre-tenure meeting about her plans for having more children, gave rise to a serious concern that the tenure denial might have had a discriminatory animus, or may have been based upon facts not supported by the record, resulting in material prejudice to her candidacy and having systemwide implications. The Personnel Matters Review Committee has conducted the review on the record, and has supplemented the record by the taking of additional testimony on the issue whether Dr. Elefson was asked at a pre-tenure meeting about her child-bearing plans.
3. The issues before the Board on this review are whether the decision of the institution had a discriminatory animus, and whether the institutional decision was based on facts not supported by the institutional record, causing the institutional decision to have systemwide implications.
4. Dr. Elefson has the burden of proof on the issues before the Board on review.
5. Dr. Elefson has failed to sustain her burden of proving that she was asked at a pre-tenure meeting about her child-bearing plans or of showing a discriminatory animus for the tenure denial decision.
6. Dr. Elefson has failed to sustain her burden of proving that the institutional decision was based on facts not supported by the record. While the record in this matter is not as clear or complete as is desirable concerning the reasons for the denial of tenure, it contains adequate facts to support the decision of the chancellor that Dr. Elefson should be denied tenure. Further, the institutional decision in this case does not have systemwide implications.
7. Accordingly, the chancellor's February 15, 1991 decision denying tenure is sustained and is adopted as the decision of the Board in this matter, and this review before the Board is concluded.

8. Pursuant to ss. 227.47 and 227.48, Wis. Stats., Dr. Elefson is informed that she may, within 20 days after service of this decision, file a written petition for rehearing which shall specify in detail the grounds for the relief sought and supporting authorities. The filing of such a petition shall not suspend or delay the effective date of the decision. Copies of the petition must be served on all parties of record. In addition, this decision may be judicially reviewed by filing a petition for review in the appropriate circuit court, as specified in s. 227.53(1)(a)3, Wis. Stats. The

petition

must be filed within 30 days of the service of this decision, and must name as party respondent the Board of Regents of the University of Wisconsin System.

Regent Davis pointed out that, while the record in this proceeding was at a level sufficient to sustain the Committee's judgment, it was not at a level desirable for future proceedings. The Committee intended to work with President Lyall and legal staff to ensure a systematic approach to compilation of records.

Put to the vote, Resolution 6139 was adopted unanimously.

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#### REPORT OF REVIEW COMMITTEE ON AUDIT RELATED MATTER

##### UW-Madison Academic Support Services Contract

Regent Lubar presented the following report on this matter, which had been referred by Regent President Lyon to a committee composed of Regents Schilling (Chair), Gelatt and Lubar.

The Board of Regents approved a contract with the Washington, D.C. law firm of Hogan and Hartson at its March 1991 meeting. It was approved as a UW-Madison Academic Support Services contract under resolution II.4.a. Despite the possible controversial nature of the contract, it was not highlighted so as to allow Board inquiry or discussion.

The Committee was advised that the contract was in violation of Sections 14.11 and 20.930 of the Wisconsin Statutes. In essence, these statutes provide that state agencies may not enter into contracts for legal services or employ an attorney without consultation with the Attorney General and approval of the Governor. Thus, the Board was in the unhappy position of having approved, in ignorance, a legal services contract in violation of state law.

This matter was brought to the attention of the Audit Subcommittee of the Board in December 1991. When it was determined that legal counsel at both UW Madison and System Administration had been consulted before the contract was brought to the Board, the Attorney General's office was asked to provide

counsel. Assistant Attorney General Burneatta Bridge was assigned to assist the Committee.

The ad-hoc Committee met with Ms. Bridge to undertake a general preliminary investigation. She interviewed a number of individuals involved in the steps that led to the action of the Board and collected documents relating to the contract. The ad hoc Committee met with Ms. Bridge to review the results of her preliminary investigation; interviewed former President Shaw; consulted with President Lyon; and met with General Counsel Stathas, Vice Chancellor Newby and Chancellor Shalala.

After deliberation, the Committee made the following findings:

1. In April or May of 1990, Chancellor Shalala entered into a verbal arrangement for legal services with David S. Tatel of the firm of Hogan and Hartson in Washington, D.C.
2. The arrangement was intended to be an action in implementation of Regent Resolution 5399, and President Shaw was generally aware of it.
3. By letter of May 30, 1990, to Mr. Tatel, Vice Chancellor Newby confirmed that Mr. Tatel and his associates were to "...prepare a brief exploring the legal aspects of the ROTC gay and lesbian discrimination issue..." and send the bill to her. This letter did not discuss fees and the record is otherwise silent as to fee arrangement and source of payment.
4. The engagement was not reduced to writing, accounted for or approved by the normal purchasing channels until six months later when most of the work was completed and a statement for fees was received from Mr. Tatel.
5. At some point, General Counsel Stathas advised Ms. Newby that the contract should not be paid out of state monies and/or that the contract should be paid from private sources. He did not inform the System President of his concerns or take steps to insure that the contract would not be presented to the Board over his objections.
6. After some discussion at the Madison campus as to how to pay for the services rendered by Mr. Tatel, the arrangement became the "Hogan and Hartson Academic Support Services Agreement" and was executed by the parties in January 1991.
7. On February 11, 1991, the contract was sent forward by the Madison campus for inclusion in Resolution II.4.a., contrary to their understanding that this resolution should only be used for non-controversial actions. Those in System Administration responsible for insuring that this understanding is observed did not flag the item as controversial.
8. Chancellor Shalala wrote to President Shaw on February 26, 1991, to report on UW-Madison's activities to change ROTC's discriminatory policies. She referred to Mr. Tatel's activities, but indicated that he had been retained on behalf of a group of prominent universities. There is no arrangement whereby other universities would share the cost.

The Committee reached the following conclusions:

1. Exploring the option of legal challenges to ROTC discrimination against homosexuals was within the broad mandate of Regent Resolution 5399.

2. Chancellor Shalala pursued this option openly, with the knowledge and apparent approval of President Shaw.
3. Communications between Chancellor Shalala and Vice Chancellor Newby regarding the arrangement with Hogan and Hartson were sketchy and Vice Chancellor Newby and/or her office demonstrated a lack of understanding of Wisconsin procurement statutes and procedures. Ms. Newby was new to her position at the time.
4. The issue of whether Sections 14.11 and 20.930, Wis. Stats., applied to the contract should have been more thoroughly addressed at the outset. Even if said statutes did not apply--and Vice Chancellor Newby cites at least one recent example where similar services were procured without compliance--the contract should have been reduced to writing at the outset and the source of funding determined.
5. Considering the confusion and controversy which developed over the contract and its payment, neither UW-Madison, the System General Counsel, nor System Administration generally should have permitted the contract to come to the Board as a Resolution II.4.a. item.

The Committee made two recommendations:

1. The Board should re-examine the process by which matters come to it under Resolution II.4.a.
2. The Board, Attorney General and Governor's Office should re-examine the application of Sections 14.11 and 20.930, Wis. Stats., as they relate to UW procurement. There is not a clear agreement at this time on the definition on how those statutes relate.

Finally, the Committee met on June 2, 1992, with Chancellor Shalala, Vice Chancellor Newby, and General Counsel Stathas and expressed extreme displeasure with the administrative handling of this matter. The Committee was assured that this sort of problem would not occur again in the future.

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#### ELECTION OF OFFICERS OF THE BOARD OF REGENTS

Regent President

Regent George Steil was nominated for the position of President of the Board by Regent Lubar. The nomination was seconded by Regent Davis, and Regent Steil was elected unanimously.

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- President Steil presiding -

Regent Vice President

Regent Albert Nicholas was nominated for re-election to the office of Vice President by Regent Grebe. The nomination was seconded by Regent Gundersen, and Regent Nicholas was re-elected unanimously.

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Regent Secretary

Upon nomination by Regent Gundersen, seconded by Regent Davis, Judith Temby was unanimously re-elected Secretary of the Board.

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Assistant Secretary

Upon nomination by Regent Grover, seconded by Regent Flores, Marlene Alsmo was unanimously re-elected Assistant Secretary of the Board.

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Trust Officer

Regent Lubar nominated Raymond Marnocha for the position of Trust Officer of the Board. The nomination was seconded by Regent Hirsch, and Mr. Marnocha was elected unanimously.

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Assistant Trust Officers

Upon nomination by Regent Krutsch, seconded by Regent Davis, Charles Stathas was unanimously elected Assistant Trust Officer of the Board.

Upon nomination by Regent Davis, seconded by Regent Dreyfus, David Konshak was unanimously re-elected Assistant Trust Officer of the Board.

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Address of Regent President Steil

Expressing his appreciation for the confidence the Board has placed in him, Regent Steil said he hoped to follow President Lyon's example of leadership, patience and complete devotion to the ideals of the UW System. He looked forward to the advice and counsel of Vice President Nicholas and to working with President Lyall, whose leadership ability the UW System is fortunate to have.

Regent President Steil made the following statement:

"We are facing a year of some very difficult decisions. A seat on this Board is not a place to gain friends and win popularity. Many decisions will have to be made which will be adverse to the wishes of some people.

"Higher education in Wisconsin is in a state of crisis from the standpoint of carrying out its mission with restricted financial resources.

"Let me add to that we are not alone. Columbia University is looking at a deficit of \$87 million in 1993. Stanford University reduced its administrative and academic budget by 13 percent. Yale University eliminated 11 percent of its faculty positions and is merging many departments to reduce costs. If you read the news articles this week, you can find that is probably not going to be enough. Apparently, huge endowments do not relieve an institution from financial responsibility.

"When we observe state-assisted universities, we must take note of the fact that state appropriations for higher education declined in the academic year 1991-92 for the first time in 33 years that records have been kept.

"Mark Yudof, writing in the May 13 Chronicle of Higher Education, stated that tuition at public universities is now growing more rapidly than at private universities. Another survey stated that tuition in public universities this last year went up an average of 12 percent. Private schools went up an average of 7 percent. The University of Wisconsin went up 4.3 percent.

"These statistics cannot be ignored and certainly are telling us something that all of us would like to avoid hearing.

"While all of this has been going on, we cannot ignore the fact that this System, which we have been appointed to guide, has lost the respect of the Legislature and many taxpayers. I would remind you in that regard that the taxpayers of Wisconsin are paying approximately 32 percent of our budget. When I speak of a loss of respect, I am speaking about our perceived lack of fiscal responsibility. This lack of confidence in how we handle our resources is the mother of the desire to micro-manage the university and this desire only compounds our problems.

"It behooves each one of us as Regents, and indeed everyone connected with this university system, to manage our resources as a sacred trust. We cannot afford any waste and we must have fiscal responsibility--not only in fact, but also in the perception of the taxpayers of this state. To be fiscally responsible, we must be cognizant of the value of the product that this System produces.

"As desirable as it might be, we cannot remain the second lowest in tuition in the Big Ten. If we do, we will find this System in the same predicament as California, where they are now advocating a 26 percent tuition increase in one year. I submit that that type of management is far from fiscal responsibility.

"While the problems facing us are in many ways monumental, we cannot, under any circumstances, sacrifice quality. This System is the most valuable asset of the State of Wisconsin. As Regents, we have the duty to determine the policy for this university and then we must look to President Lyall and the administration to carry out that policy.

"Administrative costs cannot be in any way a sacred cow. When we have to consolidate departments and make cuts at other levels, the administration must set the example. In that same article I referred to, Mark Yudof pointed out

that in the 1980s administrative budgets at public universities increased almost three times the rate of increase in instructional budgets. If Yudof's estimate is reduced by 50 percent, the result does not give us any comfort. I am not contending that even such a reduced amount applies to our System. However, we have a duty to investigate and several Regents have expressed their concern to me about this subject. I have discussed this matter with President Lyall, and I am confident she will make an objective investigation at all levels.

"Wherever reductions in administration, faculty, academic staff and employees are required, we must address these issues with the utmost compassion, but also with a firm resolve to allocate all available funds to our basic mission of teaching. While we are assisted by the state--and I emphasize, not supported by the state--nevertheless, we must be cognizant of needs of the State of Wisconsin other than higher education, as that is not the only obligation of the State Treasury. We cannot be a world class institution in every discipline. In order to be fiscally responsible, we may have to eliminate departments at some campuses, combine departments at other campuses as other institutions of higher learning have already done.

"I hasten to emphasize that these remedies do not in any way involve the closing of any campus--in fact, they will prevent it.

"The Board displayed its confidence in President Lyall by electing her to guide this ship in a stormy sea. I want to assure her that I am confident that every Regent believes that she is equal to the task. During this next year my only request is that each of us as Regents evaluate the proposals that President Lyall submits to us in an objective manner and that we exhibit confidence in her administration by not attempting to micro-manage the university as Regents.

"I look forward to working with you to preserve and enhance the reputation of the University of Wisconsin System as one of the outstanding institutions of higher learning and research in the United States."

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#### UNFINISHED OR ADDITIONAL BUSINESS

##### Appreciation to Chancellor Chmurny

Regent Krutsch presented the following resolution of appreciation. The motion was seconded by Regent Davis and carried by acclamation.

Resolution 6140: Whereas, William Chmurny has served with distinction as chancellor of the University of Wisconsin-Platteville for nine years; and

Whereas, Chancellor Chmurny contributed substantially to the educational environment for students and the professional development of faculty and academic staff; and

Whereas, Chancellor Chmurny oversaw the construction and



completion of five major campus building projects; and

Whereas, Chancellor Chmurny worked to involve the university in the economic development of its community and region; and

Whereas, Chancellor Chmurny successfully promoted the university and the state as attractive sites for National Football League summer training camps; and

Whereas, Chancellor Chmurny was ably assisted by his wife, Kathryn, throughout his tenure,

Therefore, be it resolved that the Board of Regents of the University of Wisconsin System highly commends William Chmurny for his outstanding service as chancellor, extending sincere best wishes to him as he resumes his teaching career as Visiting Professor of Anthropology at the University of Wisconsin-Parkside.

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#### Contribution by Wisconsin Power and Light

Regent Davis noted that the Wisconsin Power and Light Foundation has supported a number of educational programs, particularly programs which assist those who are not participating at levels the Foundation believes appropriate in this society. The Foundation has been an active supporter of the Minority Engineering Program at UW-Platteville and a participant in the "Do College" program. At a cost of nearly \$500,000, the Foundation is providing scholarships for 40 disadvantaged minority students on an ongoing basis. In the first three years of that program, 18 of the 30 scholarship winners have selected UW System schools. This summer on the Madison campus, the Foundation will participate in an engineering program for high school teachers and students, as well as a program for high school mathematics and science teachers. Firmly committed to teaching excellence, the Foundation last month presented \$5,000 checks to four UW System professors in recognition of their excellence in undergraduate teaching. This was the second year of that ongoing program.

Presenting to Chancellor Greenhill a contribution for the UW-Whitewater Minority Business Program, Regent Davis stated the hope that these monies will help those who are the most barriered to have an opportunity to reach their full potential.

Expressing appreciation on behalf of UW-Whitewater, Chancellor Greenhill thanked Regent Davis for his interest in the program and for the additional contribution, which augmented other support he had given in helping the program to be very successful.

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#### Relationship with University Book Store

Regent Davis inquired about correspondence received by the Regents regarding the University Book Store's attempt to open a youth book store.

Explaining that the book store is a separate legal entity from the university, President Lyall indicated that Chancellor Shalala has the right to appoint three of the eight members of the book store's Board of Trustees. The Chancellor has shared those letters of concern with her appointees to the board, and they will investigate the matter at the next book store meeting. The university does not directly control the University Book Store, beyond representation on its board.

In response to a question by Regent Dreyfus, General Counsel Stathas noted that the University Book Store is organized as a Massachusetts Trust and that it has no tax advantage over other private sector entities. Changes in the book store bylaws must be approved by the Board of Regents.

Regent Barry asked if the Board could initiate a change to the bylaws, and Mr. Stathas replied in the affirmative.

Regent Dreyfus expressed the view that the Board either should assert control over the book store or divest itself from any relationship.

Regent President Steil appointed a special committee, consisting of Regents Barry (Chair), Flores and Dreyfus to look into the matter and report to the Board in September. General Counsel Stathas was asked to serve as counsel to the Committee.

Chancellor Shalala suggested that the Committee hear from representatives of alumni, students, and the university on this matter.

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#### Eagle Heights Rent Increase

In reply to an inquiry by Regent Davis, President Lyall noted that letters had been received from residents of Eagle Heights who are unhappy with the Board-approved rent increase schedule. Those letters were being sent to the Chancellor for response.

Regent Dreyfus noted that rent increases were needed to pay for improvements in the facilities.

Chancellor Shalala added that rental rates are still below the market, even with the increases.

President Lyall noted that students could opt to pay lower rent by living in an un-remodeled apartment.

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At 11:05 a.m. the following resolution, moved by Regent Nicholas, was adopted on a unanimous roll-call vote with Regents Barry, Davis, Dreyfus, Flores, Gelatt, Grebe, Gundersen, Hempel, Hirsch, Nicholas and Steil (11) voting in the affirmative. There were no dissenting votes and no abstentions.

Resolution 6141: That the Board of Regents recess into closed session to consider personnel matters, including salary adjustments

in the Executive Pay Plan and above the Group 6 maximum, and possible appointment of Acting Chancellor, UW-Platteville, Vice Chancellor UW-La Crosse, Vice Chancellor, UW-Milwaukee, and extension of leave of absence for a staff member, UW-Eau Claire, as permitted by s. 19.85(1)(c), Wis. Stats.; for possible action on a dismissal recommendation, as permitted by s. 19.85(1)(b), Wis. Stats.; for possible action on appointment to the Council of Trustees of the UW Hospital and Clinics, as permitted by s. 19.85(1)(f), Wis. Stats.; and to confer with legal counsel, as

permitted

by s. 19.85(1)(g), Wis. Stats.

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#### CLOSED SESSION ACTIONS

The Board arose from closed session at 12:15 p.m. and made the following announcements:

Appointment of Vice Chancellor, UW-La Crosse

Resolution 6142: That, upon recommendation of the Chancellor of the University of Wisconsin-La Crosse and the President of the University of Wisconsin System, Julius Erlenbach be appointed Provost and Vice Chancellor for Academic Affairs, University of Wisconsin-La Crosse, effective August 1, 1992, at an annual salary of \$87,000.

Appointment of Vice Chancellor, UW-Milwaukee

Resolution 6143: That, upon recommendation of the Chancellor of the University of Wisconsin-Milwaukee and the President of the University of Wisconsin System, Kenneth Watters be appointed Vice Chancellor for Academic Affairs, University of Wisconsin-Milwaukee, effective June 5, 1992, at an annual salary of \$97,537.

Extension of Leave of Absence, UW-Eau Claire

Resolution 6144: That, upon recommendation of the Chancellor of the University of Wisconsin-Eau Claire and the President of the University of Wisconsin System, the leave of absence for Joseph Hisrich, Director of Student Support Services, University of Wisconsin-Eau Claire, be extended from January 7, 1993 through December 31, 1994.

Appointment to Council of Trustees, UW Hospital and Clinics

Resolution 6145: That, upon recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, Artha Jean Towell be appointed as a public member of the Council of Trustees of the UW Hospital and Clinics, for a term ending in August 1994.

Report of the Personnel Matters Review Committee on Dismissal for Just Cause Recommendation by UW-Extension

Resolution 6146: That, upon the recommendation of the Personnel Matters Review Committee, the Board of Regents approves and adopts the Decision and Order on Recommendation of dismissal in the matter of Professor Georgia Frye, UW-Extension, a copy of which is attached.

Appointment of Acting Chancellor, UW-Platteville

Resolution 6147: That, upon the recommendation of the President of the University of Wisconsin System, Lee A. Halgren be appointed Acting Chancellor, UW-Platteville, effective June 1, 1992, at an annual salary of \$93,000.

Salary Adjustments in Executive Pay Plan and Above Group 6 Maximum

Resolution 6148: That, 1992-93 salary adjustments be approved as listed in Schedule A for university administrators in the State Executive Pay Plan and in Schedules B and C for faculty and academic staff whose salaries will be above the maximum of Group 6 of the Executive Pay Plan, subject to release of Recruitment and Retention funds by the Joint Committee on Finance for those positions which include such funds.

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The meeting was adjourned at 12:15 p.m.

Judith A. Temby  
Secretary

June 30, 1992