



**Board of Regents of the University of Wisconsin System**  
**Office of the Secretary**  
1860 Van Hise Hall  
Madison, Wisconsin 53706  
(608)262-2324

April 4, 2007

TO: Each Regent

FROM: Judith A. Temby

A handwritten signature in dark ink, appearing to read "J. A. Temby", written over the printed name.

**PUBLIC MEETING NOTICE**

RE: Agendas and supporting documents for meetings of the Board and Committees to be held at UW-Oshkosh, Reeve Memorial Union, Algoma Boulevard, Oshkosh, WI, on April 12 and 13, 2007.

Thursday, April 12, 2007

8:30 - 9:55 a.m. – Campus Tour – Departing from Reeve Memorial Union,  
Elmwood Street entrance

10:00 a.m. – All Regents Invited

- UW-Oshkosh Presentation: Collaboration in Action - Building a Regional Model
  - Chancellor Wells' Welcome and Overview
  - New ERA panel – “Model University Center?”  
Reeve Memorial Union, Room 227

11:00 a.m. – Education Committee – All Regents Invited

- The Equity Scorecard Project: Institutional Engagement and Learning to Achieve Equity and Excellence in Educational Outcomes  
Reeve Memorial Union, Room 227

12:30 p.m. – Box Lunch - Ballroom Prefunction

1:00 p.m. – Physical Planning and Funding Committee – All Regents Invited

- 2007-09 Capital Budget – Building Commission Recommendations  
Reeve Memorial Union, Room 227

1:30 p.m. – Education Committee  
Reeve Memorial Union, Room 227

Business, Finance, and Audit Committee  
Reeve Memorial Union, Room 306

Physical Planning and Funding Committee  
Reeve Memorial Union, Room 202

4:30 p.m. – 6:30 p.m. – Hors d’oeuvres Reception  
Reeve Memorial Union Marketplace Fireplace Lounge

Friday, April 13, 2007

7:30 – 8:30 a.m. – Regents’ Breakfast with Students  
Crescent Cafe

9:00 a.m. – Board of Regents Meeting  
Reeve Memorial Union, Room 227

*Persons wishing to comment on specific agenda items may request permission to speak at Regent Committee meetings. Requests to speak at the full Board meeting are granted only on a selective basis. Requests to speak should be made in advance of the meeting and should be communicated to the Secretary of the Board at the above address.*

*Persons with disabilities requesting an accommodation to attend are asked to contact Judith Temby in advance of the meeting at (608) 262-2324.*

*Information regarding agenda items can be found on the web at <http://www.uwsa.edu/bor/meetings.htm>, or may be obtained from the Office of the Secretary, 1860 Van Hise Hall, Madison, Wisconsin 53706 (608)262-2324.*

*The meeting will be webcast at <http://www.uwex.edu/ics/stream/regents/meetings/> Thursday, April 12, 2007, at 10:00 a.m. until approximately 12:00 p.m., and Friday, April 13, 2007, at 9:00 a.m. until approximately 12:00 p.m.*

3/29/07

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

I.1. Education Committee -

Thursday, April 12, 2007  
Reeve Memorial Union, Room 227  
University of Wisconsin-Oshkosh

10:00 a.m.      All Regents

- UW-Oshkosh Presentation: Collaboration in Action – Building a Regional Model
  - Chancellor Wells' Welcome and Overview
  - New ERA panel – “Model University Center?”

11:00 p.m.      Education Committee – All Regents Invited

- The Equity Scorecard Project: Institutional Engagement and Learning to Achieve Equity and Excellence in Educational Outcomes

12:30 p.m.      Box Lunch

1:00 p.m.      Physical Planning and Funding Committee – All Regents Invited

- 2007-09 Capital Budget – Building Commission Recommendations

1:30 p.m.      Education Committee

a. Approval of the minutes of the March 8, 2007, meeting of the Education Committee.

b. Program Authorizations:

1. B.S. in Biochemistry, UW-Stevens Point;  
[Resolution I.1.b.(1)]
2. B.A. in First Nations Studies, UW-Green Bay;  
[Resolution I.1.b.(2)]
3. Bachelor of Applied Studies in Leadership and Organizational Studies,  
UW-Oshkosh.  
[Resolution I.1.b.(3)]

c. Presentation: UW-Oshkosh's Role in Northeast Wisconsin's Growth Agenda:  
Aligning Academic Program Menu with Current and Future Regional Needs.

d. Committee Business:

1. Approval of requests to Trustees of the William F. Vilas Trust Estate for support of scholarships, fellowships, professorships, and special programs in arts and humanities, social sciences and music;  
[Resolution I.1.d.(1)]
2. Annual Report as Required by Wis. Stats. § 36.25(14m)(c): 2005-06 Minority and Disadvantaged Student Programs.  
[Resolution I.1.d.(2)]

- e. Report of the Senior Vice President.
- f. Additional items may be presented to the Education Committee with its approval.

**The Equity Scorecard Project:  
Institutional Engagement and Learning  
to Achieve Equity and Excellence in Educational Outcomes**

**EXECUTIVE SUMMARY**

**BACKGROUND**

The UW System Board of Regents and the UW System have a 20-year history of stated commitment to ensuring excellence through diversity, beginning with Design for Diversity in 1988, and followed by Plan 2008: Educational Quality through Racial and Ethnic Diversity, now in its 9<sup>th</sup> year. Following the mid-point review of Phase I of Plan 2008 in 2004, the Board of Regents noted persistent gaps in achievement for students of color and established “closing the achievement gap in recruitment, retention and graduation” as its Phase II priority.

In February 2005, the Board of Regents passed a resolution reaffirming its compelling interests in, and commitment to ensuring that all UW System students experience the educational benefits that flow from a diverse student population. The Board also directed the UW System Administration, and the institutions to implement a “Diversity Report Card” and improve accountability.

Responding to that directive, and with input from the Board of Regents, the UW System Administration decided to pilot “The Equity Scorecard,” an assessment process designed by Dr. Estela Bensimon of the Center for Urban Education at the University of Southern California. The Equity Scorecard is also an accountability framework that enables postsecondary institutions to not only identify the inequities in educational outcomes for underrepresented students of color, but also to determine appropriate interventions and solutions to address and resolve these inequities.

In fall of 2005, six University of Wisconsin institutions<sup>1</sup> volunteered to pilot the Equity Scorecard process. The UW System Equity Scorecard project is not a report card but, rather, a formative model of sustained inquiry into institutional data designed to help participating institutions identify gaps in educational outcomes for underrepresented students of color by examining institutional data in the areas of enrollment, retention, excellence and graduation. Closing gaps in achievement requires institutions in the pilot to: 1) increase their awareness of inequities in educational outcomes across racial and ethnic groups; 2) become “equity-minded” in their approach to deepening their understanding of the root causes of unequal educational outcomes; and, 3) identify specific strategies, actions and interventions to eliminate inequities. The project also aims to evaluate the feasibility of expanding this or comparable models to other UW System institutions.

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<sup>1</sup> UW-Colleges, UW-LaCrosse, UW-Oshkosh, UW-Parkside, UW-Milwaukee and UW-Whitewater.

In December 2005, Dr. Estela Bensimon, developer of the Equity Scorecard model, and several researchers from the Center for Urban Education at the University of Southern California conducted a workshop to teach the theories, concepts and application of the model. Workshop participants included institution team leaders, members of the Office of Academic Diversity and Development Equity Scorecard Team, two faculty members from the School of Education Policy Studies at UW-Madison, a graduate research assistant, and other key administrators from the University of Wisconsin System Administration, including the President and the Senior Vice President for Academic Affairs.

## **REQUESTED ACTION**

For information only; no action is requested at this time.

## **DISCUSSION**

The Equity Scorecard's purpose is to develop a data-rich culture of evidence by which to diagnose historical barriers to student achievement, and then to identify strategies to address them, and assess their effectiveness. A central outcome of the Equity Scorecard is to mobilize institutional attention and action, to change the practices that resulted in the achievement gap, and to effect real institutional change. It utilizes existing institutional data to monitor progress toward equity for historically underrepresented students in four areas, called Perspectives: *Access*, *Retention*, *Excellence*, and *Institutional Receptivity*.

Since March 2006, teams at the six University of Wisconsin institutions that volunteered to pilot the model have been engaged in an examination of factual, institutional data (evidence) to examine the conditions and state of equity in educational outcomes for African American, Hispanic/Latino, American Indian and Southeast Asian Students at their institutions. Through that process, team members and others at the institution have begun to unravel and learn more about the root causes of the unequal outcomes in education for students of color within the context of their specific campus environments. Ultimately the process will lead teams to new insights, "learnings" and solutions that will transform them and their institutions, and enable them to achieve excellence in educational outcomes for all students.

The attached report both describes the Equity Scorecard process and updates institutional progress in identifying factors that will lead to closing gaps in achievement and to attaining equity and excellence in educational outcomes for students of color at the six participating institutions. Although all teams have completed or substantially completed the first two Perspectives, Access and Retention, they are at varying stages of preparation and completion of interim reports on those perspectives. It is expected that the impact of the Equity Scorecard will be ongoing and long-term and that both its process and emerging results will inform the UW System's diversity planning in the wake of Plan 2008.

**RELATED REGENT POLICIES**

*Plan 2008 Phase I Report - Report on Diversity: A Wisconsin Commitment, An American Imperative, April 2004.*

Regent Resolution 8850, adopted 6/10/04.

Regent Resolution 8970, adopted 2/11/05.

# **The Equity Scorecard Project: Institutional Engagement and Learning to Achieve Equity and Excellence in Educational Outcomes**

## **Report to the Board of Regents April 2007**

### **Background**

In fall of 2005, six University of Wisconsin institutions<sup>1</sup> volunteered to pilot the Equity Scorecard process. The UW System Equity Scorecard project is designed to help participating institutions identify gaps in educational outcomes for underrepresented students of color by examining institutional data in the areas of enrollment, retention, excellence and graduation. Closing gaps in achievement requires institutions in the pilot to: 1) increase their awareness of inequities in educational outcomes across racial and ethnic groups; 2) become “equity-minded” in their approach to deepening their understanding of the root causes of unequal educational outcomes; and, 3) identify specific strategies, actions and interventions to eliminate inequities. The project also aims to evaluate the feasibility of expanding this or comparable models to other UW System institutions.

In December 2005, Dr. Estela Bensimon and several researchers from the Center for Urban Education at the University of Southern California conducted a workshop on the theories, concepts and application of the model. Workshop participants included institution team leaders, members of the Office of Academic Diversity and Development Equity Scorecard Team, two faculty members from the School of Education Policy Studies at UW-Madison, a graduate research assistant, and other key administrators from the University of Wisconsin System Administration, including the President and the Senior Vice President for Academic Affairs. The USC-CUE Team conducted a follow-up workshop in March 2006, for all teams in the project. That workshop covered the theories, concepts and application of the Equity Scorecard model.

Achieving the expected outcomes of the Equity Scorecard is a long and painstaking process. Since March 2006, teams at six University of Wisconsin institutions have been engaged in an examination of factual, institutional data (evidence) to assess the conditions and state of equity in educational outcomes for African American, Hispanic/Latino, American Indian and Southeast Asian and white students at their institutions. For the past twelve months, institutional teams have met at least monthly to work on the Equity Scorecard; some teams have held additional meetings with academic and administrative departments, students, and campus forums to share their findings. The Office of Academic Diversity and Development (OADD) Team Liaisons and Elsa Macias, the Equity Scorecard Project Manager from the Center for Urban Education, generally met monthly with the teams either in-person or via conference calls. Team Leaders and OADD Team Liaisons have been in regular consultation with Dr. Macias for her expertise, technical assistance and support throughout the project.

The Equity Scorecard is a formative model of sustained inquiry into institutional data. It is a labor-intensive but developmental process for the institutional teams, resulting in the identification of gaps in educational outcomes through the four Perspectives of the Equity Scorecard. Once the Scorecard Project is completed, teams engage other faculty, staff and administrators in the “action research” to identify and understand the root causes of gaps within the context of their specific campus environments. Ultimately, the process leads teams to new learnings and solutions that will

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<sup>1</sup> UW-Colleges, UW-La Crosse, UW-Oshkosh, UW-Parkside, UW-Milwaukee and UW-Whitewater.



transform them and their institutions, and enable them to achieve excellence in educational outcomes for all students.

This report both describes the Equity Scorecard process and updates institutional progress in identifying factors that will lead to closing gaps in achievement. Awareness of these gaps is the first essential step toward defining the problems that must be addressed in order to produce equity and excellence in educational outcomes for students of color at the six participating institutions.

## **What is the Equity Scorecard?<sup>2</sup>**

The Equity Scorecard is an intervention, designed to enable institutions to improve effectiveness and accountability for achieving equitable educational outcomes for all students. Developed by Dr. Estela Mara Bensimon and a team of researchers at the University of Southern California's Center for Urban Education, the Equity Scorecard process reframes the discussion about inequitable outcomes in educational attainment. Instead of framing the problem from the perspective of student deficits ("blaming the students"), the Equity Scorecard places the focus on institutional responsibility for closing gaps in achievement.

Important to note here is the fact that student data are rarely deconstructed in the manner required by the Equity Scorecard process and, it is even rarer still that people other than administrators and institutional researchers are engaged in this type of assessment. Consequently, participants in the process have a steep learning curve to adapt to new ways of thinking about student data, and they have to shift from a deficit to an equity analytical frame. Another challenge participants' face while engaged in this work, is the need to modulate their tendency to jump to conclusions or solutions, without first having a thorough understanding of what might be the underlying causes of the problems of unequal results in educational outcomes.

In the Project, "Equity" is achieved when the representation of students of color across the institution (for example, on the Dean's List, recipients of honors and awards, on student government, all majors and academic disciplines, etc.) matches their representation in the student population.<sup>3</sup> A guiding principle of the Equity Scorecard's approach is that "individuals at all levels of leadership, responsibility and power, rather than institutional structures or programs, are the ones who make change happen. Individuals can help bring about equitable results; they, not programs, are the real agents of change."<sup>4</sup> Therefore, the "practitioner as researcher" model is a core element of the process. It is built upon the assumption that when members of the institution examine their own data, they create knowledge about local problems that increase their individual and collective ownership for finding solutions. Sustained, deeper inquiry into particular achievement gaps increases team members' consciousness of the inequities, and leads them to generate changes that will achieve equity in results and excellence.

The Scorecard process involves four basic steps: (1) the creation of campus-based evidence teams to provide campus leadership for the project; (2) the analysis of existing campus data through four key areas or perspectives in order to identify inequities; (3) the development of the Scorecard using baseline data by establishing benchmarks and measures to assess inequities in educational outcomes; and (4) the sharing of findings and recommendations for implementation by the campus community.

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<sup>2</sup> Model developed and copyrighted by Dr. Estela Mara Bensimon, Center for Urban Education, University of Southern California

<sup>3</sup> Glossary of Frequently used Equity Scorecard Terms, Center for Urban Education, University of Southern California

<sup>4</sup> Bensimon, Estela Mara (2004) The Diversity Scorecard Approach, 1-1

Evidence Teams analyze campus data through four perspectives in order to develop the Scorecard: Access, Retention, Excellence, and Institutional Receptivity. The Equity Scorecard Team members initially analyze baseline data, called “Vital Signs,” that lead them to question and focus on specific educational outcomes by student racial/ethnic groups. Those questions lead to the team identifying objectives and improvement targets within each of the four perspectives. Those activities result in the creation of the Equity Scorecard, which the team uses as a self-assessment analytical framework to analyze the state of equity within their institution. The Scorecard is a tool that highlights areas that warrant further examination, and helps the team establish goals in the four perspectives that will lead to equity and excellence.

The first perspective, *Access*, addresses both access to the institution, as well as access within the institution to the full array of programs, benefits and opportunities the institution offers that can significantly improve life opportunities for underrepresented students of color. The *Retention Perspective* refers to student persistence from year-to-year through degree completion. The Retention Perspective also includes continued progress toward degrees in competitive, high-demand majors, and further measures the fulfillment of minimal academic requirements. The *Excellence Perspective* assists evidence teams in the identification of barriers to student success (competitive majors, high GPAs, honors and awards, etc.) in higher-level academic accomplishments. Evidence Teams examine data on gatekeeper and gateway courses that block access to Science, Technology, Engineering and Math (STEM) fields and other highly competitive majors, honors and awards, scholarships, undergraduate research opportunities, internships, and leadership opportunities. In the *Institutional Receptivity Perspective*, Evidence Teams examine the extent to which the institution has a welcoming campus and classroom climate, that is, one that supports and affirms through responsive pedagogy, effective teaching strategies and relevant curricula for all students, by all faculty and staff, and supports and affirms workforce diversity among faculty, staff and administrators.

Included within each of the four Perspectives in the Scorecard are four sections to be addressed by each Evidence Team: Indicator, Baseline, Improvement Targets and Equity.

An *indicator* is a measure that illustrates the possible areas of equity or inequity of educational outcomes among students, disaggregated by race/ethnic groups. Possible indicators in the Access Perspective might be increasing applications and enrollments by students in a particular racial/ethnic group, or increasing students from a particular group in certain majors.

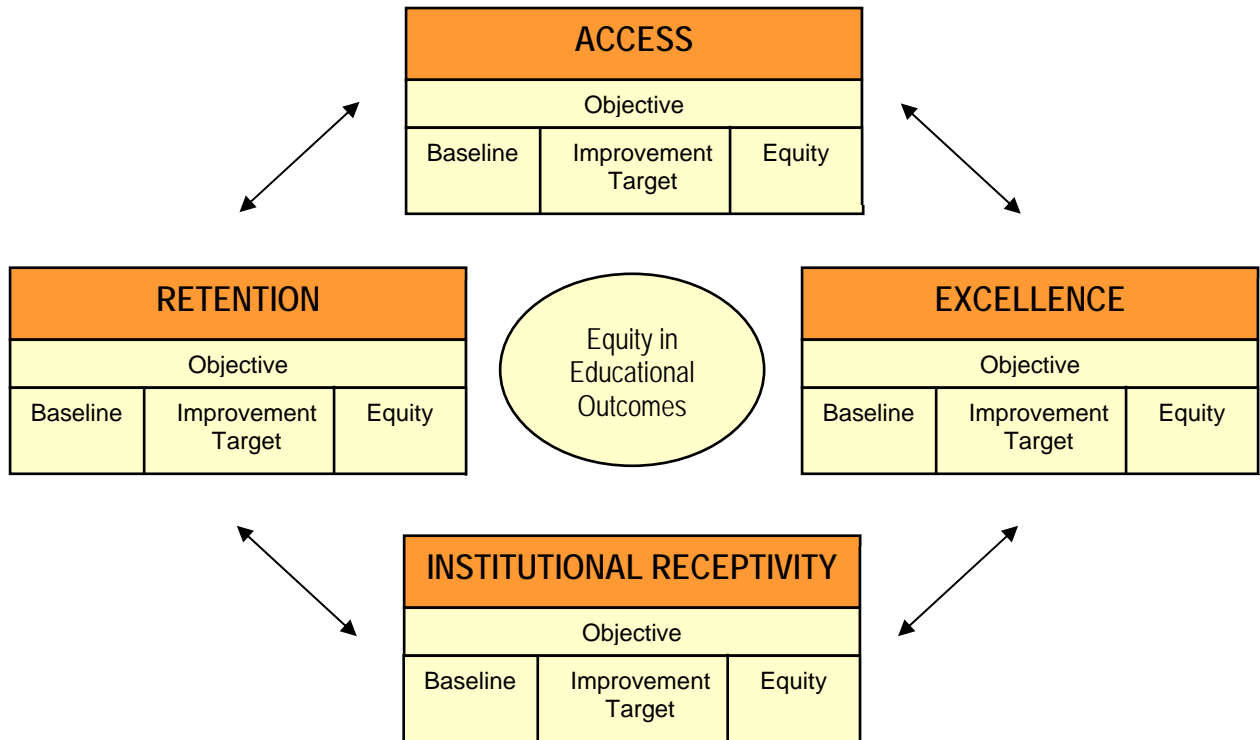
The *baseline* constitutes the current status of a particular group on access indicators. For example, the percentage of students in a given racial/ethnic group that completes the gateway courses for a particular major (e.g., business, engineering, and nursing).

The *improvement target* is a benchmark that describes the criteria that indicate when a goal has been achieved, for example, the improvement target for completion of gateway courses to qualify for a major in business, engineering or nursing. In this example, the target would be indicated as a percent goal and a timetable (e.g., 5% within 5 years).

*Equity* represents the proportional goal that the team aims to achieve for a given indicator. For example, a team might decide that equity is achieved when all ethnic groups achieve a comparable rate of baccalaureate degree attainment in six years.

Below is an illustration of the Equity Scorecard framework that each Evidence Team will complete.

## An Illustration of the Equity Scorecard Framework©



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## Elaboration of the Equity Scorecard Process of Deeper Inquiry and Equity-Mindedness

The participating UW institutions began the Equity Scorecard process by forming Evidence Teams to critically examine institutional data (evidence) disaggregated by race/ethnicity. This examination of evidence allowed them to: (1) increase their own and institutional awareness about the differences in educational outcomes across racial and ethnic groups at their institutions; (2) make sense of unequal educational outcomes in their local context through an equity framework (described below); and (3) better understand their roles and responsibilities for eliminating the unequal results.

Evidence Teams are usually comprised of faculty, administrators, and staff from across the institution. (See Appendix A for a detailed description of the composition of each institutional team.) The strategy of involving members of the institution in the process of gathering and analyzing data typically intensifies their awareness and recognition of problems that create or contribute to the unequal outcomes.<sup>5</sup> During these phases of the work, team members may have hunches or hypotheses about the problems, but lack the evidence to confirm them; they may also learn things previously unknown to them. Team members delve deeper to pinpoint and understand the specific nature of the root causes of the problems. Throughout the process, opportunities for change and growth increase as members of the team share what they learn with others across the institution.

Becoming “equity-minded” is crucial to the success of this work. It is essential that team members and other campus stakeholders move from the typical “deficit” framework to an equity framework. The critical distinction between the two is in how the problem is framed. In a deficit framework the unit of analysis and the problems examined focus upon the personal characteristics of the students who experience them, the usual “blame the student (victim)” response. Viewing unequal results through the deficit frame results in a self-fulfilling prophecy and presents the achievement gap of students of color as being unsolvable and hopeless.

In the equity-minded framework, by contrast, the focus is upon the institution, the administrators, the faculty and staff; their roles are keys to any solutions. Individuals who are equity-minded are more likely to notice and question patterns of unequal educational outcomes, and view them in the context of historical patterns of systemic discrimination and exclusion from the economic, political and educational benefits and opportunities in this country. Equity-minded individuals are also more likely to appreciate and understand the significance and impacts of beliefs, expectations and actions. They understand the influence of individuals upon the degree to which students of color are defined as being capable or incapable of success.<sup>6</sup>

During the Equity Scorecard process, equity-minded team members begin to recognize the prevalence, problematic nature, and impact of existing stereotypical assumptions and beliefs (personal and professional) about the nature and causes of the problems. As team members become more equity-minded, they become less accepting of the “inevitability” of inequities in educational outcomes for students of color, and begin to consider ways they might adapt their methods of teaching and advising to better align with their students’ ways of learning.<sup>7</sup>

Below is an example Dr. Bensimon developed to illustrate the type of inquiry that UW System teams conduct as part of the Equity Scorecard Project. This example uses a gap in the

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<sup>5</sup> Bensimon, E.M., D.E. Polkinghorne, G. Bauman, E. Vallejo 2004. Doing Research That Makes A Difference. *Journal of Higher Education* 75 (1): 104-26

<sup>6</sup> Bensimon, Estela Mara, “Organizational Learning in Higher Education”, Chapter 8, *New Directions For Higher Learning*, No. 131, Fall 2005, Wiley Periodicals, Inc.

<sup>7</sup> Ibid, p.50

retention perspective identified by an Evidence Team, i.e., the “pass rate” for African American students in Math 105 (College Algebra) that is below 50%. The illustration demonstrates the type of subsequent equity-minded inquiry that leads to a deeper understanding of the root causes of the problem, and can result in the development of the most effective solutions.

### **“The Equity Scorecard in Action: An Example of Deeper and Contextualized Inquiry Into a Particular Gap”**

***Gap at USA Universal Campus:*** The pass rate for African Americans in Math 105 courses is below 50%.

#### **Further Inquiry**

##### ***Possible questions:***

1. Is this pattern evident in all sections of Math 105?
2. Who teaches Math 105? What do they say are the reasons for the gap? What do they say can be done about it?
3. What do counselors say about the gap?
4. At what point in the semester do students become unsuccessful? After the first test? What happens if they fail the first test? How do instructors teach students how to study in order to pass the test?

##### ***Hunches about the problem:***

1. Instructors see the purpose of the course to weed out.
2. Instructors not conscious that African American students do less well than other students.
3. Instructors employ practices that reinforce students’ beliefs about not being able to do math.
4. Students do not make use of tutoring services because they feel self-conscious.

##### ***Inquiry activities:***

1. Structured observations of math classrooms in a non-threatening manner.
2. Involve math instructors in ethnographic research to understand how students experience math instruction.
3. Involve math instructors in a comprehensive self-assessment of instruction, support services, etc.

***The Inevitable Question/reaction:*** How is this going to solve the problem? Enough inquiry, let’s do something!!!!

If you are able to involve math instructors in the inquiry process, that is the beginning of change because through their involvement in investigating the problem they will start to make changes. The most difficult aspect of this kind of intervention is managing it and having people who can guide it.

## What Institutions Are “Learning” Through This Project?

Below are examples of some of the findings and hypotheses that have emerged from the participation of one or more of the six UW institutions in the Equity Scorecard Project. The list includes hypotheses and findings that are likely to have significant influence upon the types of actions or interventions institutions will implement to close achievement gaps.

### *Examples of “Key” Findings*

- Lack of systematic recruiting at every high school in the state that has a critical mass of students of color and in school districts that have been defined as “majority minority.”
- Need to track students to determine whether those who do not return or graduate have transferred to another institution within the System, or outside the System.
- Students who are placed on probation get lost if there is no system of support or outreach and advising.
- Assumptions about high GPAs, class rank and test scores automatically resulting in student success are not supported by the data. For example, in some cases, contrary to commonly held assumptions and beliefs, there is little to no evidence of a correlation between high GPA, class rank, and test scores, and student success.
- Students enter the English and Math pathways at the same level but their outcomes end up being different

### *Examples of Hypotheses or Hunches about the Problems of Inequities in Educational Outcomes*

- The requirement that students complete general education courses before they can declare a major may deprive some students who are placed in remediation of contact with faculty members.
- The fact that Black, Latina/o, Native American and in some cases Southeast Asian students are placed in remedial courses at higher levels than white students raises many important issues that seem to reinforce stigmatization:
  - a. The funding of the courses places additional burdens on students in those courses because they do not count as credit toward degree (i.e., this has a punitive effect).
  - b. Who teaches the courses? Do they understand the situation of the students?
  - c. Are the courses based on stereotypes about what students are able to do? Do the courses foster a culture of “low expectations?”
- The attitudes of first-generation faculty can be counterproductive. Specifically the mindset characterized by “I did it on my own, no one helped me” may prevent faculty from actively helping students. Is it possible that the culture of some departments is based on individualist and self-help values as ingredients for college success?
- Students who have been trained to fail, i.e., limited by low expectations that result in feelings of hopelessness and “learned helplessness” by their previous school experiences may need to “relearn” how to work for success, and be taught how to succeed.

## *Examples of Early Action Steps on Individual Campuses*

- Given the finding that first-year enrollment rates did not reflect graduation levels for Latino students at major feeder high schools, a vacant admissions position was redesigned as a Latino recruiter with responsibility for developing new relationships and approaches to this potential student population.
- With new data on the ethnic make-up of every feeder high school for a particular institution, recruitment efforts targeting specific student populations are being designed to better reach students of color.
- Analysis of application data for students not meeting the university's standard criteria indicated that placement testing prior to consideration of the application was a possible barrier for students of color. The placement tests are now required prior to enrollment, but not as part of the application process.
- As basic mathematics courses have proven to be a significant barrier for students of color, a new position has been created to provide more consistency in mathematics instruction in courses formerly taught by part-time instructors. The individual in this position will also be working with others in initiating new approaches to math education.
- The GPA required for the teacher preparation program on one campus was determined to be a major barrier for students of color interested in a teaching career. Further examination indicated that this requirement was higher than that mandated by DPI, and the faculty agreed to change this condition for admission to the program.

## **IV. Conclusions**

The six UW Evidence Teams have completed or substantially completed the first two perspectives of the Equity Scorecard, Access and Retention. They are at varying stages of completion in the preparation of interim reports for those perspectives. Team leaders estimate their teams will complete all perspectives by Fall 2007.

Teams are also at different stages of communicating the results to the broader campus community. For example, while some teams have not shared their reports and findings beyond discussions within their team meetings, others have already presented their interim reports to the Chancellor and met with his/her Cabinet. Some teams have also met with relevant academic and administrative departments, governance groups, students, other stakeholders, and held campus forums.

Regardless of the stage a team is in insofar as communicating results, it is important to emphasize that the measure of success is largely dependent upon the extent of engagement in the inquiry by the participants to ensure that they not only understand the root causes of the inequities in educational outcomes, but that they also appreciate their roles and responsibilities to correct the problems. Communication of results, therefore, is a crucial prerequisite to the teams' ability to verify hypotheses and indicators based only on data (quantitative and anecdotal). It is only after teams complete those preceding steps that they are able to put into operation their new "learnings" and work effectively with the responsible players to implement the courses of action that will help them achieve equity in educational outcomes at their institutions.

Leading up to and during those phases of the work, teams will continue meeting with their institution's administrative and academic leadership to share and explain their findings, facilitate understanding, and get the requisite commitments and buy-in to create change to close gaps in achievement and attain equity.

It is important to underscore that completion of the Interim Reports does not signal the end of the process, in fact, just the opposite is true. At this juncture, teams and institutions will have identified gaps in equity. Once they've completed that work for each Equity Scorecard Perspective, the teams and institutions, using data-based decision-making, must still work to diagnose and unravel the root causes of the gaps to discern effective interventions and solutions.

### ***Project Evaluation and Expansion***

Discussions are underway with a faculty member in the Department of Education and Policy Studies at UW-Madison to develop and lead the project evaluation team. This evaluation will focus upon:

- 1) the impacts and effectiveness of the model;
- 2) the feasibility and implications of expansion of this or similar models to other UW institutions;
- 3) specific campus-based actions and/or interventions that will ameliorate, and ultimately, close gaps in achievement and attain equity and excellence; and
- 4) development of internal capacity and expertise, i.e., by sending a team of internal facilitator/trainers to complete an intensive "train-the-trainer" institute at the University of Southern California to develop expertise in the model and build internal capacity to teach/spread the process to others in the UW System.

### ***Future Diversity Strategic Plan***

The Offices of Academic Diversity and Development, Access and Student Services and Policy Analysis and Research in Academic Affairs at UW System Administration will review and evaluate all team reports to identify findings that have implications for future diversity strategic plans.

## **V. Appendices**

- A. Team Leader Contact Information and Web addresses for Campus Reports
- B. Equity Scorecard Overview
- C. Glossary of Terms



Appendix A  
Team Leader Contact Information and Web addresses for Campus Reports

**UW Colleges**

Greg Lampe, Team Leader  
Associate Vice Chancellor for Academic  
Affairs  
University of Wisconsin Colleges  
780 Regent Street, Suite 130  
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**UW La Crosse**

Al Thompson, Team Leader  
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Action and Diversity  
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Fax: 608-785-5090  
[thompson.alf@uwlax.edu](mailto:thompson.alf@uwlax.edu)  
<http://www.uwlax.edu/campusclimate/htm/EquityScorecard.html>

**UW-Milwaukee Evidence Team**

Rita Cheng, Team Leader  
Provost and Vice Chancellor for  
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## Appendix B

### Overview of the Equity Scorecard<sup>§§</sup>

*The Equity Scorecard process, a learning approach to institutional change, fosters data-based inquiry to inform institutions about their effectiveness in producing equitable educational outcomes for students of color.*

#### The Equity Scorecard Process:

- Fosters institutional effectiveness by increasing capacity to interpret and share existing institutional data disaggregated by race and ethnicity
- Expands institutional knowledge about the specific underlying factors that result in inequities for students of color in access, enrollments, retention, achievement, and graduation
- Engages institution evidence teams in “fine-grained” analyses to develop equity-oriented goals and benchmarks to achieve equity for students of color in all measurable areas.

#### The Purpose

- **AWARENESS:** Engage in institutional self-assessment to provide a clear and unambiguous picture of inequities.
- **INTERPRETATION:** Analyze and integrate the meaning of the inequities.
- **ACTION:** Develop strategic actions to achieve equity in educational outcomes based on data, not assumptions.

#### The Process

The focus of the Equity Scorecard is on creating equitable outcomes in student achievement by engaging institutions in a four-step process that includes the following tasks which, in practice, will probably not occur in a simple linear sequence:

##### **Step 1: Create Campus ‘Evidence Teams’**

- Include Provosts, Deans, Administrators, Faculty, Institutional Researchers.

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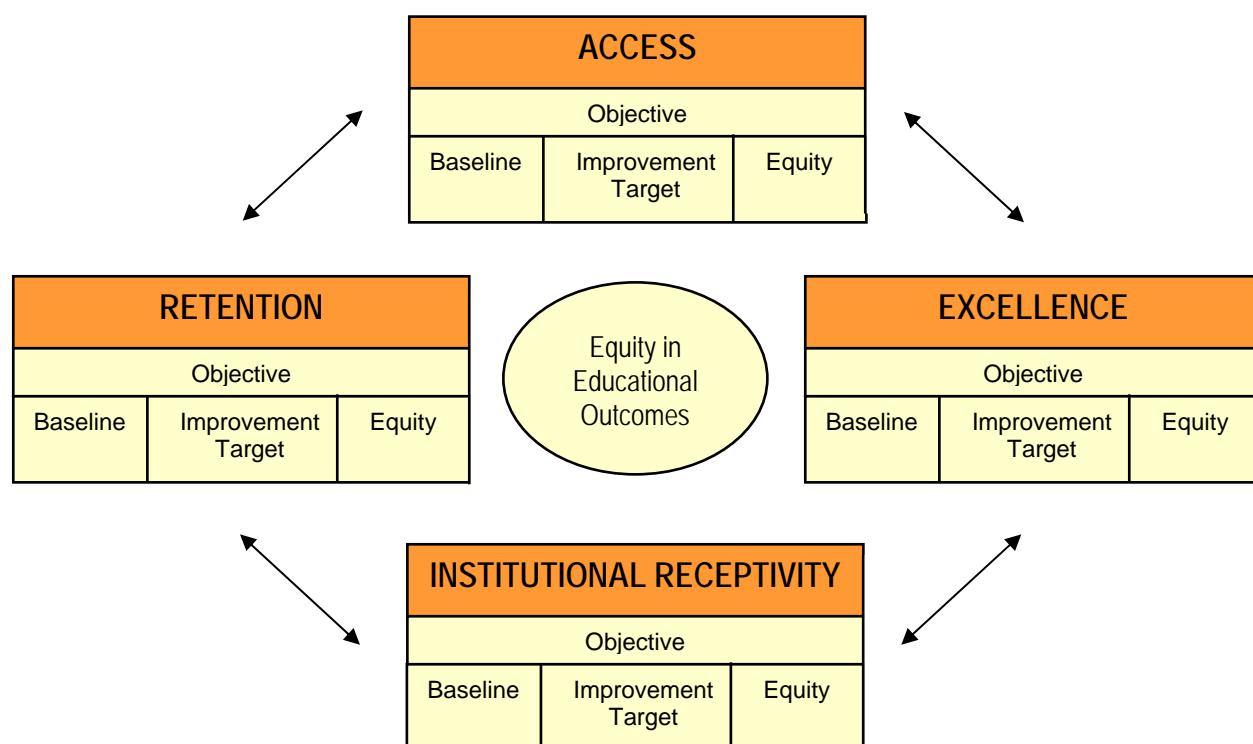
<sup>§§</sup> The Equity Scorecard was developed by Dr. Estela Mara Bensimon at the Center for Urban Education, University of Southern California (<http://www.usc.edu/dept/education/CUE/>).

## Appendix B

### **Step 2: Analyze Data Disaggregated by Race and Ethnicity within the Framework of the Four Perspectives**

- **ACCESS:** Enrollment, financial aid, majors, departments/ schools, internships, fellowships, courses, undergraduate, graduate, and professional schools
- **RETENTION:** Persistence, course-taking patterns, academic success, degree completion
- **INSTITUTIONAL RECEPTIVITY:** Diversity of faculty, staff, and administrators; educational environment and climate
- **EXCELLENCE:** Course grades, GPA, honors and awards, participation in high-demand programs

### **An Illustration of the Equity Scorecard Framework**



## **Appendix B**

### **Step 3: Develop the Scorecard**

- Select goals, measures, and define benchmarks where unequal outcomes have been identified in each of the four areas.

### **Step 4: Report to the Chancellor**

- Share the Scorecard with the Chancellor and campus community to inform decisions about strategic actions.

### **What is unique about the Equity Scorecard?**

- Views inequities in student access and success as a problem of institutional performance and accountability
- Actively engages faculty, staff, administrators, and students in an ongoing process of institutional self-study and change that is uniquely tailored to the institutional context
- Empowers institutions to ask better questions, and make better use of their existing data for developing strategies to achieve more equitable outcomes
- Provides institutional know-how for continuous improvement and fosters accountability.

### Connections between Plan 2008 and the Equity Scorecard

| Plan 2008 Goals                                                                                                                                                                                                                                                                                                  | ACCESS | RETENTION | INSTITUTIONAL<br>RECEPTIVITY | EXCELLENCE |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-----------|------------------------------|------------|
| Goal 1: Increase the number of Wisconsin high school graduates of color who apply, are accepted, and enroll at UW System institutions.                                                                                                                                                                           | ✓      | ✓         | ✓                            |            |
| Goal 2: Encourage partnerships that build the educational pipeline by reaching children and their parents at an earlier age.                                                                                                                                                                                     | ✓      |           |                              |            |
| Goal 3: Close the gap in educational achievement, by bringing retention and graduation rates for students of color in line with those of the student body as a whole.                                                                                                                                            | ✓      | ✓         | ✓                            | ✓          |
| Goal 4: Increase the amount of financial aid available to needy students and reduce their reliance on loans.                                                                                                                                                                                                     | ✓      | ✓         |                              | ✓          |
| Goal 5: Increase the number of faculty, academic staff, classified staff and administrators of color, so that they are represented in the UW System workforce in proportion to their current availability in relevant job pools. In addition, work to increase their future availability as potential employees. | ✓      | ✓         | ✓                            | ✓          |
| Goal 6: Foster institutional environments and course development that enhance learning and a respect for racial and ethnic diversity.                                                                                                                                                                            | ✓      | ✓         | ✓                            | ✓          |
| Goal 7: Improve accountability of UW System and its institutions.                                                                                                                                                                                                                                                | ✓      | ✓         | ✓                            | ✓          |

Appendix C - Glossary of Frequently Used Terms

**Equity Index (EI):** The EI is a measure of proportionality based on the population for each racial and ethnic group under analysis (Hao, 2005). The EI is a ratio of two shares or percentages as expressed by the formula below. Using Latino high school graduates who attend the University of XYZ as an example:

|                                                                          |                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Latino students' <b>Equity Index</b> for attending the University of XYZ | $\frac{45 \text{ Latino students enrolled in college} / 450 \text{ total cohort college enrollment}}{400 \text{ Latino high school graduates} / 1000 \text{ total high school graduates}} = \frac{10\%}{40\%} = 0.25$ |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The Equity Index scores are easy to interpret. A score of 1.0 represents equity, a score less than 1.0 indicates below equity, and a score higher than 1.0 signifies above equity. Scores that are below or above 1.0 represent an equity gap that is reflective of an under representation or overrepresentation in the specific indicator.

In the fictional example provided above, the Equity Index for Latino students attending the flagship public university is 0.25. Since the achievement of equity requires that each group’s EI result in 1.0, the result reveals a major gap in equity in the college-going rates for Latinos (for more information see, Bensimon, Hao, & Bustillos, 2005).

**Baseline:** The historical or current status of a measure.

**Benchmarks:** Benchmarks express the criteria that indicate that a goal has been accomplished.

**Data vs. Knowledge:** Data are “a set of discrete, objective facts about events” (Davenport & Prusak, 1998) that are unprocessed and available for interpretation. Data are transferred into knowledge once they are used to interpret, evaluate, and incorporate new experiences and interactions. Because knowledge is dependent upon knowers, the exchange and creation of knowledge take place within and between humans, such as in an Evidence Team meeting.

**Equity Scorecard:** A set of measures that provides an institution’s leadership with a comprehensive view of how well historically underrepresented students are performing. The Equity Scorecard is comprised of the following four **perspectives**:

*Access Perspective:* This perspective refers to programs and resources that can significantly improve life opportunities for underserved students.

## Appendix C

*Retention Perspective:* This perspective refers to continued attendance from one year to the next and/or to completion of degree. Retention also refer to continued progress toward degrees in competitive majors

*Excellence Perspective:* While measures of retention may represent the fulfillment of minimal requirements for “academic survival”, excellence measures represent higher level academic accomplishments that can lead to majors in STEM fields, transfer to selective institutions, winning academic scholarships, etc. The excellence perspective calls attention to the importance of institutions focusing on producing “leaders” and not just “survivors” (Gándara & Maxwell-Jolly, 1999).

*Institutional Receptivity Perspective:* Institutional receptivity refers to goals and measures of institutional support that have been found to be influential in the creation of affirming campus environments for underserved students.

**Evidence Team:** Composed of campus faculty, staff and administrators who act as “evidence monitors,” the team analyzes and presents compelling data to others in the institution which show the status quo on student outcomes, as well as the desired status. The team continues to monitor progress toward the achievement of the equity benchmarks.

**Gatekeeper Courses:** Courses that serve as portals to be able to make degree progress or transfer from a 2-year institution. If students do not succeed in such courses, their major choices become limited and/or their time to degree increases.

**Goals:** Goals express intended outcomes for the future. The purpose of goals is twofold: (1) to identify areas in which inequities exist and (2) to indicate a way in which to reduce the inequity and achieve the equity benchmark, i.e., “to increase,” “to decrease,” etc.

**Improvement Target:** A periodic marker of the progress made toward equity.

**Indicators:** Measures of student outcomes that the Evidence Team has analyzed and found inequities in, and on which they have chosen to focus their institution’s attentions are called Indicators. The indicators are highlighted in the final report and the Evidence Team makes recommendations for ways to reduce the inequities illustrated by the Indicators, or further research to understand the causes of those inequities.

**Measures:** A measure illustrates areas of equity or inequity of educational outcomes among ethnic/racial groups of students.

**Organizational Learning:** At the heart of organizational learning are practices and processes that bring together groups of individuals to inquire into a problem through the examination of data. Organizational learning is an interactive process that requires special structures and skills to transform raw data (numerical, textual, observational, etc.) into usable knowledge. In this project, organizational learning is defined as a process whereby individuals become more conscious of racial and ethnic inequalities in educational

outcomes, thus increasing the likelihood that they will assume personal and collective responsibility for their eradication.

**Rate:** We can think of data organized into rates as the number of students in a specific ethnic group who succeed out of the total number of students from the same ethnic group who start out in a given measure. Whereas by presenting data by shares (see below) you can examine data across groups, data presented by rate examines data within each ethnic student group's performance.

### Single and Double Loop Learning:

**Single Loop:** The focus is on reestablishing stability and normality by enacting corrections and eliminating errors. Solutions that come from single-loop learning focus on the external manifestations of the problem and leave internal values, norms, and beliefs intact—hence the label “single-loop.”

**Double Loop:** Double-loop learning focuses attention on the root causes of a problem and the changes that need to be made in the attitudes, values, beliefs, and practices of individuals to bring about enduring results. Looking inward is the capacity to reflect on how practices (also beliefs and expectations) at the individual and institutional levels produce racial inequalities.

**Shares:** We can think of data organized into shares as a pie. The pie represents the whole number of students in a given measure. Each piece of the pie represents the share of students in a particular ethnic group for that measure. The pieces of the pie, or shares, sum to 100%. Data presented by shares allows us to understand an ethnic group's performance or representation relative to the rest of the groups' performance or representation in a given measure.

**Vital Signs:** Basic or global level measures which pinpoint potential areas of unequal outcomes and call for further exploration, deeper questions, and more fine-grained measures of educational outcomes.

### Further Reading:

Argyris, C. & Schon, D. A. (1996). *Organizational Learning II: Theory, Method, and Practice*. New York: Addison-Wesley Publishing Company.

Bensimon, E. M. , Hao, L., & Bustillos, L. T. (2006). Measuring the State of Equity in Higher Education. In P. Gándara, G. Orfield, & C. Horn (Eds). *Leveraging Promise and Expanding Opportunity in Higher Education*. Albany: SUNY Press.

Bensimon, E. M. (2004). The Diversity Scorecard: A learning approach to institutional change. *Change* 36 (1): 45-52



## Appendix C

Davenport, T., & Prusak, L. (1998). *Working knowledge: How organizations manage what they know*. Boston, MA: Harvard Business School Press.

Gándara, P., & Maxwell-Jolly, J. (1999). *Priming the pump: Strategies for increasing the achievement of the underrepresented minority undergraduate*. New York: The College Board.

Hao, L. (2005). *Assessing equitable postsecondary educational outcomes for Hispanics in California and Texas*. Unpublished doctoral dissertation, University of Southern California.

Pena, E. V., Bensimon, E. M., Colyar, J. C. (2006). *Contextual problem defining: Learning to think and act from the standpoint of equity*. *Liberal Education*, 92(2), 48-55.

Program Authorization (Implementation)  
B.S. in Biochemistry  
University of Wisconsin-Stevens Point

EDUCATION COMMITTEE

Resolution I.1.b(1):

That, upon recommendation of the Chancellor of the University of Wisconsin-Stevens Point and the President of the University of Wisconsin System, the Chancellor be authorized to implement the B.S. in Biochemistry.

**NEW PROGRAM AUTHORIZATION**  
**Bachelor of Science Degree in Biochemistry**  
**University of Wisconsin - Stevens Point**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a Bachelor of Science Degree in Biochemistry at the University of Wisconsin-Stevens Point is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. The University of Wisconsin-Stevens Point and System Administration will conduct that review jointly, and the results will be reported to the Board.

UW-Stevens Point proposes a new undergraduate major in biochemistry. This proposed four-year, interdisciplinary program of study will be part of the College of Letters and Sciences and will be administered jointly by the Biology and Chemistry Departments. The facilities, equipment, staff, and budget necessary to offer the major already exist in each department and no additional resources are being requested. The proposed Biochemistry major will provide students with the essential skills and expertise necessary in established and emerging bioscience fields and will provide a stream of skilled workers to Wisconsin's bioscience laboratories and biotechnology businesses. The new major will also prepare students for graduate studies that serve as the gateway to careers in research areas that deal with some of society's most pressing problems.

UW-Stevens Point regularly has over 650 Biology majors on campus. Many of these students develop an interest in chemistry and the molecular basis of biological function. Since the campus has not offered a Biochemistry major, these students have sought to get the training they were seeking by majoring in Biology and minoring in Chemistry. Currently, approximately 60 students per year graduate with these credentials. These students would be better served by the proposed Biochemistry major since its curriculum would ensure they receive the proper physical, mathematical, chemical, and molecular biological background to work in a modern biochemistry laboratory and/or apply to graduate and professional schools.

**REQUESTED ACTION**

Approval of Resolution I.1.b.(1), authorizing the implementation of a Bachelor of Science in Biochemistry at the University of Wisconsin-Stevens Point.

**DISCUSSION**

**Program Description**

Biochemistry is a major that combines the knowledge of biology and chemistry to explain life processes in terms of molecular structure and chemical reactions within living cells.

The proposed major will require students to take the courses that constitute a minor in both chemistry and biology, thus providing a solid foundation in both disciplines. It will also include additional upper-division biochemistry courses, give students options to pursue different emphases depending on their career aspirations, and the opportunity to participate in faculty-mentored research projects. The curriculum will consist of courses that are already offered, with the exception of a new 3-credit biophysical chemistry course. The major will require: 73 credits of required biology, chemistry, math, and physics courses; 8 credits of elective courses within the major; 35 credits of general education requirements; and 4 credits of unrestricted elective courses. The degree can be earned in four years by taking an average of 15 credits per semester and provides students with scheduling flexibility.

### **Program Goals and Objectives**

The main objectives of the program are to train students for careers in bioscience industries, pharmaceutical industries, and research hospitals, and to prepare students for entrance into professional schools (dental, medical, pharmacy, and veterinary) and graduate-level biochemistry programs. Based on the experience of students who have majored in Biology with a Chemistry minor, it is expected that 50% of Biochemistry graduates will apply to professional schools or graduate programs in Biochemistry while the remainder will pursue positions in bioscience-related industries and laboratories. Students will develop proficiency with the essential principles, laboratory skills, techniques, and communication skills for rewarding and productive careers. Upon completion of the major, students will have acquired the knowledge or understanding of:

1. The basic physical, chemical, and biological principles necessary to understand the chemical basis for biological function and diversity in plants and animals.
2. The structure and function of cells and organelles.
3. The normal function of organ systems in vertebrates.
4. The genetic principles of heredity.
5. Energy balance and energy flow in biological systems.
6. The interactions between molecules of biological importance.
7. The chemical mechanisms and dynamics involved in biological systems.
8. Chemical synthesis.
9. The contributions of minorities and women to the field of Biochemistry.
10. Various techniques in chemical and biochemical analysis.
11. Various techniques in molecular biology.

Students will also be able to:

1. Collect and analyze data while gaining hands-on experience with instrumentation and computer software for essential techniques in chemical and biochemical analysis.
2. Communicate experimental results via laboratory notebooks, written reports, poster presentations, and oral presentations.
3. Perform independent research under the direction of a faculty mentor.

### **Relation to Institutional Mission**

The proposed major supports Governor Doyle's "*Growth Agenda for Wisconsin*," as well as UW-Stevens Point's Mission and "*Vision 2015*" since it has the potential to attract more high-

achieving students into bioscience careers. UW-Stevens Point recently adopted “*Vision 2015*” as a template for future growth. This campus-wide vision involves three governing concepts:

- providing challenging learning and leadership experiences that prepare students to be global citizens;
- projecting the institution’s history and values in the life and look of the campus;
- partnering with others for a vibrant economy.

The biochemistry major is in strong alignment with these concepts. It will provide students with a variety of challenging, interesting, and relevant learning opportunities that will prepare them to fill positions in the bioscience laboratories and industries that are integral to Wisconsin’s economy. Biochemistry is the underlying discipline of the biotechnology and pharmaceutical industries, both of which are prominent in the global economy. The major will expand an emphasis of UW-Stevens Point’s Mission which is to provide quality science education to students in a variety of scientific disciplines including Biology, Chemistry, Computer Science, Physics, Geology & Geography, Paper Science, and Psychology.

### **Program Assessment**

The assessment of the major will be three-faceted. First, graduating seniors will be given the American Chemical Society’s Biochemistry Exam. This is a comprehensive exam taken by biochemistry students throughout the country that will allow for comparisons to national norms. The questions on this exam will be mapped to the program’s learning outcomes in order to monitor student mastery of these benchmarks. Second, senior exit interviews will be held. These will be broad-ranging discussions with small groups of students that focus on their perceptions of the major’s strengths and weaknesses. Finally, a survey of alumni will solicit input from individuals who graduated five years previously. This will allow the program to acquire input from former students within the context of their post-graduate experiences.

A Biochemistry Assessment Committee will be charged with executing the assessment program. The committee will be composed of four members, two each from the Departments of Biology and Chemistry. It will write biennial assessment reports that will include recommendations for change based on the evaluation of how well students are meeting the program’s learning outcomes as well as information gleaned from the exit interviews and alumni surveys. These reports will be submitted to the Curriculum Committees of both Departments, the Dean of the College, and the University’s Assessment Committee.

### **Need**

The biotech sector of Wisconsin’s economy is thriving and will continue to require skilled workers trained in the biosciences. The on-line newsletter “*Fierce Biotech*” (Jan. 26, 2006 issue) rated Wisconsin as one of the nation’s top five regions for biotechnology growth. This rating is based on several factors, which include a strong tradition of cutting-edge bioscience research at UW-Madison and UW-Milwaukee, a bioscience educated workforce, a significant and continued state investment in biotechnology infrastructure, and tax incentives for existing and start-up biotech companies. In 2003 the National Institutes of Health invested over \$500 million in bioscience research within the state, reflecting the enormous amount of basic

bioscience research occurring in Wisconsin. Biotech manufacturing companies are also investing significantly in Wisconsin. In “Wisconsin Bioscience 2004,” the Wisconsin Association for Biotechnology Research and Education (WABRE) reported that in 2003 Wisconsin had: (1) 338 bioscience companies (employing 22,372 workers and generating \$6.3 billion in revenues); (2) 193 biotech manufacturing companies (employing 17,728 workers and generating \$5.6 billion in revenues); and, (3) 105 biotech service companies (employing 3,130 workers and generating \$490 million in revenues). The report also noted that nearly 3% of all manufacturing jobs in the state are in biotechnology. Since 2003, biotechnology employment has grown at a rate of 16% annually.

Within the past year both the Biology and Chemistry departments have received calls from Covance Laboratories (Madison), Aldrich Chemical (Sheboygan), SAFC Pharma (Madison), Siemens Water Technology (Schofield), Ortho Molecular Products (Stevens Point), ChemDesign Products (Marinette), PPD Pharmaco (Middleton), and Third Wave Technologies (Madison) inquiring about the availability of graduates. All these employers had immediate openings and indicated that additional personnel would be required in the future. Graduates of this program will fill the need for technical workers in Wisconsin’s growing bioscience sector, thereby contributing to the State’s economic growth. The proposed program will also prepare students for jobs in research laboratories at Wisconsin’s major research hospitals (the Medical College of Wisconsin, the Marshfield Clinic, the University of Wisconsin Comprehensive Cancer Center, the Children’s Hospital of Wisconsin and the Blood Research Institute), and for entrance into bioscience graduate programs at UW-Madison, UW-Milwaukee and Marquette University.

The proposed program is intended to meet the pent-up demand for a Biochemistry major in the middle of the state. During the past three years, Chemistry faculty have polled their students and found that nearly 30% would have been interested in a biochemistry major were it available. Based on feedback from high school counselors and students, the program expects that 50% of those entering the major will enroll at UW-Stevens Point specifically because the Biochemistry major is offered.

### **Projected Enrollment**

It is anticipated that once the program has matured (5 years) approximately 24 students will enter the major each year thereafter. This would translate into approximately 21 graduates each year and 96 students in the program at any given time.

| Year                  | 1st Year | 2nd Year | 3rd Year | 4th Year | 5th Year |
|-----------------------|----------|----------|----------|----------|----------|
| New Students Admitted | 8        | 12       | 16       | 20       | 24       |
| Continuing Students   | 4        | 11       | 21       | 29       | 37       |
| Total Enrollment      | 12       | 23       | 37       | 49       | 61       |
| Graduating Students   | 0        | 0        | 6        | 10       | 18       |

### **Comparable Programs**

The state’s two public Ph.D. granting institutions, UW-Madison and UW-Milwaukee, both offer Biochemistry majors. Two UW System undergraduate universities, UW-La Crosse

and UW-Eau Claire, offer Biochemistry majors. The following UW institutions offer a Chemistry Major with a biochemistry emphasis, option, or concentration: UW-Eau Claire, -Oshkosh, -Parkside, -Platteville, -River Falls, and -Superior.

In surrounding states the growing importance of biochemistry as an undergraduate major is clear. An undergraduate Biochemistry major is offered at the University of Minnesota-Twin Cities, -Duluth, and -Morris, and Minnesota State University-Mankato and -Winona; at the University of Illinois-Champaign/Urbana and -Chicago Circle, Northern Illinois University-De Kalb; and Illinois State University-Normal; and at Iowa State University-Ames, and the University of Iowa-Iowa City.

Within a 100-mile radius of Stevens Point, however, there are no other colleges offering a major in this increasingly important discipline.

### **Collaboration**

The major is possible because of the collaboration between the faculty of the Biology and Chemistry Departments. The Departments of Biology and Chemistry have traditionally operated as two separate units with little interaction. In particular, no intentional coordination of curricula or faculty expertise has occurred. The new Biochemistry major will require extensive collaboration between the departments since they will need to share responsibility for administering the major, including: curriculum development and coordination, assessment, program review, student recruitment, and student advising. In anticipation of the major, the Department of Chemistry recently hired a third biochemist and this year will hire a physical chemist with biological research interests. The teaching assignments for these hires will include upper-division courses required for the major. In addition, it is anticipated that research collaborations will develop between Biology and Chemistry faculty members.

### **Diversity**

The Biochemistry curriculum includes the recognition of significant current and historical contributions to the field by researchers from diverse backgrounds and both genders. Issues related to diversity are included in the curriculum in varied ways, for example, through examining the biochemical basis of various diseases that are predominant in certain populations, or attending to issues of immunity or the lack of it following population shifts resulting from natural or political disasters.

As part of the program's recruitment efforts, the Departments of Biology and Chemistry will work with the Office of Admissions to identify high-achieving high school students from historically under-represented groups primarily in the Madison, Milwaukee, and Chicago areas. Potential students will be brought to campus to explore the high school-to-college transition, attend college classes, meet with faculty and students from their academic areas of interest, and meet with individuals from international programs and multi-cultural affairs. This campus-wide recruiting strategy is already meeting some success as evidenced by the fact that in the fall of 2005 there were 378 minority students (African American, Hispanic, Native American, and Asian) enrolled at UW-Stevens Point compared to 239 in the fall of 2001, a 58% increase.

The program will participate in UW-Stevens Point's "Leadership, Education, and Development (LEAD)" summer program in order to recruit more minority students into science programs and help offer them mentoring and advising to ensure that they have the preparation necessary to pursue the major. The Department of Communications has hosted this event for several years and it will again be held this coming summer. LEAD brings to campus 80-100 economically disadvantaged 8-12th graders from around Wisconsin for three days of activities aimed at developing interpersonal skills, leadership skills, and strategies for living with diverse populations. Students will be invited to the Science Building for an evening of activities. There, they will attend a chemical demonstration program, participate in hands-on science activities, interact with faculty members, discuss career opportunities in the sciences, obtain first-hand experience of the supportive learning environment in the departments, and receive materials that describe the programs of study.

The Departments of Biology and Chemistry continue their efforts to build diverse faculty, academic staff, classified staff, and student populations. Improved recruitment strategies have increased the number of underrepresented individuals and women applying for faculty positions. In the last 10 years, the composition of the Biology and Chemistry departments has changed due to these strategies. In 1996, the combined staff of the Biology and Chemistry Departments included three female tenure-track faculty, one international tenure-track faculty, and three female academic staff. By 2006 these numbers had increased to seven female tenure-track faculty, three international tenure-track faculty, and four female academic staff. In the Biology Department, four of the last eight hires were female or from underrepresented groups.

### **Evaluation from External Reviewers**

The proposed major received positive reviews from the two external reviewers. One affirmed that the curriculum struck the right balance between the component disciplines of Biology and Chemistry and commended the planners for maintaining a laboratory component in so many of the courses. The other noted the high quality of the teaching and research laboratories at UW-Stevens Point and that the campus offers the appropriate staff, facilities, and equipment to offer the major. The reviewers raised only minor concerns which have been addressed.

### **Resource Needs**

The proposed major can be offered without additional staff, capital equipment, services and supplies budget, or facilities. No new department or academic unit will be created. The major requires only one new course, Biophysical Chemistry, to be added. The Department of Chemistry will reallocate personnel in order to teach this course. The Departments of Biology and Chemistry currently have the capacity in existing courses to accommodate projected enrollment increases. Resource reallocation to support the major will occur in several ways: (1) by discontinuing two low-enrolled courses (Chem. 330 and Chem. 340); (2) by offering Chem. 220/221 only one semester each year; and, (3) by offering certain low-enrolled advanced courses on an every-other-year rotation. Given the number of students the program is projected to serve, it is anticipated that the major will require 0.4 FTE in its inaugural year (2007-8) growing to 1.2 FTE in its third year (2009-10). By year five (2011-12) the major will be fully established and



require 2.1 FTE. No new staff will be required since the 2.1 FTE for this program will be met through the reallocation of existing faculty within each department.

### Estimated Total Costs and Resources

|                                                    | <b>FIRST YEAR</b> |                 | <b>SECOND YEAR</b> |                  | <b>THIRD YEAR</b> |                  |
|----------------------------------------------------|-------------------|-----------------|--------------------|------------------|-------------------|------------------|
| <b>CURRENT COSTS</b>                               | #FTE              | Dollars         | #FTE               | Dollars          | #FTE              | Dollars          |
| Personnel                                          |                   |                 |                    |                  |                   |                  |
| Faculty/Instructional Staff                        | 0.39              | \$31,300        | 0.75               | \$62,700         | 1.2               | \$109,200        |
| Graduate Assistants                                | 0                 | 0               | 0                  | 0                | 0                 | 0                |
| Non-instructional Academic /Classified Staff       | 0.042             | \$2,500         | 0.080              | \$4,900          | 0.13              | \$8,500          |
| Non-personnel (see note 1)                         |                   |                 |                    |                  |                   |                  |
| Supplies & Equipment                               |                   | \$2,100         |                    | \$4,000          |                   | \$6,400          |
| Capital Equipment                                  |                   | \$20,100        |                    | \$38,100         |                   | \$62,200         |
| Library                                            |                   | \$60            |                    | \$110            |                   | \$180            |
| Computing                                          |                   | \$170           |                    | \$320            |                   | \$520            |
| Student Help                                       |                   | \$450           |                    | \$850            |                   | \$1380           |
| Subtotal                                           |                   | \$56,680        |                    | \$110,980        |                   | \$188,380        |
| <b>ADDITIONAL COSTS</b>                            | #FTE              | Dollars         | #FTE               | Dollars          | #FTE              | Dollars          |
| Personnel                                          |                   |                 |                    |                  |                   |                  |
| Faculty/Instructional Staff                        | 0.13              | \$12,000        | 0.13               | \$12,800         | 0.13              | \$13,600         |
| Graduate Assistants                                | 0                 | 0               | 0                  | 0                | 0                 | 0                |
| Non-instructional Academic /Classified Staff       | 0                 | 0               | 0                  | 0                | 0                 | 0                |
| Non-personnel2                                     |                   | 0               |                    | 0                |                   | 0                |
| Subtotal                                           |                   | \$12,000        |                    | \$12,800         |                   | \$13,600         |
| <b>TOTAL COSTS</b>                                 |                   | <b>\$68,680</b> |                    | <b>\$123,780</b> |                   | <b>\$201,980</b> |
|                                                    |                   |                 |                    |                  |                   |                  |
| <b>CURRENT RESOURCES</b>                           |                   |                 |                    |                  |                   |                  |
| GPR                                                |                   | \$56,680        |                    | \$110,980        |                   | \$188,380        |
| Subtotal                                           |                   | \$56,680        |                    | \$110,980        |                   | \$188,380        |
| <b>ADDITIONAL RESOURCES</b>                        |                   |                 |                    |                  |                   |                  |
| GPR Reallocation (Chemistry & Biology Departments) |                   | \$12,000        |                    | \$12,800         |                   | \$13,600         |
| Subtotal                                           |                   | \$12,000        |                    | \$12,800         |                   | \$13,600         |
| <b>TOTAL RESOURCES</b>                             |                   | <b>\$68,680</b> |                    | <b>\$123,780</b> |                   | <b>\$201,980</b> |

### RECOMMENDATION

The University of Wisconsin System recommends approval of Resolution I.1.b.(1), authorizing the implementation of a Bachelor of Science in Biochemistry at the University of Wisconsin-Stevens Point.

## **RELATED REGENT POLICIES**

University of Wisconsin System Academic Planning and Program Review  
(November 10, 1995), Academic Informational Series #1 (ACIS-1.0 revised June 2006).

Program Authorization (Implementation)  
B.A. in First Nations Studies  
University of Wisconsin-Green Bay

EDUCATION COMMITTEE

Resolution I.1.b(2):

That, upon recommendation of the Chancellor of the University of Wisconsin-Green Bay and the President of the University of Wisconsin System, the Chancellor be authorized to implement the B.A. in First Nations Studies.

**NEW PROGRAM AUTHORIZATION**  
**Bachelor of Arts in First Nations Studies**  
**University of Wisconsin-Green Bay**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a Bachelor of Arts in First Nations Studies at the University of Wisconsin-Green Bay is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. The University of Wisconsin-Green Bay and System Administration will conduct that review jointly, and the results will be reported to the Board.

Since its founding in the late 1960s, UW-Green Bay has offered courses in American Indians Studies. In 1985 a faculty group proposed a minor in American Indian Studies, which was subsequently begun in 1987. As a charter member of the UW System American Indian Studies Consortium (founded in 2000), UW-Green Bay agreed on a set of curriculum standards, developed by the Consortium, for First Nations Studies (FNS) programs. Using these standards as a guide, additional course options were developed and the name of the minor was changed from American Indian Studies to First Nations Studies in 2005. The FNS curriculum focuses on the history, traditions, culture and sovereignty of each of the Nations and bands in Wisconsin including the Oneida, Menominee, Mohican/Stockbridge-Munsee-Brotherton, Potawatomi, Hochunk, and Anishinabeg (Ojibwe). With the support of students, local Nations, UW-Green Bay faculty and administration, this proposal seeks to build on this rich regional history to offer a major in First Nations Studies.

**REQUESTED ACTION**

Approval of Resolution I.1.b.(2), authorizing the implementation of the Bachelor of Arts in First Nations Studies at the University of Wisconsin-Green Bay.

**DISCUSSION**

**Program Description**

The proposed First Nations Studies major is an interdisciplinary program with faculty from two interdisciplinary units, Humanistic Studies and Information and Computing Science, who have a variety of disciplinary backgrounds including education, English, social science, law, and linguistics.

The major requires 36 credits, including 9 lower-level core requirements, and 27 upper-division credits. The program places particular emphasis on the indigenous oral tradition as preserved and shared by Wisconsin's tribal Elders. Students will take part in traditional oral learning experiences in the classroom and in tribal communities. One-third of the 36 credits are

for an Oral Emphasis requirement where students work intensively with an elder. Students can choose to focus on learning beginning and advanced courses in the Oneida language in conjunction with the Oneida Nation of Wisconsin's language revitalization efforts, or Elder Epistemology and Oral traditions, where students study with tribal elders to synthesize and acquire oral traditional knowledge. This intensive work with a tribal elder is likened to an internship or immersion learning experience. Throughout the program students are closely mentored by FNS faculty members. Elders are selected to best meet the special interests, strengths, and career goals of the students. Discussions are underway to also offer a third Oral Emphasis, in collaboration with the College of the Menominee Nation, on Menominee language and culture.

The First Nations Studies major has been designed to reflect the holistic world view of the indigenous people of Turtle Island (North America) and preserve and promote their sovereign identity. The curriculum is based upon the study of American Indian culture, philosophy, history, and language, as well as the social, economic, and political status of indigenous people and their communities with an emphasis on the nations of northeastern Wisconsin. FNS incorporates the teaching and learning approaches of tribal people, offering students a window into a way of knowing in addition to the more traditional disciplinary ways of knowing taught in the humanities, math, social sciences, or natural sciences.

### **Program Goals and Objectives**

The program goals and learning objectives for First Nations Studies (FNS) at UW-Green Bay are based on the *Standards for Instruction, Teacher Qualifications, and Course Content* created and passed by the University of Wisconsin System American Indian Studies Consortium. They include:

- Presenting knowledge from an indigenous perspective, and placing emphasis on the oral tradition, Elder epistemology, and oral scholars.
- Reflecting a holistic tribal world view that includes the concept of sacred or spiritual practice.
- Maintaining and promoting tribal oral knowledge through traditional ways of learning and interacting.
- Building and supporting collaborative relationships among tribal communities with particular emphasis on the Nations in northeastern Wisconsin – Oneida, Menominee, and Mohican.
- Providing students with oral traditional teaching and learning opportunities in the classroom and within a tribal setting.
- Providing information and instruction regarding First Nations history and culture, to students and faculty in other disciplines.

The program has also developed specific student learning outcomes in six areas of knowledge: Oral Tradition/Elder Knowledge, History (pre-contact, contact, contemporary eras), Laws and Policy, Sovereignty, Indigenous Philosophy and Intellectual Traditions, and Language. These specific learning objectives, in addition to the program goals, will be used as assessment measures to evaluate and continuously improve the program.

## **Relation to UW-Green Bay Mission**

The First Nations Studies (FNS) major complements both the Core and Special Mission of UW-Green Bay. At the heart of these missions is the principle that institutions of higher learning “discover and disseminate knowledge.” The establishment of a FNS major will enhance the opportunities for students and faculty to pursue research in First Nations Studies and disseminate it for future generations.

UW-Green Bay’s missions include a commitment to serving the needs of students, faculty, and community members of color. UW-Green Bay recognizes a particular responsibility to the sovereign First Nations which are part of northeastern Wisconsin. This major will enhance the visibility of UW-Green Bay’s commitment to First Nations Studies and will demonstrate to students and members of the community that UW-Green Bay takes its responsibility to “build partnerships for a multicultural community” seriously. In addition, consistent with the UW-Green Bay Plan 2008 goals to infuse diversity into the curriculum, the FNS faculty will provide a hub to stimulate curricular change and facilitate the infusion of multicultural content initially developed for the FNS courses into other aspects of UW-Green Bay’s curriculum.

Finally, the FNS major is well suited to UW-Green Bay’s special mission of interdisciplinarity. As an interdisciplinary major, FNS will integrate content and ways of knowing from various first nations traditions as well as academic disciplines (e.g., art, literature, social sciences, linguistics, education, etc.) to explore problems in innovative ways. Furthermore, this major will allow students and faculty to “connect learning to life” (UW-Green Bay’s motto) in a meaningful way as students work with elders in the community to analyze and preserve oral traditions

## **Program Assessment - *Miinde baagaang chigaadeg***

*Miin de baa gaang chi gaa deg* (In the Ojibwe language, “to measure what or where one is after a course of study”) is an important model for the First Nations Studies (FNS) major. An ongoing evaluation of the FNS program will be conducted by program faculty employing embedded assessment strategies, which are an important part of the oral tradition and focus on Elder knowledge. All of the student learning objectives for the program, centered on the Four Pillars of Knowledge (History, Laws and Policy, Sovereignty, and Indigenous Intellectualism) will be assessed using the embedded assessment strategy.

Each student in the FNS major will be required to complete an oral examination at the end of his/her course of study. The FNS faculty will create a set of assessment questions based on the FNS student learning objectives for use in the oral examination. Near the end of each semester, the FNS faculty will meet as an assessment team to evaluate graduating seniors and the results of their oral examination. The assessment team will discuss: (1) the extent to which graduating students met each of the student learning objectives; and (2) how the program can be improved based on a review of overall student performance. In addition, at least every other year, the Elders participating in the program will meet as a whole with the FNS faculty to review their experience in the program and offer their evaluation and suggestions for improvements.

## Need

The creation of a First Nations Studies major at UW-Green Bay will meet the ongoing needs of communities in northeastern Wisconsin to assist American Indian and non-Indian citizens to have the knowledge, skills, and understanding to live, interact, and work with tribal people, agencies, and governing structures. This contextual and historical understanding is particularly needed and important in northeast Wisconsin where tribal economies are expanding and diversifying at a significant pace. The university is well-positioned to provide the citizens in northeastern Wisconsin with knowledge about their neighbors, the first inhabitants of the state.

The creation of a FNS major at UW-Green Bay will demonstrate the institution's commitment to American Indian intellectual traditions as an integral part of mainstream education. This is also a state-level commitment. In 1989, a state law, commonly referred to as Act 31, was passed requiring that all persons seeking a license to teach receive instruction in the history, culture, and tribal sovereignty of the federally-recognized tribes in the state. Individual teacher education programs are responsible for incorporating this information into their programs to ensure that all of their graduates receive this instruction. To date, a statewide systematic process for the education of teachers has yet to emerge, and the individual campuses have been unable to develop the capacity to provide this instruction in a comprehensive manner. The First Nations Studies major at UW-Green Bay could be a means to produce a pool of graduates with FNS majors that could serve as Act 31 teacher-trainers throughout the State of Wisconsin.

## Projected Enrollment (5 years)

| Category              | Year      |           |           |           |           |
|-----------------------|-----------|-----------|-----------|-----------|-----------|
|                       | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 |
| New Students Admitted | 20        | 8         | 11        | 13        | 13        |
| Continuing Students   | 0         | 15        | 17        | 19        | 21        |
| Total Enrollment      | 20        | 23        | 28        | 32        | 34        |
| Graduating Students   | 0         | 5         | 8         | 10        | 10        |

## Comparable Programs

According to the *Guide to Native American Studies Programs in the United States* there are twenty institutions in the north central United States offering First Nations Studies or related fields (e.g., American Indian Studies and Native American Studies). The largest programs are located at the University of Minnesota, which offers a major in American Indian Studies at UM-Duluth and at UM-Minneapolis/St. Paul. In Wisconsin, two UW institutions, UW-Milwaukee and UW-Eau Claire, offer a major in First Nations/ American Indian Studies. Minors are offered at UW-Stevens Point and UW-Superior. UW-Madison offers a 15-credit certificate in American Indian Studies.

First Nations programs, including the proposed program, are rarely duplicative because they tend to emphasize the First Nation populations most important in the region, or to focus upon a particular linguistic group. The proposed program will emphasize the tribes of northeastern Wisconsin: the Menominee, the Oneida, and the Mohican/Stockbridge-Munsee.

The programs at UW-Eau Claire and the University of Minnesota focus on Ojibwe traditions and language, and the UW-Milwaukee program has focused largely on the Potawatomi and on the First Nations of the entire mid-west region

## **Collaboration**

First Nations Studies faculty members at UW-Green Bay are actively engaged in discussions with other institutions regarding collaborative efforts. In October 2005, the FNS faculty met with the UW System American Indian Studies Consortium and were encouraged to pursue several possible collaborations including a transfer option for students graduating with a two-year degree from UW-Fond du Lac, the creation of a Menominee Language and Culture Concentration with the College of the Menominee Nation, and the teaching of the Menominee and Ojibwe languages at UW-Madison. FNS faculty will also work with the Mohican Nation project for the restoration of the Mohican language.

## **Diversity**

Diversity is the foundation of the First Nations Studies (FNS) program. Three quarters of the FNS studies faculty members are enrolled members of First Nation communities. FNS students include both First Nations and non-First Nations students. In the Fall semester of 2006, for example, 48% of students with a First Nations Studies minor were white and 52% were minority group members (8 Oneida, 1 Tohono, 1 American Indian with no tribe indicated, and 1 African-American). Twenty-four percent of the minors were over the age of 26, and 71% were female. These enrollment patterns, which show the program to be attractive to American Indian students and to returning adult students, have been consistent over the past five years.

The majority of FNS classes meet UW-Green Bay General Education ethnic studies requirements. FNS Faculty also assists in the integration of diversity into the undergraduate curriculum through coordinated efforts with faculty in Education, English, History, and Social Work. The goal of this effort is to integrate First Nations Studies' core knowledge into existing classes and develop new, fresh strategies for the inclusion of culturally diverse content and pedagogy in the educational environment.

## **Evaluation from External Reviewers**

Two external reviewers were strongly supportive of the proposed program. One pointed out the strong fit with the overall mission of UW-Green Bay and its interdisciplinary focus. The other commended the initiative and creativity of the project and felt it drew upon the strengths of the existing faculty. One reviewer suggested the addition of a course on federal Indian law. In fact, the major does offer such a course under the title of *American Indian Justice and Tribal Government* (FNS 392) that includes a focus on federal Indian Law and it is taught by an expert on American Indian law and federal Indian policy. Another reviewer suggestion was that the course on educational policy (FNS 393) be expanded to include other important federal Indian policies such as health, criminal and civil jurisdiction, and Indian gaming. Issues of this type can be and have been covered in a variable content seminar course (FNS 391) that focuses on specific topics.



## **Resource Needs**

The First Nations Studies (FNS) major will be offered by existing core faculty in the FNS program. The current program faculty could manage up to fifty FNS majors and the program is not expected to grow beyond that size. All core faculty will serve as faculty advisors in FNS. Classified staff support for the major will be provided by staff within the Humanistic Studies unit.

The UW-Green Bay Cofrin Library resources are sufficient for the needs of the FNS major. The campus American Intercultural Center (AIC) provides support to all First Nations' students. Many students in the First Nations Studies program are tribal members who receive academic support services from the AIC.

First Nations Studies faculty will have access to a supply and expense budget that is adequate to meet their needs. Additional funds will be reallocated from the Division of Liberal Arts & Sciences for faculty to travel to meet with Elders travel and for miscellaneous supplies associated with the oral emphasis requirement.

## Budget Allocation: Estimated Total Costs and Income

|                                              | FIRST YEAR |                  | SECOND YEAR |                  | THIRD YEAR |                  |
|----------------------------------------------|------------|------------------|-------------|------------------|------------|------------------|
| <b>CURRENT COSTS</b>                         | #FTE       | Dollars          | #FTE        | Dollars          | #FTE       | Dollars          |
| Personnel                                    |            |                  |             |                  |            |                  |
| Faculty/Instructional Staff                  | 2.43       | \$125,877        | 2.43        | \$132,171        | 2.43       | \$136,136        |
| Graduate Assistants                          |            |                  |             |                  |            |                  |
| Non-instructional Academic /Classified Staff | .10        | \$3,211          | .10         | \$3,371          | .10        | \$3,473          |
| Non-personnel                                |            |                  |             |                  |            |                  |
| Supplies & Equipment                         |            | \$1,250          |             | \$1,250          |            | \$1,250          |
| <i>Subtotal</i>                              |            | <i>\$130,338</i> |             | <i>\$136,792</i> |            | <i>\$140,859</i> |
|                                              |            |                  |             |                  |            |                  |
| <b>ADDITIONAL COSTS</b>                      | #FTE       | Dollars          | #FTE        | Dollars          | #FTE       | Dollars          |
| Personnel                                    |            | \$0              |             | \$0              |            | \$0              |
| Non-personnel                                |            |                  |             |                  |            |                  |
| Supplies & Equipment                         |            | \$1,000          |             | \$1,000          |            | \$1,000          |
| Other: travel & stipends                     |            | \$500            |             | \$500            |            | \$500            |
| <i>Subtotal</i>                              |            | <i>\$1,500</i>   |             | <i>\$1,500</i>   |            | <i>\$1,500</i>   |
|                                              |            |                  |             |                  |            |                  |
| <b>TOTAL COSTS</b>                           |            | <b>\$131,838</b> |             | <b>138,292</b>   |            | <b>\$142,359</b> |
|                                              |            |                  |             |                  |            |                  |
| <b>CURRENT RESOURCES</b>                     |            |                  |             |                  |            |                  |
| GPR                                          |            | \$130,338        |             | \$136,792        |            | \$140,859        |
| <i>Subtotal</i>                              |            | <i>\$130,338</i> |             | <i>\$136,792</i> |            | <i>\$140,859</i> |
|                                              |            |                  |             |                  |            |                  |
| <b>ADDITIONAL RESOURCES</b>                  |            |                  |             |                  |            |                  |
| GPR Reallocation from Liberal Arts & Science |            | \$1,500          |             | \$1,500          |            | \$1,500          |
| <i>Subtotal</i>                              |            | <i>\$1,500</i>   |             | <i>\$1,500</i>   |            | <i>\$1,500</i>   |
|                                              |            |                  |             |                  |            |                  |
| <b>TOTAL RESOURCES</b>                       |            | <b>\$131,838</b> |             | <b>\$138,292</b> |            | <b>\$142,359</b> |

## RECOMMENDATION

The University of Wisconsin System recommends approval of Resolution I.1.b.(2), authorizing the implementation of the Bachelor of Arts in First Nations Studies at the University of Wisconsin-Green Bay.

## RELATED REGENT POLICIES

University of Wisconsin System Academic Planning and Program Review  
(November 10, 1995), Academic Informational Series #1 (ACIS-1.0 revised June 2006)

Program Authorization (Implementation)  
Bachelor of Applied Studies in Leadership and Organizational Studies  
University of Wisconsin-Oshkosh

EDUCATION COMMITTEE

Resolution I.1.b(3):

That, upon recommendation of the Chancellor of the University of Wisconsin-Oshkosh and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Bachelor of Applied Studies in Leadership and Organizational Studies.

**NEW PROGRAM AUTHORIZATION**  
**Bachelor of Applied Studies in Leadership and Organizational Studies**  
**University of Wisconsin-Oshkosh**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised), the new program proposal for a Bachelor of Applied Studies with a major in Leadership and Organizational Studies at the University of Wisconsin-Oshkosh is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. The institution and System Administration will conduct that review jointly, and the results will be reported to the Board.

The Bachelor of Applied Studies degree in Leadership and Organizational Studies program is designed for non-traditional students who have completed selected associate in applied science degrees. To best attract and serve the intended students, it will be delivered as a nontraditional degree-completion program through the adult-learning-focused Center for New Learning (CNL) at UW-Oshkosh. The conception and planning of this degree took place as a collaborative regional initiative of the Northeast Wisconsin Educational Resource Alliance (NEW ERA). The degree and the program are responsive to statewide needs identified by the Committee on Baccalaureate Expansion (COBE). Recommendations of the COBE committee included the development of degree-completion programs targeted to working adult students who hold an associate degree and who are in need of a baccalaureate degree to assist in their career progression. The COBE report noted that Wisconsin ranks in the top 10 states nationally in terms of the proportion of residents who hold associate degrees, but in the lower quartile in terms of the number of baccalaureate degrees.

**REQUESTED ACTION**

Approval of Resolution I.1.b.(3), authorizing the implementation of the Bachelor of Applied Studies in Leadership and Organizational Studies at UW-Oshkosh.

**DISCUSSION**

**Program Description**

The major in Leadership and Organizational Studies (L & OS) is designed to provide an upper-level professional studies curriculum to complement an associate in applied science degree from selected technical college programs. Initially, twenty-three programs from Fox Valley Technical College and Northeast Wisconsin Technical College have been approved for transfer into the program. Additional associate of applied science degrees from Wisconsin Technical Colleges will be reviewed by a faculty committee and considered for transfer into the L & OS major on an ongoing basis.

The requirements for the degree include 39 upper-division credits in the major and the completion of the UW-Oshkosh general education and university-wide requirements. Students

entering the program will be able to transfer in a maximum of 45 credits technical/occupations credits and approximately 15 general education credits from an Associate of Applied Science degree.

The L & OS major offers an array of courses intended to develop the following work-related competencies: understanding of organizational theory; global literacy; leadership and supervision; project planning and budget management; problem solving; critical thinking; written, verbal and electronic communication; conflict resolution; and skills in research and analysis. To achieve these ends, the major consists of four blocks of courses taken in sequence.

The target audience for this program is people who are working in technical, nonprofessional jobs, and who wish to move up the career ladder through the completion of an appropriate baccalaureate degree. This target audience is interested in topics and concepts that can be directly applied to their work setting and experience, such as leadership, workplace communication, and project planning. The L & OS major will prepare graduates to move into leadership, supervisory, or administrative positions. A key aim of the program is to enable students to draw connections between practical situations and theoretical knowledge. Throughout the program, learning activities will require the application of abstract concepts to actual problems in the learners' work, family or community settings. Program graduates will be equipped to be: program managers, project coordinators, supervisors, or team leaders in both public- and private-sector organizations.

Block 1 courses introduce students to the foundational concepts of organizational and leadership theory. They provide a comprehensive introduction that includes organizational theory, organizational change, strategic planning, knowledge management, workplace communication, motivation theory, supervisory practice, dynamics of team functioning, diversity in the workplace, and models of collaboration. In addition, each student develops a plan for the accomplishment of professional and personal goals, which includes delineation of objectives, milestones, deadlines, and resource requirements. Each student also selects and contacts a Wisconsin organization and conducts an in-depth analysis of that organization.

Block 2 courses build upon the prior ones and focus upon alternative dispute resolution processes and techniques (as they relate to community and civic conflict as well as workplace dispute resolution); and the theory, development, and implementation of training programs in an organizational setting, including the assessment of learning needs, program design, training methodologies, and evaluation.

Block 3 focuses on the management of projects and programs. Through completing an actual project of their own, students learn the principles of project planning including: cash budgeting, capital budgeting, forecasting risk and return, project justification, and special considerations related to international projects.

The nine credits in Block 4 constitute a substantive culminating experience for the major. The Capstone Seminar is designed to equip students with the specific and practical learning competencies necessary for continued personal, civic, and career growth. The capstone experience is intended to stimulate students' reflection on the fundamental connections between learning and practical experience, including problem solving, coping with change, and achieving personal or career goals. In a six-credit Senior Research Project, students choose a topic of particular interest and conduct an original research project from conceptualization, development

of appropriate methods, data collection and analysis, to the presentation of findings. The project is designed to develop and reinforce competence in synthesis of ideas, analysis of data, logical thinking, and communication of complex concepts.

Courses will be delivered using a combination of face-to-face and asynchronous online instruction. The face-to-face portions of the courses will be offered at off-campus locations that are convenient for students in the program. Initially, most courses will be delivered at the Bordini Center of Fox Valley Technical College in Appleton. Geographic and demographic market analysis indicates a concentration of the target audience for this program in the Appleton area.

### **Program Objectives**

Graduates of L & OS will achieve and be able to demonstrate the following learning outcomes:

- Understanding and ability to apply theoretical concepts of leadership and conflict resolution to workplace organizational situations.
- Grasp of selected theories and practices of organizational administration.
- Understanding of the impact of diversity in the workplace and the ability to appreciate diverse perspectives in organizational settings.
- Understanding of the research process and ability to take a problem from inquiry and data gathering, through analysis and solution identification, to formal presentation.
- Knowledge and competencies in critical thinking, problem-solving, and decision-making.
- Knowledge and competencies in self-directed lifelong learning.
- Competencies in oral, written and electronic communication.

The overarching goals of the program are to promote lifelong learning as a critical capacity in professional and personal pursuits; create an educational atmosphere in which active learning may occur; offer delivery and pedagogical options that are accessible to working adults; and integrate research-based theoretical knowledge with relevant practitioner knowledge and technical knowledge throughout the curriculum to enhance the adult learning experience.

### **Relation to Institutional Mission**

This program directly relates to the select mission, strategic directions and program goals of UW-Oshkosh in five distinct areas: 1) meeting emergent societal education needs; 2) support of continued, lifelong learning opportunities; 3) enhancement of a diverse university population; 4) enhancement of state economic development; and 5) engagement in collaborative partnerships.

The program supports emergent education needs, lifelong learning and the diversification of the university population by developing and offering programs and services that respond to the needs of the people in the Northeast region of the state. As a degree-completion program, the BAS in L & OS provides academic and career opportunities for working adults who have limited access to higher education. Thus, this program will strengthen the workforce and economy of the region by expanding opportunities for career advancement among place-bound workers. It is a prime example of enhanced collaborative relationships with other institutions of higher education given that it has been developed and will be implemented in collaboration with

UW-Green Bay, Fox Valley Technical College and the other NEW ERA institutions in the region.

## **Diversity**

To recruit and support retention of diverse students, CNL will work with the Admissions Office, the Division of Academic Support and with multicultural recruiters and advisors to promote the proposed program to African-American, Latino/a, Native American and Asian-American communities. In addition, the program has developed ongoing contacts with the Minority Student Services Center at Fox Valley Technical College and the Multicultural International Resource Center at Northeast Wisconsin Technical College to distribute information about the L & OS major to students. CNL will also work with the Hmong American Partnership in Appleton, the Hmong Service Center in Oshkosh, the Hispanic Council in Fond du Lac and the Latino Link in Appleton to promote the L & OS program and distribute information. These centers provide access to promotional materials for educational opportunities, host informational sessions, and generally encourage community members to pursue higher educational opportunities.

The program expects to mirror the racial and gender makeup of graduates from associate of applied science programs at the technical colleges of the NEW ERA region. In 2005-2006, minority enrollments accounted for just over 7.3% of total enrollments at those WTCS institutions. This compares with a 6.7% undergraduate minority enrollment at UW-Oshkosh. Both the UW-Oshkosh and the regional WTCS minority proportions are slightly higher than the 6% minority population in the region generally. In terms of gender, the program is likely to also mirror the feeder institutions. In 2005-06, just over 60 % of NEW ERA WTCS enrollments were female. This program is designed for, and expected to be composed primarily of students over the age of twenty-five. In CNL programs, generally, 80% of the students are over the age of 25.

Cultural diversity will be infused throughout the curriculum in courses such as Managing People: Theory and Practice, Collaborative Leadership Dynamics, Transformative Leadership, and Conflict Resolution. In these courses students will examine ethical, legal and moral concepts and the ways in which organizational structures and systems of leadership vary when differences of culture, age, race, national origin or physical ability are taken into account. In addition, as part of the general education requirements, students will complete the requirements for coursework in Ethnic Studies and Non-Western Culture.

## **Need**

The proposed major reflects national trends in higher education to respond to the educational needs of working adults and to create accessible pathways to baccalaureate degree completion. Employers in the region have expressed a need for employees with the competencies that will be developed in the proposed major. In 2006, the UW-Oshkosh Division of Lifelong Learning and Community Engagement conducted a survey of 257 employers in Northeast Wisconsin to gather information about the projected needs for employee knowledge and skills in the next decade. Employers surveyed included those in manufacturing, government, education, finance, tourism, information technology, construction, retail, and agriculture. When asked what skills they would desire in new hires in the upcoming years, the top 10 skills named were the following (listed in order of frequency mentioned):

|   |                     |    |                    |
|---|---------------------|----|--------------------|
| 1 | Computer/Technology | 6  | Adaptability       |
| 2 | Communication       | 7  | Flexibility        |
| 3 | Teamwork            | 8  | Global Perspective |
| 4 | Leadership          | 9  | Problem Solving    |
| 5 | Creative Thinking   | 10 | Research           |

The L & OS major was designed to offer courses and learning activities in line with the areas identified by employers. Courses in organizational studies, managing people, and project planning emphasize capacities in teamwork, communication, problem solving, responding to change, and critical thinking. Two courses specifically focus on collaborative and transformative leadership. The course in data gathering and the six-credit senior research project develop the students' competencies in creative thinking, problem solving and the research process. Both the course in workplace learning and the capstone seminar foster the development of flexibility, adaptability, and reflective practice. Awareness of diversity in the workplace and a global perspective are integrated throughout the major curriculum.

### **Comparable Programs**

Within the UW System, no other degree-completion program with a major in Leadership and Organizational Studies exists. UW-Milwaukee offers a major in Organizational Administration, but it is not designed as a degree-completion program for those who hold an associate of applied science degree, and is not readily accessible to the place-bound target market served by the proposed program. UW-Oshkosh currently offers a Bachelor of Liberal Studies with optional sub-majors in Leadership Development or Organizational Administration. The primary distinction between the proposed BAS L & OS major and the existing Bachelor of Liberal Studies Organizational Administration sub-major is that the proposed major is designed as a degree-completion program for technical college graduates.

Interdisciplinary majors designed for working adults are being offered by many public and private institutions under names such as Career and Organizational Studies, Organizational Leadership, or Professional Studies. Other similar programs in the state include the Community Leadership program offered by Alverno College and a program in Organizational Studies at Marquette University.

### **Collaboration**

This program has been conceived and planned as a collaborative regional project of the NEW ERA. Lead institutions in planning the NEW ERA Bachelor of Applied Studies project have been UW-Oshkosh, UW-Green Bay, Fox Valley Technical College and Northeast Wisconsin Technical College. This program was planned in close collaboration with UW-Green Bay, which will also be requesting approval for a similar degree in the near future. UW-Oshkosh and UW-Green Bay plan a collaborative approach to marketing, recruiting and student services for the BAS programs at the two institutions. The collaborative approach to this program also includes the UW Colleges in the NEW ERA region. Students in the BAS L & OS major may take required general education courses from a UW College institution. In addition, the UW-Oshkosh Center for New Learning will explore the potential for UW Colleges faculty members to teach in the L & OS program.



## **Use of Technology/Distance Education**

This program will be delivered in hybrid format utilizing face-to-face and online delivery. The face-to-face portions of the courses will occur off-campus at the Bordini Center of Fox Valley Technical College in Appleton. Courses will be offered in seven- or three-week formats. Each student will be able to take nine credits sequentially each semester in two seven-week sessions and one three-week session. The online portions will be delivered asynchronously. There will be office space for student advising as well as classroom space for course delivery on the FVTC campus. An advisor/recruiter will be onsite at FVTC to provide information and assistance to students.

## **Academic and Career Advising**

The Center for New Learning is a full-service adult-focused degree unit of UW-Oshkosh that offers a range of educational planning and academic advising services. CNL advisors and support staff are sensitive to and equipped to work with the particular needs of adult, nontraditional students. In addition, the CNL staff work closely with the office of Career Services and the office of Adult Student Access Services at UW-Oshkosh to provide information, advice and occupational guidance for CNL students. Services are available to students at nontraditional times and locations through websites, phones, e-mail, and off-campus delivery. WTCS personnel will also be involved in career planning and placement. The program will have an advisor resident at FVTC to work with the students planning to transfer into this program. This person will work half-time for the UW-Oshkosh degree program and half-time for the Bachelor of Applied Studies program currently being planned by UW-Green Bay.

## **Projected Enrollment**

|                     | 1st Year | 2 <sup>nd</sup> Year | 3 <sup>rd</sup> Year | 4 <sup>th</sup> Year | 5 <sup>th</sup> Year |
|---------------------|----------|----------------------|----------------------|----------------------|----------------------|
| New students        | 25       | 25                   | 25                   | 25                   | 25                   |
| Continuing students | 0        | 23                   | 45                   | 45                   | 45                   |
| Total enrollment    | 25       | 48                   | 70                   | 70                   | 70                   |
| Graduates           | 0        | 0                    | 31                   | 31                   | 31                   |

The fiscal model is based on 25 new students each year enrolled in L & OS major courses. However, we expect to actually admit as many as 36 students each year, about 11 of whom will be enrolled in general education courses at any given time. Therefore, with the attrition of 4 students after the first year and 1 more student after the second year, we expect to graduate 31 students each year.

## **Assessment and Program Evaluation**

Assessment will include the evaluation of learning objectives, teaching, and operational processes. A program advisory group composed of both internal and external stakeholders will provide feedback related to program administration and operation, which will guide program adjustments. A faculty committee will be developed to oversee the curriculum of the L & OS program and be responsible for proposing a formal program evaluation plan to the University Assessment Committee. A primary component of the assessment plan will be based upon the Senior Research Project and Senior Capstone Portfolio. Two faculty members from the CNL

(including one teaching the capstone course) will evaluate each student's portfolio, using a pre-designed rubric to assess how well the student's work has demonstrated the desired learning outcomes. There will also be an exit interview with each graduating senior to assess their knowledge and skills in relation to the program's learning outcomes. Seniors will be asked to provide specific examples of learning activities that helped them increase their knowledge and skills in each area, to comment on the strengths and weaknesses of the program, and offer specific suggestions for enhancing its effectiveness. At the end of each academic year, the L & OS faculty committee, along with CNL staff members, will tabulate the results of the portfolio assessments and exit interviews and propose specific recommendations for changes in specific courses, overall curriculum, and/or policies in order to improve the program.

### **Evaluation from External Reviewers**

The program proposal was reviewed by two external experts who are nationally known for their research and practice associated with serving adults in higher education. Both commented on the program's quality and potential for success. One reviewer noted the senior research requirement as a particular strength of the curriculum. She commented that the curricular commitment to student understanding of the research process sets the program apart from many similar programs across the country. The second reviewer also mentioned the importance of the 9-credit culminating experience that includes the capstone seminar and the senior research project. In addition, this reviewer highlighted the evaluation plan as a strength of the proposal.

### **Resource Needs**

This is a fee-based, tuition supported program. UW-Oshkosh and UW-Green Bay jointly received supplemental funding from the COBE initiative. These funds will be used for startup and the initial promotion and recruitment efforts. After the first two years, program revenue will support the instructional and non-instructional costs.

Personnel costs include 1.75 FTE faculty, a .50 FTE academic staff adviser/recruiter, a .50 FTE academic staff marketing position, and a .50 FTE classified staff assistant. Supplies and equipment costs included in the non-personnel budget will cover expenses for telephone, marketing & promotional costs (printing, mailing, advertisements) and general office supplies. Travel costs are for faculty travel to the off-campus delivery location. The facility rental line reflects the estimated cost for program delivery space at FVTC.

Student fees have been calculated to meet the actual expenses of program operation, based on a projected enrollment of 25 new students each year, each of whom will enroll in nine credits per semester and six credits of summer course work. This is a reasonable projection based on the number of associate of applied science graduates in the region and the level of interest expressed in a baccalaureate completion degree. In the event that enrollments do not fulfill expectations, UW Oshkosh is committed to delivering the full program to enrolled students through other program revenue sources.

## BUDGET

### Estimated Total Costs and Resources

|                             | FIRST YEAR       |                  | SECOND YEAR      |                  | THIRD YEAR       |                  |
|-----------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>CURRENT COSTS</b>        | #FTE             | Dollars          | #FTE             | Dollars          | #FTE             | Dollars          |
| Subtotal                    | 0                | 0                | 0                | 0                | 0                | 0                |
| <b>ADDITIONAL COSTS</b>     | #FTE             | Dollars          | #FTE             | Dollars          | #FTE             | Dollars          |
| Personnel                   |                  |                  |                  |                  |                  |                  |
| Faculty                     | 1.00             | \$44,080         | 1.75             | \$79,454         | 1.75             | \$81,838         |
| Academic staff              | 1.00             | \$46,000         | 1.00             | \$47,380         | 1.00             | \$48,802         |
| Classified Staff            | <u>0.50</u>      | \$16,000         | <u>0.50</u>      | \$16,480         | <u>0.50</u>      | \$16,974         |
| <i>Fringe Benefits @40%</i> |                  | <u>\$42,432</u>  |                  | <u>\$57,326</u>  |                  | <u>\$59,046</u>  |
| Subtotal                    | 2.50             | \$148,512        | 3.25             | \$200,640        | 3.25             | \$206,660        |
| Non-personnel               |                  |                  |                  |                  |                  |                  |
| S&E                         |                  | \$12,000         |                  | \$14,000         |                  | \$15,000         |
| Travel                      |                  | \$1,008          |                  | \$1,872          |                  | \$1,872          |
| Diff.Tuition/seg.fees       |                  | \$7,500          |                  | \$13,689         |                  | \$14,703         |
| Facility Rental             |                  | <u>\$8,000</u>   |                  | <u>\$12,500</u>  |                  | <u>\$12,500</u>  |
| Subtotal                    |                  | \$28,508         |                  | \$42,061         |                  | \$44,075         |
| <b>TOTAL COSTS</b>          | <b>2.50</b>      | <b>\$177,020</b> | <b>3.25</b>      | <b>\$242,701</b> | <b>3.25</b>      | <b>\$250,735</b> |
|                             |                  |                  |                  |                  |                  |                  |
| <b>CURRENT RESOURCES</b>    | Dollars          |                  | Dollars          |                  | Dollars          |                  |
| Subtotal                    | \$0              |                  | \$0              |                  | \$0              |                  |
| <b>ADDITIONAL RESOURCES</b> |                  |                  |                  |                  |                  |                  |
| GPR reallocation            |                  |                  |                  |                  |                  |                  |
| Tuition & Fees              | \$149,400        |                  | \$267,696        |                  | \$284,420        |                  |
| COBE Grant                  | <u>\$37,500</u>  |                  | <u>0</u>         |                  | <u>0</u>         |                  |
| Subtotal                    | \$186,900        |                  | \$267,696        |                  | \$284,420        |                  |
| <b>TOTAL RESOURCES</b>      | <b>\$186,900</b> |                  | <b>\$267,696</b> |                  | <b>\$284,420</b> |                  |

## RECOMMENDATION

The University of Wisconsin System recommends approval of Resolution I.1.b.(3), authorizing the implementation of the Bachelor of Applied Studies in Leadership and Organizational Studies at UW-Oshkosh.

## RELATED REGENT POLICIES

University of Wisconsin System Academic Planning and Program Review (November 10, 1995), Academic Informational Series #1 (ACIS-1.0 revised, revised February 10, 2006).

EDUCATION COMMITTEE

Resolution I.1.d.(1):

That, upon recommendation of the Chancellors of the University of Wisconsin-Madison and the University of Wisconsin-Milwaukee and the President of the University of Wisconsin System, the Board of Regents approves the request to the Trustees of the William F. Vilas Trust Estate for \$14,831,905 for fiscal year July 1, 2007, to June 30, 2008, subject to availability, as provided by the terms of the William F. Vilas Trust, for Support of Scholarships, Fellowships, Professorships, and Special Programs in Arts and Humanities, Social Sciences, Biological Sciences, Physical Sciences and Music.

**APPROVAL OF REQUESTS TO  
TRUSTEES OF THE WILLIAM F. VILAS TRUST ESTATE  
FOR SUPPORT OF SCHOLARSHIPS, FELLOWSHIPS,  
PROFESSORSHIPS, AND SPECIAL PROGRAMS IN ARTS AND  
HUMANITIES, SOCIAL SCIENCES AND MUSIC, AND  
A SPECIAL CONSTRUCTION FUND FOR THE PROPOSED  
ENGINEERING CENTER**

**EXECUTIVE SUMMARY**

**BACKGROUND**

The terms of the Deed of Gift and Conveyance of the estate of William F. Vilas, subsequently validated and accepted by an act of the Legislature of Wisconsin, provides in part that the trustees of the estate may proffer in writing to the Board of Regents funds for the maintenance of scholarships, fellowships, professorships, with their respective auxiliary allowances, and other like endowments specifically enumerated, defined, and provided for by the Deed.

At the beginning of each calendar year, the trustees of the William F. Vilas Trust Estate formally request that the President of the UW System ask the Chancellors of UW-Madison and UW-Milwaukee to determine from the Vilas Professors the amounts they will request for special project allowances for the ensuing academic year, and to obtain from the Chairs of the UW-Madison and UW-Milwaukee music departments their programs and requests for the next year. In addition, the Chancellor of UW-Madison is asked to determine the number of scholarships, fellowships, Vilas Associates, and any other initiatives to be requested.

The proffer is made following receipt, by the trustees, of a certificate or warrant from the Board of Regents showing how the funds will be expended. This request and Resolution I.1.d.(1) constitute that warrant.

Following approval of this resolution, President Reilly will send a formal request to the trustees, who will determine the amount of income that will be available for the various awards (particularly for music, which varies with the value of the trust) and respond with a proffer of funds. The value of the proffer will be reported to the Board of Regents at its meeting in May.

**REQUESTED ACTION**

Approval of resolution I.1.d.(1), a request to the trustees of the William F. Vilas Trust Estate for \$14,831,905 for fiscal year 2007-2008 for the support of scholarships, fellowships, professorships, and special programs in arts and humanities, social sciences and music.

**DISCUSSION**

The attached document contains the responses to the trustees' request and details how the proposed funds will be expended. It has five components: (a) continuation of Trustee-approved programs, UW-Madison (\$5,368,705); (b) one-time-only program allocations, UW-Madison

(\$9,392,000); (c) support for the *Guest Artist – Performance Series* program, UW-Milwaukee (\$28,700); (d) request to fund Kumkum Sangari, Vilas Research Professor in the Department of English, UW-Milwaukee (\$40,000); and (e) continuation of the standard retirement benefit in support of Vilas Professor Emeritus Ihab Hassan, UW-Milwaukee (\$2,500).



March 27, 2007

President Kevin Reilly  
University of Wisconsin System  
1720 Van Hise Hall  
CAMPUS

Dear President Reilly:

In this memo I enumerate the request for funds from the Vilas Trust Estate for fiscal year July 1, 2007 to June 30, 2008 for the University of Wisconsin-Madison.

Our request is framed in careful accordance with the both the terms of the Vilas Trust and needs we have to fulfill the strategic goals aimed at supporting the mission of the campus as a research and teaching campus of the highest rank. We are especially mindful of the gaps in our ability to attract, retain, and support the highest quality scholars to our faculty exacerbated by recent budget cuts; and the difficulty many students have in paying for undergraduate or graduate education here because of rising tuition and increasing challenges in finding need-based aid. We have therefore taken the opportunity of the possibility of increased support from the Vilas Trust this year to shore up our ability to fight the ravages of the current budget situation to maintain the highest possible quality of faculty and students. To this end, we are asking for continuation of the programs we have submitted to Vilas in recent years and expansion of some aimed especially at attracting, retaining, and supporting the highest possible quality of research faculty and students. Our total request is \$14,760,705.

The programs for which we are requesting funding follow.

**A. CONTINUATION OF APPROVED PROGRAMS**

- |    |                                                                                                            |              |         |
|----|------------------------------------------------------------------------------------------------------------|--------------|---------|
| 1. | Continuation of 10 Vilas Undergraduate Scholarships<br>at \$400 each                                       |              | 4,000   |
| 2. | Continuation of 10 Vilas Graduate Fellowships:                                                             |              |         |
|    | a. 5 at \$600 each                                                                                         | 3,000        |         |
|    | b. 5 Traveling Fellowships at \$1,500 each                                                                 | <u>7,500</u> | 10,500  |
| 3. | Continuation of 15 Vilas Research Professors<br>at \$10,000 salary plus \$38,000 auxiliary allowances each |              | 720,000 |

Vernon Barger - Vilas Research Professor  
of Physics, College of Letters and Science

David Bethea - Vilas Research Professor  
of Slavic Languages, College of Letters and Science

William A. Brock - Vilas Research Professor  
of Economics, College of Letters and Science

William Cronon – Vilas Research Professor  
of History and Geography, College of Letters and  
Science, and Gaylord Nelson Institute for  
Environmental Studies

Richard Davidson - Vilas Research Professor  
of Psychology and Psychiatry, College of Letters and  
Science and School of Medicine and Public Health

Morton Gernsbacher – Vilas Research Professor  
of Psychology, College of Letters and Science

Robert Hauser - Vilas Research Professor  
of Sociology, College of Letters and Science

Judith Kimble - Vilas Research Professor  
of Biochemistry and Medical Genetics, College of  
Agricultural and Life Sciences and School of  
Medicine and Public Health

Ching Kung - Vilas Research Professor  
of Genetics, College of Agricultural and Life Sciences

Emiko Ohnuki-Tierney - Vilas Research Professor  
of Anthropology, College of Letters and Science

Paul Rabinowitz – Vilas Research Professor  
of Mathematics, College of Letters and Science

Elliott Sober - Vilas Research Professor  
of Philosophy, College of Letters and Science

Howard Weinbrot - Vilas Research Professor  
of English, College of Letters and Science

Erik Olin Wright - Vilas Research Professor  
of Sociology, College of Letters and Science

Sau Lan Wu - Vilas Research Professor  
of Physics, College of Letters and Science



|                                          |                                                                                                                                                                                                                                           |                  |                    |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------|
| 4.                                       | a. Continuation of 50 additional undergraduate scholarships at \$400 each                                                                                                                                                                 | 20,000           |                    |
|                                          | b. Continuation of 50 additional graduate fellowships at \$600 each                                                                                                                                                                       | <u>30,000</u>    | 50,000             |
| 5.                                       | Continuation of eighty (80) additional undergraduate scholarships at \$400 each under the provisions of Paragraph (3), Article 4 of the Deed of Gift and Conveyance by the Trustees of the Estate of William F. Vilas                     |                  | 32,000             |
| 6.                                       | Retirement benefits for eight (8) Vilas Professors: Berkowitz, Bird, Goldberger, Hermand, Keisler, Lardy, Mueller, Vansina at \$2,500 each                                                                                                |                  | 20,000             |
| 7.                                       | Continuation of support for encouragement of merit and talent or to promote appreciation of and taste for the art of music: 2007-08 Guest Artists (\$15,200) and Pro Arte Quartet Centennial Anniversary Commissioning Project (\$15,000) |                  | 30,200             |
| 8.                                       | 15 Vilas Associates in the Arts and Humanities                                                                                                                                                                                            |                  | 522,981            |
| 9.                                       | 13 Vilas Associates in the Social Sciences                                                                                                                                                                                                |                  | 492,237            |
| 10.                                      | 17 Vilas Associates in the Physical Sciences                                                                                                                                                                                              |                  | 726,749            |
| 11.                                      | 7 Vilas Associates in the Biological Sciences                                                                                                                                                                                             |                  | 210,768            |
| 12.                                      | One-time special funding for Vilas Research Professors:                                                                                                                                                                                   |                  |                    |
|                                          | David Bethea (5th year of 6-yr request-\$30,000/yr)                                                                                                                                                                                       | 30,000           |                    |
|                                          | Ching Kung                                                                                                                                                                                                                                | 65,000           |                    |
|                                          | Howard Weinbrot                                                                                                                                                                                                                           | 13,370           |                    |
|                                          | Erik Olin Wright                                                                                                                                                                                                                          | 4,000            |                    |
|                                          | Sau Lan Wu (2 requests)                                                                                                                                                                                                                   | <u>1,208,900</u> | 1,321,270          |
| 13.                                      | Continuation of 1998 and 2002 Expansion of Approved Programs:                                                                                                                                                                             |                  |                    |
|                                          | a. 940 additional undergraduate scholarships at \$400 each, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance                                                                                                    |                  | 376,000            |
|                                          | b. 800 additional fellowships at the \$600 level, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance                                                                                                              |                  | 480,000            |
| 14.                                      | Continuation of Vilas Life Cycle Professorship program created in 2005                                                                                                                                                                    |                  | <u>372,000</u>     |
| <b><u>Total Continuation Request</u></b> |                                                                                                                                                                                                                                           |                  | <b>\$5,368,705</b> |

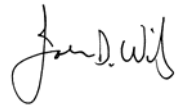
**B. ONE-TIME ONLY PROGRAM ALLOCATIONS**

- |                                                                                                                                                                                                                                                                                                                                                                                                            |                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1. 9,980 additional undergraduate scholarships of \$400 each, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance, for all undergraduates eligible for need-based grants. This is requested for approval consistent with one-time allocations previously made.                                                                                                                      | \$3,992,000        |
| 2. Create 60 Vilas Research Investigator Awards of \$40,000 each pursuant to and consistent with the intent of Article 4, Section E of the Deed of Gift and Conveyance, for the purpose of providing an annual research allocation to support graduate student pursuit of their research. This research allocation will be used to cover some educational expenses, including tuition, for these students. | \$2,400,000        |
| 3. Create 60 Vilas Faculty Recruitment and Retention Awards. These awards will average \$50,000 in flexible research funds and will assist in the critical area of recruiting and retaining the best faculty.                                                                                                                                                                                              | <u>\$3,000,000</u> |

|                                                       |                           |
|-------------------------------------------------------|---------------------------|
| <b><u>Total One Time Only Program Allocations</u></b> | <b><u>\$9,392,000</u></b> |
|-------------------------------------------------------|---------------------------|

Please let me know if you have any questions.

Sincerely,



John D. Wiley  
Chancellor

Attachments

xc: Provost Patrick Farrell  
Vice Chancellor Darrell Bazzell  
Dean Martin Cadwallader




**Academic Affairs**  
*Provost and Vice Chancellor*

Chapman 215  
PO Box 413  
Milwaukee, WI  
53201-0413  
414 229-4501 *phone*  
414 229-2481 *fax*  
[www3.uwm.edu/dept/acad\\_aff/](http://www3.uwm.edu/dept/acad_aff/)

March 21, 2007

TO: Kevin P. Reilly, President  
The University of Wisconsin System

FROM: Rita Cheng   
Provost and Vice Chancellor

RE: UW-Milwaukee 2007-08 Vilas Trust Support

Please find requests for three proposals that UW-Milwaukee is submitting for the 2007-08 Vilas Trust Funds:

1. Vilas Research Professor Kumkum Sangari, Department of English. Total Request: \$40,000.00 (\$30,000 for Research Support and \$10,000 for Salary Support)
2. Department of Music, Peck School of the Arts. "*Guest Artist – Performance Series*". Total Request: \$28,700.00
3. Continuation of the standard retirement benefit of \$2,500 in support of Vilas Emeritus Ihab Hassan.

Thank you for your continued consideration and support of these activities. Both the Departments of English and Music are appreciative of this opportunity to gain funding for both venues.

Should you have any questions, please do not hesitate to contact me or Associate Vice Chancellor Dev Venugopalan (229-4501).

c: Carlos E. Santiago, Chancellor  
Dev Venugopalan, Associate Vice Chancellor  
G. Richard Meadows, Dean, College of Letters & Science  
Robert Buckner, Dean, Peck School of the Arts

March 20, 2007

TO: Rita Cheng  
Provost and Vice Chancellor

FROM: G. Richard Meadows  
Dean

RE: 2007-2008 Vilas Trust Funds

I am requesting continuation of funds from the Vilas Trust Estate for 2007-2008 in support of Vilas Research Professor Kumkum Sangari and Vilas Professor Emeritus Ihab Hassan of the Department of English. The terms of this request are the same as for 2006-2007 and are as follows:

Kumkum Sangari: \$ 10,000 salary  
\$ 30,000 research allowance

Ihab Hassan \$ 2,500 retirement benefit

cc. Associate Vice Chancellor Dev Venugopalan  
Assistant Dean Patricia Kissinger



Peck School of the Arts  
*Dean's Office*

---

Art Building  
P.O. Box 413  
Milwaukee, WI  
53201-0413  
414 229-4762 phone  
414 229-6154 fax

March 21, 2007

**MEMORANDUM**

TO: Dev Venugopalan  
Associate Vice Chancellor

FROM: Wm. Robert Bucker *RB/mm*  
Dean, Peck School of the Arts

SUBJECT: 2007-08 Vilas Proposal

Attached is the UWM Music Department's 2007-08 Vilas Trust proposal entitled "Guest Artist - Performance Series." As detailed in the grant proposal, the department is planning a series of concerts and master classes featuring a wide range of musical styles and distinguished musicians as well as faculty, students, and alumni. The concerts and master classes will enhance the educational experiences of our students by giving them opportunities to work closely with a diverse group of distinguished musicians and specialists. The Music Department also plans to record all of these events for future use in the UWM Music Library, in music courses, and in promotion and recruitment efforts by the department.

The Vilas proposal for 2007-08 has my enthusiastic endorsement. The production of these events will help the Music Department in its efforts to diversify its curriculum. The concerts and master classes will also enrich the UWM campus as well as the greater regional community.

WRB:mm

cc: Jon Welstead  
Ed Rodriguez  
Sue Thomas



Peck School of the Arts  
*Department of Music*

---

Music Building  
P.O. Box 413  
Milwaukee, WI  
53201-0413  
414 229-4393 phone  
414 229-2776 fax

## **Vilas Proposal for 2007-08**

From: Jon Welstead  
Music Department Chair

March 16, 2007

### **Guest Artist - Performance Series**

The UWM Music Department is proposing to host a series of twelve guest artists to present concerts, classes, and workshops throughout the 2007-08 academic year. This year's proposal focuses on presenting a diversity of musical styles, periods, regions, and genres. All presentations are being coordinated with Music Department academic and performance organization calendars in order to maximize the opportunities for contact between guest artists and students.

The proposed events will augment and strengthen the Music Department's scheduled programming for 2007-08 including the Chamber Music Milwaukee, Jazz Masters, and Unruly Music series; the UWM Opera Theatre production; and the Early Music Now and Wisconsin Music Teachers Association partnership events, among others. Many of the visiting artists will support the department's undergraduate and graduate chamber music focus through coaching and master classes. The Music Department intends to record all events for iPod audio archiving in the UWM Music Library for future use in music courses and in Music Department promotional activities.

### **Proposal Features:**

- Support for concert performances and recording projects -- Chamber Music Milwaukee, Unruly Music, Early Music, Opera Theatre, Guitar Residency.
- Concerts and workshops for department's various performance areas -- piano, voice, woodwind, string, brass, jazz, and early music.

- Cristina Capparelli -- Brazilian pianist/pedagogue specialist, contemporary Latin-American music residency.
- Opera Theatre performance augmentation -- early music chamber music specialists (recorders, basso continuo) perform as part of Monteverdi's "Coronation of Poppea."
- *Thelma Trio* -- Belgium trio -- weeklong residency in connection with the Unruly Music Series; two concerts and three workshops, including a professionally presented concert of UWM graduate student composers.
- *Mathieu Dufour* -- Chicago Symphony principal flutist -- recital in connection with the Milwaukee Flute Festival; reading sessions with guest Mihoko Watanabe, Linda Nielson, and UWM flute alumni, and education workshops.
- *John Renbourn* -- World-renowned contemporary and finger-style guitarist -- five-day residency, concert, three lectures, master classes, private lessons.
- *Stephanie Samaras* -- Music theatre voice specialist -- two-day residency, lectures and demonstration in healthy 'belt voice' workshop, coaching, in conjunction with performances of the Skylight and Florentine Operas.
- *Robert Durso* -- Pianist, pedagogue, and specialist in Taubman technique who will offer solutions to pain and other related physical problems facing performance artists -- four-day workshop in conjunction with the Wisconsin Music Teachers Association.
- *Nicholas McGegan* -- Master class and combined concerts with UWM Orchestra and Chorale at UWM Zelazo Center and Saint James Cathedral, Chicago.

The ***Guest Artist – Performance Series*** provides Music Department faculty and students with opportunities to perform and document performance successes through combined orchestra and choral ensembles, Chamber Music Milwaukee, Vocal Arts, and UWM Opera recordings. This project also exposes the greater Milwaukee community to artist-performers from diverse socio-cultural backgrounds around the globe and to music composition and performance spanning many hundreds of years. This project aids the UWM Department of Music in further developing digital media materials for classroom use that demonstrate the department's successes in achieving its mission of providing the highest quality undergraduate and graduate education in music.

## Proposed Budget for Guest Artist – Performance Series —

1. *Robert Durso*, Philadelphia, pianist, specialist in *Taubman Technique* -- Four-day workshop, lecture, recital, in association with WMTA. \$2,000.00
2. *Christina Capparelli*, Brazil, pianist, contemporary Latin-American music -- Three-day workshop, lecture and recital. \$1,500.00
3. *Piano Day "Keys to the Future"* -- One day workshop focused on collaborative pedagogy and music business specialist workshop. \$1,000.00
4. *2007-08 Early Music Educational Events*, in coordination with Milwaukee's *Early Music Now*, the following three ensembles would come to campus and offer a combination of Master classes, performances and lectures. \$2,000.00

**The King's Noyse** (11 performers), Chicago ensemble of 5 strings, 4 singers, lute/guitar, percussion. Spanish secular music from 1600.

**Anne Azema & Shira Kammen** (2), Boston/Berkeley, Anne Azema sings and plays hurdy-gurdy, Shira Kammen plays vielle, rebec, and harp music from the time of the Crusades.

**Hesperus** (11), Virginia, Five members, singers, 5 play in a consort of viols, lutenist, entitled "Shameless Commerce," focus on street "callers," broadsides, and other forms of Renaissance advertising.
5. *2007-08 Woodwind Guest Artists*, \$3,000.00

**The Milwaukee Flute Festival**, *Mathieu Dufour* recital and master class by Chicago Symphony principal flutist, as well as a high school competition, educational workshops, reading sessions, vendors and performances by Caen Thomason-Redus, Mihoko Watanabe, Linda Nielsen and UWM flute alumni.

**Ricardo Morales, Clarinet**, Philadelphia Orchestra principal clarinet, will perform recital and Master class.
6. *Thelma Trio*, weeklong residency. Belgium new music ensemble, concert of new works from Europe, concert of UWM graduate composers, composer's open workshop, performance lecture workshop/demonstration, coaching ICM group. \$4,000.00
7. *2007-2008 String Guest Artists*:
  - Upper Level String Workshops** : Two string workshops focused on solo, chamber music, orchestral repertoire and featuring Rachel Barton Pine's *String Student's Library of Music by Black Composers*. \$1,500.00
  - Rachel Barton Pine/Yuan-Quing Yu**: international violinists, day-long workshop, students in Performance/ICM/String Pedagogy feature Master classes, orchestral audition workshops, concerts, lectures, and a high school competition. \$1,500.00
8. *Stephanie Samaras, Musical Theater Voice Specialist, New York, NY* *Integrating a Healthy Belt Voice with the Classical Singing Voice.* \$1,800.00  
Day 1: lecture/demonstration/master class.



Day 2: Individual Coaching – Musical Theatre repertoire  
in conjunction, Florentine Opera and Skylight Opera Theater.

- |                                                                                                                                                                                                                                                                                                        |                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 9. <i>Nicholas McGegan</i> , Performance, master class, UWM Orchestra and Concert Chorale, Zelazo Center and Saint James Cathedral, Chicago.                                                                                                                                                           | \$2,800.00       |
| 10. <i>UWM Opera Theatre</i> , augmentation of early music chamber music specialists (recorders, basso continuo) as part of Monteverdi's "Coronation of Poppea."                                                                                                                                       | \$2,000.00       |
| 11. <i>John Renbourn</i> , world-renowned contemporary and finger-style guitarist, five-day residency, concert, three lectures, master class, private lessons, Music from 1950's to present of London, Greece, folk and Celtic.                                                                        | \$4,100.00       |
| 12. <i>Audio Artifacts</i> , <i>Steven Feld</i> , Linguistics, poetics, music, aesthetics, acoustics, ecology.<br>Day 1: Lecture/Concert, compiled and composed from around the planet.<br>Day 2: Lecture/Master class in audio anthropology, Composition, Musicology, Jazz, Film, Dance, Digital Art. | \$1,400.00       |
| 13. <i>Promotion</i> (additional posters)                                                                                                                                                                                                                                                              | <u>\$ 100.00</u> |

**Guest Artist - Performance Series Total:**

**\$28,700.00**

EDUCATION COMMITTEE

Resolution I.1.d.(2):

That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents accepts the 2005-2006 Minority and Disadvantaged Student Annual Report for submission to the Governor and to the Chief Clerk of each house of the Legislature, pursuant to s.36.25 (14m) (c), Wis. Stats., for distribution to the appropriate standing committee under s.13.172 (3) Wis. Stats.

## 2005-06 MINORITY AND DISADVANTAGED STUDENT ANNUAL REPORT

### EXECUTIVE SUMMARY

#### BACKGROUND

The 2005-06 Minority and Disadvantaged Student Annual Report fulfills the requirement in Section 36.25 (14m)(c) of the Wisconsin State Statutes that the Board of Regents report annually on its pre-college, recruitment, and retention plan for multicultural and economically disadvantaged students. This is the eighth minority and disadvantaged student annual report under the Board of Regents-approved *Plan 2008: Educational Quality Through Racial and Ethnic Diversity*. The information contained in this report responds to the statutory requirement, and reflects some, but not all of the initiatives and activities in Plan 2008. The report includes information on the following:

- ❑ Pre-college initiatives and activities;
- ❑ Expenditures for multicultural and economically disadvantaged student programs;
- ❑ Student financial assistance data.

The programs implemented by the University do not distinguish between minority and disadvantaged students; that is, if a student qualifies for these programs, he or she is eligible for all services required under the statute. Therefore, the University only tracks expenditures within the program parameters established by statute.

- ❑ Minority and disadvantaged student<sup>1</sup> programs comprised less than 1 percent of total 2005-06 University of Wisconsin System expenditures.
- ❑ Expenditures for these programs are approximately one-tenth of the total systemwide expenditures on student services.
- ❑ MD institutional scholarships comprised less than a quarter of a percent of total 2005-06 University of Wisconsin System expenditures.

The UW System's complete plan for pre-college programming for, and the recruitment and retention of multicultural and economically disadvantaged students is incorporated in *Plan 2008: Educational Quality Through Racial and Ethnic Diversity*, in which the targeted race/ethnic groups include African Americans, American Indians, Hispanic/Latino Americans, and statutorily defined Southeast Asians.<sup>2</sup> A detailed evaluation of Plan 2008 was presented to

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<sup>1</sup> Within the University of Wisconsin System, the term "disadvantaged" refers to students who are low-income first generation students, and students who can provide evidence that they are from a nontraditional or disadvantaged environment (i.e., educational, economic, social or environmental disadvantages). With respect to race/ethnic groups, "multicultural" targeted groups in UW System has referred to students who are U.S. citizens or permanent residents of African-American, Hispanic/Latino, American Indian, or Asian-American, particularly South East Asian heritage.

<sup>2</sup> By statute, Southeast Asians are defined as persons who were admitted to the United States after December 31, 1975, and who either are former citizens of Laos, Vietnam, or Cambodia or whose ancestors were or are citizens of Laos, Vietnam, or Cambodia.

the Board of Regents in October 2001, as required by Board policy. In April 2004, a mid-point review and assessment of institutional progress to achieve the goals and objectives of Plan 2008 Phase I (1999-2003), including recruitment and retention of multicultural students, was presented to the Board of Regents along with the M & D report. The Board will hear a progress report on Plan 2008 during the spring 2007.

#### **REQUESTED ACTION**

Approval of Resolution I.1.d.(2), accepting the 2005-06 Minority and Disadvantaged Student Annual Report and authorizing its submission to the Governor and the Chief Clerk of each house of the Legislature for distribution to the appropriate standing committees under s.13.172(3) Wis. Stats.



# **The University of Wisconsin System**

## **2005-06 Minority and Disadvantaged Student Annual Report**

**March 2007**

(Presented pursuant to Section 36.25 (14m) (c) of the Wisconsin State Statutes)

## **SUMMARY AND HIGHLIGHTS**

### **Precollege Initiatives and Activities**

University of Wisconsin institutions support a large and diverse array of precollege programs to enlarge the pool of multicultural<sup>3</sup> and economically disadvantaged students in Wisconsin and prepare them for college. Through these precollege programs, UW institutions provide opportunities for academic skills enrichment, introduction to college life, and career exploration. Funding for targeted students to attend precollege programs is provided by a consortium of sources, including the UW System, federal TRIO programs, the Department of Public Instruction's (DPI) Scholarship Program, and private dollars. In 2005-06, 16,431 students participated in precollege programs in UW System institutions.

### **Program Funding**

The state and federal governments, through general program revenue, gifts, and grants, provide program funding for multicultural and economically disadvantaged students. The 1987-89 Wisconsin Biennial Budget Act created an appropriation under Section 20.285 (4)(a) to provide funding for these programs (referred to as Fund 402).

Multicultural/Disadvantaged Programs implemented by the University do not distinguish between minority and disadvantaged students; that is, if a student qualifies for these programs, he or she is eligible for all services required under the statute. Therefore, the University only tracks expenditures within the program parameters established by statute.

- ❑ Minority and disadvantaged student<sup>4</sup> programs comprised less than 1 percent of total 2005-06 University of Wisconsin System expenditures.
- ❑ Expenditures for these programs are approximately one-tenth of the total systemwide expenditures on student services.
- ❑ MD institutional scholarships comprised less than a quarter of a percent of total 2005-06 University of Wisconsin System expenditures.

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<sup>3</sup> The terms "minority," "people of color," and "multicultural" are used interchangeably in current practice.

<sup>4</sup> Within the University of Wisconsin System, the term "disadvantaged" refers to students who are low-income first generation students, and students who can provide evidence that they are from a nontraditional or disadvantaged environment (i.e., educational, economic, social or environmental disadvantages). With respect to race/ethnic groups, "multicultural" targeted groups in UW System has referred to students who are U.S. citizens or permanent residents of African-American, Hispanic/Latino, American Indian, or Asian-American, particularly South East Asian heritage.

All UW institutions obtain extramural support to supplement government funding for these programs:

- ❑ In 2005-06, UW System institutions expended approximately \$45.8 million from all funding sources for multicultural and disadvantaged student programs. Approximately \$27.1 million of these funds were raised by the institutions from extramural and non-government sources; and approximately \$10.3 million of these funds were allocated from UW System institution's budgets.
- ❑ During 2005-06, the UW System expended just over \$8.4 million from Fund 402.<sup>5</sup> Based on institutional estimates, Fund 402 dollars were distributed toward retention activities (62 percent or \$4.9 million); precollege programs and activities (21 percent or \$1.7 million); and recruitment (17 percent or \$1.3 million).

### **Student Financial Aid**

In 2005-06, financial aid was provided to 65 percent (105,523 students) of the students enrolled at University of Wisconsin institutions. In addition to the general financial aid programs offered to students, two other financial aid sources are available to multicultural and economically disadvantaged students: the Lawton Undergraduate Minority Retention Grant (LUMRG) for undergraduate students; and the Advanced Opportunity Program (AOP) grant for graduate students.

- ❑ In 2005-06, a total of 12,503 multicultural students in the UW System received financial assistance. Of these:
  - 3,121 students received LUMRG grants. The average LUMRG award was \$1,678. 3,098 of LUMRG recipients were multicultural students.<sup>6</sup>
  - 568 students received AOP grants. The average AOP award was \$10,717. 422 of the AOP recipients were multicultural students.

Less than 12 percent of the total financial aid provided to University of Wisconsin students in 2005-06 was provided to multicultural students (12,503 students).<sup>7</sup>

## **SECTION I: UW SYSTEM M/D PRECOLLEGE ACTIVITIES**

UW System institutions provide various precollege, recruitment, and retention programs for multicultural students. Effective precollege programs expand the pool of high school graduates who apply to the UW System. Participation in precollege programs increases the probability of multicultural students graduating from high school.

Data from the 1998 Plan 2008 planning process stressed the importance of precollege activities for all targeted multicultural groups, which include African Americans, Hispanic/Latinos, American Indians, and Asian Americans, with an emphasis on Southeast Asian Americans. Then and now, research shows that college remains a seemingly unattainable goal

<sup>5</sup> Fund 402 is defined in the state statutes under s.20.285 which states that (a) "The board shall allocate funds under s.20.285 (4)(a) to fund programs for recruiting minority and disadvantaged students and to fund programs for minority and disadvantaged students enrolled in the system." This figure only includes Fund 402 expenditures for UW institutions.

<sup>6</sup> Multicultural student figures include target groups only, not missing or other students (Table 3).

<sup>7</sup> See Appendix A

for many youth of color in Wisconsin and nationally. A lower high school completion rate, inadequate financial aid, and a lack of precollege opportunities contribute to low college enrollment and graduation rates for multicultural students. UW System institutions work vigorously to provide youth of color with the necessary prerequisites, information, and academic skills for access to higher education through precollege programs.

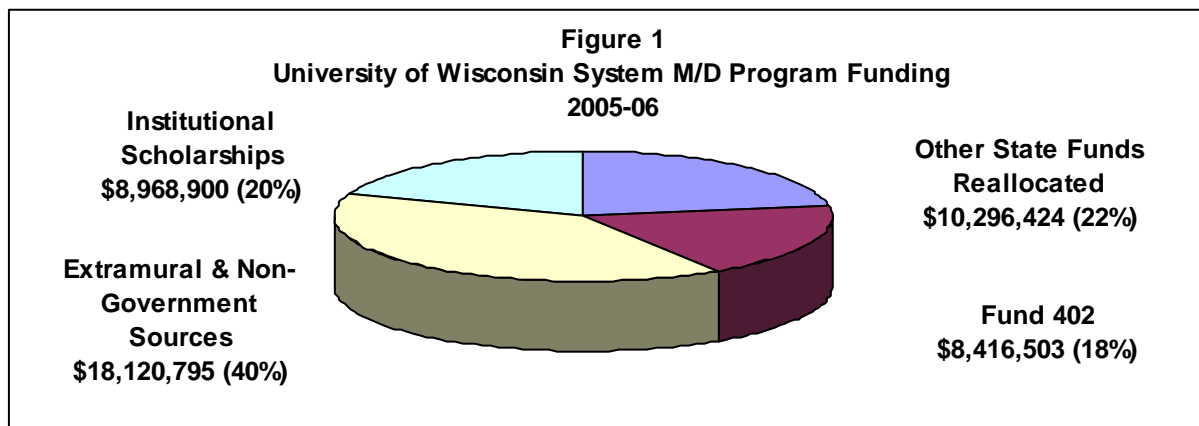
In 2005-06, UW institutions served 16,431 precollege students and expended more than \$7.9 million in state Fund 402 dollars (Figure 1 and Table 1). Approximately 21 percent of these dollars were expended on precollege activities.

### **UW System Program Funding**

The state and federal governments provide program funding for multicultural and economically disadvantaged students through General Program Revenue (GPR) and grants. The institutions also raise extramural funds (Figure 1 and Table 1). The 1987-88 biennial budget act [Wis. Stats. 20.285 (4)(a)] created an appropriation designated as Fund 402, specifically for multicultural and economically disadvantaged students.

In 2005-06, the state budget allocation designated specifically for minority/disadvantaged programs (Fund 402) was slightly over \$8.4 million. Table 1 lists all 2005-06 GPR and non-GPR funds expended for multicultural and economically disadvantaged student programs, including institutional expenditures from the appropriation under Fund 402.

Of all UW System minority/disadvantaged funding, \$27.1 million (60 percent) was raised by UW System institutions from institutional scholarships, extramural, and non-government sources. Eighteen percent of Minority and Disadvantaged program dollars are from Fund 402, and are dedicated to diversity activities; the remaining 22 percent are state funds allocated by UW institutions from their base budgets (Figure 1).



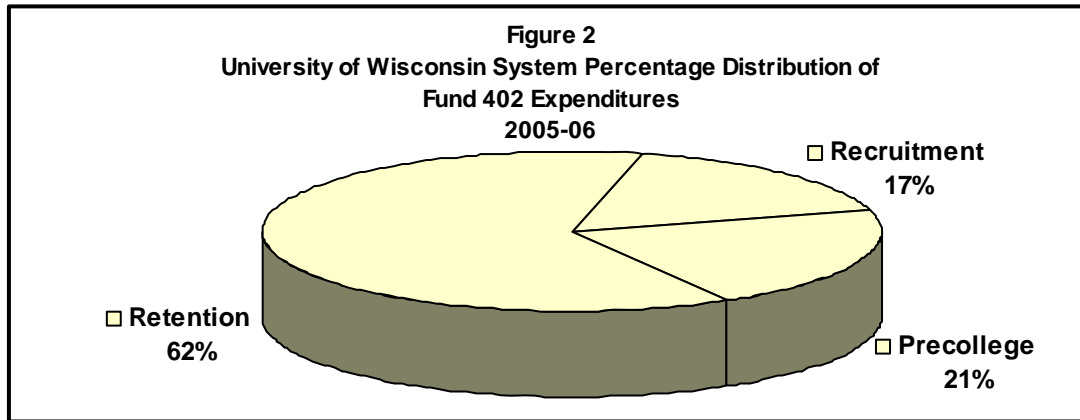
Source: UW System Office of Budget and Planning

Fund 402 includes funding for precollege, recruitment and retention activities, and related administrative expenses. Precollege activities encourage and prepare K-12 students to pursue post-secondary education. Recruitment activities increase new UW System student applications and, ultimately, enrollment. Retention activities assist students in making satisfactory academic progress and in completing their degrees.



At UW institutions, Multicultural/Disadvantaged (M/D) offices and other institutional entities provide a wide variety of academic, co-curricular, precollege, recruitment, retention, orientation, academic counseling, referral, tutorial services, and socio-cultural activities. M/D offices often serve as resource centers for multicultural and economically disadvantaged students, as well as the larger campus community.

In 2005-06, 62 percent of Fund 402 dollars were expended on retention, 17 percent on recruitment, and 21 percent on precollege activities (Figure 2).



Source: UW System Office of Budget and Planning

**Table 1**  
**UW System Minority/Disadvantaged Program Funding <sup>1</sup>**  
**2005-06 All Fund Expenditures**

|               | 2004-05                                  | 2005-06                                  |                                                                 |                                                     |                  |                                      |                                         |
|---------------|------------------------------------------|------------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------|------------------|--------------------------------------|-----------------------------------------|
| Institution   | Total Program Funds<br>&<br>Scholarships | Total Program Funds<br>&<br>Scholarships | Fund 402 M/D<br>Appropriation<br>20.285 (4) (a)<br>Expenditures | Other State Funds<br>Reallocated to<br>M/D Programs | Extramural Funds | Total M/D Program Funds <sup>2</sup> | Institutional Scholarships <sup>3</sup> |
| Madison       | \$16,928,426                             | \$20,745,401                             | \$1,785,935                                                     | \$7,021,267                                         | \$4,291,513      | \$13,098,715                         | \$7,646,686                             |
| Milwaukee     | \$10,027,570                             | \$9,130,012                              | \$2,252,219                                                     | \$1,564,698                                         | \$4,667,329      | \$8,484,246                          | \$645,766                               |
| Eau Claire    | \$1,876,585                              | \$1,816,391                              | \$235,505                                                       | \$205,066                                           | \$1,236,106      | \$1,676,677                          | \$139,714                               |
| Green Bay     | \$1,251,582                              | \$1,155,641                              | \$150,633                                                       | \$97,649                                            | \$557,359        | \$805,641                            | \$350,000                               |
| La Crosse     | \$1,984,496                              | \$2,129,395                              | \$233,939                                                       | \$373,892                                           | \$1,453,722      | \$2,061,552                          | \$67,843                                |
| Oshkosh       | \$1,061,205                              | \$1,013,828                              | \$516,570                                                       | \$19,769                                            | \$440,527        | \$976,866                            | \$36,962                                |
| Parkside      | \$1,085,648                              | \$950,704                                | \$344,521                                                       | \$104,186                                           | \$459,748        | \$908,455                            | \$42,249                                |
| Platteville   | \$574,950                                | \$571,279                                | \$163,264                                                       | \$138,727                                           | \$269,287        | \$571,279                            | \$0                                     |
| River Falls   | \$968,274                                | \$1,117,823                              | \$171,149                                                       | \$34,585                                            | \$912,089        | \$1,117,823                          | \$0                                     |
| Stevens Point | \$1,131,087                              | \$1,167,435                              | \$299,497                                                       | \$144,607                                           | \$723,331        | \$1,167,435                          | \$0                                     |
| Stout         | \$1,298,828                              | \$1,263,551                              | \$340,246                                                       | \$120,814                                           | \$767,691        | \$1,228,751                          | \$34,800                                |
| Superior      | \$1,021,545                              | \$1,026,488                              | \$165,345                                                       | \$160,518                                           | \$700,624        | \$1,026,488                          | \$0                                     |
| Whitewater    | \$2,022,359                              | \$1,861,994                              | \$860,480                                                       | \$50,630                                            | \$950,883        | \$1,861,994                          | \$0                                     |
| Colleges      | \$1,012,402                              | \$987,147                                | \$279,934                                                       | \$56,833                                            | \$645,499        | \$982,267                            | \$4,880                                 |
| Extension     | \$134,297                                | \$128,192                                | \$102,041                                                       | \$26,151                                            | \$0              | \$128,192                            | \$0                                     |

|              |              |              |             |              |              |              |             |
|--------------|--------------|--------------|-------------|--------------|--------------|--------------|-------------|
| Systemwide   | \$937,324    | \$737,341    | \$515,223   | \$177,032    | \$45,086     | \$737,341    | \$0         |
| <b>Total</b> | \$43,316,578 | \$45,802,622 | \$8,416,503 | \$10,296,424 | \$18,120,795 | \$36,833,722 | \$8,968,900 |

<sup>1</sup> Does not include fringe benefits. Also excludes Advanced Opportunity Program, Lawton Undergraduate Minority Retention Grants, and other financial aid allocated by UW System to the institutions. Includes precollege and institutional scholarships.

<sup>2</sup> Includes program revenue funds from auxiliaries and special courses.

<sup>3</sup> Reflects institution-awarded scholarships that go through institutional accounts. Does not reflect scholarships administered by foundations.

Source: UW System Office of Budget and Planning

## SECTION II: STUDENT FINANCIAL ASSISTANCE<sup>8</sup>

Financial aid was one of the three highest priorities cited by UW System faculty, staff, multicultural students, and communities of color during the development of Plan 2008. It is crucial to the successful recruitment, retention, and graduation of multicultural and economically disadvantaged students.

In 2005-06, 105,523 UW System students received average aid of \$7,854 (Table 2). In the UW System, 12,503 multicultural students received financial aid. During that same period, 83 percent of multicultural students had demonstrated financial need, based on the Federal Needs analysis methodology, while 67 percent of white students had demonstrated financial need.

The combined average aid provided for multicultural students was \$9,978; higher financial need among multicultural students results in higher aid awarded. Of the aid awarded to multicultural students, 50 percent was in the form of loans and 48 percent was in the form of grants with the remainder consisting of work aid. In contrast, 72 percent of aid was in the form of loans and 27 percent in the form of grants for white students.

**Table 2**  
**UW System Financial Aid Recipients' Need Profile by Race/Ethnicity**  
**2005-06**

|                  | Number of Recipients | <sup>1, 2</sup> Average Financial Aid Need | <sup>1, 2</sup> Average Financial Aid Received | <sup>3</sup> Percent of Aid in Grants | *Percent of Aid in Loans |
|------------------|----------------------|--------------------------------------------|------------------------------------------------|---------------------------------------|--------------------------|
| Asian            | 4,184                | \$13,759                                   | \$9,291                                        | 51%                                   | 46%                      |
| African American | 4,406                | \$14,742                                   | \$10,912                                       | 46%                                   | 52%                      |
| American Indian  | 1,047                | \$12,574                                   | \$9,935                                        | 59%                                   | 40%                      |
| Latino/Hispanic  | 2,866                | \$13,482                                   | \$9,559                                        | 43%                                   | 55%                      |
| <b>Subtotal</b>  | <b>12,503</b>        | <b>\$13,973</b>                            | <b>\$9,978</b>                                 | <b>48%</b>                            | <b>50%</b>               |
| Unknown          | 3,103                | \$15,443                                   | \$7,988                                        | 32%                                   | 67%                      |
| White            | 89,917               | \$10,210                                   | \$7,554                                        | 23%                                   | 76%                      |
| <b>Total</b>     | <b>105,523</b>       | <b>\$10,861</b>                            | <b>\$7,854</b>                                 | <b>27%</b>                            | <b>72%</b>               |

<sup>1</sup> - Average financial need is based on students with need as defined by federal methodology.

<sup>2</sup> - Averages are compiled based on individuals, not categories.

<sup>3</sup> - Work aid comprised the remaining percentage of financial aid.

Source: UW System Office of Budget and Planning

<sup>8</sup> Additional financial aid program descriptions and statistics can be found in the 2005-06 Student Financial Aid Informational Memorandum published in January 2007 by the Office of Policy Analysis and Research.

### **Minority/Disadvantaged Financial Aid Programs**

UW System administers two financial aid programs that target multicultural and economically disadvantaged students. The Lawton Undergraduate Minority Retention Grant (LUMRG) Program provides assistance to degree-seeking undergraduates, and the Advanced Opportunity Program (AOP) awards are for students seeking advanced degrees.

In 2005-06, the LUMRG program provided assistance to 3,121 undergraduates, with an average award of \$1,678. The AOP program provided assistance to 568 graduate students seeking advanced degrees, with an average award of \$10,717 (Table 3).

**Table 3**  
**UW System Minority and Disadvantaged Student Financial Aid Programs**  
**2005-06**

|                  | Lawton Undergraduate Minority Retention Grant (LUMRG) |            | Advanced Opportunity Program (AOP) |            |
|------------------|-------------------------------------------------------|------------|------------------------------------|------------|
|                  | # Recipients                                          | Average \$ | # Recipients                       | Average \$ |
| African American | 1,114                                                 | \$1,702    | 199                                | \$10,261   |
| Hispanic         | 726                                                   | \$1,653    | 122                                | \$13,325   |
| American Indian  | 253                                                   | \$1,483    | 32                                 | \$12,005   |
| Asian American   | 1,005                                                 | \$1,723    | 69                                 | \$10,313   |
| Unknown          | 23                                                    | \$1,478    | 52                                 | \$14,024   |
| White            | n/a                                                   | n/a        | 94                                 | \$6,323    |
| Total            | 3,121                                                 | \$1,678    | 568                                | \$10,717   |

### **The Lawton Undergraduate Minority Retention Grant (LUMRG) Program**

The LUMRG Program began in 1986-87, and provides need-based assistance to African American, Hispanic/Latino, American Indian, and statutorily defined Southeast Asian American students who are U.S. citizens or permanent residents. Eligible students may be sophomores, juniors, or seniors who are Wisconsin residents or Minnesota Reciprocity students. Students must be enrolled in six or more credits and in good standing. The LUMRG program replaces loan aid with grant aid when possible. For additional information on undergraduate financial aid, see Appendix B.

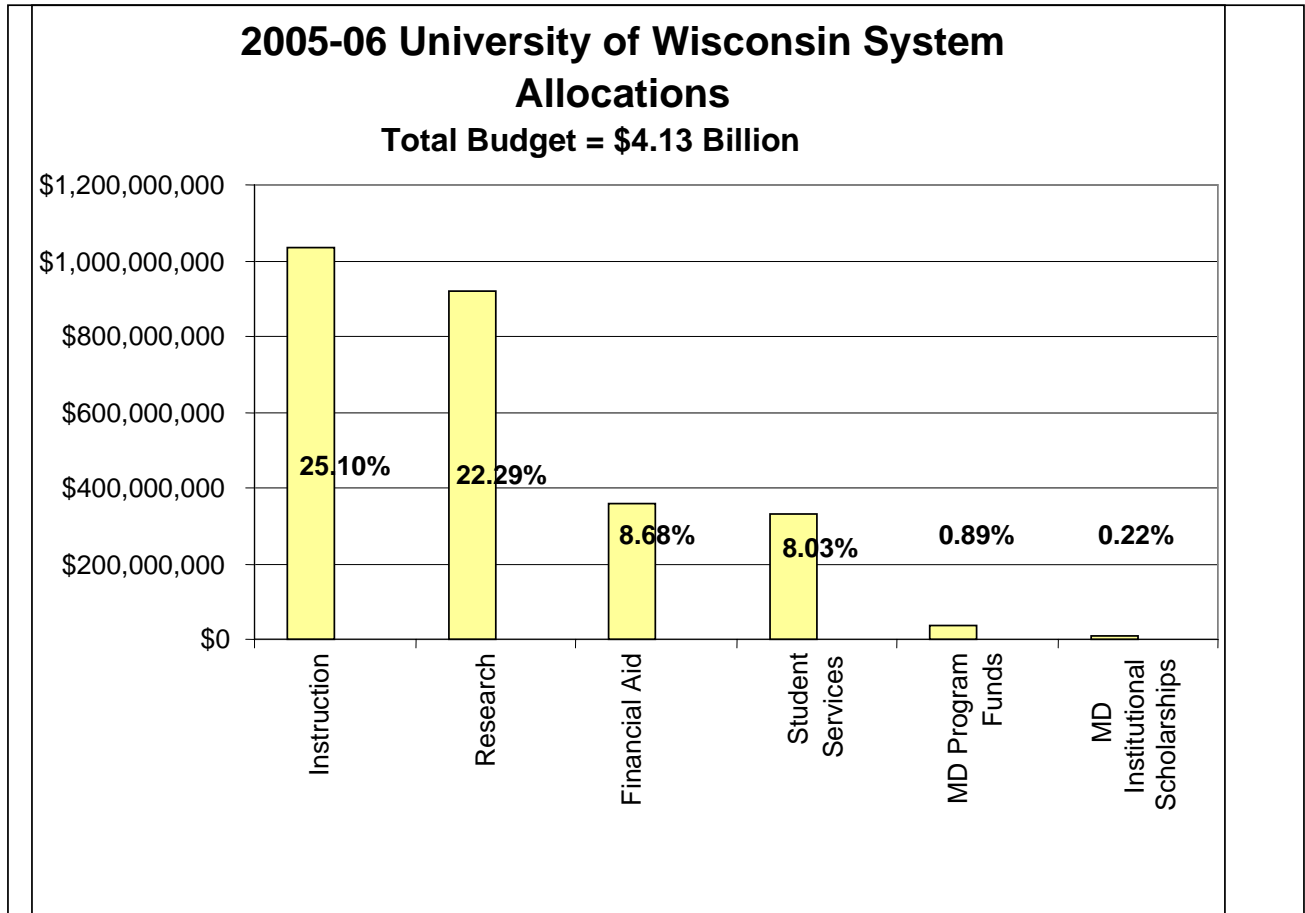
In 2005-06, students could receive LUMRG grants up to a maximum of \$3,000 per year, and were eligible for up to four years of LUMRG awards. Financial need for the LUMRG is determined by the standard federal methodology. LUMRG grants are awarded on a "last dollar" basis; all other grants or fellowships are awarded first. The total fund amount in 2005-06 was \$5.2 million. For additional information on undergraduate level financial aid, see Appendix B.

### **The Advanced Opportunity Program (AOP)**

The AOP Program began in 1973-74 to promote the recruitment and retention of multicultural and economically disadvantaged students seeking degrees at the graduate and advanced professional levels. Eligible students must be U.S. citizens or permanent residents, with preference given to Wisconsin residents. The total fund amount in 2005-06 was \$6.1 million. For additional information on graduate level financial aid, see Appendix C.

## **APPENDICES**

## Appendix A



## Appendix B

### Undergraduate Financial Aid

|                         |             | Financial Need |               | Total Aid |               | Grants |               | Loans  |               |
|-------------------------|-------------|----------------|---------------|-----------|---------------|--------|---------------|--------|---------------|
| Undergraduate           |             | #              | \$            | #         | \$            | #      | \$            | #      | \$            |
| Asian American          | Dependent   | 2,473          | \$30,743,948  | 2,765     | \$24,499,573  | 2,230  | \$13,933,519  | 1,890  | \$9,788,497   |
|                         | Independent | 771            | \$10,800,363  | 784       | \$7,715,385   | 681    | \$3,954,184   | 582    | \$3,635,367   |
|                         | Unknown     | 0              | \$0           | 239       | \$1,074,094   | 214    | \$777,251     | 25     | \$250,919     |
|                         | Total       | 3,244          | \$41,544,311  | 3,788     | \$33,289,052  | 3,125  | \$18,664,954  | 2,497  | \$13,674,783  |
|                         |             |                |               |           |               |        |               |        |               |
| African American        | Dependent   | 2,018          | \$26,793,499  | 2,301     | \$22,390,005  | 1,872  | \$11,731,479  | 2,001  | \$10,249,781  |
|                         | Independent | 1,361          | \$20,066,058  | 1,381     | \$15,377,122  | 1,224  | \$6,730,240   | 1,247  | \$8,505,256   |
|                         | Unknown     | 0              | \$0           | 156       | \$1,524,865   | 140    | \$1,298,682   | 21     | \$201,683     |
|                         | Total       | 3,379          | \$46,859,557  | 3,838     | \$39,291,992  | 3,236  | \$19,760,401  | 3,269  | \$18,956,720  |
|                         |             |                |               |           |               |        |               |        |               |
| American Indian         | Dependent   | 392            | \$3,865,677   | 530       | \$4,566,332   | 430    | \$2,629,644   | 382    | \$1,887,152   |
|                         | Independent | 336            | \$4,458,954   | 353       | \$3,690,936   | 327    | \$2,300,883   | 233    | \$1,359,890   |
|                         | Unknown     | 0              | \$0           | 47        | \$397,688     | 42     | \$334,077     | 4      | \$51,311      |
|                         | Total       | 728            | \$8,324,631   | 930       | \$8,654,956   | 799    | \$5,264,604   | 619    | \$3,298,353   |
|                         |             |                |               |           |               |        |               |        |               |
| Latin Hispanic American | Dependent   | 1,265          | \$14,367,303  | 1,613     | \$13,653,298  | 1,120  | \$5,781,780   | 1,348  | \$7,592,722   |
|                         | Independent | 649            | \$8,745,692   | 665       | \$6,992,602   | 569    | \$3,187,495   | 560    | \$3,744,358   |
|                         | Unknown     | 0              | \$0           | 205       | \$1,121,442   | 196    | \$992,264     | 13     | \$120,044     |
|                         | Total       | 1,914          | \$23,112,995  | 2,483     | \$21,767,342  | 1,885  | \$9,961,539   | 1,921  | \$11,457,124  |
|                         |             |                |               |           |               |        |               |        |               |
| Unknown                 | Dependent   | 634            | \$6,218,503   | 1,157     | \$6,243,520   | 724    | \$1,755,319   | 754    | \$4,369,718   |
|                         | Independent | 494            | \$6,148,198   | 539       | \$5,217,332   | 340    | \$1,655,856   | 454    | \$3,502,037   |
|                         | Unknown     | 0              | \$0           | 529       | \$2,713,213   | 488    | \$2,269,763   | 89     | \$443,450     |
|                         | Total       | 1,128          | \$12,366,701  | 2,225     | \$14,174,065  | 1,552  | \$5,680,938   | 1,297  | \$8,315,205   |
|                         |             |                |               |           |               |        |               |        |               |
| White                   | Dependent   | 39,367         | \$315,734,879 | 59,738    | \$396,235,034 | 24,858 | \$79,132,450  | 54,168 | \$308,177,292 |
|                         | Independent | 14,248         | \$173,796,201 | 14,921    | \$142,226,251 | 10,808 | \$50,110,490  | 13,120 | \$90,746,684  |
|                         | Unknown     | 0              | \$0           | 6,379     | \$25,224,771  | 5,627  | \$17,183,396  | 790    | \$7,318,763   |
|                         | Total       | 53,615         | \$489,531,080 | 81,038    | \$563,686,056 | 41,293 | \$146,426,336 | 68,078 | \$406,242,739 |

Source: Office of Policy Analysis and Research



# Appendix C

## Graduate Financial Aid

|                         |             | Total Need |               | Total Aid |               | Grants |             | Loans |               |
|-------------------------|-------------|------------|---------------|-----------|---------------|--------|-------------|-------|---------------|
| Graduate                |             | #          | \$            | #         | \$            | #      | \$          | #     | \$            |
| Asian American          | Dependent   | 0          | \$0           | 8         | \$27,973      | 8      | \$27,973    | 0     | \$0           |
|                         | Independent | 265        | \$6,735,544   | 275       | \$4,948,227   | 108    | \$754,176   | 253   | \$4,150,540   |
|                         | Unknown     | 0          | \$0           | 113       | \$609,440     | 112    | \$570,440   | 1     | \$39,000      |
|                         | Total       | 265        | \$6,735,544   | 396       | \$5,585,640   | 228    | \$1,352,589 | 254   | \$4,189,540   |
|                         |             |            |               |           |               |        |             |       |               |
| African American        | Dependent   | 2          | \$20,935      | 2         | \$24,529      | 1      | \$1,461     | 2     | \$23,068      |
|                         | Independent | 477        | \$9,994,918   | 506       | \$8,145,822   | 232    | \$1,910,541 | 454   | \$6,199,768   |
|                         | Unknown     | 0          | \$0           | 60        | \$615,630     | 58     | \$602,130   | 2     | \$13,500      |
|                         | Total       | 479        | \$10,015,853  | 568       | \$8,785,981   | 291    | \$2,514,132 | 458   | \$6,236,336   |
|                         |             |            |               |           |               |        |             |       |               |
| American Indian         | Dependent   | 0          | \$0           | 5         | \$7,842       | 5      | \$7,842     | 0     | \$0           |
|                         | Independent | 89         | \$1,948,495   | 96        | \$1,572,555   | 70     | \$693,206   | 76    | \$875,262     |
|                         | Unknown     | 0          | \$0           | 16        | \$166,151     | 16     | \$166,151   | 0     | \$0           |
|                         | Total       | 89         | \$1,948,495   | 117       | \$1,746,548   | 91     | \$867,199   | 76    | \$875,262     |
|                         |             |            |               |           |               |        |             |       |               |
| Latin Hispanic American | Dependent   | 0          | \$0           | 3         | \$5,793       | 3      | \$3,043     | 1     | \$2,750       |
|                         | Independent | 268        | \$6,305,047   | 282       | \$4,765,065   | 128    | \$1,129,611 | 252   | \$3,595,787   |
|                         | Unknown     | 0          | \$0           | 98        | \$858,644     | 94     | \$799,144   | 5     | \$59,500      |
|                         | Total       | 268        | \$6,305,047   | 383       | \$5,629,502   | 225    | \$1,931,798 | 258   | \$3,658,037   |
|                         |             |            |               |           |               |        |             |       |               |
| Unknown                 | Dependent   | 0          | \$0           | 0         | \$0           | 0      | \$0         | 0     | \$0           |
|                         | Independent | 437        | \$11,801,486  | 464       | \$9,212,203   | 141    | \$975,281   | 440   | \$8,106,955   |
|                         | Unknown     | 0          | \$0           | 414       | \$1,401,154   | 401    | \$1,222,120 | 14    | \$179,034     |
|                         | Total       | 437        | \$11,801,486  | 878       | \$10,613,357  | 542    | \$2,197,401 | 454   | \$8,285,989   |
|                         |             |            |               |           |               |        |             |       |               |
| White                   | Dependent   | 8          | \$76,202      | 275       | \$258,130     | 262    | \$158,647   | 13    | \$99,483      |
|                         | Independent | 6,979      | \$129,124,660 | 7,505     | \$112,259,300 | 1,383  | \$4,254,747 | 7,306 | \$107,069,049 |
|                         | Unknown     | 0          | \$0           | 1,099     | \$3,041,208   | 1,056  | \$2,674,937 | 48    | \$366,271     |
|                         | Total       | 6,987      | \$129,200,862 | 8,879     | \$115,558,638 | 2,701  | \$7,088,331 | 7,367 | \$107,534,803 |

Source: Office of Policy Analysis and Research

## Appendix D

### M/D Budget and Expenditure Comparisons 1998-99 to 2005-06

|                            | <u>1998-99</u>     | <u>2005-06</u>     | <u>%<br/>Change</u> |
|----------------------------|--------------------|--------------------|---------------------|
| Students of Color          | 11,891             | 14,931             | 25.57%              |
| Fund 402                   | \$5,939,563        | \$8,416,503        | 41.70%              |
| Other State Funds          |                    |                    |                     |
| Reallocated                | \$5,635,578        | \$10,296,424       | 82.70%              |
| Extramural Funds           | \$7,907,964        | \$18,120,795       | 129.15%             |
| Institutional Scholarships | <u>\$3,100,459</u> | <u>\$8,533,498</u> | <u>175.23%</u>      |
| Total M/D Funds            | \$22,583,564       | \$45,367,220       | 100.89%             |
| Total Budget (All Funds)   | \$2,721,789,178    | \$4,130,326,633    | 51.75%              |
| GPR/Fee Total Budget       | \$1,361,994,343    | \$1,851,396,140    | 35.93%              |

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

I.2. Business, Finance, and Audit Committee

Thursday, April 12, 2007  
Reeve Memorial Union, Room 227  
UW-Oshkosh

10:00 a.m. All Regents

- UW-Oshkosh Presentation: Collaboration in Action – Building a Regional Model
  - Chancellor Wells' Welcome and Overview
  - New ERA – “Model University Center?”

11:00 a.m. Education Committee – All Regents Invited

- The Equity Scorecard Project: Institutional Engagement and Learning to Achieve Equity and Excellence in Educational Outcomes

12:30 p.m. Box Lunch

1:00 p.m. Physical Planning and Funding Committee – All Regents Invited

- 2007-09 Capital Budget – Building Commission Recommendations

1:30 p.m. Business, Finance, and Audit Committee – Reeve Memorial Union, Room 306

- a. Approval of Minutes of the March 8, 2007 Meeting of the Business, Finance, and Audit Committee
- b. UW-Oshkosh Presentation: “UW-Oshkosh’s Role in Northeast Wisconsin’s Growth Agenda: Diversifying our Revenue Sources”
- c. Evaluation of Targeted Tuition Programs and Extension of Return to Wisconsin Program  
[Resolution I.2.c.]
- d. Review and Approval of Selected Differential Tuition Programs
  - (1) UW-Oshkosh – Reaffirmation and Extension of Campus-wide Differential Tuition  
[Resolution I.2.d.(1)]
  - (2) UW-River Falls – Campus-wide Differential Tuition Proposal  
[Resolution I.2.d.(2)]
  - (3) UW-Madison - School of Business Differential Tuition Proposal  
[Resolution I.2.d.(3)]

- e. Consideration of Salary Adjustments for Senior Academic Leaders to address Recruitment and Retention Challenges for Chancellors at UW Colleges/UW-Extension and UW-Eau Claire and a Provost at UW-Whitewater  
[Resolution I.2.e.]
- f. Trust Funds
  - (1) Annual Endowment Peer Benchmarking Report
  - (2) Voting of 2007 Non-Routine Proxy Proposals  
[Resolution I.2.f.(2)]
  - (3) Acceptance of Bequests over \$50,000  
[Resolution I.2.f.(3)]
- g. Committee Business
  - (1) UW-Madison Division of Intercollegiate Athletics Contract with Learfield Communications  
[Resolution I.2.g.(1)]
  - (2) University of Wisconsin System Public Records Management Policy  
[Resolution I.2.g.(2)]
  - (3) New Format for the Regent Policy Documents  
[Resolution I.2.g.(3)]
- h. Report of the Vice President
- i. Additional items, which may be presented to the Committee with its approval

Extension of the Return to  
Wisconsin Tuition Program

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution I.2.c.

Whereas, the Board of Regents approved the Return to Wisconsin tuition program in November 2003 as a pilot program to offer discounted tuition to children of alumni who reside out of state; and

Whereas, the Return to Wisconsin tuition program:

- Provides a modest increase in funding per student for Wisconsin residents without additional GPR appropriations;
- Attracts high quality undergraduate students without displacing Wisconsin resident students;
- Addresses “brain gain” interests by increasing the number of high quality students coming to Wisconsin for their education and potentially staying for their careers;
- Increases the geographic diversity of the student body to enrich the educational experience of all; and
- Creates stronger ties with alumni, possibly resulting in greater future giving; and

Whereas, the Return to Wisconsin tuition program enrolled 36 nonresident children and/or grandchildren of alumni in 2005-06, and 49 in 2006-07;

Therefore, be it resolved that, upon the recommendation of the President of the University of Wisconsin System, the Board of Regents approves the extension of the Return to Wisconsin tuition program at UW-Eau Claire, UW-Green Bay, UW-La Crosse, UW-Oshkosh, UW-Parkside, UW-River Falls, UW-Stevens Point, and UW-Whitewater for an additional three years.

## **EVALUATION OF TARGETED TUITION PROGRAMS 2005-06 THROUGH 2006-07**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

Nonresident undergraduate enrollments in the University of Wisconsin System declined by more than 900 students between 2001-02 and 2004-05, most likely as a result of dramatic increases in nonresident undergraduate tuition over the same period. This decrease in enrollments resulted in the loss of approximately \$13 million in tuition revenue annually. Nonresident tuition revenue covers the full costs of educating nonresident students, and also provides a tuition subsidy that supports the enrollment of additional resident students.

In response, the Board approved several initiatives aimed at bringing nonresident tuition more in line with rates charged by the UW System's peers. This document shows nonresident undergraduate enrollments in 2005-06 and 2006-07 for three Board of Regents approved programs:

- I. The Return to Wisconsin Tuition Pilot;
- II. The UW-Platteville Tri-State Initiative; and
- III. The Midwest Student Exchange Program (MSEP).

Additionally, the Return to Wisconsin tuition pilot is due for its three year review by the Board of Regents.

#### **REQUESTED ACTION**

Approval of Resolution I.2.c., which would extend the Return to Wisconsin tuition program for an additional three years.

#### **DISCUSSION**

UW System nonresident undergraduate enrollments decreased by more than 900 students between 2001-02 and 2004-05, likely in response to dramatic increases to nonresident tuition rates during those same years. As a result, the UW System saw a decrease of approximately \$13 million in nonresident tuition revenue each year. This revenue would have covered the full costs of educating the nonresident students, and also would have provided an additional tuition subsidy to support the enrollment of additional resident students.

In response to this drop in nonresident enrollments, the Board of Regents approved three programs aimed at attracting more nonresident students to the UW System. The following table shows the enrollments of nonresident students admitted through each of these programs in 2005-06 and 2006-07. During the fall 2006 semester, nonresident undergraduate enrollments in these three programs totaled 547 FTE students.

### Nonresident Undergraduate FTE Enrollments 2005-06 through 2006-07

|                                         | 2005-06    | 2006-07    | Change<br>05-06 to 06-07 |
|-----------------------------------------|------------|------------|--------------------------|
| I. Return to Wisconsin                  | 36         | 49         | 13                       |
| II. UW-Platteville Tri-State Initiative | 161        | 408        | 247                      |
| III. Midwest Student Exchange Program   | 0          | 90         | 90                       |
| <b>Sub Total:</b>                       | <b>197</b> | <b>547</b> | <b>350</b>               |

Additional information follows on the Return to Wisconsin, the UW-Platteville Tri-State Initiative, and the Midwest Student Exchange Program (MSEP) initiatives and their related enrollments.

#### I. Return to Wisconsin

In 2003 the Board of Regents approved the Return to Wisconsin tuition pilot program. This program offers discounted tuition to nonresident children and/or grandchildren of alumni at self-selected pilot institutions beginning in the fall 2004 semester. Participating institutions include Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, River Falls, Stevens Point, and Whitewater.

Tuition for eligible students is discounted to a rate equal to regular nonresident tuition less 25 percent, but not less than the projected cost of a student's education. The student continues to pay all fees, special course charges, room, board, and other expenses at rates applicable to all other students. As stipulated by the Board of Regents, the program is managed to ensure that Wisconsin resident students are not displaced by individuals participating in the program.

The Return to Wisconsin tuition pilot enrolled 36 students in 2005-06 and 49 students in 2006-07. The majority of these enrollments are at Whitewater, La Crosse, and Stevens Point.

The Return to Wisconsin tuition pilot is currently due for its three year review by the Board of Regents. Resolution I.2.d. would extend the Return to Wisconsin tuition program for an additional three years.

## II. UW-Platteville Tri-State Initiative

In February 2004 the Board of Regents approved a workforce development initiative at UW-Platteville that established a special tuition for new students from Illinois and Iowa who enroll in fields that address the workforce needs of both new and established Wisconsin businesses. These fields include engineering, computer science, agriculture, industrial studies that emphasize construction management, business and accounting, and other workforce related professional and pre-professional degrees.

Incoming freshmen students enrolling through the Tri-State Initiative pay resident tuition and fees plus a \$4,000 premium. This premium was set to cover 100 percent of the marginal cost of instruction per student, basic expenses, and reserve requirements; and was designed to minimize cost as a factor for nonresident students when deciding whether to enroll at UW-Platteville.

The UW-Platteville Tri-State Initiative enrolled 161 students in 2005-06 and 408 students in 2006-07. Access for Wisconsin resident students has been maintained as Tri-State Initiative enrollments have increased.

## III. Midwest Student Exchange Program (MSEP)

The Board of Regents gave the President of the UW System authority to enter into the Midwest Student Exchange Program (MSEP) in September 2005. The MSEP is an interstate initiative established by the Midwestern Higher Education Compact to increase interstate educational opportunities for students from its member states. At present, this tuition discount program includes the seven participating states of Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, and Wisconsin. Illinois has recently joined as well, but no Illinois institution is participating at this time.

The MSEP provides an opportunity for nonresident students from participating states to attend UW System institutions at a reduced rate on a space available basis. Participating institutions have the ability to tailor the program to their individual campus needs. For example, an institution may select only those degree programs in which it wishes to increase enrollment.

Students who are enrolled in the program are charged 150 percent of the in-state resident tuition rate. A student's MSEP status is retained as long as he/she is enrolled in the program to which the student was originally admitted and the student is making satisfactory progress towards a degree.

Eau Claire, Green Bay, La Crosse, Platteville, Stevens Point, Stout, Whitewater, and UW-Marinette are currently participating in the MSEP program. Milwaukee and Oshkosh will begin participation during the 2007-08 academic year. During fall 2006, the first semester of UW System participation, 102 nonresident students enrolled across the UW System, with the majority enrolled at Green Bay, La Crosse and Stevens Point. Of these students, 90 are enrolled in undergraduate programs and 12 are enrolled in graduate programs.



UW-Oshkosh  
Reaffirmation and Extension of  
Campus-wide Differential Tuition

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon the recommendation of the President of the University of Wisconsin System and the students and Chancellor of the University of Wisconsin-Oshkosh, the Board of Regents approves the ongoing reauthorization of differential tuition for undergraduate students at UW-Oshkosh.

## **UW-Oshkosh REAFFIRMATION AND EXTENSION OF CAMPUS-WIDE DIFFERENTIAL TUITION**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

In its "Study of the UW System in the 21<sup>st</sup> Century", the Board of Regents approved flexibilities for tuition setting. In December, 2002 the Board of Regents approved a differential tuition for UW-Oshkosh undergraduate students. This differential is currently due for review and reauthorization by the Board of Regents. UW-Oshkosh, with the approval and support of the Oshkosh Student Association, proposes the reauthorization of differential tuition for the Oshkosh Personal Development Compact.

#### **REQUESTED ACTION**

The Board is asked to reauthorize differential tuition for undergraduate students at UW-Oshkosh. The differential rate will remain at \$55 per semester (\$110 per year), and will be reviewed annually by a Differential Tuition Finance Committee made up of 11 students appointed by the Oshkosh Student Association. Their report will be submitted to the Student Senate for review. If any increase or decrease in the differential tuition rate is sought in the future, a two-thirds vote of both the Oshkosh Student Association Senate and Assembly will be required.

#### **DISCUSSION AND RECOMMENDATIONS**

In December, 2002 the Board of Regents approved a differential tuition for UW-Oshkosh undergraduate students that would support the Oshkosh Personal Development Compact.

The UW-Oshkosh Personal Development Compact is a personalized student development program. At its center is an agreement between each student and the university to expand every student's intellectual, civic, ethical, and personal development goals through careful mentoring and extended guidance. The UW-Oshkosh Personal Development Compact features an individually tailored plan for each student that is flexible enough to respond to each student's changing needs. The major components of the compact are assessment, advising, co-curricular involvement, and emotional adjustment and wellness.

Below is a partial list of the enhancements and expansions in student services, and other areas advantageous to students, which have been made available through differential tuition:

- Five professional academic advisors, and twenty peer advising liaisons (PALs), have enhanced academic advising at UW-Oshkosh. As a result, academic advisors are now available for same day walk-in appointments as well as

appointments within two weeks. In addition, longer advising appointments are possible for first and second year students; and staff are able to respond much more quickly to advising-related questions. Grants are also available to improve faculty advising at the college and department levels.

- Career advising and career counseling have been enhanced through the funding of a Professional Career Counseling Specialist, four professional career advisors, and additional career software. This has resulted in better career advisement and information through increased specialization; in-class workshops from Career Services; and increased outreach and advertising. The administration of the College Student Inventory software to freshmen also helps students develop personalized plans for academic and professional success.
- Funding of a Center for Academic Resources Director, plus over 100 undergraduate tutors since the fall of 2005 has enabled tutoring to be available for most undergraduate courses on campus. In addition, more in-depth training is available for tutors; hours have been expanded in the Math Lab, the Reading and Study Skills Center, and the Writing Center; and expanded Supplemental Instruction study sessions are now offered to over 1,500 students enrolled in high-risk courses each semester.
- Valuable, paid work experience has been made available to over 170 UW-Oshkosh students.
- 19 students received funding to travel and present their research at professional and scholarly conferences around the country. Funds also support the student published journal for undergraduate research and creativity.
- 26 students, teaming with faculty members, have received \$500 grants to work on collaborative research projects. Many of these projects have resulted in the students giving performances, holding exhibits, or presenting papers at scholarly conferences.

Most of these new initiatives and expansions of existing programs would need to be eliminated without continued support from differential tuition revenues.

In the spring and early fall of 2006, a comprehensive review and assessment of all programs funded by Differential Tuition was conducted and presented to the Oshkosh Student Association. In November, 2006 the Oshkosh Student Association unanimously passed resolution OSA-06-015 supporting the reauthorization of undergraduate differential tuition at UW-Oshkosh and approving a permanent differential tuition review system on the campus. Under the student approved system, differential tuition and differential tuition funded programs will be reviewed and assessed annually by a student committee appointed by the Oshkosh Student Association. If any increase or decrease in the differential tuition rate is sought in the future, a two-thirds vote of both the Oshkosh Student Association Senate and Assembly will be required.

## **RELATED REGENT POLICIES**

Study of the UW System in the 21<sup>st</sup> Century (June 1996)

UW-River Falls Undergraduate  
Differential Tuition

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon the recommendation of the President of the University of Wisconsin System and the students and Chancellor of the University of Wisconsin-River Falls, the Board of Regents approves differential tuition for all UW-River Falls undergraduate students beginning in the fall Semester of 2007-08. Tuition will increase \$36 per semester (\$72 per year). The differential will be prorated for part-time students.

## **UNDERGRADUATE DIFFERENTIAL TUITION UW-River Falls**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

In its *Study of the UW System in the 21<sup>st</sup> Century*, the Board of Regents approved flexibilities for tuition setting. UW-River Falls proposes an undergraduate differential tuition in order to begin implementation of the Campus Connections for Success program that will help students connect to the university when they arrive on campus, throughout their undergraduate career and as they transition to their post-graduation lives.

#### **REQUESTED ACTION**

The Board is asked to approve a differential tuition for all undergraduate students at UW-River Falls beginning in the 2007-08 academic year. Tuition will increase \$36 per semester (\$72 per year). The differential will be prorated for part-time students. This rate will remain flat for four academic years and will then be reviewed for reauthorization by a campus oversight committee made up of an equal representation of students, faculty, and staff.

#### **DISCUSSION AND RECOMMENDATIONS**

UW-River Falls recently engaged in a campus-wide strategic planning process which resulted in planning goals for the institution. One of the identified goals is to “create a culture of learning.” To that end, the university proposes to charge a differential tuition that will begin to bolster the culture of learning for undergraduate students by providing the resources the institution needs to expand and enhance support services for undergraduate students. These services will enhance connections between each student and the institution, which will increase the potential for student success, throughout both their undergraduate and post-graduation careers. Students who are more connected to their institution are more likely to remain at that institution, graduate, and remain active and involved with the institution as alumni.

This differential tuition proposal expands on UW-River Falls’ *Excellence in the First Year Experience* 2007-09 biennial budget request and initiates a program that focuses on the connections students make with the university. UW-River Falls proposes to increase undergraduate tuition by \$36 per semester (\$72 per year). This rate will remain flat for four academic years and will then be reviewed for reauthorization by a campus oversight committee. The estimated differential tuition revenue that will be generated in the first year of implementation is \$387,300. UW-River Falls does not expect any decrease in enrollment as a result of this differential tuition. Rather, the campus expects its enrollment to increase as a result of the proposed areas of funding and their impact on student retention.

Three areas have been identified that will improve student success:

### I. Enhanced Library Services

Strong library collections and a library facility that meets the needs of students are essential for a successful transition through college and on to a fulfilling career. Currently, UW-River Falls students have indicated dissatisfaction with the hours that they are able to access the Chalmer Davee Library. Revenue from the differential tuition will provide extended library hours as well as extended access to a computer lab within the library. Differential tuition revenue will also make available additional online journals and reference sources, which will provide 24/7 access to key resources that all students can use anytime, anywhere.

### II. Testing and Tutoring Center

Differential tuition revenue will allow UW-River Falls to create a centralized, dedicated space to provide testing and tutoring services. The Center will provide a central location for students to take exams (i.e. make-up exams, quizzes and placement exams) and receive test proctoring and diagnostic testing for students with disabilities. The Center will also provide an area for students to take the GRE, GMAT, and other pre-professional exams, which will help students transition to life-long learning. In addition to testing, the Center will house the institution's tutoring services and will provide services and programs for students who speak English as a second language (ESL). Differential tuition revenue will also be used to hire a Learning Disability Specialist licensed to diagnose common learning disabilities. Adding these services and locating them in one area will further assist in the academic success of students, particularly those with disabilities.

### III. Undergraduate Research, Scholarly, and Creative Activities (RSCA)

Students have designated additional funding for undergraduate research, scholarly, and creative activities (RSCA) as a priority. Differential tuition revenue will provide additional RSCA project opportunities for students and additional resources for student travel to conferences. This experience is a great opportunity for students to work closely with faculty and gain critical RSCA and presentation skills, not only for those students who seek graduate degrees but also for students seeking a career after the completion of their bachelor's degree. This is an important component of a student's transition to lifelong learning.

Additional areas identified by the campus and students may also be funded with differential tuition revenue.

On March 6, 2007 the UW-River Falls Student Senate passed a motion to approve the proposed differential tuition initiative. Students were involved in the development of this proposal from the beginning and a Student Senate representative was a member of the working group that crafted the final proposal. This differential tuition initiative is a reflection of the priorities of UW-River Falls students and their commitment to enhancing the student experience. UW-River Falls will create an oversight committee with equal representation of students, faculty, and staff who will allocate the differential tuition revenue, review progress toward goals, and ensure the funding is being spent appropriately. In addition, this oversight committee will lead a reauthorization review of the differential tuition initiative after four academic years.

## **RELATED REGENT POLICIES**

Study of the UW System in the 21<sup>st</sup> Century (June 1996)

UW-Madison School of Business  
Undergraduate Differential Tuition

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon the recommendation of the President of the University of Wisconsin System and the students and Chancellor of the University of Wisconsin-Madison, the Board of Regents approves differential tuition rates for all UW-Madison undergraduate students enrolled in the Bachelor's of Business Administration (BBA) major and Certificate in Business (CIB) program. For BBA majors, tuition will increase by \$500 per semester (\$1,000 per year). CIB tuition will increase by \$150 per semester (\$300 per year).

## **SCHOOL OF BUSINESS DIFFERENTIAL TUITION UW-Madison**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

In its *Study of the UW System in the 21<sup>st</sup> Century*, the Board of Regents approved flexibilities for tuition setting. UW-Madison proposes an undergraduate differential tuition for students enrolled in the Bachelor's of Business Administration (BBA) major and Certificate in Business (CIB) program.

#### **REQUESTED ACTION**

The Board is asked to approve a differential tuition for undergraduate students enrolled in the Bachelor's of Business Administration (BBA) major and Certificate in Business (CIB) program. For BBA majors, tuition will increase by \$500 per semester (\$1,000 per year). CIB tuition will increase by \$150 per semester (\$300 per year). The differential will come up for review by the campus and students after the 2011-12 academic year.

#### **DISCUSSION AND RECOMMENDATIONS**

The demand for business education is growing rapidly worldwide as many countries adopt market-oriented economic systems and more students turn to business education. The supply of new faculty members has not kept pace with this demand, leading to dramatic increases in salaries for business educators. Other business schools face these same pressures, but most of them (including UW-Madison's Big Ten peers and UW-Milwaukee) have already adopted differential tuition and other mechanisms to retain tuition revenue that have enabled them to meet the needs of their students and programs in this environment.

UW-Madison's School of Business must keep pace with this evolving market or lose competitive ground and opportunities for its students. The School of Business proposes implementation of a differential tuition that will apply on a per semester basis to students enrolled in the Bachelor's of Business Administration (BBA) major and the Certificate in Business (CIB) program. For BBA majors, tuition will increase by \$500 per semester (\$1,000 per year). CIB tuition will increase by \$150 per semester (\$300 per year). This proposal would increase School of Business resources by approximately \$1.3 million in the first two academic years of implementation, and then approximately \$2.0 million after the School of Business moves from junior to sophomore admissions in the third year of implementation. In addition, differential tuition revenue will enable an increase of 200 students enrolled in the CIB program.

With the input and approval of students, the School of Business has identified five areas that will be funded through differential tuition revenues:

##### **I. Faculty Hiring**

About half of the differential tuition revenue generated will go toward faculty hiring. Business faculty salary levels are responsive to the increasing worldwide demand for business education



and this growth has far outpaced pay plan growth in recent years. The School of Business anticipates expanding faculty by five positions during the 2007-08 academic year and two additional positions during the 2009-10 academic year. This will allow the School of Business to offer smaller course sections and decrease time to graduation.

## II. Additional Advisors

As the School of Business moves from junior to sophomore admissions the number of actual business majors will increase. The hiring of an additional academic advisor will allow the School of Business to serve adequately the increased number of students. The hiring of an additional career advisor will allow the School of Business to enhance the training it provides to students outside the classroom in professional practices, including: interviewing, career planning, and professional development.

## III. Financial Aid

In order to preserve the affordability of the major, 25 percent of the revenues generated by the differential tuition will be earmarked for financial aid for students enrolled in these programs.

## IV. Director of Academic Programs and Director of Admissions and Recruiting

The new Director of Academic Programs will work with the Associate Dean for Undergraduate Programs to develop, implement, and monitor School of Business policies associated with the undergraduate business program. The new Director of Admissions and Recruiting will be responsible for developing admissions policies, creating and disseminating information about the undergraduate business program to students and high school counselors, developing scholarship policies, promoting initiatives to enhance the scholarship pool, and leading the admissions committee. In addition, the hiring of an admissions director will allow the School of Business to admit some students directly out of high school, the practice at the vast majority of the leading undergraduate business schools in the country. These two positions are critical as the School of Business strives to attract and retain an exceptional and diverse student body.

## V. Transition Costs

Moving to sophomore admission in the BBA major will entail transition costs as students under the existing program complete their education and students enter under the new guidelines. Additional sections of Professional Communications, Business Statistics, and Microeconomics will need to be offered over a two year period.

The School of Business met three times with the Undergraduate Business Leadership Council (UBLC), the student organization that consists of leaders of all of the undergraduate student organizations within the School of Business. In addition, the School held four “listening sessions” that students could attend to discuss the proposed differential. Students expressed strong support for the differential tuition proposal and provided input into how the additional tuition revenue could be best used to serve their needs and better prepare them for their chosen career paths. On December 11, 2006 the UBLC endorsed the proposed differential. The differential will come up for review by the campus and the UBLC after five-years in order to evaluate its impact on students as well as the school’s financial position and ability to maintain quality faculty and programming.

## **RELATED REGENT POLICIES**

Study of the UW System in the 21<sup>st</sup> Century (June 1996)

Consideration of Salary Adjustments for Senior Academic  
Leaders to Address Recruitment and Retention Challenges  
for Chancellors at UW-Eau Claire and  
UW Colleges/UW-Extension and the  
Provost at UW-Whitewater

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Whereas, pursuant to ss. 20.923(4g) and 36.09(1)(j), Wisconsin Statutes, the salaries of UW System senior academic leaders must be set within the salary ranges established by the Board of Regents, and based upon a formula derived from the salaries paid by peer institutions to their academic leaders, and

Whereas in addition, section 36.09(1)(j), Wisconsin Statutes, authorizes the Board of Regents to increase chancellors' and other university senior academic leaders' salaries to address salary inequities or to recognize competitive factors in the periods between pay plan adjustments, and

Whereas at the February 2006 Board of Regents meeting the Business, Finance, and Audit Committee endorsed the recommendation that the President of the UW System periodically perform a review and assessment of individual chancellors' salaries to determine whether there is a need for an adjustment to recognize competitive factors or correct salary inequities among senior academic leadership, as allowed by law, and

Whereas the Board of Regents affirms that leadership is critically important to the performance of our institutions and the students and citizens they serve and therefore places a high value on recruiting and retaining our outstanding senior academic leaders.

Now, therefore be it resolved;

That, upon recommendation of the President of the University of Wisconsin System, the annual salary for Chancellor Levin-Stankevich, Chancellor Wilson, and Provost Telfer be adjusted due to competitive market factors and equity reasons per the attached recommendation, effective April 13, 2007.

**CONSIDERATION OF SALARY ADJUSTMENTS FOR SENIOR  
ACADEMIC LEADERS TO ADDRESS RECRUITMENT AND  
RETENTION CHALLENGES FOR CHANCELLORS AT  
UW-EAU CLAIRE AND UW COLLEGES/UW-EXTENSION  
AND THE PROVOST AT UW-WHITEWATER**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with ss. 20.923(4g) and 36.09(1)(j), Wisconsin Statutes, the salaries of UW System senior academic leaders must be set within the salary ranges established by the Board of Regents, and based upon a formula derived from the salaries paid by peer institutions to their academic leaders. Senior academic leaders also are eligible to receive increases to their salaries conforming to the amounts approved by the state for general state employee pay plan adjustments, pursuant to s. 230.12(3)(e), Wisconsin Statutes. In addition, section 36.09(1)(j), Wisconsin Statutes, authorizes the Board of Regents to increase employees' salaries to address salary inequities or to recognize competitive factors in the periods between pay plan adjustments.

**REQUESTED ACTION**

Approval of Resolution I.2.e.

**DISCUSSION**

The Business, Finance, and Audit Committee recommended in their February 2006 meeting that the President of the UW System shall periodically conduct a review and assessment of individual chancellor's salaries, taking into consideration the evaluation of the performance of the chancellor in his/her current position, to determine whether there is a need for an adjustment in the salary due to competitive market factors and equity reasons. The Business, Finance, and Audit Committee endorsed this new process as a step in the right direction. The President of the UW System has therefore initiated this process and with this resolution is forwarding for approval base salary adjustment for two chancellors and one provost.

**RELATED REGENT POLICIES**

Regent Policy 94-4

Wisconsin Statutes, s. 20.923(4g), s. 36.09(1)(j), and s. 230.12(3)(e)

## Peer Salary Comparisons for Non-Doctoral Chancellors

2006-07 Salary Range Calculated in Accordance with Board of Regents' Policy:

|                                                   |           |
|---------------------------------------------------|-----------|
| 2004-05 peer group median salary:                 | \$199,400 |
| CUPA-HR projects 3.3% increase in 2005-06         | x 1.033   |
| 2005-06 projected peer group median:              | \$205,980 |
| Executive salary policy cost-of living adjustment | .95       |
| Regents Salary Range Midpoint:                    | \$195,681 |
| Regents Salary Range Minimum (90%):               | \$176,113 |
| Regents Salary Range Maximum (110%):              | \$215,249 |

### 2004-05 Peer Group Salaries:

|                                           |           |
|-------------------------------------------|-----------|
| Wright State University                   | \$296,792 |
| University of Akron                       | \$281,011 |
| Western Michigan University               | \$260,000 |
| Central Michigan University               | \$236,200 |
| University of Northern Iowa               | \$231,050 |
| University of Illinois-Springfield        | \$230,625 |
| Western Illinois University               | \$225,000 |
| Northeastern Illinois University          | \$225,000 |
| Eastern Michigan University               | \$222,000 |
| University of Michigan-Flint              | \$217,608 |
| Oakland University                        | \$216,106 |
| St. Cloud State University                | \$207,700 |
| Southern Illinois University-Edwardsville | \$205,800 |
| Youngstown State University               | \$203,520 |
| Minnesota State University-Mankato        | \$202,734 |
|                                           |           |
| Chicago State University                  | \$200,448 |
| University of Minnesota-Duluth            | \$199,400 |
|                                           |           |
| University of Michigan-Dearborn           | \$197,828 |
|                                           |           |
| Michigan Technological University         | \$195,000 |
| Minnesota State University-Moorhead       | \$194,055 |
| Winona State University                   | \$194,055 |
|                                           |           |
| Purdue University-Calumet                 | \$188,100 |
| Grand Valley State University             | \$187,932 |
| Indiana-Purdue University-Ft. Wayne       | \$186,600 |
| University of Southern Indiana            | \$184,600 |
|                                           |           |
| Saginaw Valley State University           | \$181,335 |
|                                           |           |
| Bemidji State University                  | \$179,855 |
| Indiana University-Northwest              | \$173,955 |
| Eastern Illinois University               | \$173,004 |
| Ferris State University                   | \$170,000 |
| Indiana University-Southbend              | \$156,060 |
| Indiana University-South East             | \$156,060 |
| Northern Michigan                         | \$150,000 |
|                                           |           |
| Mean                                      | \$203,922 |
| Median                                    | \$199,400 |

### **UW System Non-Doctoral Institution Chancellor Salaries 4/01/07**

|                         |           |
|-------------------------|-----------|
| UW-Oshkosh              | \$201,630 |
| UW-Stout                | \$200,681 |
|                         |           |
| UW-Platteville          | \$199,181 |
|                         |           |
| UW-Green Bay            | \$196,630 |
|                         |           |
| UW-Parkside             | \$193,630 |
| UW-Stevens Point        | \$191,516 |
| UW-Superior             | \$190,681 |
| UW-Whitewater           | \$190,525 |
| UW River Falls          | \$189,525 |
|                         |           |
| UW-La Crosse            | \$184,000 |
|                         |           |
| UW-Eau Claire           | \$180,000 |
| UW Colleges & Extension | \$180,000 |
|                         |           |
| Mean                    | \$191,500 |
| Median                  | \$191,099 |

## Peer Salary Comparisons for Non-Doctoral Vice Chancellors

### 2006-07 Board of Regents Senior Executive Salary Range:

|                                                   |                |
|---------------------------------------------------|----------------|
| 2004-05 peer group median salary:                 | \$150,000      |
| CUPA-HR projects 3.3% increase in 2005-06         | <u>x 1.033</u> |
| 2005-06 projected peer group median:              | \$154,950      |
| Executive salary policy cost-of living adjustment | <u>.95</u>     |
| Regents Salary Range Midpoint:                    | \$147,203      |
| Regents Salary Range Minimum (90%):               | \$132,482      |
| Regents Salary Range Maximum (110%):              | \$161,923      |

### 2004-05 Peer Group Salaries:

|                                           |           |
|-------------------------------------------|-----------|
| University of Akron                       | \$195,750 |
| University of Northern Iowa               | \$186,400 |
| Western Michigan University               | \$185,400 |
| Oakland University                        | \$177,300 |
| University of Michigan-Dearborn           | \$175,473 |
| Purdue University-Calumet                 | \$169,950 |
| Central Michigan University               | \$166,860 |
| Grand Valley State University             | \$164,827 |
| Wright State University                   | \$164,116 |
| Eastern Michigan University               | \$160,000 |
| Western Illinois University               | \$155,256 |
| Saginaw Valley State University           | \$154,163 |
|                                           |           |
| Northern Michigan                         | \$153,000 |
| Youngstown State University               | \$152,982 |
| Ferris State University                   | \$152,440 |
| Eastern Illinois University               | \$150,312 |
| Chicago State University                  | \$150,000 |
| Southern Illinois University-Edwardsville | \$148,224 |
| Minnesota State University-Mankato        | \$148,000 |
|                                           |           |
| Indiana-Purdue University-Ft. Wayne       | \$143,300 |
|                                           |           |
| University of Minnesota-Duluth            | \$140,736 |
| Northeastern Illinois University          | \$140,628 |
|                                           |           |
| St. Cloud State University                | \$139,822 |
| Minnesota State University-Moorhead       | \$139,660 |
|                                           |           |
| Indiana University-Southbend              | \$138,425 |
|                                           |           |
| University of Michigan-Flint              | \$136,629 |
| Michigan Technological University         | \$135,000 |
|                                           |           |
| Bemidji State University                  | \$133,204 |
| University of Illinois-Springfield        | \$131,292 |
| Winona State University                   | \$130,000 |
| University of Southern Indiana            | \$126,700 |
| Indiana University-Northwest              | \$126,000 |
| Indiana University-South East             | \$114,915 |
|                                           |           |
| Mean                                      | \$151,114 |
| Median                                    | \$150,000 |

### UW System Non-Doctoral Institution Vice Chancellor Salaries 4/01/07:

|                         |           |
|-------------------------|-----------|
| UW-Extension            | \$153,370 |
|                         |           |
| UW-Green Bay            | \$147,914 |
| UW-Platteville          | \$147,888 |
| UW-Oshkosh              | \$145,000 |
| UW-Stout                | \$144,000 |
|                         |           |
| UW-Parkside             | \$142,428 |
| UW-La Crosse            | \$141,928 |
|                         |           |
| UW Colleges             | \$140,022 |
|                         |           |
| UW-River Falls          | \$139,500 |
| UW-Superior             | \$139,500 |
| UW-Whitewater           | \$139,320 |
|                         |           |
| UW-Stevens Point        | \$138,398 |
|                         |           |
| UW Eau Claire (Interim) | \$134,046 |
|                         |           |
| Mean                    | \$142,563 |
| Median                  | \$141,928 |

## **Recommendation for Base Salary Adjustment for Chancellor Brian Levin-Stankevich**

The following is an analysis of Chancellor Levin-Stankevich's salary compared to peers and the broader market for similar institutions and for internal equity considerations.

Chancellor Levin-Stankevich assumed his current position 06/01/06. His current salary is \$4,000 lower than the most recently hired chancellor (hired 2/1/07). Salary compression has resulted from our need to offer competitive salaries to attract new chancellors and due to pay plans that have not kept pace with the market resulting in salary inequities among our comprehensive chancellors.

The recommended increase for Chancellor Levin-Stankevich will set his salary \$9,181 below the approved range midpoint. The salary adjustment is made to establish an equitable salary in comparison to the salary of a more recently hired chancellor. Budget size is also part of the consideration as a proxy for relative complexity of the job compared to other institutions. Of the 11 comprehensive institutions, UW-Eau Claire's budget is the second largest at \$158,871,156 for 2006-07.

### **Salary Ranges and External Market/Competitive Factors**

|                                  | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u> |
|----------------------------------|----------------|-----------------|----------------|
| Board of Regent Range (7/1/06)   | \$176,113      | \$195,681*      | \$215,249      |
| Peer Median                      |                | \$205,980       |                |
| CUPA HR Median for UW-Eau Claire |                | \$232,599**     |                |

\* 95% of Peer Median. Ranges for 2006-07 were based on 2004-05 salary survey data rolled up by 3.3% for 2005-06 and approved by the Board of Regents for 2006-07 making our ranges one year behind the market.

\*\* Based on institutions of the similar size budget and masters level programs from the CUPA-HR (College and University Professional Association – Human Resources) 2005-06 Survey of 1,345 institutions.

### **Base Salary Adjustment Recommendation**

4/1/2007 Salary \$180,000

**Base increase requested effective  
04/13/07 with Board approval \$6,500**

04/13/07 base salary \$186,500

**Base Adjustment Percentage Increase 3.61%**

**Percent behind 2005-06 projected peer median (\$205,980) 9.46%**

**Percent behind CUPA median of comparable budget size (\$232,599) 19.82%**

## **Recommendation for Base Salary Adjustment for Chancellor David Wilson**

The following is an analysis of Chancellor Wilson's salary compared to peers and the broader market for similar institutions and for internal equity considerations.

Chancellor Wilson assumed his current position 05/01/06. His current salary is \$4,000 lower than the most recently hired chancellor (hired 2/1/07). Salary compression has resulted from our need to offer competitive salaries to attract new chancellors and due to pay plans that have not kept pace with the market resulting in salary inequities among our comprehensive chancellors.

The recommended increase for Chancellor Wilson will set his salary \$3,181 below the approved range midpoint. The salary adjustment is made to establish an equitable salary in comparison to the salary of a more recently hired chancellor. Budget size is also part of the consideration as a proxy for relative complexity of the job compared to other institutions. The combined budgets of UW Colleges and UW-Extension total the third largest budget in the UW System at \$291,638,586 for 2006-07. UW-Milwaukee is next with nearly \$509 million and UW-Madison is the largest at nearly \$2.2 billion. The largest comprehensive budget is at UW-Whitewater at just over \$173 million.

### **Salary Ranges and External Market/Competitive Factors**

|                                      | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u> |
|--------------------------------------|----------------|-----------------|----------------|
| Board of Regent Range (7/1/06)       | \$176,113      | \$195,681*      | \$215,249      |
| Peer Median                          |                | \$205,980       |                |
| CUPA HR Median for UWC &UW-Extension |                | \$218,458**     |                |

\* 95% of Peer Median. Ranges for 2006-07 were based on 2004-05 salary survey data rolled up by 3.3% for 2005-06 and approved by the Board of Regents for 2006-07 making our ranges one year behind the market.

\*\* Based on institutions of the similar size budget from the CUPA-HR (College and University Professional Association – Human Resources) Table 6, Quartile 3, 2006-07 Survey of 1,329 institutions..

### **Base Salary Adjustment Recommendation**

4/1/2007 Salary \$180,000

**Base increase requested effective  
04/13/07 with Board approval \$12,500**

04/13/07 base salary \$192,500

**Base Adjustment Percentage Increase 6.94%**

Percent behind 2005-06 projected peer median (\$205,980) 6.54%

**Percent behind CUPA median of comparable budget size (\$218,458) 11.88%**

## Recommendation for Base Salary Adjustment for Provost Richard Telfer

In response to the request from Chancellor Martha Saunders and based on a review of external market/competitive factors and internal salary equity considerations, an \$8,500 base adjustment for Provost Richard Telfer is recommended.

4/1/2006 Salary \$139,320

**Base increase requested effective  
4/13/07 with Board approval \$8,500**

4/13/07 base salary \$147,820

**Base Adjustment Percentage Increase 6.10%**

**Percent behind 2005-06 Projected peer median (\$154,950) 4.60%**

**Percent behind CUPA median of comparable budget size (\$167,300) 11.64%**

### Salary Ranges and External Market/Competitive Factors

|                                  | <u>Minimum</u> | <u>Midpoint</u> | <u>BOR</u> | <u>OSER</u><br>4/01/07<br><u>Maximum</u> |
|----------------------------------|----------------|-----------------|------------|------------------------------------------|
| Board of Regent Range (7/1/06)   | \$132,482      | \$147,203*      | \$161,923  | \$154,719                                |
| Peer Median                      |                | \$154,950       |            |                                          |
| CUPA HR Median for UW-Whitewater |                | \$167,300**     |            |                                          |

\* 95% of Peer Median. Ranges for 2006-07 were based on 2004-05 salary survey data rolled up by 3.3% for 2005-06 and approved by the Board of Regents for 2006-07 making our ranges one year behind the market.

\*\*Based on institutions of the similar size budget and masters level programs from the CUPA-HR (College and University Professional Association – Human Resources) 2005-06 Survey of 1,345 institutions..

### Internal Salary Equity Considerations

- Richard Telfer assumed his current position 01/02/03.
- The salary increase requested will place him \$617 above the adjusted market based midpoint established with the BOR range effective 7/1/06 and \$6,899 below the JOCER approved maximum effective 4/1/07.\*
- His proposed 4/13/07 salary is \$3,820 higher than the most recently hired comprehensive provost who was hired 7/1/06.
- UW-Whitewater has the largest budget of the comprehensive institutions.

The April 13, 2007 increase for Provost Telfer of \$8,500 is justified based on external market/competitive factors and for the purpose of addressing internal salary equity among comprehensive provosts.

\* Vice Chancellors and Provosts Senior Executive Group 1

|                                                | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u>             |
|------------------------------------------------|----------------|-----------------|----------------------------|
| JCOER Approved Range                           | \$119,144      | \$135,229       | \$151,314 (7/1/06-3/31/07) |
|                                                | \$121,825      | \$138,272       | \$154,719 (4/1/-7-6/30/07) |
| Board of Regents Executive Salary Policy Range | \$132,482      | \$147,203       | \$161,923 (2006-07)        |



## **UW SYSTEM TRUST FUNDS ANNUAL ENDOWMENT PEER BENCHMARKING REPORT**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

Each year, both the National Association of College and University Business Officers (NACUBO) and the Commonfund conduct detailed surveys of college and university endowments. These surveys gather data on investment and spending policies and practices, investment performance and fees, staffing, and other measures. The surveys provide overall averages, as well as statistics for endowments by different size categories. This data is supplemented by results from a limited Big Ten survey conducted quarterly by Penn State University.

#### **REQUESTED ACTION**

This item is informational only.

#### **DISCUSSION**

The Trust Funds' investment return has exceeded the average performance of its peer group (\$100 to \$500 million in assets) for the one-three-five-and ten-year periods ending June 30, 2006. Also, UW Trust Funds' investment-related fees appear to be below the averages for all peer groups. Finally, while UW Trust Funds' spending rate methodology is typical, the percentage spending rate (4.0%) remains below the peer average (4.7%).

The attached report provides more details on key data from the fiscal year 2006 surveys.

#### **RELATED REGENT POLICIES**

None.



# UNIVERSITY OF WISCONSIN SYSTEM TRUST FUNDS

**Annual Endowment Peer Benchmarking Report  
Year Ended June 30, 2006**

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| <p style="text-align: center;"><b>UW SYSTEM TRUST FUNDS</b><br/><b>Annual Endowment Peer Benchmarking Report</b><br/><b>Fiscal Year Ended June 30, 2006</b></p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|

## **INTRODUCTION**

- The Annual Endowment Peer Benchmarking Report utilizes three informational sources: 1) the 2006 National Association of College and University Business Officers (NACUBO) Survey; 2) the 2006 Commonfund Benchmarks Study; and 3) the informal Big Ten survey conducted by Penn State University.
- The peer benchmarking data presented in this report fall into the following categories:
  - 1. Asset Allocation
  - 2. Investment Performance
  - 3. Cost of Managing Investment Programs
  - 4. Investment Management Practices
  - 5. Endowment Growth from New Gifts
  - 6. Spending Policies
  - 7. Investment Return Assumptions
  - 8. Underwater Funds
  - 9. Staffing, Resources, and Governance
  - 10. Socially Responsible Investing Practices
- The NACUBO and Commonfund surveys represent essentially the same population of institutions. Therefore, when similar data is provided in both surveys, results from only one of the surveys is presented here. In some cases, only one of these two surveys provides certain types of data. Big Ten data is presented wherever possible, as this information represents a distinct subset of the larger population.
- Except where otherwise noted, data presented are equal-weighted averages.

|                                                                                                                                                      |
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| <p align="center"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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**SUMMARY DATA**

|                                                | <b>NACUBO<br/>Study</b>     | <b>Big Ten<br/>Survey</b>  | <b>Commonfund<br/>Study</b> |
|------------------------------------------------|-----------------------------|----------------------------|-----------------------------|
| Number of Institutions Reporting: Total        | 765                         | 17                         | 741                         |
| Number of Institutions Reporting: Public       | 248                         | 16                         | 199                         |
| Number of Institutions Reporting: Private      | 517                         | 1                          | 542                         |
| Largest Endowment – Public:                    | \$13.2 billion <sup>1</sup> | \$5.7 billion <sup>3</sup> | \$13.2 billion <sup>1</sup> |
| Largest Endowment – Private:                   | \$28.9 billion <sup>2</sup> | \$5.4 billion <sup>4</sup> | \$28.9 billion <sup>2</sup> |
| Average Endowment Size:                        | \$444.6 million             | \$1.5 billion              | N/A                         |
| Median Endowment Size:                         | \$79.8 million              | \$1.1 billion              | N/A                         |
| Participating UW Institutions:                 | UW System Trust Funds       | UW System Trust Funds      | UW System Trust Funds       |
|                                                | UW-Madison Foundation       | UW-Madison Foundation      | UW-Madison Foundation       |
|                                                |                             |                            | UW-Superior Foundation      |
|                                                |                             |                            | UW-River Falls Foundation   |
| <b><i>UW System Trust Funds Endowment:</i></b> | <b><i>\$304 million</i></b> |                            |                             |

<sup>1</sup> University of Texas System

<sup>2</sup> Harvard University

<sup>3</sup> University of Michigan

<sup>4</sup> Northwestern University

|                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p align="center"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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**ASSET ALLOCATION**

| <b>ASSET CLASS</b>             | <b><i>UW<br/>Trust Funds</i></b> | <b>NACUBO<br/>All Pools</b> | <b>NACUBO<br/>\$100-\$500MM</b> | <b>NACUBO<br/>&gt;\$1B</b> | <b>Big Ten<br/>Average</b> |
|--------------------------------|----------------------------------|-----------------------------|---------------------------------|----------------------------|----------------------------|
| Equities                       | <b>57.6%</b>                     | 57.7%                       | 56.8%                           | 44.9%                      | 54.0%                      |
| Fixed Income                   | <b>20.1%</b>                     | 20.2%                       | 16.9%                           | 12.5%                      | 17.5%                      |
| Alternatives                   | <b>12.4%</b>                     | 17.4%                       | 21.9%                           | 40.4%                      | 26.7%                      |
| Private Capital <sup>1</sup>   | <b>4.8%</b>                      | 2.8%                        | 3.6%                            | 9.4%                       | 8.1%                       |
| Hedge Funds <sup>2</sup>       | <b>7.6%</b>                      | 9.6%                        | 12.3%                           | 22.4%                      | 11.6%                      |
| Real Estate <sup>3</sup>       | <b>0.0%</b>                      | 3.5%                        | 4.0%                            | 4.4%                       | 4.5%                       |
| Natural Resources <sup>4</sup> | <b>0.0%</b>                      | 1.5%                        | 2.0%                            | 4.2%                       | 2.5%                       |
| Cash                           | <b>9.9%</b>                      | 3.4%                        | 2.7%                            | 1.7%                       | 1.0%                       |
| Other                          | <b>0.0%</b>                      | 1.3%                        | 1.7%                            | 0.5%                       | 0.8%                       |
| <b>TOTAL</b>                   | <b>100.0%</b>                    | 100.0%                      | 100.0%                          | 100.0%                     | 100.0%                     |

<sup>1</sup> Category consists primarily of venture capital and other private equity.

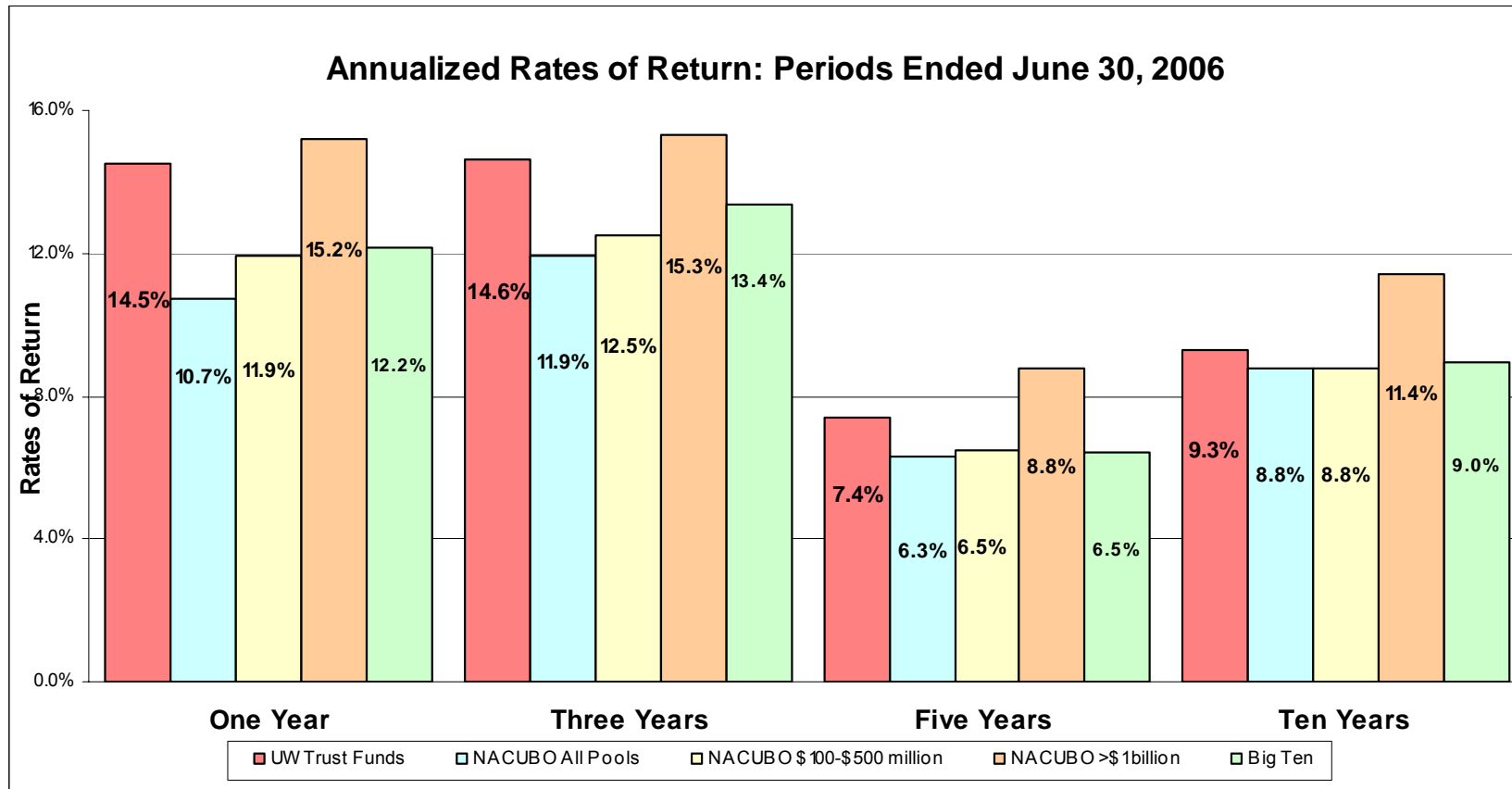
<sup>2</sup> Category consists primarily of unregulated private investment partnerships investing in mostly marketable securities, but employing strategies (long/short, convertible arbitrage, leverage, etc.) designed to provide for more absolute returns with low correlation to the markets.

<sup>3</sup> Category includes both public and private real estate.

<sup>4</sup> Category includes timber, oil and gas partnerships, and commodities.

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2006**

**INVESTMENT PERFORMANCE**



|                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p align="center"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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## **INVESTMENT PERFORMANCE**

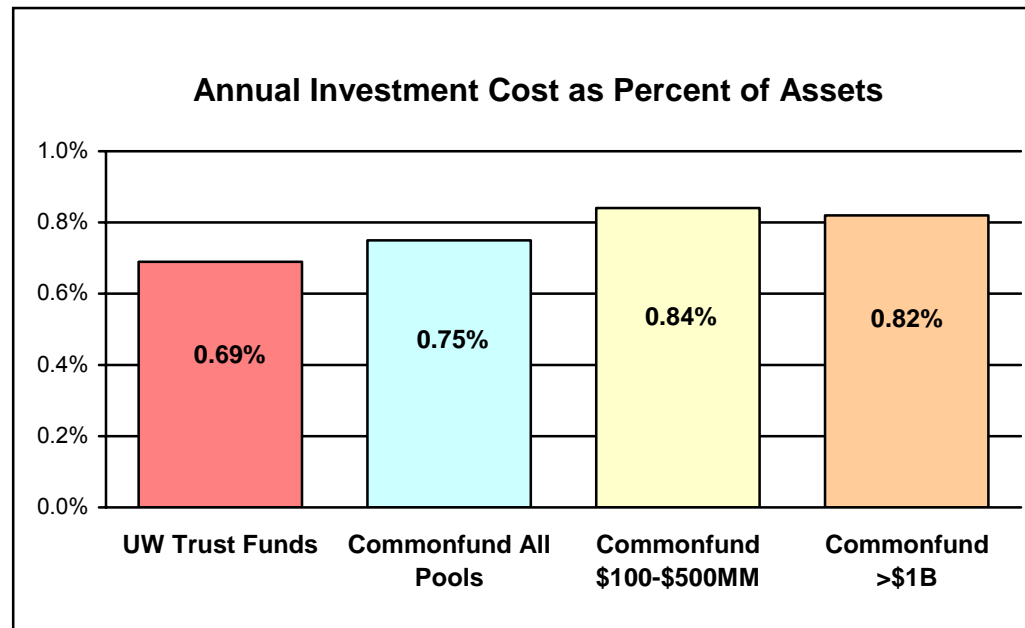
### **Range of Returns: NACUBO All Pools**

|                                     | <b>1 Year</b>                  | <b>3 Year</b>                  | <b>5 Year</b>                  | <b>10 Year</b>                 |
|-------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| High                                | 23.0%                          | 21.5%                          | 14.5%                          | 17.2%                          |
| 75 <sup>th</sup> Percentile         | 13.0%                          | 13.6%                          | 7.4%                           | 9.8%                           |
| <i>Median</i>                       | 10.8%                          | 12.0%                          | 6.2%                           | 8.7%                           |
| 25 <sup>th</sup> Percentile         | 8.5%                           | 10.3%                          | 5.1%                           | 7.6%                           |
| Low                                 | -2.7%                          | -2.3%                          | -3.4%                          | 3.4%                           |
| <b><i>UW Trust Funds Return</i></b> | <b>14.5%</b>                   | <b>14.6%</b>                   | <b>7.4%</b>                    | <b>9.3%</b>                    |
| <b><i>UW Trust Funds Rank</i></b>   | <b>1<sup>st</sup> Quartile</b> | <b>1<sup>st</sup> Quartile</b> | <b>1<sup>st</sup> Quartile</b> | <b>2<sup>nd</sup> Quartile</b> |



**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2006**

**COST OF MANAGING INVESTMENT PROGRAMS**



|                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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**INVESTMENT MANAGEMENT PRACTICES**

|                                           | Percent Internally<br>Managed | Percent Passively<br>Managed | Percent Actively<br>Managed |
|-------------------------------------------|-------------------------------|------------------------------|-----------------------------|
| NACUBO All Pools                          | 8.4%                          | 14.9%                        | 85.1%                       |
| NACUBO \$100-\$500 million                | 5.3%                          | 15.3%                        | 84.7%                       |
| NACUBO >\$1 billion                       | 11.2%                         | 7.7%                         | 92.3%                       |
| <b><i>UW Trust Funds</i></b> <sup>*</sup> | <b><i>11.0%</i></b>           | <b><i>11.0%</i></b>          | <b><i>89.0%</i></b>         |

<sup>\*</sup> *UW Trust Funds' "internally-managed" endowment assets are comprised of the U.S. Treasurys and U.S. TIPS portfolios, both passively managed by UW-Madison's Applied Security Analysis Program.*

|                                                                                                                                                                   |
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| <p style="text-align: center;"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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### **ENDOWMENT GROWTH FROM NEW GIFTS**

#### **New Gifts as a Percent of Average Endowment Value\***

|                              |                    |
|------------------------------|--------------------|
| NACUBO All Pools             | 3.3%               |
| NACUBO \$100-\$500 million   | 3.5%               |
| NACUBO >\$1 billion          | 2.7%               |
| <b><i>UW Trust Funds</i></b> | <b><i>2.8%</i></b> |

*\* Rates are computed by dividing new gift dollars received by the average of the fiscal year beginning and ending market values.*

#### **New Gifts in Dollars (\$ Millions)**

|                                |                     |
|--------------------------------|---------------------|
| Commonfund All Pools           | \$7.2               |
| Commonfund \$100-\$500 million | \$7.6               |
| Commonfund >\$1 billion        | \$61.1              |
| <b><i>UW Trust Funds</i></b>   | <b><i>\$8.1</i></b> |

|                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p align="center"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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## **SPENDING POLICIES**

### **Spending Methodology\***

|                                                           | Commonfund<br>All Pools                               | Commonfund \$100-<br>\$500 million | Commonfund >\$1<br>billion |
|-----------------------------------------------------------|-------------------------------------------------------|------------------------------------|----------------------------|
| Percent of a moving average:                              | 75.0%                                                 | 76.0%                              | 64.0%                      |
| <i>12-quarter average</i>                                 | 23.0%                                                 | 29.0%                              | 20.0%                      |
| <i>20-quarter average</i>                                 | 2.0%                                                  | 2.0%                               | 2.0%                       |
| <i>3-year average</i>                                     | 38.0%                                                 | 33.0%                              | 27.0%                      |
| <i>5-year average</i>                                     | 5.0%                                                  | 4.0%                               | 11.0%                      |
| <i>Other time period</i>                                  | 7.0%                                                  | 8.0%                               | 4.0%                       |
| Decide on an appropriate rate each year                   | 9.0%                                                  | 8.0%                               | 2.0%                       |
| Spend a pre-specified percentage of beginning market rate | 4.0%                                                  | 3.0%                               | 2.0%                       |
| Weighted average or hybrid method                         | 4.0%                                                  | 4.0%                               | 7.0%                       |
| Last year's spending plus inflation                       | 3.0%                                                  | 4.0%                               | 13.0%                      |
| Spend all current income                                  | 3.0%                                                  | 1.0%                               | 0.0%                       |
| Grow distribution at a predetermined inflation rate       | 1.0%                                                  | 1.0%                               | 4.0%                       |
| Other                                                     | 8.0%                                                  | 8.0%                               | 16.0%                      |
| <b><i>UW Trust Funds</i></b>                              | <b><i>Percentage of moving 12-quarter average</i></b> |                                    |                            |

\* Multiple responses were allowed.

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2006**

**SPENDING POLICIES**

**Average Spending Rates\***

|                                |                    |
|--------------------------------|--------------------|
| Commonfund All Pools           | 4.5%               |
| Commonfund \$100-\$500 million | 4.7%               |
| Commonfund >\$1 billion        | 4.7%               |
| Big Ten                        | 4.8%               |
| <b><i>UW Trust Funds</i></b>   | <b><i>4.0%</i></b> |

*\*Average spending rates are computed by dividing actual dollars spent by the market value at the beginning of the fiscal year.*

**UW SYSTEM TRUST FUNDS**  
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**INVESTMENT RETURN ASSUMPTIONS**

**Long-Term Investment Return Assumptions**

|                                |                         |
|--------------------------------|-------------------------|
| Commonfund All Pools           | 8.2%                    |
| Commonfund \$100-\$500 million | 8.6%                    |
| Commonfund \$500-\$1 billion   | 8.6%                    |
| Commonfund > \$1 billion       | 8.9%                    |
| <b><i>UW Trust Funds</i></b>   | <b><i>8.0%-9.0%</i></b> |

|                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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**UNDERWATER FUNDS\***

|                                | Percent of Institutions Reporting<br>Underwater Funds | Percent of Endowment Underwater |
|--------------------------------|-------------------------------------------------------|---------------------------------|
| Commonfund All Pools           | 28%                                                   | 6.2%                            |
| Commonfund \$100-\$500 million | 39%                                                   | 5.2%                            |
| Commonfund > \$1 billion       | 38%                                                   | 3.0%                            |
| <b><i>UW Trust Funds</i></b>   | <b><i>None</i></b>                                    | <b><i>0.0%</i></b>              |

\* "Underwater funds" represent individual endowment accounts whose market values are below their "historic dollar value" (i.e., the original value of the gift).

|                                                                                                                                                      |
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| <p align="center"><b>UW SYSTEM TRUST FUNDS</b><br/> <b>Annual Endowment Peer Benchmarking Report</b><br/> <b>Fiscal Year Ended June 30, 2006</b></p> |
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## **STAFFING, RESOURCES, AND GOVERNANCE**

### **Committee Size and Investment Staffing**

|                                | Average Number of<br>Committee Members | Average<br>Investment Staffing | Investment Staff<br>Range * | Percent Using<br>Consultants * |
|--------------------------------|----------------------------------------|--------------------------------|-----------------------------|--------------------------------|
| Commonfund All Pools           | 7.8                                    | 1.2                            | 0-20                        | 73.7%                          |
| Commonfund \$100-\$500 million | 8.9                                    | 0.9                            | 0-4                         | 85.9%                          |
| Commonfund > \$1 billion       | 10.2                                   | 10.7                           | 0-20                        | 53.8%                          |
| <b><i>UW Trust Funds</i></b>   | <b><i>6.0</i></b>                      | <b><i>2.0</i></b>              | <b><i>N/A</i></b>           | <b><i>No</i></b>               |

\* These numbers are from the NACUBO Study.



**UW SYSTEM TRUST FUNDS**  
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**STAFFING, RESOURCES, AND GOVERNANCE**

**Average Number of Separate Investment Firms Used**

|                                |                 |
|--------------------------------|-----------------|
| Commonfund All Pools           | 14.6            |
| Commonfund \$100-\$500 million | 18.0            |
| Commonfund > \$1 billion       | 75.1            |
| <b><i>UW Trust Funds</i></b>   | <b><i>8</i></b> |

**Average Number of Separate Investment Firms Used by Asset Class**

|                                        | Commonfund All<br>Pools | Commonfund<br>\$100-\$500 mm | Commonfund<br>> \$1 billion | <b><i>UW Trust Funds</i></b> |
|----------------------------------------|-------------------------|------------------------------|-----------------------------|------------------------------|
| Domestic Equities: U.S.                | 3.8                     | 4.9                          | 7.7                         | <b><i>4</i></b>              |
| Fixed Income                           | 1.9                     | 2.0                          | 3.0                         | <b><i>3</i></b>              |
| International Equities: Non-U.S.       | 2.6                     | 2.6                          | 6.5                         | <b><i>2</i></b>              |
| Alternative Strategies – Direct        | 14.6                    | 9.4                          | 57.0                        | <b><i>0</i></b>              |
| Alternative Strategies – Fund of Funds | 3.0                     | 3.8                          | 5.9                         | <b><i>3</i></b>              |

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
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**SOCIALLY RESPONSIBLE INVESTING PRACTICES**

**Percent That Consider Social Responsibility Criteria**

|                              |                    |
|------------------------------|--------------------|
| NACUBO All Pools             | 18.3%              |
| NACUBO \$100-\$500 million   | 17.2%              |
| NACUBO > \$1 billion         | 12.2%              |
| <b><i>UW Trust Funds</i></b> | <b><i>Yes*</i></b> |

*\* UW Trust Funds actively votes proxies, solicits student and public comment on social issues, and may take ad hoc actions on social responsibility issues.*

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Voting of 2007 Non-Routine  
Proxy Proposals

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon recommendation of the President of the University of Wisconsin System, the non-routine shareholder proxy proposals for UW System Trust Funds, as presented in the attachment, be voted in the affirmative.

## **UNIVERSITY OF WISCONSIN SYSTEM TRUST FUNDS VOTING OF 2007 NON-ROUTINE PROXY PROPOSALS**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

Regent Policy 92-4 contains the proxy voting policy for UW System Trust Funds. Non-routine shareholder proposals, particularly those dealing with discrimination, the environment, or substantial social injury (issues addressed under Regent Policies 78-1 and 78-2, 74-3(a), and 97-1), are to be reviewed with the Business, Finance, and Audit Committee so as to develop a voting position.

#### **REQUESTED ACTION**

Approval of recommended voting positions.

#### **DISCUSSION**

The dominant social issues for the 2007 season are the following: the environment and “sustainability,” corporate political contributions, equal employment opportunity, global labor practices, and animal welfare. For most of the proxies related to these dominant issues (with the exception of corporate political contributions) the Trust Funds’ investment managers will be directed to vote in the affirmative, as they fall under the 20 social issues or themes that the Committee has already approved for active voting. In addition, approval to vote in favor of the following new issue is being sought for the 2007 proxy season: “Report on Political Donations.” For 2007, a typical resolution on this issue asks firms to report on their corporate political contributions.

The full report on shareholder proposals for the 2007 proxy season, including summaries of pre-approved issues, is attached.

#### **RELATED REGENT POLICIES**

Regent Policy 74-3(a): Investments and the Environment  
Regent Policy 78-1: Investment of Trust Funds  
Regent Policy 78-2: Interpretation of Policy 78-1 Relating to Divestiture  
Regent Policy 92-4: Procedures and Guidelines for Voting Proxies  
Regent Policy 97-1: Investment and Social Responsibility

# **UNIVERSITY OF WISCONSIN SYSTEM TRUST FUNDS**

## **Shareholder Proposals and Recommended Votes for 2007 Proxy Season**

### **Background**

This annually-provided report is intended to highlight significant "non-routine" proposals, from shareholders or management, which will be voted on by shareholders during the 2007 proxy season. Regent Policy 92-4, "Procedures and Guidelines for Voting Proxies," stipulates that significant non-routine issues are to be reviewed by the Business, Finance, and Audit Committee so as to develop a voting position on them. Non-routine issues are defined as the following: acquisitions and mergers; amendments to corporate charter or by-laws which might affect shareholder rights; shareholder proposals opposed by management; and "social responsibility" issues dealing with discrimination, the environment, or substantial social injury (issues addressed under Regent Policies 78-2, 74-3(a), and 97-1, respectively).

The majority of significant non-routine proposals are those dealing with social responsibility issues and corporate governance-related proposals which are often opposed by management. To the extent possible, similar shareholder proposals are grouped into identifiable "issues." Generally, it will be these issues (covering similar or identical proposals at various companies) that are reviewed and potentially approved for support by the Committee. On occasion, individual, company-specific proposals not falling under a broad "issue" will also be presented.

UW Trust Funds subscribes to Institutional Shareholder Services (ISS) for proxy research and voting data. All of the data and statistics included in this report have been provided by ISS.

### **The 2007 Proxy Environment**

Shareholders concerned with companies' management of social and environmental issues have filed more than 320 proposals so far for U.S. firms' annual meetings in 2007, up from the 300 filed at this point last year. The dominant social issues for the 2007 season are the following: the environment and "sustainability," corporate political contributions, equal employment opportunity, global labor practices, and animal welfare.

As in the past several years, concerns about the environment generated the largest single category of social issue proposals. The majority of these proposals question companies about whether they have undertaken sufficient strategic planning and action to reduce their greenhouse gas emissions, to increase their energy efficiency, or to otherwise prepare for global climate change. One out of every ten social issue proposals concerns the challenges of global warming. In fact, the climate-related proposals, along with

proposals on reducing the use of toxic chemicals or seeking action on other environmental issues, account for nearly 22 percent of the social issue proposals filed for this year's meetings.

For corporate governance issues, nearly 450 governance-related shareholder resolutions have been filed for 2007, down from 548 last year. The dominant governance issues, as in 2006, focus on executive compensation and board election reform. New executive compensation proposals for 2007 include those focusing on how companies should respond to option backdating scandals and how executive pension plan policies should be determined. Director elections by majority vote continue to be an important governance issue, based on the number of proposals filed to date as well as momentum gained from support of such proposals in recent years.

The Trust Funds proxy voting list may change as more resolutions are filed or come to light. Moreover, some proponents are likely to withdraw their resolutions if the companies agree to some or all of their requests, and other resolutions will be omitted if the Securities and Exchange Commission finds them to be in violation of its shareholder proposal rules.

### **Specific New Issues for 2007**

Approval to vote in favor of the following new issue is being sought for the 2007 proxy season: "Report on Political Donations." Campaign finance advocates have long argued that contributions from corporate America may cast strong political influence. Shareholders are seeking companies to be held accountable for how corporate political dollars are spent. A typical resolution on this issue asks firms to report on their corporate political contributions.

### **Issues Previously Approved**

Given below is a list of those issues that the Committee has previously approved for support (i.e., voting in the affirmative). A brief re-cap of each of these issues then follows. Any company-specific proposals not falling under a pre-approved issue are given in the voting detail attachment.

#### **PREVIOUSLY APPROVED ISSUES**

| Issue | Issue                                                 | Recommended Vote | Related Regent Policy        |
|-------|-------------------------------------------------------|------------------|------------------------------|
| 1     | Report on/implement pharmaceutical policy/pricing     | FOR              | 97-1                         |
| 2     | Report on/label genetically modified organisms (GMOs) | FOR              | 97-1                         |
| 3     | Shareholder approval for future golden parachutes     | FOR              | Non-routine corp. governance |

|    |                                                                              |     |                              |
|----|------------------------------------------------------------------------------|-----|------------------------------|
| 4  | Redeem or vote on poison pill                                                | FOR | Non-routine corp. governance |
| 5  | Report on/implement recycling development programs                           | FOR | 74-3(a)                      |
| 6  | No consulting by auditors                                                    | FOR | Non-routine corp. governance |
| 7  | Endorse core ILO principles                                                  | FOR | 97-1                         |
| 8  | Predatory lending prevention                                                 | FOR | 78-1 and 97-1                |
| 9  | Report on executive compensation as related to performance and social issues | FOR | 97-1 and corp. governance    |
| 10 | Report on global warming                                                     | FOR | 74-3(a)                      |
| 11 | Report on international lending policies                                     | FOR | 97-1                         |
| 12 | Global labor standards                                                       | FOR | 97-1                         |
| 13 | Endorse CERES principles                                                     | FOR | 74-3(a)                      |
| 14 | Report on EEO                                                                | FOR | 78-1                         |
| 15 | Increase and report on board diversity                                       | FOR | 78-1                         |
| 16 | Implement MacBride principles                                                | FOR | 78-1                         |
| 17 | Adopt sexual orientation non-discrimination policy                           | FOR | 78-1                         |
| 18 | Report on health pandemic in Africa                                          | FOR | 97-1                         |
| 19 | Sustainability reporting                                                     | FOR | 97-1                         |
| 20 | Review animal welfare methods                                                | FOR | 97-1                         |

## 1. Pharmaceutical Policies

A major new initiative for the 2002 proxy season were proposals to drug companies on the affordability of AIDS, tuberculosis, and malaria drugs in poor countries. The resolutions ask the companies to "develop and implement a policy to provide pharmaceuticals for the prevention and treatment" of the three diseases "in ways that the majority of infected persons in poor nations can afford." As discussed under the new issue of reporting on the health pandemic in Africa, individual shareholder proposals should be reviewed here to determine what exactly will be expected of the company. Although proposals asking for reporting on the investigation, analysis and development of policies or programs to provide "affordable" drugs in Africa and other underdeveloped, pandemic-stricken areas should likely be universally supported, proposals requiring implementation of such policies or programs should be individually reviewed.



## **2. GMOs (Genetically Modified Organisms)**

Food manufacturers are not required to label products made with bioengineered ingredients, and as a result many U.S. consumers may not be aware that they are eating foods made from GMOs. GMO developers, many farmers, and the U.S. government all say that bioengineered plants are safe, but critics worry that the plants may threaten the environment, harm humans, and perhaps lead to the extinction of crops' wild cousins, an important repository of plant genetics. The majority of related resolutions ask companies to label their foods made from bioengineered ingredients or to report to shareholders on their use of bioengineered plants and food ingredients made from these plants, as well as the company's position regarding the risks to which these uses may expose it.

## **3. Golden Parachutes**

Large severance compensation agreements for executives, contingent on a change in corporate control have been the subject of shareholder and management interest for many years. Particularly during the 1980s, when hostile takeovers were commonplace, both shareholders and managers came to realize the costs and potential uses of these safety nets. Shareholder proposals typically ask for shareholder approval of future golden parachutes.

## **4. Poison Pills**

Under a typical plan, shareholders are issued rights to buy stock at a significant discount from the market price. The rights are exercisable under certain circumstances, such as when a hostile third party buys a certain percentage of the company's stock. If triggered, the pill would dilute the value and voting power of the hostile party's holdings to such an extent that the takeover attempt presumably would never be made. Pills are not intended to be triggered, but rather serve as a tool to deter any hostile takeover and force would-be acquirers to deal with the board of directors and potentially increase their purchase bid. Boards are not required to get shareholder approval to adopt poison pills, and they rarely do so. Various academic and institutional studies have not convincingly shown that poison pills generally work to the benefit of or detriment of existing shareholders from a purely economic standpoint. The adoption of poison pills can more unambiguously serve to entrench existing boards and management. Convincingly, critics say the overriding issue is the right of shareholder/owners to decide for themselves what protections they want.

## **5. Recycling**

Social investment firms are continuing to press for more recycling. Most proposals ask companies to research how they could make substantive progress in the use of recycled content for their products. Other resolutions ask for a report on the means for achieving a specified percent recovery rate within a reasonable time period. The reports should provide a cost-benefit analysis of options and an explanation of the company's position

on recycling policies. In addition, reports should list all steps the company took in investigating options for the cost-effective use of recycled materials.

## **6. Auditors**

There has been a growing concern by both investors and regulators about the provision by auditors of both audit and non-audit services to their audit clients, and the effects of these services on the independence of the audit process. The provision of certain non-audit services by a company's auditor may impair the auditor's independence and impartiality.

## **7. ILO Principles**

The proposals ask companies to endorse core standards promoted by the International Labor Organization (ILO), a multilateral agency affiliated with the United Nations that represents national employer, labor, and government bodies of 174 member states.

## **8. Predatory Lending**

Predatory lending, most often associated with the sub prime sector, is a loosely defined term that encompasses any number of unethical and illegal practices inflicted upon unsuspecting borrowers, often causing them financial distress or ruin. Activist shareholders have intensified a campaign for financial corporations to take steps which address predatory lending. The proposals primarily ask that the companies develop a policy to ensure against predatory lending practices and to report to shareholders on the enforcement of such policies.

## **9. Executive Compensation**

Institutional investors have expressed interest in ensuring that executive pay levels are linked to corporate performance. In fact, increasing pressure since the late 1980s to tie executive compensation more directly to a company's success is contributing to the surge in executive pay. CEO compensation is now steeped with stocks and options, which have become popular vehicles to more closely align management's interests with shareholders' interests. Shareholder groups are asking boards of directors to study and report on executive compensation, and to consider ways to link compensation to corporate financial, environmental, and social performance.

## **10. Global Warming**

Activist shareholders have intensified a campaign for corporations to take steps which address global warming. The typical resolution on global warming asks for a report on (i) what the company is doing in research and/or in action to reduce greenhouse gas emissions, (ii) the financial exposure due to the likely costs of reducing those emissions,

and (iii) actions which promote the view that climate change is exaggerated, not real, or that global warming may be beneficial.

### **11. Equal Employment Opportunity**

The shareholder resolutions generally ask companies to make available information that is gathered for and reported to the Equal Employment Opportunity Commission. The information required includes statistical information in defined job categories, summary information of affirmative action policies, and reports on any material litigation involving race, gender or the physically challenged.

### **12. International Lending Policies**

The effect of international bank lending in developing nations has become an increasing concern for shareholders. Proponents concerned about poverty and debt in developing countries are submitting resolutions relating to commercial bank operations and services. The concern is that people in developing countries have not benefited from the recent increased capital flows to emerging markets. Proposals often ask for the development of a policy toward debt cancellation and provisions for new lending to heavily indebted poor countries or ask companies to develop policies which promote financial stabilization in emerging market economies.

### **13. Global Labor Standards**

Concern about conditions in third world factories that supply U.S. corporations has led to a proliferation of shareholder resolutions from a variety of proponents throughout the 1990s. Proxy proposals will ask companies to take measures to ensure their global operations, or those of their suppliers, meet minimum labor and environmental standards. Companies that adopt favorable global labor policies will be less susceptible to negative impacts.

### **14. CERES Principles**

The principles affirm that corporations have a "responsibility to the environment" and that they "must conduct all aspects of their business as responsible stewards of the environment." There are ten principle statements that address environmental protection and management commitment to the environment. A typical resolution on the environment and CERES (Coalition for Environmentally Responsible Economies principles) asks that the company endorse the CERES principles.

### **15. Board Diversity**

The shareholder resolutions relating to Board diversity ask companies to report on the following issues: a) efforts to encourage diversified representation on the board; b) criteria for board qualification; c) process of selecting board nominees; and d) commitment to a policy of board inclusiveness.

## **16. MacBride Principles**

The MacBride Principles offer a statement of equal opportunity/affirmative action principles for operations in Northern Ireland. These principle statements offer a code of conduct to combat religious discrimination in the Northern Irish workplace.

## **17. Non-Discrimination: Sexual Orientation**

The shareholder resolutions ask companies to implement a policy that prohibits discrimination against employees on the basis of sexual orientation. A typical resolution would ask a company to adopt and implement a written equal opportunity policy barring discrimination on the basis of sexual orientation.

## **18. African Health Pandemics**

The shareholder resolutions ask companies with substantial leverage in the labor markets of sub-Saharan Africa to report on the effect of deadly diseases on the company's operations as well as on any measures taken in response. In addition, resolutions ask pharmaceutical companies to "establish and implement standards of response to the health pandemic of HIV/AIDS, tuberculosis, and malaria in developing countries, particularly Africa."

## **19. Sustainability**

A typical resolution asks firms to prepare a sustainability report at a reasonable cost. The most widely used definition of sustainability is "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

## **20. Animal Welfare**

A typical resolution asks firms to review or report on animal treatment or welfare practices, including slaughter methods, with the ultimate objective being to ensure more humane treatment of animals.

### **Recommended Action**

Trust Funds staff requests approval to vote in the affirmative for the 58 shareholder proposals presented in the attached list. Most of these proposals can be viewed as falling under one of the 20 pre-approved "issues." In addition, approval is requested to vote in the affirmative on shareholder proposals requesting that companies report on their political contributions. Furthermore, approval is requested to vote in the affirmative on additional proxies coming to vote in 2007 if the proposals can be viewed as falling under one of these approved "issues."

UW TRUST FUNDS  
2007 Proxy Season Voting List: Proposals Under Preapproved Issues

| Security Description | Mtg Date | Proposal                                           | Policy    | Vote        |
|----------------------|----------|----------------------------------------------------|-----------|-------------|
| AMERICAN ELECT POWER | 4/26     | Issue sustainability report                        | 74-3/97-1 | Affirmative |
| AMERICAN ELECT POWER | 4/26     | Report on political contributions                  | CG        | Affirmative |
| AT&T                 | 5/1      | Report on political contributions                  | CG        | Affirmative |
| AT&T                 | 5/1      | Vote on future golden parachutes                   | CG        | Affirmative |
| BRISTOL MYERS SQUIBB | 5/1      | Review animal welfare standards                    | 97-1      | Affirmative |
| BURLINGTON NORTHERN  | 4/20     | Issue sustainability report                        | 74-3/97-1 | Affirmative |
| CHEVRON              | 4/19     | Review animal welfare standards                    | 97-1      | Affirmative |
| CHEVRON              | 4/19     | Report on environmental review process             | 74-3      | Affirmative |
| CHEVRON              | 4/19     | Adopt comprehensive human rights policy            | 97-1      | Affirmative |
| CHEVRON              | 4/19     | Set greenhouse gas emission reduction goals        | 74-3      | Affirmative |
| CHEVRON              | 4/19     | Redeem or vote on poison pill                      | CG        | Affirmative |
| CHEVRON              | 4/19     | Report on political contributions                  | CG        | Affirmative |
| CITIGROUP            | 4/17     | Report on political contributions                  | CG        | Affirmative |
| CONOCO PHILLIPS      | 5/1      | Report policy on indigenous peoples                | 74-3/97-1 | Affirmative |
| CONOCO PHILLIPS      | 5/1      | Review National Petroleum Reserve                  | 74-3      | Affirmative |
| CONOCO PHILLIPS      | 5/1      | Development of renewable energy alternatives       | 74-3      | Affirmative |
| CONOCO PHILLIPS      | 5/1      | Report on community hazards                        | 74-3      | Affirmative |
| COSTCO WHOLESALE     | 4/1      | Issue sustainability report                        | 74-3/97-1 | Affirmative |
| EOG RESOURCES        | 5/1      | Report on greenhouse gas emissions                 | 74-3      | Affirmative |
| EXELON CORP          | 6/1      | Vote on future golden parachutes                   | CG        | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Disclose greenhouse gas emission from products     | 74-3      | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Report on climate change challenges                | 74-3      | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Development of renewable energy alternatives       | 74-3      | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Set GHG emission reduction goals                   | 74-3      | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Report planned response to California climate law  | 74-3      | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Report on community hazards                        | 74-3      | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Adopt sexual orientation non-discrimination policy | 78-1      | Affirmative |
| EXXON MOBIL CORP     | 5/1      | Report on political contributions                  | CG        | Affirmative |
| GENZYME CORP         | 5/1      | Vote on future golden parachutes                   | CG        | Affirmative |
| HALLIBURTON          | 5/1      | Adopt comprehensive human rights policy            | 97-1      | Affirmative |
| HALLIBURTON          | 5/1      | Adopt sexual orientation non-discrimination policy | 78-1      | Affirmative |
| HALLIBURTON          | 5/1      | Vote on future golden parachutes                   | CG        | Affirmative |
| HALLIBURTON          | 5/1      | Report on political contributions                  | CG        | Affirmative |
| HARTFORD FINANCIAL   | 5/1      | Report on climate change challenges                | 74-3      | Affirmative |
| HOME DEPOT           | 5/28     | Report on equal employment opportunity             | 78-1      | Affirmative |
| HOME DEPOT           | 5/28     | Redeem or vote on poison pill                      | CG        | Affirmative |
| HOME DEPOT           | 5/28     | Report on political contributions                  | CG        | Affirmative |
| JP MORGAN CHASE      | 5/17     | Report on political contributions                  | CG        | Affirmative |
| MERCK & CO           | 4/26     | Report policy on drug reimportation                | 97-1      | Affirmative |
| MERCK & CO           | 4/26     | Review animal welfare standards                    | 97-1      | Affirmative |
| MERCK & CO           | 4/26     | Report on political contributions                  | CG        | Affirmative |
| MCGRAW-HILL          | 4/27     | Report on political contributions                  | CG        | Affirmative |
| MICROSOFT            | 11/1     | Adopt sexual orientation non-discrimination policy | 78-1      | Affirmative |
| MORGAN STANLEY       | 4/1      | Issue sustainability report                        | 74-3/97-1 | Affirmative |
| NISOURCE INC         | 5/1      | Redeem or vote on poison pill                      | CG        | Affirmative |
| OCCIDENTAL PETROLEUM | 5/1      | Report on climate change science                   | 74-3      | Affirmative |
| PACCAR INC           | 4/1      | Redeem or vote on poison pill                      | CG        | Affirmative |
| PNC FINANCIAL        | 4/1      | Redeem or vote on poison pill                      | CG        | Affirmative |
| PRAXAIR              | 4/1      | Redeem or vote on poison pill                      | CG        | Affirmative |
| SEMPRA ENERGY        | 5/1      | Report on greenhouse gas emissions                 | 74-3      | Affirmative |
| SHAW GROUP           | 5/1      | Vote on future golden parachutes                   | CG        | Affirmative |
| SPRINT NEXTEL        | 4/19     | Issue sustainability report                        | 74-3/97-1 | Affirmative |

UW TRUST FUNDS  
2007 Proxy Season Voting List: Proposals Under Preapproved Issues

|             |      |                                            |      |             |
|-------------|------|--------------------------------------------|------|-------------|
| TARGET      | 5/18 | Report on political contributions          | CG   | Affirmative |
| WELLS FARGO | 4/26 | Set GHG emission reduction goals           | 74-3 | Affirmative |
| WELLS FARGO | 4/26 | Report on fair housing lending policy      | 78-1 | Affirmative |
| WYETH       | 4/30 | Review animal welfare standards            | 97-1 | Affirmative |
| WYETH       | 4/30 | Report on political contributions          | CG   | Affirmative |
| WYETH       | 4/30 | Report on drug price reimportation efforts | 97-1 | Affirmative |

*Note: A "CG" designation represents a non-routine Corporate Governance proposal.*

UW System Trust Funds  
Acceptance of Bequests

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon the recommendation of the President of the University of Wisconsin System and the Chancellors of the benefiting University of Wisconsin institutions, the bequests detailed on the attached list be accepted for the purposes designated by the donors, or where unrestricted by the donors, by the benefiting institution, and that the Trust Officer or Assistant Trust Officers be authorized to sign receipts and do all things necessary to effect the transfers for the benefit of the University of Wisconsin.

Let it be herewith further resolved, that the President and Board of Regents of the University of Wisconsin System, the Chancellors of the benefiting University of Wisconsin institutions, and the Deans and Chairs of the benefiting Colleges and Departments, express their sincere thanks and appreciation to the donors and their families for their generosity and their devotion to the values and ideals represented by the University of Wisconsin System. These gifts will be used to sustain and further the quality and scholarship of the University and its students.

## **UW SYSTEM TRUST FUNDS ACCEPTANCE OF BEQUESTS OVER \$50,000**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

Regent policy provides that individual bequests of \$50,000 or more will be brought to the Business, Finance, and Audit Committee so that they can, via resolution, be formally accepted and recognized by the President, Board, and appropriate Chancellor if to a specific campus. The resolution of acceptance, recognition, and appreciation will then be conveyed, where possible, to the donor, the donor's family, and other interested parties.

#### **REQUESTED ACTION**

Resolution accepting and recognizing new bequests of \$50,000 or more.

#### **DISCUSSION**

Details of new bequests of \$50,000 or more that have been or will be received by UW System Trust Funds on behalf of the Board of Regents are given in the attachment to the resolution.

#### **RELATED REGENT POLICIES**

Resolution 8559, June 7, 2002 - Process for Presenting and Reporting Bequests



### **1. Irene M. Marsh Trust**

The Irene M. Marsh Trust document states the following:

"1. To the University of Wisconsin, Madison, Wisconsin, to be used for cancer research, an undivided twenty-five (25) percent thereof."

Apparently, Ms. Marsh had few surviving relatives, and the Trust Officer at First Citizen's Bank, which had administered the trust, did not know her reasons for gifting to the University for cancer research. UW-Madison has received approximately \$111,000 from the Marsh Trust.

### **2. Dan P. Murphy Estate**

The Will of Dan P. Murphy states the following:

"8. TO – SCHOOL OF EDUCATION               \$75,000.00  
UNIVERSITY OF WISCONSIN  
Madison, WI"

The Office of Trust Funds was unable to obtain any information as to the donor's connection to the University. The Murphy bequest has been used to establish the *School of Education Program Fund*, which will be used to further the goals and programs of the School of Education at the discretion of the Dean.

### **3. Bennett H. Tollefson Estate**

Mr. Tollefson's Will states the following:

"4.1 Upon the death of the Grantor, the Trustee shall pay over and distribute the sum of Fifty Thousand (\$50,000.00) Dollars to the University of Wisconsin Mechanical Engineering Department, or its successor in interest, to be used for its general charitable purpose."

Bennett Tollefson received a Distinguished Service Award from the College of Engineering in 1998. The College's "Perspective" newsletter provided the following background information on this donor: "You could say Bennett H. Tollefson worked in the entertainment business in the '40s. Actually, Tollefson, who earned his BS in mechanical engineering from UW-Madison, developed more efficient TV, radio, and projector parts used in the '40s and for years to come. Mr. Tollefson's developments helped pave the way for future advances in broadcast devices. In 1942, he began his technical career with General Electric Company in test engineering and later moved into marketing. He also worked as a high vacuum engineer for the Atomic Energy Commission. In 1951, Mr. Tollefson opened a consulting and engineering representative business in Rochester, New York. There he worked with OEM as a consultant until his retirement in 1986. Among Mr. Tollefson's many technical developments throughout his career, he first designed electromechanical contacts for Stromberg Carlson, Eastman Kodak, and GE. He also designed and manufactured a one-piece contact for 120-voltage plugs, which is used to provide power to televisions, radios, and Kodak slide projectors. Among some of Mr. Tollefson's other developments were electromechanical clutches and brakes for starting and stopping paper and film, moving them

precise distances with essentially zero tolerance. In addition, he developed the "spark gap" to protect TV picture tubes from voltage spikes."

The Tollefson bequest has been deposited to the *Mechanical Engineering Discretionary Fund*, which is available to support the programs of the Department as approved by its Chairman.

#### **4. Frank H. Gabriel Estate**

Mr. Gabriel's Will states the following:

"G. One Million Dollars (\$1,000,000) to the McARDLE LABORATORY FOR CANCER RESEARCH, Madison Wisconsin, to be used solely for the purpose of cancer research. I direct that the McArdle Laboratory for Cancer Research shall have the discretion in determining the actual use of this bequest but the use shall be limited solely to cancer research. I am mindful that the McArdle Laboratory for Cancer Research shall have substantial areas of cancer research and I leave the discretion to it to utilize these funds in those areas decided by it."

Frank Gabriel was born in Appleton, Wisconsin in 1927 and spent his entire life in that area. He was employed for many years as a Senior Accountant for the Appleton Supply Company, and was proud to have served his country in the United States Army. Among other interests, Mr. Gabriel had a love for music of all kinds, especially vocal music, and he was an expert on the Big Band Era. An obituary stated, "Those who were the beneficiaries of his many philanthropic pursuits will remember Frank for his generosity, as well." (Mr. Gabriel also gifted another \$1,000,000 through the UW Foundation for the UW Comprehensive Cancer Center, also for cancer research.) The bequest to the McArdle Laboratory has been used to establish a Board-designated endowment, the *Frank H. Gabriel McArdle Laboratory Cancer Research Fund*, which will provide a perpetual source of income to support cancer research at the discretion of its Director.

#### **5. Jane Horton Senescall Trust**

The Jane Horton Senescall Trust reads:

"One-half (1/2) thereof to the University of Wisconsin, of Madison, Wisconsin, to be used by the University for research in mental diseases, illness and retardation, with special emphasis on the mental retardation of children."

The Office of Trust Funds was unable to obtain any information as to the donor's connection to the University. UW-Madison has received approximately \$587,000 from this Trust, and the School of Medicine and Public Health is currently working to determine the best use of these funds, consistent with the donor's direction. Unless an exception to Regent policy is requested and granted, this gift will be used to establish a Board-designated endowment, so as to provide perpetual research support in these areas.

#### **6. Marion Peabody Trust & Cary S. Peabody Family Trust**

Both Peabody Trusts state the following:

"Four percent (4%) to the University of Wisconsin Medical School, Madison, Wisconsin, in memory of Marion M. Peabody, R.N., B.S., and Cary S. Peabody, A.B., M.D."

Marion Peabody received her B.S. from the UW-Madison's School of Nursing in 1944, while Dr. Cary Peabody received his M.D. from UW Medical School in 1939. We also know that Dr. Peabody served as a physician in the U.S. Army Medical Corps with the rank of captain during and after World War II, from 1942 to 1946. He then practiced ophthalmology for 25 years in Ohio. After retiring in 1976, he and Marion moved to Lake Odessa, Michigan, and in 1990 to Grand Rapids. To date, approximately \$92,000 has been received from the Peabody Trusts, and final distributions will likely bring the gift total to nearly \$150,000 for the School of Medicine and Public Health. (The Peabodys also gifted directly to the University of Wisconsin Nurses Alumni Association for scholarships in the School of Nursing.)

## **7. Proceeds from Sale of the Ann Carroll Hanson Forest**

This land, consisting of 1,028 acres in Ashland County, was gifted to UW-Madison many years ago by Martin Hanson and family. Since the forest was no longer being used by UW for research as originally intended, the former owner expressed a desire that the land be sold to the U.S. Forest Service. At its meeting of April 7, 2006, the Board of Regents passed a resolution authorizing this transaction. At that time, the Board was informed that based upon discussions with the donor family, "the first \$1.5 million would be used to set up an endowed chair in the Nelson Institute for Environmental Studies, and the remaining funds would be earmarked specifically for the UW Arboretum to undertake storm water management and other facility maintenance improvements." [Minutes of the Board of Regents meeting, April 7, 2006]

UW Trust Funds has since received \$2,200,000, representing the entire sale proceeds. Of this, \$1,500,000 has been used to establish an endowment, the *Nelson-Hanson Trust*, the income from which will be made available to support an endowed chair in the Nelson Institute for Environmental Studies at UW-Madison. The remaining \$700,000 received has been used to establish a quasi-endowment, the *Hanson Forest Trust Fund*, the principal and income from which will be available to the UW Arboretum for storm water management and other facilities maintenance improvements.

UW-Madison Division of Intercollegiate Athletics  
Contract with Learfield Communications.

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That upon, recommendation of the President of the University of Wisconsin System and the Chancellor of the University of Wisconsin-Madison, the Board of Regents approves the amended and restated agreement with Learfield Communications, which will provide certain marketing and multi-media rights through June 30, 2019.

**CONTRACT FOR EXCLUSIVE MULTI-MEDIA RIGHTS  
AGREEMENT FOR  
UW-MADISON DIVISION OF INTERCOLLEGIATE ATHLETICS**

**EXECUTIVE SUMMARY**

**BACKGROUND**

UW-Madison is prepared to enter into an amended and restated contractual agreement with Learfield Communications for the purpose of awarding Learfield certain marketing and multi-media rights as contained in an Exclusive Multi-Media Rights Agreement by and between Learfield Communications and the Board of Regents of the University of Wisconsin System, on behalf of UW-Madison and its Division of Intercollegiate Athletics, for review and approval by the Board of Regents.

**REQUESTED ACTION**

That, upon recommendation of the President of the University of Wisconsin System and the Chancellor of the University of Wisconsin-Madison, the Board of Regents approves the amended and restated agreement with Learfield Communications, which will provide certain marketing and multi-media rights through June 30, 2019.

**DISCUSSION**

**History of current contract**

Prior to 2001, the Division of Intercollegiate Athletics at UW-Madison utilized a segmented approach toward its marketing and media rights activities. For instance, the Division's marketing and promotions personnel coordinated the sales of corporate sponsorships and game-day promotions. The National W Club handled the advertising sales, publication and distribution of our game day programs at football, men's and women's basketball, and men's hockey. Learfield Communications was previously awarded broadcast rights for football, men's basketball, and women's basketball. WIBA/Clear Channel Communications was awarded broadcast rights to our men's hockey games. Many of the Division's coaches handled their own weekly television and radio shows.

In the late 1990s, the Division coordinated the end dates of the several marketing and media rights entities in the marketplace at that time. In doing so, the Division created an opportunity to consolidate the marketing and media rights.

The Division chose to proceed with a competitive solicitation process and obtain formal proposals from outside entities interested in the Division's consolidated marketing and

multi-media rights. An award was made to Learfield Communications and successful negotiation of a final five-year contract with two one-year options was completed and executed in September, 2002.

In January, 2004, the UW Athletic Department exercised its options to renew the contract through June 30, 2009.

The terms and provisions of the negotiated final contract with Learfield Communications provided significant economic and marketing benefits to UW-Madison and its Division of Intercollegiate Athletics by increasing the amount of revenue generated annually from the Division's marketing and media rights activities. In addition, the agreement provided advertising and promotional opportunities to advance the Division's ticket sales and other marketing initiatives as appropriate.

### **Current proposal to amend and restate the Agreement**

In June, 2006, Learfield Communications presented a proposal to amend and restate the current Exclusive Multi-Media Rights Agreement with the UW-Madison Athletic Department. The Division gathered extensive information from other colleges and universities regarding multi-media rights agreements elsewhere and concluded that the proposal to amend and restate the current Agreement compared favorably with other multi-media rights agreements and that accepting the proposal would be in the best interest of the Division.

The principal provisions of the proposal can be summarized as follows:

- The agreement extends the current term by 10 years. The contract would be effective on the date it is signed on behalf of all parties and will continue through June 30, 2019.
- Learfield will continue to manage Coaches' Television Shows, Coaches' Radio Shows, Live Radio Game Broadcast for football, men's basketball, women's basketball, and men's hockey, and limited Television Broadcast Rights for men's hockey, women's basketball, and women's volleyball.
- Learfield agrees to increase the annual rights fee of the last two years of the current contract by a combined total of \$2,040,000.
- Learfield agrees to pay a one-time extension bonus of \$1 million and to pay \$750,000 toward installation of courtside LED signage at the Kohl Center and LED fascia signage at Camp Randall Stadium.
- Learfield will donate \$25,000 each year of the contract to fully endow a scholarship in the UW-Madison School of Journalism and Mass Communication.

- Each year of the Agreement, Learfield will provide up to three paid internship opportunities on its staff for University students or graduates.
- Each year of the contract, Learfield will continue to provide the Division with a significant number of advertising and promotional opportunities including:
  - 20 advertising units per week on each of the statewide network stations from August 1 through April 30;
  - 120 advertising units per week on each the Madison area affiliate from August 1 through April 30;
  - 75 advertising units per week on other Madison area stations from August 1 through April 30;
  - An additional 500 advertising units per year on the Madison affiliate and its sister stations from August 1 through April 30;
  - 25 promotional announcements each week on the Madison area affiliate and one of its sister stations promoting the broadcast coverage of football, men's basketball, women's basketball, and men's hockey;
  - 1,400 advertising units per year on the Milwaukee affiliate;
  - 200 additional advertising units per year on each of the Wisconsin Radio Network station.
- Learfield will manage the production, advertising sales, and distribution for game day programs in football, men's and women's basketball, men's hockey, and volleyball.
- Learfield will manage advertising and promotional rights, including scoreboard advertising and other in-venue advertising, Promotional Items and Events, and other marketing opportunities as mutually agreed.
- The Division retains certain rights such as Pouring Rights, and Shoe and Apparel Rights.
- The Division will provide Learfield with tickets, parking, suite usage, and game day sponsorship opportunities.
- The Division will provide office space for Learfield personnel in accordance with University policies.
- Learfield will provide the Division with a minimum of \$250,000 annually in trade benefits, of which, a minimum of \$150,000 must be in media trade.
- Learfield agrees that no advertisements prohibited by NCAA, the Big Ten, WCHA or University will be permitted.
- Learfield's Madison-based staff will operate under the name of Badger Sports Properties.

## **CONCLUSION**

The proposed Agreement has been reviewed by the Division of Intercollegiate Athletics, the UW-Madison Office of the Chancellor, the UW-Madison Administrative Legal Services, and the UW-Madison Office of Trademark Licensing. Given the above information and Learfield's excellent reputation and work in the industry, the UW-Madison Division of Intercollegiate Athletics respectfully recommends that the Board of Regents accepts the proposed amended and restated Agreement with Learfield Communications.

## **RELATED REGENT POLICY**

Regent Resolution 8875, dated June, 2004, Authorization to Sign Documents.



**AMENDED AND RESTATED  
EXCLUSIVE MULTI-MEDIA RIGHTS AGREEMENT  
FOR UNIVERSITY OF WISCONSIN-MADISON  
DIVISION OF INTERCOLLEGIATE ATHLETICS**

THIS AMENDED AND RESTATED MULTI-MEDIA RIGHTS AGREEMENT FOR UNIVERSITY OF WISCONSIN-MADISON INTERCOLLEGIATE ATHLETICS (“Restatement”) is made as of the \_\_\_\_ day of \_\_\_\_\_, 2007 by and between BADGER SPORTS PROPERTIES, LLC (“Contractor”), a wholly-owned limited liability company of LEARFIELD COMMUNICATIONS, INC., (“Learfield”) and the BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM on behalf of the Division of Intercollegiate Athletics of the University of Wisconsin-Madison, a non-profit institution of higher education under the laws of Wisconsin (“University”).

**BACKGROUND**

- A. Learfield and University entered into an Exclusive Multi-Media Rights Agreement for University of Wisconsin-Madison Intercollegiate Athletics on the 20<sup>th</sup> day of September, 2002 (“Agreement”).
- B. Learfield assigned all of its rights, obligations, responsibilities and benefits under the Agreement to Contractor in December, 2003 (“Assignment”).
- C. Contractor and University amended the Agreement on June 15, 2005 (“First Amendment”).
- D. Contractor and University again amended the Agreement on February 6, 2006 (“Second Amendment”).

- E. The University has determined that it is in its best interest to amend and restate the Agreement, First Amendment and Second Amendment. Therefore, Contractor and University have agreed upon several changes to the Agreement, First Agreement and Second Agreement and have amended and restated the Agreement in its entirety.
- F. From and after the date set forth above, the Agreement shall be amended and restated in its entirety by this Restatement.
- G. Whenever reference is made to “Learfield” in this Agreement, it shall, as the context requires, mean “Contractor”.

NOW, THEREFORE, in consideration of the foregoing Background and other valuable consideration, Contractor and University (“Parties”) amend and restate the Agreement by this Restatement which shall hereafter be referred to as the “Agreement”.

## **I. Mutual Cooperation**

1.1 This Agreement is to be entered into with a spirit of mutual cooperation by both parties. University and Learfield will agree to discuss the multi-media rights granted herein and any unforeseen problems which may develop in the operation of this Agreement to the end that mutually satisfactory solutions shall be obtained.

1.2 Additional Multi-Media Rights. Although this Agreement includes specific rights granted to Learfield, it is agreed that from time to time opportunities for additional multi-media rights may arise or be created that might not have been contemplated or specifically mentioned in this Agreement, including, but not limited to, Learfield finding additional ways to leverage the existing inventory (“Additional Rights”). If the nature of the Additional Rights requires the addition of a significant item of inventory that did not already exist in an athletic venue in any format and it materially alters the athletic venue within which such item of inventory is to be

used, then Learfield will notify University of such new inventory item in order to obtain University's approval of such new inventory item.

## **II. Agreement Term**

- 2.1 Term. The Agreement shall continue in effect through the 2018 – 2019 “Athletic Season” which for purposes of this Agreement shall mean July 1 through June 30.
- 2.1.1 The University shall meet with Learfield prior to December 31, 2016 to negotiate in good faith the renewal of this Agreement ("First Dealing Period"). The parties shall not be obligated to enter into an agreement if they cannot settle on mutually satisfactory terms during the First Dealing Period. Such discussions must occur prior to University dealing with any competitor of Learfield. If Learfield and University cannot reach agreement with respect to the renewal of this Agreement by the end of the First Dealing Period, University may enter into negotiations with a Learfield competitor.
- 2.1.2 Following the First Dealing Period and continuing through August 31, 2017, University agrees to refrain from entering into an endorsement or similar agreement with a Third Party without first giving Learfield an opportunity to enter into an agreement with University for such rights on the Third Party terms and conditions -- measured solely in terms which are material, measurable and matchable (“Third Party Terms”). University shall notify Learfield in writing of the Third Party Terms University receives for its endorsement or any similar agreement. Learfield shall have thirty (30) days from its receipt of such advice to match such Third Party Terms. If Learfield matches said Third Party Terms then University must enter into said agreement with Learfield.

## **III. Exclusive Rights to Television and Radio Broadcast and Print Media**

Subject to the terms and conditions of the University's Assignment of Television Rights to the Big Ten Conference, Inc. and any restrictions and modifications set forth therein, University grants to Learfield the exclusive rights to the following television and radio broadcast elements:

3.1 Coaches' Television Show Rights. Coaches' television show rights is defined as the exclusive rights to produce and commercially distribute University's Football, Men's Basketball, Women's Basketball, and Men's Hockey head coaches' television shows as specified in this section.

3.1.2 Responsibility of Learfield. Learfield shall produce and distribute coaches' shows in accordance with the terms specified herein. Learfield will pay all costs associated with coaches' shows, including any talent other than the head coaches. Learfield will also furnish a host for the shows at Learfield's expense. The designated host will be subject to prior approval by University.

3.1.3 Number of Shows. There will be approximately twelve (12) football coaches' shows and seventeen (17) Badger Sports Reports. University shall approve the schedule of shows in advance. Learfield reserves the right to submit alternative programming plans for University approval, which approval will not be unreasonably withheld.

3.1.4 Nature and Content of Show. Each show will be thirty (30) minutes in duration and will be recorded. In addition to game highlights, the shows will contain features and other material relevant to the Football, Men's Basketball, Women's Basketball, Men's Hockey or other athletic programs of University. In all cases, Learfield and University will mutually agree upon the format and content of the television programs as well as the participation requirements of the head coaches. University reserves the right to make final decisions concerning quality, talent and the extent of coaches' participation, as well as the availability of the head coaches for participation but subject however to the provisions of Section 3.1.9. University also reserves the right to change the scope of the weekly coaches shows to feature more of an overall athletic department scope, a "Today in Wisconsin Athletics" type of format, including football and men's and women's basketball and each respective coach, but allowing for more breadth of coverage for all athletic programs.

3.1.5 Distribution Rights and Limitations. Learfield will have exclusive first run distribution rights within the state of Wisconsin (including minimal spillover into other markets

within the broadcast/telecast territory of the local broadcast station/regional network). Learfield also will have non-exclusive replay distribution rights within the State of Wisconsin and outside the Big Ten region.

3.1.6 Times of Shows. The shows shall be cleared for telecast weekly, no earlier than 8 a.m. and no later than 11:00 p.m. The only allowable exception shall be those occasions when special station or network programming must preempt the coaches' show and move it to another time. Learfield shall endeavor to determine when these preemptions will occur and arrange for alternate times that are agreeable and hold equal value to University. Learfield will encourage the stations to notify their viewers of a change in airtime.

3.1.7 Commercial Advertisements. Subject to Section 11.8 (Advertising), Learfield will have full rights to sell all advertising in the first-run and non-exclusive telecasts, subject to the terms and conditions of the University's Assignment of Television Rights to the Big Ten Conference, Inc. and any restrictions and modifications set forth therein. University reserves the right to four (4) 30 second spots per show for athletic shoe and apparel, its athletic pouring rights holder, and/or institutional or athletic department messages. Notwithstanding anything contained in this Section 3.1.7 to the contrary, when inventory not currently available to Learfield due to existing University agreements, such as pouring rights, shoe and apparel rights and merchandising rights, signage, media and promotional inventory and revenues generated related thereto (excluding the pouring rights, shoe and apparel rights and merchandising rights themselves) shall revert to Learfield and signage, media and promotional inventory related thereto and controlled by University shall likewise be reduced.

3.1.8 Miscellaneous. Learfield will provide one (1) videotape or DVD of the shows to University at no charge. University reserves all ownership rights to the shows and the rights to the videotape or DVD recordings of the shows shall become the sole property of University. It is understood that Learfield shall have non-exclusive distribution rights associated with season highlight DVDs or comparable commercial products if such rights are available to University.

3.1.9 Coaches' Participation. Coaches will not “regularly participate” (as hereinafter defined) in another coach’s television show as the primary or featured participant or sole talent of that show or any show unrelated to Learfield’s rights for a period of longer than ten (10) minutes. Each coach will be allowed to participate in national or conference call-in shows featuring multiple participants for the purpose of media information and other benefits, as well as participation on local or state radio interviews for the agreed-upon period of not longer than ten (10) minutes and not for commercial sponsorship or for any period of regularity. For purposes of this Section 3.1.9, the term “regularly participate” shall mean a bi-monthly appearance by a coach unless the parties agree upon such other definition. Notwithstanding anything contained in Section 3.1.4 (Nature and Content of Show) or this Section 3.1.9 to the contrary, coaches will be required at a minimum to be in attendance at each show for a period of time which is sufficient to culminate in the production of a thirty (30) minute show.

3.1.10 Compliance and Indemnification. Learfield warrants that any program, advertising and promotional materials shall not contain libelous, obscene or other unlawful material, and shall not infringe upon the statutory or common law copyright or trademark or any other right of any person or property in the world. Learfield shall indemnify and hold harmless University, its officers, agents and employees, from and against any and all claims or damages of any type whatsoever arising out of any action or inaction of Learfield in connection with the advertising, marketing and promotions rights granted herein, unless such action or inaction are the result of the action or inaction of University, its officers, agents and employees. These warranties shall survive the termination for any reason of this Agreement.

## 3.2 Coaches' Radio Show Rights

3.2.1 Radio Show Rights. Coaches' radio show rights is defined as the rights to produce and commercially distribute Football, Men’s Basketball, Women’s Basketball and Men’s Hockey head coaches’ radio shows as specified in this Section 3.2. These rights are separate from

the coaches' pre- and post-game radio shows, which are described below in Section 3.3 (Live Radio Play-by-Play Rights).

3.2.2 Responsibility of Learfield. Learfield shall produce and distribute shows in accordance to the terms specified herein. Learfield shall pay all costs associated with shows, including any talent other than the head coaches. Learfield will also furnish a host for the shows at Learfield's expense. Learfield will select the designated host, subject to University approval, whose approval shall not be unreasonably withheld.

3.2.3 Types of Shows. There will be two (2) separate and distinct coaches' radio shows. The first will be referred to in this section as the "Live Radio Show." The second will be referred to as the "Daytime Recorded Radio Show."

3.2.4 Live Radio Shows.

3.2.4.1 Number of Shows. There will be approximately thirteen (13) football coaches' shows, approximately seventeen (17) men's and women's basketball shows and approximately seventeen (17) men's hockey coaches' shows. Learfield reserves the right to submit alternative programming plans for University approval, which approval will not be unreasonably withheld.

3.2.4.2 Nature and Content of Show. Each show will be at least thirty (30) minutes in duration and will be live except when extraordinary circumstances require the show to be recorded. Under such circumstances, the show may be recorded with the approval of University, whose approval shall not be unreasonably withheld. Learfield and University will mutually agree upon the format and content of the radio program as well as the participation requirements of the coaches. University reserves the right to make final decisions concerning the location used for the broadcast, the quality of the shows, the talent used, the extent of coaches'

participation, as well as the availability of the coaches for participation; provided, however, it is the expressed intent of the parties that the head coach will appear either live at each location or due to pre-approved conflict by telephone from a remote location, and provided that such decisions shall not be unreasonable withheld. In the event that it is not possible for a head coach to appear on a particular week's show, University will provide an assistant coach or other suitable replacement at no charge to Learfield. Learfield shall furnish, at no cost to University, all elements required for the production origination, transmission, broadcast and staffing, with the exception of the coaches' talent, of the Call-in Show.

3.2.4.3 Clearance. The shows will be cleared to air on radio stations throughout Wisconsin. Every effort will be made to clear the shows in a manner enabling any and all residents of Wisconsin and any additional locations deemed mutually desirable to obtain a clear signal. The shows may also be aired by the University on its website.

3.2.4.4 Times of Shows. Learfield will use its best efforts to clear the shows for broadcast on a weekday evening which will remain consistent during the year, except when an in-season game conflicts with the standard time. When this occurs, the show will be moved to another evening during the week, or University and Learfield will mutually decide upon a suitable alternative.

3.2.4.5 Commercial Advertisements. Learfield shall have full rights to sell all advertising related to coaches' radio shows; provided, however all advertising sales shall be subject to the provisions of Section 11.8 (Advertising). University reserves the right to four (4) 30 second spots per show for athletic shoe and apparel, its athletic pouring rights holder, and/or institutional or athletic department messages..

3.2.4.6 Coaches' Participation. Coaches will not "regularly participate" (as previously defined in Section 3.1.9) in another "live call-in radio show" as the primary or featured participant or sole talent of that show or any show unrelated to Learfield's rights for a period of longer than ten (10) minutes. Each coach will be allowed to participate in national or



conference call-in shows featuring multiple participants for the purpose of media information and other benefits, as well as participation on local or state radio interviews for the agreed-upon period of not longer than ten (10) minutes and not for commercial sponsorship or for any period of regularity.

### 3.2.5 Daytime Recorded Radio Show.

3.2.5.1 Clearance. The shows will be cleared to air on radio stations throughout Wisconsin. Every effort will be made to clear the shows in a manner enabling any and all residents of Wisconsin to obtain a clear signal. The shows also may be aired by the University on its website.

3.2.5.2 Times of Shows. The shows will be cleared for broadcast between 7 a.m. and 10 p.m.

3.2.5.3 Coaches' Participation. Coaches will not "regularly participate" (as previously defined in Section 3.1.9 (Coaches' Participation) in another "Daytime Recorded Radio Show" as the primary or featured participant or sole talent of that show or any show unrelated to Learfield's rights for a period of longer than ten (10) minutes. Each coach will be allowed to participate in national or conference call-in shows featuring multiple participants for the purpose of media information and other benefits, as well as participation on local or state radio interviews for the agreed-upon period of not longer than ten (10) minutes and not for commercial sponsorship or for any period of regularity.

3.2.5.4 Commercial Advertisements. Learfield shall have full rights to sell all advertising related to coaches' radio shows; provided, however all advertising sales shall be subject to the provisions of Section 11.8 (Advertising). Additionally, the show may contain features and other materials relevant to the athletic programs for the purpose of promotion of University's intercollegiate athletics.

3.2.5.5 General Terms Applicable to Coaches. University will use its best efforts to discourage the coaches from having endorsements with corporations which are competitive with the sponsors secured or being pursued by Learfield. Further, University will discourage its coaches from actively pursuing endorsements which are in conflict with the endorsements sought or obtained by Learfield. University will encourage its coaches to cooperate with Learfield if Learfield needs to obtain an endorsement which is beneficial to maximizing the income from the rights granted under this Agreement, it being understood however by Learfield, that Learfield has no right to require a coach to endorse a particular product. University will encourage its coaches to cooperate with Learfield to accommodate reasonable requests of Learfield for its sponsors, in order to maintain at a minimum no less participation from the coaches with sponsors than in years past.

3.2.6 Compliance and Indemnification. Learfield warrants that any program, advertising and promotional materials shall not contain libelous, obscene or other unlawful material, and shall not infringe upon the statutory or common law copyright or trademark or any other right of any person or property in the world. Learfield shall indemnify and hold harmless University, its officers, agents and employees, from and against any and all claims or damages of any type whatsoever arising out of any action or inaction of Learfield in connection with the advertising, marketing and promotions rights granted herein, unless such action or inaction are the result of the action or inaction of University, its officers, agents and employees. These warranties shall survive the termination for any reason of this Agreement.

### 3.3 Live Radio Play-By-Play Broadcast Rights.

3.3.1 Broadcast Rights. "Live Radio Play-By-Play Rights" is defined as the rights to produce and commercially distribute all Football, Men's Basketball, Men's Hockey and Women's Basketball games, including pre- and post-game shows. All regular season games and, when rules allow, all post-season and tournament games will be required to be broadcast. Learfield will be University's designated radio rights holder for all post-season play-by-play coverage. This includes bowl games and pre-season football games such as the "Kick Off

Classic" if University is a participant and if rules allow. Pre-season men's basketball and women's basketball games, such as the National Invitational Tournament (NIT), are required to be broadcast if NIT/NCAA rules allow. Additionally, pre-season exhibition games for men's basketball and women's basketball will be required to be broadcast by all network affiliates. The broadcast rights granted herein apply only to radio broadcast rights which University owns and has the right to license. No agreement is made with regard to rights of other teams or third parties. University shall make best efforts to secure radio broadcast rights for events in which the University participates but does not own or have the right to license.

3.3.1.1 Website broadcast. University retains the right to distribute the Live Radio Broadcasts produced hereunder on its website. University agrees that any subscription charges for such broadcast belong to Learfield and will be added each year of the Term to the Adjusted Gross Revenue.

3.3.2 Clearance.

3.3.2.1 Statewide Coverage. The State of Wisconsin is required to be covered by the radio network. Coverage is defined as the ability of the broadcast signal to be heard throughout the state by every resident of Wisconsin. This area is considered a minimum, with coverage not limited to Wisconsin.

3.3.2.2 Affiliates. University and Learfield will jointly make the determination of the affiliate stations to be carried on the network, with special attention given to the Madison and Milwaukee markets. Learfield will specify a list of radio affiliates and specific markets that will be covered. A major emphasis should be placed on affiliate's signal strength, both daytime and evening, ability to reach surrounding states, and ability to offer total coverage throughout Wisconsin. Additional markets outside Wisconsin may be of interest and should be addressed. University understands that at times it may be necessary to compensate network affiliates either with inventory or cash, but Learfield shall make whatever arrangements Learfield deems to be necessary to insure the most favorable affiliates are secured on behalf of University and University programming.

3.3.2.3 Schedule. All stations on the network, which for purposes of this Section 3.3.2.3 include shadow stations carrying a game because of the game's preemption on the regular network station, will carry each scheduled game live on the network's schedule of broadcasts in its entirety, except for urgent unscheduled news interruptions, requirements of the Emergency Broadcast System, a regulatory requirement of the Federal Communications Commission or wherever required by law. An affiliate station may also preempt University network broadcasts for the broadcast of a local high school state championship game upon written notification to the network at least forty-eight (48) hours before the scheduled preemption.

3.3.3 Commercial Advertisements. Learfield shall have full rights to sell all advertising in and around its radio broadcast of the Football, Men's Basketball, Men's Hockey and Women's Basketball games: provided, however, all advertising sales shall be subject to the provisions of Section 11.8 (Advertising). University reserves the right to four (4) 30 second spots per show for athletic shoe and apparel, its athletic pouring rights holder, and/or institutional or athletic department messages. Additionally, the show may contain features and other material relevant to the athletic programs for the purpose of promotion of University intercollegiate athletics either in game or during pre-game, halftime, or post-game reports.

3.3.4 Exclusivity to Learfield. Learfield will have the exclusive broadcast rights for the programming described herein except that University may also grant radio broadcast rights to a radio station designated by the visiting team which University will be playing or to that party designated by a participating team as its official broadcaster. No additional outlets will be permitted without prior consent of Learfield and such approval will not be unreasonably withheld. Additionally, University reserves the right for its non-commercial student station to originate games during University's regular men and women's sports seasons, but only on a low power radio station which cannot carry any commercial sponsorship or advertising of any kind for such games.

3.3.5 Approval of Announcers. Learfield will furnish one (1) radio play-by-play

announcer and at least one (1) additional announcer for the purpose of handling pre-game, color, halftime and post-game responsibilities without cost to the University. University will provide to Learfield broadcast booth or space for all games at no charge. All announcers are subject to University approval, whose approval shall not be unreasonably withheld.

3.3.6 Game Broadcast. Learfield will furnish, at no cost to University, all of the elements required for a first-class production as defined by University for the production, presentation, origination, transmission, and broadcast of each game and for the commercial announcements and messages. It may be necessary for Learfield to purchase or rent equipment deemed necessary to accomplish such broadcast quality.

3.3.7 Reciprocal Broadcast Rights for Away Games. University will secure for Learfield the rights to broadcast all regular season away games. As a part of securing these rights, University will endeavor to obtain such rights at no cost to Learfield.

3.3.8 Radio Network Affiliate Advertising. During each year of the Agreement, Learfield will secure for University for University's own usage a minimum of twenty (20) 30-second advertising units to be aired each week from forty (40) selected weeks between July 1 and June 30 on each network affiliate, including the primary Madison and Milwaukee affiliates to promote upcoming events and for institutional or athletic department messages.

3.3.9 Madison Radio Affiliate Advertising. In addition to the network affiliate advertising units designated in Section 3.3.8, during each year of the Agreement, Learfield will secure for University a minimum of one hundred and twenty (120) 30-second advertising units to be aired each week from forty (40) selected weeks between July 1 and June 30 by the Madison affiliate to promote upcoming events and for institutional or athletic department messages.. These additional negotiated spots may air on sister stations of the Madison affiliate with approval from University. Learfield also will provide fifteen (15) additional 30-second units each week on WIBA AM, on WIBA FM and on WTSO AM, and ten (10) additional 30-second units each week on WMAD FM, on WMLI FM and on WZEE FM, or on any combination of the Madison

affiliate's sister stations as agreed upon by the Madison affiliate. Learfield also agrees to supply University at no cost with an additional five hundred (500) 30-second units to be aired on the Madison affiliate or its sister stations during each year of the Agreement.

3.3.10 Madison Radio Affiliate Promotional Announcements. In addition to the advertising units designated in Section 3.3.8 and 3.3.9, during each year of the Agreement, Learfield will provide a minimum of twenty-five (25) football promotional announcements on WIBA AM and on WIBA FM during each week of the football season; a minimum of twenty-five (25) men's basketball promotional announcements on WIBA AM and on WIBA FM during each week of the men's basketball season; a minimum of twenty-five (25) women's basketball promotional announcements on WIBA AM during each week of the women's basketball season; a minimum of twenty-five (25) men's hockey promotional announcements on WIBA AM during each week of the men's hockey season. WZEE FM, WMLI FM, WTSO AM and WMAD FM will provide promotion of radio play-by-play of UW radio broadcasts, including ticket availability and other information on behalf of the University.

3.3.11 Milwaukee Radio Affiliate Advertising. In addition to the network advertising spots designated in Section 3.3.8, during each year of the Agreement, Learfield will secure for University a minimum of one thousand four hundred (1,400) 30-second radio units for University for use throughout the year by the Milwaukee affiliate to promote upcoming events and for institutional or athletic department messages.. Learfield and University will mutually agree upon a reasonable distribution of advertising units.

3.3.12 Wisconsin Radio Network Advertising. During each year of the Agreement, Learfield will provide University a minimum of two hundred (200) 30-second units to be aired on the Wisconsin Radio Network to promote upcoming events and for institutional or athletic department messages. Learfield and University will mutually agree upon a reasonable distribution of advertising units.

3.3.13 Utilization of Advertising and Promotional Units. The advertising and

promotional units provided to University in Sections 3.3.8, 3.3.9, 3.3.10, 3.3.11 and 3.3.12 shall be utilized by the University for the purpose of promoting its athletic or academic programs. Notwithstanding anything contained in Sections 3.3.8, 3.3.9, 3.3.10, 3.3.11 or 3.3.12, it shall be the University's responsibility to initiate the coordination when they wish to use these units with Learfield's designated contact person and it shall be University's responsibility to develop an annual plan for such usage to be approved by Learfield in advance and then coordinated with Learfield's contact person for implementation.

3.3.14 Production costs. Based upon a reasonable usage and scheduling, audio production of all University advertising and promotional units utilized herein will be provided at no cost to University.

3.3.15 Coaches Interviews. University will arrange for the head Football, Men's Basketball, Women's Basketball and Men's Hockey coaches to be available for an interview prior to each game (to be pre-recorded at the mutual convenience of the coaches and Learfield) and immediately following each game for a post-game interview by Learfield. These interviews will be used in conjunction with the game broadcast and shall not be used in any other manner except with the written consent of University.

3.3.16 Compliance and Indemnification. Learfield warrants that any program, advertising and promotional materials shall not contain libelous, obscene or other unlawful material, and shall not infringe upon the statutory or common law copyright or trademark or any other right of any person or property in the world. Learfield shall indemnify and hold harmless University, its officers, agents and employees, from and against any and all claims or damages of any type whatsoever arising out of any action or inaction of Learfield in connection with the advertising, marketing and promotions rights granted herein, unless such action or inaction are the result of the action or inaction of University, its officers, agents and employees. These warranties shall survive the termination for any reason of this Agreement.

### 3.4 Television Broadcast Rights.

3.4.1 Broadcast Rights. Learfield acknowledges and agrees that all rights to telecast or distribute (live or delayed, whole or condensed (including highlights), throughout the universe, in any and all markets, in any and all languages and via any and all forms of media and methods of distribution and distribution technology) the University's athletic contests have been assigned by the University to The Big Ten Conference, Inc., which in turn has entered into agreements with certain third parties for the telecast or distribution of such contests. Therefore, no Football or Men's Basketball games will be available to Learfield for production or telecast. Furthermore, any other athletic contests that are not distributed by ABC/ESPN, CBS, CSTV or the Big Ten Network (the "Declined Games") may be available for telecast one (1) time only by Learfield via sublicense for distribution only on the following: 1) a local over-the-air broadcast station in the University's home market; 2) the University's official website; and 3) the University's on-campus television station. Any distribution of Declined Games by other means of distribution or any subsequent distribution by the Learfield (including the sublicense of distribution to CSTV or other third parties) is subject to the prior approval of the Big Ten Network. The Big Ten Conference, Inc., shall own the copyright to all Declined Games.

#### 3.4.2 Coverage.

3.4.2.1 Statewide Coverage. Any Declined Games shall be broadcast subject to the terms and conditions of the University's Assignment of Television Rights to The Big Ten Conference, Inc. and any restrictions and modifications set forth therein.

3.4.3 Commercial Advertisements. Subject to Section 11.8 (Advertising) and the terms and conditions of the University's Assignment of Television Rights to The Big Ten Conference, Inc. and any restrictions and modifications set forth therein, Learfield shall have full rights to sell all advertising in and around its broadcast of any University sports events to which it is granted rights to telecast. Learfield is required to provide University a minimum two (2) 30-second spots per broadcast for institutional messages.



3.4.4 Approval of Announcers. Learfield will furnish all announcers for the broadcasts without cost to the University. All announcers are subject to approval by University, whose approval shall not be unreasonably withheld.

3.4.5 Game Broadcast. Learfield will furnish, at no cost to University, all of the elements required for a first-class production as defined by industry standards for the production, presentation, origination, transmission, and broadcast of each game and for the commercial announcements and messages. It may be necessary for Learfield to purchase or rent equipment deemed necessary to accomplish such broadcast quality.

### 3.5 Game Program Production and Advertising Rights.

3.5.1 Game Program Rights. Subject to Section 11.8 (Advertising), Learfield will have the rights to produce designated game programs and to sell advertising space in those game programs. Learfield or its designee shall assume responsibility for all phases of sales and production of the Football, Men's Basketball, Women's Basketball, Men's Hockey and Women's Volleyball game programs and supplements for other University sports such as roster cards. Learfield will be responsible for the following: writing all editorial copy; generating and collecting advertising content; layout and design of all pages, including covers; scanning all photos and separations; coordinating production schedule to ensure timely delivery of game programs; distribution; procurement and oversight of all pre-press work and printing. University will provide on-going assistance in relation to game program content at no expense to Learfield, unless additional time and staffing is required on the part of the University and its staff. University shall retain the right to approve any and all game program content. Such approval shall not be unreasonably withheld and shall be granted in a timely manner.

3.5.2 Football Game Program. Learfield shall print separate editions for each home Football game. Learfield and University will mutually determine the exact number of editions each season no later than ninety (90) days prior to the first game.

3.5.3 Men's Basketball, Women's Basketball, Men's Hockey and Volleyball Game Programs. Learfield will print a minimum of nine (9) editions with a maximum of one (1) edition per game. Learfield and University will mutually determine the format, number of editions and quantity for each season no later than ninety (90) days prior to the first game.

3.5.4 Use of University Name. Other than as herein specified, Learfield may not make any use whatsoever of the name of University or any of the colleges, schools or departments contained therein in any campaign of advertising, or in any other manner whatsoever, without the express written permission of University, unless compelled to divulge said name by force of law.

3.5.5 Learfield's Responsibility. Learfield warrants and represents that any program content for which it is responsible for obtaining, including advertising, or which it supplies will contain no libelous, obscene, or other unlawful matter, and that such content does not infringe upon the statutory or common law copyright or any other right of any person or property anywhere in the world. The warranties and representations herein shall survive the termination for any reason of this agreement. Learfield agrees to indemnify and hold harmless University for any claim against or damage suffered by University as a consequence of Learfield's violation of this provision.

3.5.6 Changes. Should University and Learfield choose to make changes to specifications for programs, University will retain the right to approve any and all changes, which approval shall not be unreasonably withheld.

3.5.7 Sales. Learfield will be responsible to hire, supervise and compensate all sales personnel. Learfield will retain all revenues from sales of programs, and will be responsible for the payment of appropriate sales tax to the State of Wisconsin. University and Learfield will mutually agree upon the selling price of the game programs. University will provide locations for the sales of the game programs.

3.5.8 Complimentary Advertisements Provided to University. Learfield shall provide on a complimentary basis to University eight (8) full pages of advertising space in each Football, Men's Basketball, Women's Basketball, Men's Hockey, and Volleyball program. The complimentary ads may include, but are not limited to the following: coaches' radio shows, coaches' television shows, University's shoe and apparel provider, athletic car dealers credit or mentions, or promotion of University events. In determining its use of such advertising space, University will make best efforts to avoid conflicts within sponsorship categories sold by Learfield.

3.5.9 Delivery. Programs must be delivered to University no later than 5 p.m. the day before each home Football game, and no later than twenty-four (24) hours prior to all other home athletic events. Deliveries must be made to any and all designated University locations.

3.5.10 Roster Cards. Learfield is responsible for making modified roster cards available at various locations at selected home athletic events to be mutually agreed upon by all parties on or before August 15 of each contract year. Learfield will have the rights to secure sponsors for the roster cards, subject to Section 11.8 (Advertising).

3.6 Additional Radio, Television and Print Media Opportunities. University may grant Learfield additional Radio, television, print media and other marketing opportunities provided such opportunities are mutually agreed upon and are not in conflict with the University's Assignment of Television Rights to The Big Ten Conference, Inc.

#### **IV. Sponsorship Signage and Promotional Rights Granted**

4.1 University grants Learfield the rights to any sponsorship signage in Camp Randall Stadium, Kohl Center, McClimon Track Soccer Complex, UW Field House, University Ridge and Goodman Diamond Softball Stadium, including the rights to sell signage on any new video board or other signage technology or apparatus that may become available during the term of this Agreement that University installs in either existing venues or new venues. Learfield will provide

input into the design of any new signage technology in regards to marketing and sponsorship. Learfield agrees to pay for any costs associated with the replacement of the signage panels, but routine maintenance costs will be paid for by the University. The rights granted are as follows:

#### 4.1.1 Camp Randall Stadium Signage.

Main Scoreboard (north end zone): 14 signs total - 3 on each of the two tri-vision rotating signs plus 8 fixed panels.

Auxiliary Scoreboard (south end zone): 8 signs total – 3 on each of the two tri-vision rotating signs plus 2 fixed panels.

Tunnel Signs (near field): one rotating sign in each of the north end zone corners.

#### 4.1.2 Kohl Center Signage.

Scorer's Table: Digital as of 2007 season.

Main Scoreboard: 16 total – one on each of the four upper corners (4), 12 along the lower ring of the scoreboard.

Suite Level: 8 signs total – 2 in each corner of the 100 level (3' x 8' each)

Auxiliary boards: 12 total – two on each corner of the 200 level fascia (8), plus two on each side of the 200 level fascia (4).

Concourse Signs: 22 signs total – 12 on 1st level and 10 on 2<sup>nd</sup> level

Basket Pads: Both baskets

Zamboni: Variety of space available for logo display

Dasher boards: 30 locations total – 8 pairs along the sides of the ice rink and 7 pairs on opposite ends of the ice rink

Four Corner Signs: Digital as of 2007 season.

Concourse Televisions: 34 TVs in concourse with logo display

#### 4.1.3 Other Signage.

Field House Main Scoreboard: No current inventory.

Field House Scorer's Table: four fixed panels

Field House Auxiliary Boards: 4 signs in 4 corners of the Field House near arena floor.

Field House Concessions: 8 panels total – 4 at North and 4 at South concession stands.

UW Soccer Complex: 4 panels for logo display (3' x 10')

#### 4.1.4 Promotional Rights.

Title sponsorship of Hockey Showdown

Other mutually agreeable University hosted events

4.2 Scoreboards. Subject to Section 11.8 (Advertising), Learfield will have the rights to sell signage on any new scoreboards that the University installs during the term of the Agreement. At Contractor's cost, Contractor will provide approximately fifty feet of courtside LED or DLP signage in the Kohl Center ("New Kohl Center Signage") to replace the current rotational signage on or before September 15, 2007. Contractor will be responsible for the expense of obtaining and installing the New Kohl Center Signage, estimated to be approximately \$250,000.00. Contractor shall have the exclusive right to sell all commercial advertising on the New Kohl Center Signage throughout the Term. The net revenue generated to Contractor by the New Kohl Center signage shall be added to the AGR. At Contractor's cost, Contractor will provide approximately 120 feet of fascia LED for Camp Randall Stadium ("New Camp Randall Signage") on or before August 15, 2008. Contractor will be responsible for the expense of obtaining and installing the New Camp Randall Signage, estimated to be approximately \$500,000.00. Contractor shall have the exclusive right to sell advertising on the New Camp Randall Stadium Signage throughout the Term. The net revenue generated to Contractor by the New Camp Randall Signage shall be added to the AGR. The University will take ownership of the New Kohl Center and New Camp Randall signage when it is installed and, at its cost and expense, shall be responsible for the maintenance of and all repairs to the new signage reference above.

4.3 Athletic Internet Site, Internet Video Streaming, e-Commerce and Marketing and Branding. While University or its designee will control and produce its official athletic website

and Internet video-streaming and e-Commerce, University hereby grants to Learfield the exclusive rights to sell advertising and sponsorships in the form of company logos and messages on University's official athletic website, subject to Section 11.8 (Advertising).

4.4 Satellite Radio Rights and Additional Broadcast Rights. During the Term of this Agreement, Learfield shall use reasonable efforts to secure satellite radio rights, at no charge to University. Learfield shall be entitled to all rights fees relative thereto. Notwithstanding anything contained herein to the contrary, it is agreed that from time to time forms or methods of additional distribution rights may arise or be created that might not have been contemplated or specifically mentioned in this Agreement, and these rights shall be subsequently included in the rights granted to Learfield, and the net revenue from such rights shall be added to the AGR.

4.5 University grants Learfield the exclusive rights to the following promotional items and events:

4.5.1 Printed Promotional Item Rights. Subject to Section 11.8 (Advertising), Learfield will have the rights to secure sponsors for designated printed promotional material produced by University. University produces a variety of items, at its own expense, including, but not limited to team schedule cards, team posters, game tickets, and souvenir concession cups. University and Learfield will mutually agree upon this inventory on or before March 1 of each contract year. Notwithstanding anything contained in this Section 4.5.1 to the contrary, Learfield shall have the right at a minimum to receive no less promotional items than the number and items historically produced prior to this Agreement.

4.5.2 Game Promotion Rights. Learfield will have the rights to secure sponsors for pre-game, time-out, and halftime sponsored promotional activities and special game day promotions. At a minimum, Learfield is responsible to secure sponsors to maintain the current level of promotional activity taking place during the 2006-07 season. Learfield shall work in cooperation with University to plan such promotional activities. The promotional activities include, but are not limited to, premium item giveaways, fan contests on the field, floor, or in the

stands, sponsored entertainment acts, samplings and product displays.

4.5.2.1 Final sponsor-related game promotions activities and decisions will be made mutually by Learfield and University. Each year of the Agreement, Learfield shall submit an annual game promotions sales plan (schedule defined in Section 4.7) for the sports of Football, Men's and Women's Basketball, Men's and Women's Hockey, Men's and Women's Soccer, Volleyball, Wrestling, and Softball.

4.5.2.2 University reserves the right to use, subject, however to any prior agreed upon sales inventory granted to Learfield, certain pre-game, halftime, or game time-out for its needs of promoting sports, University events or accomplishments, athletic related activities, or other causes.

4.5.2.3 Staffing of game promotion events will be the shared responsibility of Learfield and University. Any incremental expenses to staff events, which are specifically related to Learfield sales, shall be the responsibility of Learfield. Learfield will also be responsible for the sales, billings, and accounting game promotions and any additional aspects as may be required.

4.5.3 Game Day Sponsorship and Hospitality Rights. Subject to Section 6.4 (Football Game Day Sponsorships) and 6.10 (Use of Nicholas Suites for Game Day Sponsorships), Learfield will have the rights to secure sponsors for such activities at Football, Men's Basketball, Women's Basketball and Men's Hockey games. Game Day Sponsorship and hospitality is defined as space available for rent by sponsors wishing to set up space for promotional tie-ins, corporate entertainment, etc. University reserves the right to set limits on the number of hospitality events on University athletic property and available at each game as well as to determine whether or not tickets for such events are available. Unless otherwise approved in advance by the University, Learfield agrees to use the Athletic Department's food and beverage caterer for all Game Day Sponsorship and in which Hospitality events take place at Athletic Department facilities at Athletic Department pricing.

4.5.4 Kids Clubs and Fan Festival Rights. Learfield will have the rights to secure sponsors for the kid's clubs and fan clubs managed by University. University manages a variety of clubs, at its own expense. Learfield will use its best efforts to secure sponsors, and maintain the current level of sponsorship participation taking place. Should University desire to host an interactive fan festival, or related activities, Learfield will have the rights to secure sponsors for such activities. Final approval of the fan festival events, the locations of the events, and the manner in which the events are hosted will be at the discretion and approval of University.

4.5.5 Special Promotional Event Rights. Learfield will have the exclusive rights to secure sponsors for special promotional events hosted or presented by University, including but not limited to the Badger Hockey Showdown, Football Spring Game, Football Family Fun Day, Badger Blast, Chili Cook off and the Crazylegs Classic.

4.5.6 Guest Services Rights. University grants Learfield the rights to secure sponsors for the Guest Services Centers in both the Kohl Center and Camp Randall Stadium. The current guest services sponsorship package includes limited signage at the entrance to the guest services locations and recognition via public address and message board announcements.

4.5.7 Message Board, Video Board Rights and Public Address Announcements. University grants Learfield the rights to secure sponsors for a reasonable number of game-related announcements, including, but not limited to, out of town scores, trivia, statistics, features, segments, replays and contests.

4.5.8 Trademark Rights, Use of Marks, Mandatory Contract Language.

4.5.8.1 Grant of Rights. Learfield is hereby granted a non-exclusive, royalty free license to use the University trademarks, trade names, images and logos set forth in Exhibit A & B to this Agreement ("University Marks"), for purposes of promoting its relationship with the University. This right may not be sublicensed except as specifically provided in this



Agreement.

4.5.8.2 Sponsorship Recognition Logos. Sponsors secured by Learfield shall have the automatic right to use, on a non-exclusive royalty free basis, the sponsorship recognition logos set forth in Exhibit B to this Agreement on signage, advertisements and promotional materials, but not on premiums or products for sale, for the purpose of promoting the sponsors' relationship with Learfield and University.

4.5.8.3 Use of University Marks by Sponsors. Any use of University Marks by sponsors other than as described in Section 4.5.8.2, above, requires advance written approval by University's Office of Trademark Licensing, with such approval not to be unreasonably withheld. Such uses may or may not require payment of a separate promotional fee by sponsor to University. Approved uses of University Marks by sponsors for purposes of promoting their sponsorship relationship with Learfield and University, as exemplified in Exhibit C, will not typically require payment of a promotional fee, but all other uses, including use of marks on premiums or products for sale will likely require payment of a promotional fee.

4.5.8.4 Prohibited Sponsorship Categories. Sponsors engaged in businesses involving tobacco, and gambling enterprises not specifically authorized by the University are prohibited. In the event existing or other categories of sponsors are disallowed, University shall negotiate in good faith with Learfield to arrive at a fair and equitable reduction in the Guaranteed Rights Fee, if necessary. To the extent the language in this section conflicts with Exhibit D, this language will control. In all other cases, Exhibit D is controlling.

4.5.8.5 Mandatory Language in Sponsorship Agreements. Learfield agrees to incorporate verbatim the following language in all of its agreements with sponsors that are executed after the effective date of this Agreement:

No Right to University Marks. This Agreement shall not be construed as providing Sponsor with any rights to use names, trademarks, logos or other images of the University, except as specifically provided in this Agreement or as approved in advance by the

University's Office of Trademark Licensing. Some uses may require payment of an additional promotional fee to the University, as determined by the University on a case by case basis.

Hold Harmless and Insurance. Sponsor agrees to protect, indemnify and hold harmless the University, its officers, employees, agents and students from any and all liability, including claims, demands, losses, costs, damages and expenses of every kind and description and damages to persons or property arising out of an act or omission of Sponsor, its officers, employees and agents in connection with this Sponsorship Agreement.

4.5.9 Product Display. University grants Learfield the rights to secure sponsors for a limited number of product display locations at designated athletic events.

4.5.10 Additional Items of Inventory/Events. Throughout the Term of the Agreement, Contractor will have the following additional exclusive rights to inventory/events:

- (i) Press Conference Backdrop
- (ii) Athletic Director Radio Show
- (iii) Access to one (1) forty (40)-person Nicholas Suite at Kohl Center for each athletic event. Learfield will be responsible for all tickets.
- (iv) Contractor shall receive food and beverage associated with such usage at actual University Athletic Department cost.
- (v) Football Goal Post Net Signage, subject to approval by the Big Ten Conference.
- (vi) Subject to the Assignment of Television Rights to the Big Ten Conference, Inc. the right to produce, distribute and market a weekly Badger Hockey TV show beginning with the 2007 season. Contractor will air approximately ten (10) such shows per season.
- (vii) All advertising revenue elements of [www.uwbadgers.com](http://www.uwbadgers.com) which are available under this Agreement.
- (viii) Sponsor reception at a football practice in late August and/or a basketball practice in October.

- (ix) Permission to use the football field, basketball court or ice for sponsor outing, subject to UW approval, whose approval shall not be unreasonably withheld.

With respect to the additional items of inventory described in items (i) through (ix) above, the net revenue generated from such items will be added to the AGR.

4.6 Additional Signage and Promotional Marketing Opportunities. University grants Learfield additional signage and promotional marketing opportunities not otherwise described in this Agreement provided such opportunities are mutually agreed upon.

4.7 Key Dates with Respect to Rights Granted. Notwithstanding anything contained in Sections 4.5.1 through 4.6 to the contrary regarding any dates set forth or omitted, the parties agree that the following timetable will be adhered to under each of such sections: on or about January 15 of each year of the term, Learfield will review with the University any print or game promotional activities and items intended to be included in Learfield's rate card and sales plan and obtain such approvals and clearances. Thereafter Learfield will attempt to sell such items and obtain any required approvals or clearances for radio or television. On or about August 10 of each year of the Term, Learfield will report in writing to University what has been sold to date, what clearances and approvals have been obtained, and for sports other than football, Learfield will update its report on or about November 1<sup>st</sup> of each year. The only exceptions to the foregoing timetable of dates will be for printing deadlines. Subject to Section 6.1 thru 6.5 (Tickets), Learfield and University review ticket allocations on or before May 1 of each Athletic Season. Subject to Section 10.2 (In-Kind Benefits), Learfield and University will annually review Media Trade plan on or before May 1 of each Athletic Season.

## **V. Rights Not Granted**

5.1 Contract Pouring Rights, Shoe and Apparel Rights Sponsorship. Unless mutually agreed upon, University does not grant Learfield under this Agreement pouring rights for all University events and facilities nor shoe and apparel rights for athletic teams.

5.2 Category Exclusivity. Learfield shall not secure sponsors, without prior approval from University, that would be in direct conflict with the businesses that hold the pouring rights, shoe and apparel or merchandising contracts with University; provided, however, Learfield may sell inventory to these businesses or competitors so long as the sponsorships are not inconsistent with such exclusivity as defined in the pouring rights or shoe and apparel contract agreements.

5.3 Shoe and Apparel Agreement. The following inventory is included in the University's existing shoe and apparel agreement and not available to Learfield during the term of this Agreement: Hospitality space for one (1) football event for fifty (50) guests; Hospitality space for one (1) men's basketball event for forty (40) guests; and One (1) game day promotion at each sport. Learfield will not have responsibility for coordination and expense related to these functions.

5.4 Naming Rights. University retains the naming rights to all of its facilities. If the University pursues corporate naming rights for any of its athletic venues, Learfield shall have an opportunity through its wholly-owned subsidiary company, Team Services, LLC ("Team Services"), to discuss its services with University. Notwithstanding anything contained in this Agreement to the contrary, if University executes a new naming rights agreement for the Kohl Center or Camp Randall Stadium should it ever exist during the term of this Agreement (collectively, "New Naming Rights Agreement"), and if as a result of the New Naming Rights Agreement, the inventory that Learfield had available in either Kohl Center or the Camp Randall Stadium prior to the New Naming Rights Agreement is diminished, altered or eliminated, the University will either replace inventory to Learfield's satisfaction or University shall negotiate in good faith with Learfield to arrive at a fair and equitable reduction in the Guaranteed Rights Fee.

## **VI. Additional University Responsibilities**

6.1 Season Tickets Provided. During each year of the Agreement, University will provide Learfield at no cost in historical locations, 214 football season tickets, 160 men's

basketball season tickets, 120 women's basketball season tickets, and 90 season tickets for hockey Series 1 and for hockey Series 2.

6.2 Season Parking Passes Provided. During each year of the Agreement, University will provide Learfield at no cost in historical locations 15 season football parking passes, 12 season men's basketball parking passes, 10 season women's basketball parking passes, and 12 season parking passes each for hockey Series 1 and hockey Series 2.

6.3 Postseason Tickets. During each year of the Agreement, Learfield shall have the opportunity to purchase up to 140 football postseason bowl tickets, 120 men's basketball conference tournament tickets, 16 men's basketball NCAA first- and second-round tickets, 60 NCAA men's regional tickets and 140 Men's Final Four tickets contingent upon teams advancing to the respective postseason game or level.

6.4 Football Game Day Sponsorships. During each year of the Agreement, University will provide Learfield with exclusive use of a 100-person hospitality tent area for each home football game.

6.5 Individual Football Game Tickets Provided. During each year of the Agreement, University will provide Learfield at no cost an additional 130 tickets for each non-conference home football game and 190 tickets for each conference home football game.

6.6 Network Affiliates Event. During each year of the Agreement, Learfield will receive 500 complimentary tickets to one football game designated by the University. On or before March 1 of each contract year, Learfield also will have the option to purchase an additional 1,000 tickets at regular price for the same football game.

6.7 Kohl Center Suite. Contractor agrees to continue leasing a Kohl Center Suite consistent with University's lease agreements at the Kohl Center.

6.8 Camp Randall Suite. University will provide to Learfield the exclusive use of an Athletic Department suite for all home football games during the term. Except for any additional food and beverages not included in the standard Camp Randall Suite Lease agreements, payment for use of such suite is included in Learfield's Guaranteed Payment (Section 9.1).

6.9 Right to Purchase Additional Tickets. During each year of the Agreement, Contractor shall have the right to purchase up to 194 additional football season tickets and up to 18 additional men's basketball season tickets.

## **VII. University and Learfield Responsibilities**

7.1 Services provided. Learfield shall provide the services described in this Agreement. Learfield shall operate a multi-media rights property offering all services commonly provided by such businesses. Learfield shall keep the Athletic Department apprised of operating policies, prices, activities, incidents and all other information pertinent to an understanding of the activities of the agency as they relate to the administration of this Agreement. If any part of the work covered by this Agreement is to be subcontracted, Learfield shall identify the subcontracting organization and the contractual arrangements made therewith. All subcontractors must be approved by University, which approval will not be unreasonably withheld. Learfield shall furnish the corporate or company name and the names of the officers of any subcontractors engaged by Learfield.

7.2 Efficient operation. Learfield shall furnish all labor, management, supplies, and equipment necessary to fulfill its obligations herein.

7.3 Permits. Learfield shall be financially responsible for obtaining all required permits (including parking), licenses, and bonds to comply with pertinent Board of Regents, University of Wisconsin System regulations, and municipal, county, state and federal laws, and shall assume liability for all applicable taxes including but not restricted to sales and property.

7.4 Successful Performance. Recognizing that successful performance of this Agreement is dependent on mutual cooperation between Learfield and University, Learfield shall meet periodically with University to review operations and make necessary adjustments.

7.5 Office Space. University shall provide Learfield with office space at no cost to Learfield in the first floor administrative office area at the Kohl Center, 601 W. Dayton Street or in a mutually agreed upon location within the Athletic Department facilities. Contractor shall occupy and use the said premises only for the purposes of fulfilling its obligations herein.

7.6 Decorating. Learfield shall assume the costs of decorating the area including, but not limited to painting, carpet, and wall covering. The plans for such improvement must be approved by the University prior to the commencement of work. The cost for these improvements will be paid by Learfield.

7.7 Connection costs. Where necessary, utilities shall be brought to the equipment by the University. Learfield shall be responsible for paying connection costs for all phone installations and service, and shall pay for all local and long distance charges, including computer and facsimile connection circuits.

7.8 Energy use. Learfield agrees to exercise care to keep energy use to a minimum and comply with established energy conservation practices, regulations and policies and endeavor to conserve the use of energies.

7.9 Utilities. University shall provide heat, sewer, electricity and cold and hot water. The University shall not guarantee an uninterrupted supply of electricity or heat except that it shall be diligent in restoring service following an interruption. The University shall not be liable for any loss that may result from the interruption or failure of any utility service.

7.10 Pest control. University shall be responsible for costs of insect and pest control in

all Learfield service areas. The Contractor shall maintain maximum insect and pest control for supplies and equipment brought into University Buildings.

7.11 Custodial service. The University shall provide custodial service on a schedule normally performed for like space at the University. The University shall provide daily floor maintenance in Learfield service areas, and Learfield shall cooperate in keeping this service to a minimum. The University shall be responsible for the periodic shampooing of carpet in the Learfield office space.

7.12 Security. University shall provide Learfield with routine campus protection currently available in travel service areas, such as night patrol, door checks, security consulting, call response, etc.

7.13 Waste cans and recycling. The University shall provide and maintain all waste cans and recycling containers.

7.14 Furnishings and Equipment. Learfield shall furnish and install at its expense all equipment and furnishings required to perform under this Agreement whether such equipment and furnishing is permanently affixed or moveable. Learfield shall supply such tools of the trade as are necessary for office operations. All repairs to such equipment and furnishings shall be the responsibility of Learfield.

7.15 Access and Control of Keys. The University will provide Learfield with keys required for access to service areas. Learfield is responsible for control of keys obtained from the University and for maintaining the security of locked areas. Learfield's employees shall not admit anyone to areas controlled by a key in their possession. Learfield shall be responsible for immediate reporting to Facilities Manager all the facts relating to losses incurred, equipment damage or break-ins to their equipment and areas of the University.



7.16 Copies of keys. No building keys may be copied. If keys are lost, Learfield shall be responsible for the total cost of re-keying and replacement of all affected University locks and keys.

7.17 Additional security items. Learfield is responsible for the purchase of padlocks and other security devices, which may be required by the Contractor to further ensure revenue, product or property.

7.18 Parking. University parking is very limited. University will provide Learfield with an opportunity to purchase parking for its employees based on University's established parking priorities. No additional costs shall be allowed for parking fees or violations. Unauthorized vehicles parking in University lots or loading docks without permits shall be ticketed and or towed at owner's expense.

## **VIII. Additional Learfield Responsibilities**

8.1 Editorial content. Subject to Section 4.7 (Key Dates), Learfield and University will meet annually to review the format and quantities of game programs and other official print publications.

8.2 Purchase of Game programs. During each year of the Agreement, University reserves the right to purchase at cost from Learfield up to the following minimum number of game programs: 950 football programs for each home football game; 255 men's basketball programs for each home men's basketball game; 140 women's basketball programs for each home women's basketball game; 330 men's hockey programs for each men's hockey home series; 60 women's volleyball programs for each home women's volleyball game.

## **IX. Guaranteed Compensation Payment Plan**

9.1 Guaranteed Payment. On or before May 1 of each year of the Agreement, Learfield shall pay University as follows:

|             |              |
|-------------|--------------|
| 2007 – 2008 | \$4,925,000  |
| 2008 – 2009 | \$5,425,000  |
| 2009 – 2010 | \$5,425,000  |
| 2010 – 2011 | \$5,675,000  |
| 2011 – 2012 | \$5,875,000  |
| 2012 – 2013 | \$6,075,000  |
| 2013 – 2014 | \$6,275,000  |
| 2014 – 2015 | \$6,675,000  |
| 2015 – 2016 | \$6,875,000  |
| 2016 – 2017 | \$7,075,000  |
| 2017 – 2018 | \$7,275,000  |
| 2018 - 2019 | \$7,475,000  |
| Total       | \$75,025,000 |

Within thirty (30) days of the full execution of this Amendment and Restatement, Learfield will make a one-time payment to University, in addition to the Guaranteed Payment, in the amount of One Million (\$1,000,000) (“Extension Bonus”).

9.2 Endowed Scholarship. Emphasizing Learfield Sports’ beginning as a radio broadcast company, Learfield will provide \$25,000 over and above the Guaranteed Payment each year of the Agreement to fully endow a scholarship in the University of Wisconsin-Madison School of Journalism and Mass Communication. Learfield will work with the University to determine the specifics of such donation.

9.3 Internships. Learfield will provide up to three (3) internship opportunities each year on its staff for University students or graduates of University. Each internship will be for 9 – 12 months and will be integrated into Learfield’s daily activities under this Agreement. Learfield will be responsible for the costs of such internships which are estimated to be approximately Ten Thousand (\$10,000) per year.

## **X. Supplemental Compensation Plan**

10.1 Revenue Sharing. Learfield will pay the University an annual rights fee equal to the guaranteed payments fees listed in Section 9.1 (Guaranteed Payment) of this Agreement or 53% of Adjusted Gross Revenue (AGR), whichever is greater. AGR is defined as Gross Revenue collected by Contractor less agency commissions and direct, out-of-pocket promotional costs (primarily tickets) and other costs of sales. For the purposes of this formula, TV revenue is net to Learfield.

10.2 In-Kind Benefits. Learfield will provide University with a minimum of Two Hundred Fifty Thousand Dollars (\$250,000) of certain in-kind/trade benefits at no charge to the University based on fair market value of the goods and services received (“Threshold Amount”). Contractor will receive a credit against the amounts payable under Section 9.1 (Guaranteed

Payment) of 70% of the fair market value of any additional trade benefits above the Threshold Amount which are provided by Contractor to University. Contractor reserves the right to substitute alternative inventory to current trade customers if those customers are otherwise displacing potential cash paying customers. Subject to Section 4.7 (Key Dates), of the total In-Kind Benefits, Learfield shall provide University with a minimum of One Hundred Fifty Thousand Dollars (\$150,000) in media trade annually. Trade will be for use by University to promote its athletic events, tickets sales and other special events.

10.3 Vendor/Supplier Revenue. In those instances where the University requires or encourages a company or vendor to do business with Learfield, Learfield will pay to the University 25% of the net advertising revenues related to that incremental sponsorship. For example, if as an element of an agreement to provide the grounds equipment for the Football stadium, a tractor company purchased Forty Thousand Dollars (\$40,000) with Contractor University would receive an additional Ten Thousand Dollars (\$10,000).

10.4 Performance Incentives. In addition to the guaranteed rights payments and supplemental compensation, Learfield will pay the University the following Performance Incentives according to the following payment plan:

#### Football

|                              |          |
|------------------------------|----------|
| Bowl Appearance (greater of) |          |
| Any Bowl Appearance          | \$10,000 |
| BCS Bowl Appearance          | \$20,000 |
| National Championship        | \$25,000 |

#### Men's Basketball

|                               |         |
|-------------------------------|---------|
| Big Ten Tournament Champion   | \$5,000 |
| NIT Appearance                | \$2,500 |
| NCAA Appearance (greatest of) |         |
| Appearance                    | \$5,000 |

|                       |          |
|-----------------------|----------|
| Sweet 16              | \$10,000 |
| Elite 8               | \$15,000 |
| Final Four            | \$20,000 |
| National Championship | \$25,000 |
| Director's Cup        |          |
| Top 10 Finish         | \$10,000 |

The University will receive the highest applicable incentive reward each season for each sport and such award will be added to the rights payment in the subsequent years.

10.5 Notwithstanding anything contained in this Amendment and Restatement to the contrary: (i) if the University or some other outside governing body (Big Ten Conference or the NCAA) makes a decision which materially changes the scope of the advertising categories, or the nature of any athletic event, or diminishes the quality or quantity of the inventory the Parties shall negotiate in good faith to arrive at a fair and equitable reduction in the Guaranteed Rights Fee; (ii) if the quality of the inventory that is available to Contractor is materially compromised in a manner which results in its intended effectiveness or purpose being reduced or eliminated (such as the permanent or temporary partial or complete obstruction of any signage), the Parties shall negotiate in good faith to arrive at a fair and equitable reduction in the Guaranteed Rights Fee; (iii) if the football, men's basketball or women's basketball programs are no longer a member of the Big Ten Conference (or any subsequent conference to which University belongs), the Parties shall negotiate in good faith to arrive at a fair and equitable reduction in the Guaranteed Rights Fee; (iv) in the event that the University chooses to attach or sell a corporate name to a building or facility and irrespective of whether Contractor is granted the right to represent University in a naming rights transaction, if Contractor's existing inventory and/or categories of inventory are diminished and/or eliminated as a result of contractual rights granted by the University to a naming rights party, the Parties

shall negotiate in good faith to arrive at a fair and equitable reduction in the Guaranteed Rights Fee.

## **XI. Miscellaneous**

11.1 Records and Audit. Learfield shall establish, maintain, report as needed, and submit upon request records of all transactions conducted under this Agreement. All records must be kept in accordance with generally accepted accounting procedures. All procedures must be in accordance with applicable federal and State of Wisconsin laws and local ordinances. University shall have the right to audit, review, examine, copy, and transcribe any pertinent records or documents held by Learfield related to this contract. Learfield shall retain all applicable documents for a period of not less than five (5) years after the final Agreement payment is made. University reserves the right to inspect any facilities used to support this Agreement.

11.2 Reporting. Learfield and University Contract Administrators shall cooperatively identify useful reports and determine the frequency of providing such reports. Minimally, Learfield shall produce each year a detailed sales report that includes a list of advertisers and sponsors, the amount of their payment, and the benefits they received.

11.3 Contract Administrator. All notices required or permitted to be given pursuant to this Agreement shall be in writing and delivered personally or sent by registered or certified mail, return receipt requested, or by generally recognized, prepaid, overnight air courier services, to the Contract Administrators and addressed listed below. All such notices to either party shall be deemed to have been provided when delivered, if delivered personally, three (3) days after mailed, if sent by registered or certified mail, or the next business day, if sent by generally recognized, pre-paid, overnight air courier services. The Contract Administrator is authorized to give the approvals required under this Agreement on behalf of University and Learfield.

The Contract Administrator for University is:

Vince Sweeney  
Senior Associate Athletic Director  
UW Athletics  
Kellner Hall  
1440 Monroe Street  
Madison, WI 53711

The Contract Administrator(s) for Learfield is:

Greg Brown  
President,  
Learfield Sports, **a division of Learfield Communications, Inc.**  
2400 Dallas Parkway, Suite 400  
Plano, TX 75093

11.4 News Releases. News releases pertaining to this Agreement shall not be made without the prior written approval of the Contract Administrators except as may be required by University to fulfill its obligations as a public agency or to comply with University rules and regulations, applicable law or legal process.

11.5 Hold Harmless. University agrees to provide liability protection for its officers, employees and agents while acting within the scope of their employment. University further agrees to hold harmless Learfield, its officers, agents and employees from any and all liability, including claims, demands, losses, costs, damages, and expenses of every kind and description (including death), or damages to persons or property arising out of or in connection with or occurring during the course of this agreement where such liability is founded upon or grows out of the acts or omissions of any of the officers, employees or agents of University while acting within the scope of their employment where protection is

afforded by §§ 893.82 and 895.46(1), Wis Stats. Learfield agrees to hold harmless University its officers, agents and employees from any and all liability, including claims, demands, losses, costs, damages, and expenses of every kind and description (including death), or damages to persons or property arising out of or in connection with or occurring during the course of this agreement where such liability is founded upon or grows out of the acts or omissions of any of the officers, employees or agents of Learfield while acting within the scope of their employment.

11.6 Smoke Free Environment. All University buildings where this work is to be performed are smoke-free buildings. No smoking is permitted.

11.7 Copyright. The parties acknowledge and agree that University shall own all rights, titles, and interests in and to the events (including all rights to reproduce, telecast, distribute or otherwise use the Events, and all copyrights therein). Learfield agrees that the events shall be “works for hire” on behalf of University and shall be copyrightable in the name of the Board of Regents of University of Wisconsin System. If for any reason the work performed by Learfield under this agreement is found not to constitute a work for hire, then, in consideration for the payment set forth under this agreement, Learfield hereby assigns all rights in the intellectual property created, including the copyright, to the Board of Regents of the University of Wisconsin System. Learfield shall not assert any right, title or interest in the events or the copyrights therein. University shall retain all rights to the reproduction, rebroadcast, or simultaneous production or broadcast of said events on any other medium, including the Internet. Should Learfield desire to telecast or retelecast games on other media, including the Internet, the parties agree to negotiate in a spirit of mutual cooperation to permit such telecast or retelecast to take place, subject to the terms and conditions in the University’s Assignment of Television Rights to the Big Ten Conference, Inc.

11.8 Advertising. The advertising rights awarded pursuant to this Agreement are subject to the following:



11.8.1 All advertising must comply with the policies and rules of University, NCAA, WCHA and Big Ten Conference, subject to University approval, whose approval shall not be unreasonably withheld.

11.8.2 Learfield may not sell any advertisement that implies University's endorsement of the product or service so advertised.

11.8.3 Implied Endorsement. Learfield may not sell any advertisement that implies the endorsement of the product or service so advertised by any University coach or employee without the prior written approval of University.

11.8.4 All agreements between Learfield and an advertiser or corporate sponsor must state that such agreement will terminate automatically upon the termination of this Agreement.

11.8.5 In the event a currently allowed product or category is disallowed, University shall negotiate in good faith with Learfield to arrive at a fair and equitable reduction in the Guaranteed Rights Fee, if necessary.

11.8.6 The advertising rights granted herein do not include a commitment for the services of any University personnel, coaches or student-athletes unless otherwise stated herein.

11.8.7 The Parties recognize that circumstances could arise with respect to the future actions or inactions of a particular advertiser or sponsor (collectively a "Damaging Sponsor") which would reasonably be interpreted by the Parties to be either unethical, immoral, or illegal on the part of the Damaging Sponsor (collectively the "Embarrassing Conduct"). If any Embarrassing Conduct occurs, the Parties will meet to determine the most appropriate solution to minimize and/or eliminate the effect of the Embarrassing Conduct on

the University which may include immediately and permanently eliminating the advertising and/or sponsorship of the Damaging Sponsor. In such event, the parties will meet and, in good faith, seek a mutually acceptable resolution.

11.9 Insurance. Learfield shall, at its sole cost and expense, procure and maintain in full force and effect during the Agreement Term the following types and amounts of insurance coverage. A Certificate of Insurance for each policy must be filed with University's Office of Risk Management.

Workers Compensation (WC):

Maintain appropriate workers compensation and employer's liability insurance in conformance with the laws of the State of Wisconsin.

Commercial General Liability (CGL):

General Aggregate including

|                                 |             |
|---------------------------------|-------------|
| Products & Completed Operations | \$1,000,000 |
| Each Occurrence                 | \$1,000,000 |

Automobile Liability

|                       |             |
|-----------------------|-------------|
| Combined Single Limit | \$1,000,000 |
|-----------------------|-------------|

|                           |             |
|---------------------------|-------------|
| Umbrella Liability Policy | \$1,000,000 |
|---------------------------|-------------|

Learfield shall add "Board of Regents of the University of Wisconsin System, its officers, employees and agents" as an additional insured under these policies.

11.10 Agreement Termination. Agreement termination may occur for the following reasons:

11.10.1 Either party may terminate this Agreement in whole or in part for cause upon ninety (90) days written notice if the other party fails to comply with any material term or condition of this Agreement, becomes insolvent or files for bankruptcy protection, or fails to comply in a material way with the requirements of this Agreement. Notwithstanding anything contained in this Section 11.10.1 to the contrary, the terminating party must state with particularity the specific matters of the other party's non-compliance, whereupon the other party shall have ninety (90) days to cure such matters, or such longer period if said other party is diligently pursuing a cure. In the event of any material non-compliance on the part of Learfield, Learfield shall continue to pay its Guaranteed Rights Fee under this Agreement unless Learfield's non-compliance is a result in whole or in part by the actions or inactions of University; provided, however, any rights fee, or similar fee collected by University for the same period covered by this Agreement from any third party or if University elects to administer the rights herein itself, shall offset Learfield's obligation to pay the Guaranteed Rights Fee by such amounts. Performance failure can be defined as, but not limited to, repeated failure to comply with applicable state law, University, NCAA and/or Big Ten Conference rules.

11.10.2 Failure to provide any of the services set forth in this Agreement. If Learfield fails to provide any of the services set forth in this Agreement, University has the right to cancel and terminate the Agreement if Learfield fails to cure such matters within sixty (60) days of notice, or such longer period if said party is diligently pursuing a cure.

11.10.3 Failure to maintain the required Certificates of Insurance, permits, and licenses shall be cause for Agreement termination. If Learfield fails to maintain and keep in force the insurance as provided in #22 of the UW System Administration Standard Terms and Conditions, University has the right to cancel and terminate the Agreement if Learfield fails to cure such matters within sixty (60) days of notice.

11.10.4 In the event this Amendment and Restatement is terminated by University under the provisions of Sections 11.10.1, 11.10.2 or 11.10.3, Learfield shall pay to

University all sums owed to University at the times that such sums would otherwise have been paid by Learfield or Contractor to University under this Amendment and Restatement had University not terminated this Amendment and Restatement; provided, however, such sums shall be reduced by the amount, if any, received by University in accordance with the proviso contained in section 11.10.1 of the Amendment and Restatement. In the event this Amendment and Restatement is terminated by Contractor under the provisions of Section 11.10.1 of this Agreement, the parties shall negotiate in good faith to arrive at a fair and equitable financial settlement on the value of the New Kohl Center Signage and the New Camp Randall Signage within sixty (60) days of the effective date of termination.

11.11 Sponsorship Policy. Learfield agrees it will not broadcast or print any advertisement that is in violation of the University's Sponsorship Policy, as stated in Exhibit D, which is incorporated and a part of this Agreement. Questions regarding compliance with the policy should be directed to the Contract Administrator. If the University shall determine that any advertisement not otherwise prohibited by the Advertising and Commercial Use policy is nonetheless misleading, offensive or in violation of state statute, rule, ordinance or University contract obligation, the University shall so notify Learfield and Learfield shall take every reasonable measure to terminate its agreement to broadcast or print the advertisement.

11.11.1 Exhibit D Language. It is understood that Learfield is not responsible for any Unrelated Business Income Tax that may be assessed to the University as a result of this Agreement.

11.12 Applicable Law. This Agreement shall be governed and interpreted under the laws of the State of Wisconsin. Learfield shall at all times comply with and observe all federal and state laws, local laws, ordinances and regulations in effect during the period of this Agreement which affect the work or its conduct.

11.13 Resolution of Disputes. Any dispute arising under this Agreement shall be subject to arbitration as provided in Wisconsin Statutes Chapter 788.

11.14 Separability. If any provision of this Agreement shall be, or shall be adjudged to be, unlawful or contrary to public policy, then that provision shall be deemed to be null and separable from the remaining provisions, and shall in no way affect the validity of this Agreement.

11.15 Waiver. A waiver by either party of any of the terms or conditions, provisions, or covenants of this Agreement in any instance shall not be deemed or construed to be a waiver of any such term, condition, provision, or covenant for the future, or of any subsequent breach of same. All remedies, rights, undertakings, obligations, and agreements contained in this Agreement shall be cumulative and shall not be in limitation of any other right, remedy, undertaking, obligation, or agreement of either party.

11.16 Amendments. This Agreement may be modified or amended only by a writing signed by authorized signatories of Learfield and University.

11.17 Adverse Interests. During the term of this Agreement, Learfield will not provide services nor enter into any agreement to provide services to a person or organization that has interests that are adverse to University. If University believes that Learfield is violating this paragraph, University will notify Learfield in accordance with Section 11.3 (Contract Administrator). University and Learfield will meet and discuss the alleged violation within thirty (30) days of such notice and, in good faith, seek a mutually acceptable resolution. Learfield's broadcasting of any University games in which the opponent is an institution whose broadcast rights are also licensed to Learfield and the carrying out of the terms and conditions by Learfield of the agreement under which such license was awarded, shall not be considered a violation of this Agreement by Learfield.

11.18 Assignment. Learfield may not assign or subcontract any of its rights or

obligations under this Agreement in whole or in part without prior written consent of University. Any attempted assignment or subcontracting without consent shall be void and of no effect. Notwithstanding anything contained in this Section 11.18 to the contrary, Learfield will have the right to assign this Agreement and its rights and obligations to an entity it either controls (owns more than 50%) or manages.

11.19 Confidentiality. University agrees to keep confidential and not disclose to any third party any financial information relating to the revenue generated by Learfield or the actual Supplemental Fee income, if any, paid by Learfield to University. The foregoing restriction on confidentiality and disclosure shall not apply to a disclosure required by current University rules and regulations, applicable law or by legal process.

11.20 University/Learfield Relationship. Each party's performance of services hereunder is in its capacity as an independent contractor. Accordingly, nothing contained in this Agreement shall be construed as establishing an employer/employee, partnership or joint venture relationship between University and Learfield.

11.20.1 Non-Solicitation by University. University agrees that during the one (1) year period prior to the expiration of the term of this Amendment and Restatement including any extension of the term and for a period of one (1) year thereafter University shall not hire as an employee, consultant or independent contractor, any employee of Contractor or Learfield to manage the rights which Contractor has under this Amendment and Restatement. In addition to any other remedies permitted by law, Learfield may be entitled to injunctive relief against University as determined by a court of law.

11.21 Force Majeure. Neither Party will be considered to be in default of its delay or failure to perform its obligations herein when such delay or failure arises out of causes beyond the reasonable control of the Parties. Such causes may include, but are not restricted to, acts of God or the public enemy, including, but not limited to, acts of terrorism, acts of state or the United States in either its sovereign or contractual capacity, fires, floods,

epidemics, strikes and unusually severe weather; but in every case, delay or failure to perform must be beyond the reasonable control of and without the fault or negligence of the Parties. The parties agree that an aforementioned event may materially impair the ability of Learfield to fully utilize the rights granted in the Agreement. Should this occur, the parties agree to negotiate an equitable adjustment in the annual rights fee to reflect the impact for that Agreement year.

11.22 Entire Agreement. This Agreement, together with the Attachment A, which is incorporated and made part of this Agreement, constitutes the entire understanding between the parties with respect to the subject matter hereto and cannot be amended or modified except by an agreement in writing, signed by each of the parties. All previous understandings or agreements between the parties shall have no further force or effect.

## **XII. Counterparts**

This Agreement may be executed in two counterparts, each of which shall be deemed an original, and both of which shall constitute one Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by

the duly authorized representatives.

**CONTRACTOR:**

**BADGER SPORTS PROPERTIES, LLC**

**By: LEARFIELD COMMUNICATIONS, INC., its Sole Member**

**By: \_\_\_\_\_**

**GREG BROWN, President**

**Learfield Sports, a division of Learfield Communications, Inc.**

**LEARFIELD:**

**By: LEARFIELD COMMUNICATIONS, INC.,  
who is executing this Amendment by virtue of its obligations  
under the Assignment and Section 11.8**



By: \_\_\_\_\_

**GREG BROWN, President**

**Learfield Sports, a division of Learfield Communications, Inc.**

**UNIVERSITY:**

**BOARD OF REGENTS of the UNIVERSITY OF WISCONSIN SYSTEM**

By: \_\_\_\_\_

**MIKE HARDIMAN, Director of Purchasing**

EXHIBIT A



## EXHIBIT B

Sponsorship Recognition Logos. Sponsors secured by Learfield shall have the automatic right to use, on a non-exclusive royalty-free basis, sponsorship recognition logos such as those listed below on signage, advertisements and promotional materials, but not on premiums or products for sale, for the purpose of promoting the sponsors' relationship with Learfield and University.



(Sample of a sponsor logo  
updated annually)

OR



PROUD SUPPORTER OF  
WISCONSIN ATHLETICS



**Cingular is a proud supporter of Wisconsin Athletics.**

**Only Cingular** has the ALLOVER™ network, the largest digital voice and data network in America, covering 270 million people. Cingular will continue to build this network, giving you more signal bars in more places. To sign up for the ALLOVER network, visit **cingular.com**.



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More bars claim compares Cingular's network before to after merger. Coverage not available in all areas.  
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**UNIVERSITY OF WISCONSIN-MADISON  
SPONSORSHIP POLICY**

**I. PURPOSE:**

This Policy provides guidance to schools, colleges, departments, academic or administrative units and registered student organizations (RSOs) on the sponsorship of University or RSO events, programs, publications or other activities by non-university entities.

Sponsorship of school, college, department, unit or RSO activities, programs or events by non-university entities can, when conducted in an appropriate manner, be beneficial to the sponsored school, college, department, unit or RSO, as well as to the sponsoring entity, to the University community and to the state. However, it is also necessary to recognize that the University is a public institution and that its reputation and image must be protected, and that it must not serve to unduly advance the interests of one non-university entity or organization over another.

The Office of the Vice Chancellor for Administration ("Administration") has been given the authority to administer these policies at the University. Questions pertaining to the policy, and requests for approvals or deviations from the policy should be directed to that office or the Office of Trademark Licensing ("Trademark Licensing").

**II. KEY PROVISIONS:**

- It is permissible for the University, schools, colleges, departments, units and RSOs to accept external support, or Sponsorship, for events, programs, publications or other activities, with limited exceptions.
- Acknowledgment of Sponsorship is not the same as paid advertising.
- Sponsorship support from tobacco companies is not permitted; Sponsorship by alcohol companies or organizations associated with legal gambling must be reviewed by Trademark Licensing on a case by case basis.
- Depending on the unit or event, it may be advisable and is permissible to determine not to accept an offer of support or Sponsorship from a particular company or organization.
- The support, or Sponsorship, may be in the form of a gift of money or a gift-in-kind of goods and/or services.
- The procedures and the type of documentation and/or approvals required may vary based on the nature of the Acknowledgment and/or any Return Benefits, the business of the sponsor (e.g., an alcohol company or distributor) and certain aspects of the arrangement (e.g., sponsor's request to use University trademarks or for an "official" designation).

- The nature of any Acknowledgment or benefits to be provided to a sponsor should be commensurate with the level of support provided.
- Sponsorship is further divided into: (1) Qualified Sponsorship that meets the IRS guidelines for “qualified sponsorship payments” and, as a result, is not subject to Unrelated Business Income Tax (“UBIT”). (2) Non-qualified Sponsorship that does not meet those IRS guidelines. An Acknowledgment of sponsorship may not include an endorsement by the University, department, unit or RSO.
- These policies apply to web-based Sponsorships and Acknowledgments. Links to sponsor web sites should be to the sponsor’s home web page. University and unit-specific policies regarding appropriate use of information technology resources may also apply to web Sponsorships and Acknowledgments.
- Special policies apply when a department or unit uses a sponsor’s name and/or logo together with a University or RSO name and/or logo in an Acknowledgment or in the marketing or promotional materials for the sponsored activity.
- Sponsors may only use a University name, trademark, logo or mascot under a separate license from the Office of Trademark Licensing. The granting of any such license is not automatic.
- Special policies and procedures apply in any situation where a department or unit may want to grant an “official” designation.
- Contact Trademark Licensing (265-1152) with questions about this policy.

### III. DEFINITIONS:

***Sponsorship*** means the provision by a non-university entity of money, goods or services to a school, college, department, unit, or RSO in support of one or more activities, events or programs. In return, the sponsor may be provided an Acknowledgment of the Sponsorship, as defined below, event tickets or programs, food, beverages or other tangible Return Benefits. Sponsorships, and Sponsorship Acknowledgments, are not Advertising, which is governed by a separate policy, and may not include an Endorsement, as defined below. Sponsorships may fall into one of two categories, also defined below.

***Acknowledgment*** is a term used to signify the recognition of Sponsorship support. A typical Acknowledgment of Sponsorship is the placement of a sponsor’s logo, and/or certain information about a sponsor, in the promotional material for the University event or activity being underwritten or supported by the sponsor. This might be on signage or a departmental web site, or in the marketing or promotional information about an event. An Acknowledgment on an institutional web site may contain a link to the sponsor’s web site, but the link should be to the sponsor’s home web page and not a place on the site where the sponsor’s products or services are advertised or sold. Acknowledgments are not Advertising, which is governed by a separate policy. Further guidance on acceptable Acknowledgments is provided below.

***Return Benefit*** is any item or service provided to a sponsor in return for the sponsor's support, or Sponsorship, of a University activity, event or program. Examples may include, but are not limited to, event tickets, food and beverages, t-shirts, mugs or access to University services.

***Endorsement*** shall mean any statements or depictions which can be reasonably construed to contain or imply a preference by the University, by any of its units or employees speaking or acting as representatives of the University, or by an RSO for one non-university interest over any other.

***Qualified Sponsorship*** means a Sponsorship where the financial or other support meets the IRS guidelines for "qualified sponsorship payments." This means that the Return Benefit to the sponsor is an Acknowledgment of the Sponsorship that contains only such information as the sponsor's location, telephone number, internet address, value neutral descriptions of sponsor's products or services and the sponsor's logo, established slogan, brand or trade name (***Qualified Acknowledgment***). A ***Qualified Acknowledgment*** may not contain qualitative or comparative statements (e.g., Sponsor makes the best shoes), price information or indication of savings or value (e.g., Sponsor's popcorn is the best price in town), call to action (e.g., Don't miss Sponsor's huge tent sale) or endorsements (e.g., the computer hardware preferred by UW faculty and staff). ***Qualified Sponsorship*** payments are exempt from unrelated business income tax ("UBIT"). It may be permissible to provide a sponsor with some nominal or de minimis Return Benefits, in addition to an Acknowledgment, and still be a ***Qualified Sponsorship***, but because this is a complicated area, it cannot be assumed and additional review and approval is required. **The University would prefer that most, if not all, Sponsorships be Qualified Sponsorships, and exempt from UBIT, due to the significant accounting, record-keeping and reporting obligations required for activities that generate UBI.**

***Non-Qualified Sponsorship*** means a Sponsorship where the financial or other support does not meet the IRS guidelines for "qualified sponsorship payments." A Sponsorship may fall into this category because the Acknowledgment or the Return Benefit(s) go beyond what is permissible to be considered a ***Qualified Sponsorship***.

***Gift-in-Kind*** is a product or service donated, in lieu of a cash gift, to a school, college, department or unit.

***Gift of Money*** is a cash donation or pledge made directly or through the University of Wisconsin Foundation to a school, college, department or unit.

#### IV. SPECIFIC POLICIES AND PROCEDURES:

##### A. Who May Be A Sponsor?

1. Acceptable Sponsorship. Except for the restriction on Sponsorship by tobacco companies, and the special reviews required for Sponsorship by alcohol companies or organizations associated with gambling, any corporation, other organization or individual that offers and does provide support or underwriting for University events or activities may be sponsors. It is also permissible to decline an offer of support or Sponsorship. There may be other considerations that factor into a decision whether to accept or decline an offer of Sponsorship.

When a school, college, department, unit or RSO (collectively, "University entity") acknowledges a sponsor, invariably an association in the mind of the public is created between the sponsor and University entity being sponsored. Thus, when a University entity is considering entering into a Sponsorship relationship, it should consider the compatibility between its mission and image and that of the sponsor. For example, Sponsorship by an automobile company may be appropriate for the Engineering Expo, but less appropriate for the Transportation Department's "Alternate Mode Week." There is no obligation for a University entity to accept Sponsorship support from non-university entities whose mission or image is deemed incompatible with the mission or image of the University entity or the sponsored program, event or activity.

2. Unacceptable Sponsorship. The University has the right to and will refuse Sponsorship from unacceptable sources, or with an unacceptable message. For example, a Sponsorship is unacceptable that (1) is in conflict with University policies; (2) adversely affects the University's reputation; (3) appears to create an Endorsement by the University of a particular company, product, political candidate or position regarding public policies; (4) is considered to contain obscene, indecent or profane material; (5) ridicules, exploits or demeans persons on the basis of their age, color, creed, disability, national origin, race, religion, sex or sexual orientation; or (6) promotes tobacco products.

3. Alcohol companies or distributors. Sponsorship by alcohol companies or distributors should not be assumed to be permissible and must be submitted to Trademark Licensing for review and approval prior to acceptance. When permitted, the content of any alcohol beverage Sponsorship Acknowledgment may not encourage underage drinking or the misuse of such beverages and must include specific warnings against abusive or unsafe use of alcohol and/or must conspicuously promote responsible use of alcohol. When approved, the Sponsorship arrangement can be set up as indicated at B. below, depending on whether it is a Qualified Sponsorship or a Non-qualified Sponsorship.



1. Qualified Sponsorship.

a. If a Sponsorship does not involve any Return Benefit other than a Qualified Acknowledgment and does not involve an alcohol company or distributor, a school, college, department or unit may enter into a Sponsorship arrangement by providing the sponsor with a letter summarizing the nature and duration of the Sponsorship and the specifics of the Qualified Acknowledgment, and which incorporates or attaches the Standard Sponsorship Terms and Conditions (Attachment A to this Policy). Once the sponsor countersigns the letter to confirm agreement with the aspects of the arrangement, and returns the letter to the school, college, department or unit, the Sponsorship may be accepted and the Qualified Acknowledgment provided without further approvals. If, however, the Sponsorship involves an alcohol company or distributor, see A.3., above. If it consists of a Gift-in-Kind of products, see B.3., below.

b. If a Sponsorship arrangement provides a sponsor with a Return Benefit in addition to a Qualified Acknowledgment, the terms of the arrangement need to be reviewed with Administrative Legal Services or the Director of Business Services before being accepted or the Qualified Acknowledgment provided. If it is determined that the Return Benefits can be disregarded for IRS purposes, then the unit may proceed under 1.a., above, without further approvals. If, however, it is determined that the Return Benefit is considered substantial for IRS purposes, then the unit needs to proceed under 2., below.

2. Non-qualified Sponsorship.

If a Sponsorship arrangement does not meet the criteria to be considered a Qualified Sponsorship, the terms of the arrangement need to be reviewed with Administrative Legal Services or the Director of Business Services before being accepted or any Acknowledgment provided. This is to determine whether there are UBIT or other implications related to the nature of either the Acknowledgment or the Return Benefits. As part of that review, a determination will be made about the nature of any written agreement that will be required. If an alcohol company or distributor is involved or the Sponsorship consists of a Gift-in-Kind, see A.3., above or B.3., below. In some cases, it may be sufficient to provide the sponsor with a letter summarizing the nature and duration of the Sponsorship and the specifics of any Acknowledgment, incorporating or attaching the Standard Sponsorship Terms and Conditions (Attachment A to this Policy). In others, a more formal written agreement outlining the specifics of the arrangement and any special terms and conditions in addition to the Standard Sponsorship Terms and Conditions will be required.

3. Gift-in-Kind Process. When a Sponsorship arrangement with a school, college, department or unit includes a Gift-in-Kind of products (not services), the

school, college department or unit should prepare and submit a Gift-in-Kind transmittal form to the Office of Research and Sponsored Programs prior to or at the time the Gift-In-Kind is accepted. The Policies regarding acceptance of Gifts-in-Kind are found in GAPP-2 and RSP Notice 84-1. If the Sponsorship involving the Gift-in-Kind is a Qualified Sponsorship, then the unit may proceed under 1., above. If it is a Non-qualified Sponsorship, then the unit must proceed under 2., above.

4. Use of University Marks or “Official” Designations. If a Sponsorship arrangement contemplates either the use of University marks by the sponsor or an “official” sponsor designation, see the additional requirements at E. and F., below.

5. Student Organization Sponsorship. The University does not prepare or sign Sponsorship agreements for RSOs. RSOs should consult the contracting guidelines in the Student Organization Handbook for pointers on entering into Sponsorship agreements. While certain aspects of the University’s Sponsorship Policy only apply to University schools, colleges, departments and units, the provisions of this policy relating to Unacceptable Sponsorship, prohibited Endorsements, and use of University trademarks and images apply equally to RSOs. In addition, when an RSO secures a sponsor for an event held in a University facility, the RSO is required to execute a Sponsorship Addendum to Facility Use Agreement as part of the process for obtaining a facility use agreement from the Central Reservations Office.

C. How Much Should I Charge a Sponsor?

There is no predetermined amount of a Gift of Money or a Gift-in-Kind that should be obtained from a sponsor in exchange for a certain type of Acknowledgment. However, University entities should be mindful of the significant value to non-university entities that results from the exposure and association with the University that a Sponsorship relationship provides. Certain Sponsorships and Acknowledgments provide significantly more exposure to a sponsor than others, and should be priced accordingly. For example, Sponsorship of a one-time event, such as a departmental conference, should be priced less than Sponsorship of an on-going or recurring activity, such as a departmental program.

D. Are there Restrictions on Acknowledgments?

1. IRS Rules. Sponsorship payments are exempt from Unrelated Business Income Tax (“UBIT”) when the only Return Benefit to the sponsor is a Qualified Acknowledgment which is defined within the definition of *Qualified Sponsorship*.

2. University Policies. Acknowledgments must be secondary and subordinate to the name, marks and other representations of the University school,

college, department, unit, program or event to which the Sponsorship relates. For example, a banner promoting a departmental conference should prominently identify the conference and the department, with sponsor logos or other Acknowledgment placed on the bottom of the banner in a smaller script. Institutional or unit-specific policies may restrict locations on institutional web sites where Acknowledgments may be placed. Additional detail regarding acceptable forms of Acknowledgment is contained in University Facility Use Guideline G-15.

3. Acknowledgment by RSOs. University Facility Use Guidelines G-15 and G-16 apply to Sponsorship of RSO activities that take place in University facilities or on University lands.

E. Can a Sponsor be Granted Permission to Use University Trademarks, Names, or Logos?

Perhaps, but not without a separate Limited License for such use. Sponsorship of a University or RSO activity or event itself does not automatically give the sponsor the right to use any University trademarks, names or logos. Any request by a sponsor to use University trademarks, names or logos should be directed to Trademark Licensing, which office will process the request in accordance with applicable University policy.

F. Can a Sponsor be Designated as the “Official” Sponsor of a University Activity or Event?

1. General Rule. Because the use of the term “official” in connection with a Sponsorship activity may constitute a prohibited Endorsement, the University will permit use of the “official” designation only under certain conditions.

2. Factual Descriptions of Certain Vendor/Sponsor Relationships.

Use of the term “official” may be permitted and would not constitute a prohibited Endorsement when:

- i. The “official” designation is used in connection with an established vendor or sponsor of the University, or an entity under contract to manage a University activity such as the concessionaire for Athletic Department facilities;
- ii. The vendor’s or sponsor’s products or services are actually sold at a campus venue or used by the University in connection with an activity or event;
- iii. The “official” designation extends only to the campus unit or activity with which the business, product or service relates, and not to the University as a whole (e.g., “the Official Hot Dog of Camp Randall Stadium” would be permitted, but not “the Official Hot Dog of UW-Madison”);

iv. The rationale for permitting the “official” designation, and the method for determining the value of the designation, is clear from the documentation on file to support how the business, product or service was selected. In terms of selecting the vendor or sponsor, use of a competitive solicitation process is preferred, although another process for selecting the vendor or sponsor, such as the “best judgment” purchasing standard, may also be acceptable; and

v. The vendor’s or sponsor’s promotional or marketing activities in connection with the “official” designation do not indicate an Endorsement of or preference by the University for the vendor’s or sponsor’s business, product or service, and any Acknowledgment by the University school, college, department or unit meets the requirements of this Policy.

### 3. Example of a permitted “official” designation.

Department X solicits sponsors for its annual conference. Company Y offers to supply ball point pens with the conference logo printed on them, in exchange for an Acknowledgment of Sponsorship. Company Y offers to provide an additional \$500 in cash to offset conference expenses if its pens can be designated as the “official” pen of the conference. The value of the pens is below the “best judgment” purchasing threshold. The Department documents that it has contacted two other pen vendors and neither expressed interest in supplying the pens on similar terms as offered by Company Y. The brochures and a page on the Department’s website promoting the conference contain an Acknowledgment of Sponsorship, which includes Company Y’s logo and a designation of Company Y’s pens as the “Official Pen of the Department X Conference.”

### 4. Procedure.

The Vice Chancellor for Administration has been given the authority to approve “official” designations and has procedures for the review and approval of such requests. This includes the submission of an “Official” Designation Sponsorship Checklist (Attachment B to this Policy). Contact Administrative Legal Services at 263-7400 for additional information about this review and approval procedure.

## G. Can a Sponsor be given Other Benefits besides an Acknowledgment?

Yes, a school, college, department or unit may provide benefits to a sponsor in addition to an Acknowledgment. In those situations, review by Administrative Legal Services or the Director of Business Services is required. There are two very specific considerations in this circumstance:

1. Purchasing Rules. When a sponsor provides a Gift-in-Kind of goods or services to the University that would ordinarily be obtained through the purchasing system, providing tangible Return Benefits to the sponsor has the potential to be seen as circumventing purchasing requirements. If the Return

Benefits provided to a sponsor are valued at \$5,000 or less, the transaction is exempt from purchasing requirements. If the Return Benefits to the sponsor are valued at more than \$5,000, and the value of the Return Benefits provided to the sponsor is 10% or less of the value of the goods or services provided by the sponsor, the transaction will still qualify as a Sponsorship and not a purchase. If the Return Benefits to the sponsor are valued at more than \$5000 and exceed 10% of the value of the goods or services provided by the sponsor, then the purchasing rules apply to the transaction.

2. Unrelated Business Income. As noted previously, Sponsorship is not subject to UBIT if the only Return Benefit to a sponsor is an Acknowledgment and certain insubstantial other Return Benefits. Providing tangible benefits to a sponsor has the potential to make the entire Sponsorship payment subject to tax. The nature of the Return Benefits must be evaluated to determine if UBIT applies to the Sponsorship. If the Return Benefits are sufficiently insubstantial (e.g., generally considered anything valued at less than 2% of the amount of the Sponsorship payment), no portion of the Sponsorship payment is subject to UBIT. Because this is a complicated area, with exceptions that apply in certain limited circumstances, schools, colleges, departments or units who contemplate providing Return Benefits to sponsors other than those listed above need to seek assistance from Administrative Legal Services or the Director of Business Services to determine if any UBIT issues are present.

## **V. LICENSING AND SPONSORSHIP ADVISORY COMMITTEE**

The University will appoint a Licensing and Sponsorship Advisory Committee to advise the Vice Chancellor for Administration and the Office of Trademark Licensing on the application of these policies. This Committee will be available to those offices to review procedures for the application of these policies, questions or situations where the policies do not clearly apply and other questions of institutional concern.

SPONSORSHIP STANDARD TERMS AND CONDITIONS

1. Subject to UW Policies. This Agreement, and any Acknowledgment of Sponsorship or marketing and promotional activities of Sponsor that relate the Sponsorship, is subject to all applicable University policies, including the "UW- Madison Sponsorship Policy."
2. No Rights to UW Trademarks. This Agreement does not provide Sponsor with any rights to use names, trademarks or logos of the University. Approval for use of University names, trademarks, and logos must be separately obtained from the University Office of Trademark Licensing, and approval may not be granted or may be conditioned upon a separate licensing agreement.
3. Liability. Sponsor agrees to protect, indemnify and hold harmless the University, its officers, employees, agents and students, from any and all liability, including claims, demands, losses, costs, damages and expenses of every kind and description or damages to persons or property arising out of or in connection with or occurring during the course of this agreement. In turn, University agrees to hold harmless Sponsor, its officers, employees, and agents from any and all liability, including claims, demands, losses, costs, damages and expenses of every kind and description or damages to persons or property arising out of the negligent act or omission of an employee, officer or agent of the University while acting within the scope of employment as provided by ss. 893.82 and 895.46(1), Wisconsin Statutes.
4. No Endorsement. This Agreement shall not be construed or represented as an endorsement by University of Sponsor or Sponsor's goods or services.
5. No Partnership or Joint Venture. This Agreement does not constitute and shall not be construed as constituting a partnership or joint venture between the parties, and the parties shall be treated as independent contractors in all respects.
6. No Assignment. This Agreement is specific to the parties, and may not be assigned or sublicensed by Sponsor without the prior written permission of University.
7. Controlling Law/Jurisdiction for Disputes. This Agreement shall be construed under the laws of the State of Wisconsin, and jurisdiction for any disputes under this Agreement shall be in Dane County, Wisconsin.
8. Sponsor agrees to notify University at the time of sponsorship payment if it intends to claim a charitable contribution deduction on account of a sponsorship payment, so the University can prepare the appropriate gift receipt.

Approved  
03/07

**ATTACHMENT B**  
**“OFFICIAL” DESIGNATION**  
**SPONSORSHIP CHECKLIST**

Department/Unit: \_\_\_\_\_

Responsible Administrator/Employee: \_\_\_\_\_

Sponsor/Vendor: \_\_\_\_\_

Sponsor Contact Name/Address: \_\_\_\_\_

\_\_\_\_\_

Term of Sponsorship: \_\_\_\_\_

Product/Promotional Item: \_\_\_\_\_

Use by department/unit: \_\_\_\_\_

Venue: \_\_\_\_\_

How sponsor solicited/selected: \_\_\_\_\_

\_\_\_\_\_

Cash Sponsorship: \_\_\_\_\_ Gift-in-Kind: \_\_\_\_\_

Amount/value (of cash and/or product): \_\_\_\_\_

Increment attributable to “official” designation (e.g., additional cash or product provided in order to receive “official” designation): \_\_\_\_\_

Incentives, if any, provided as part of “official” designation sponsorship package (e.g., tickets, admissions, parking): \_\_\_\_\_

\_\_\_\_\_

Value of incentives: \_\_\_\_\_ “Net” to department/unit: \_\_\_\_\_

Approved  
03/07

Acknowledgment expected to be provided to “official” sponsor: \_\_\_\_\_  
\_\_\_\_\_

Specialized institutional marks (if any) expected to be made available to sponsor as part of “official” designation: \_\_\_\_\_  
\_\_\_\_\_

**Please attach artwork for any such marks that can be incorporated into an exhibit to the limited license.**

[Note: the use of any specialized institutional marks must be the subject of a limited license from the University, attached as an addendum to the sponsorship agreement.]

How used: \_\_\_\_\_

Any request to use other institutional trademarks: \_\_\_\_\_ If, yes, what marks: \_\_\_\_\_

\_\_\_\_\_  
[Note: the use of any institutional trademarks must be pursuant to a separate limited license granted by the University through its Trademark Licensing Office.]

APPROVED:

\_\_\_\_\_  
DARRELL BAZZELL  
Vice Chancellor  
Administration

Date: \_\_\_\_\_



University of Wisconsin System  
Public Records Management Policy

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

Whereas, University of Wisconsin institutions create, receive, and manage public records when transacting public business on behalf of the University; and

Whereas, the University of Wisconsin System has a long-standing commitment to adopting business practices that ensure public records are properly managed in compliance with state and federal legal requirements; and

Whereas, increasingly complex state and federal legal requirements for public records management, rapid technological advances in the functions performed by the information technology and digitization systems utilized by UW System institutions, and best business practices within the field of records management, suggest the need for a comprehensive and coordinated approach to public records management within the UW System;

Therefore, be it resolved, upon recommendation of the President of the University of Wisconsin System, the Board of Regents adopts the Public Records Management Policy, as attached.

**UNIVERSITY OF WISCONSIN SYSTEM  
PUBLIC RECORDS MANAGEMENT POLICY**

**EXECUTIVE SUMMARY**

**BACKGROUND**

Increasingly complex state and federal legal requirements for public records management, rapid technological advances in the functions performed by the information technology and digitization systems utilized by UW System institutions, and best business practices within the field of records management, suggest the need for a comprehensive and coordinated approach to public records management within the UW System. The attached policy will help assure that UW System institutions continue to comply with legal requirements for public records management, and will also facilitate the effective, transparent conduct of the public business conducted of the UW System.

**REQUESTED ACTION**

Approval of Resolution I.2.g.(2)

**DISCUSSION**

In order to transact public business, ensure public accountability, and preserve the history of the University of Wisconsin System, University employees create, receive, and manage public records, which are regulated by multiple federal and state laws. This policy provides guidance by synthesizing multiple state and federal legal requirements for public records management, in order to facilitate the continued success of UW System institutions in properly managing public records.

This policy also sets standards to ensure that the electronic public records stored within information technology and digitization systems are properly managed throughout their lifecycle. Recent advances in technology have resulted in an increased reliance by university employees upon information technology and digitization systems for creating, receiving, managing, and archiving public records. As a result, guidance is needed to address proper management of records maintained in this format.

Other institutions of higher education, including the University of California System and the University of Texas System have adopted similar policies. By approving this policy, the Board of Regents addresses the issue of public records management in a manner consistent with best business practices in higher education.

For all of these reasons, the UW System President recommends that the Board of Regents adopt the University of Wisconsin Public Records Management Policy.

**RELATED REGENT POLICIES**

88-14 Guide to Plan and Implement Management  
Information Systems

97-2 Policy on Use of University Information  
Technology Resources

REVISED 4/9/07

# **University of Wisconsin System Public Records Management Policy**

## **1.0 POLICY**

The policy of the University of Wisconsin System is to ensure that public records are properly managed in compliance with relevant state and federal laws.

## **2.0 SCOPE**

This public records management policy applies to all UW System institutions.

## **3.0 PURPOSE**

The purpose of this policy is to facilitate the transaction of business, ensure public accountability, and preserve the history of UW System institutions by fulfilling state and federal legal requirements for public records management.

## **4.0 PUBLIC RECORDS MANAGEMENT**

**4.1 Definition and Ownership of Public Records.** Public records include all materials, regardless of physical form or characteristics, that employees create or receive in connection with the transaction of public business on behalf of UW System institutions. All public records that employees create, receive, or retain are owned by the UW System and the State of Wisconsin.

**4.2 Duties of University of Wisconsin Institutions.** Each UW System institution shall establish and maintain a public records management program.

**4.3 Duties of the Chancellor.** The Chancellor of each UW System institution shall designate a public records and forms officer.

**4.4 Duties of the Public Records and Forms Officers.** The records officer at each UW System institution shall: (1) Develop and maintain a public records management program that fulfills state and federal legal requirements; (2) Provide records management training and assistance to UW System institution employees; (3) Upon request, provide special assistance to UW System

institution: legal counsel, legal custodians for public records requests, auditors, and archivists; and (4) Collaborate with UW System institution technology professionals in developing and maintaining information and digitization systems that create, receive, store, destroy, and archive electronic public records in compliance with state and federal legal requirements.

**4.5 Characteristics of Public Records Management Programs.** Public records management programs facilitate ongoing business activities, ensure public accountability, and preserve the history of UW System institutions. In order to successfully perform these vital functions, public records management programs should be developed and maintained using a collaborative decision-making process involving UW System institution: records and forms officers, information technology professionals, legal counsel, legal custodians, auditors, and archivists. In some instances, this collaborative decision-making process should involve UW System institution employees from other professional fields, including but not limited to: business officers, administrators, faculty, staff, students, human resource managers, and registrars.

Public records management programs shall: (1) Ensure that public records are created, received, and retained in compliance with this policy and state and federal legal requirements; (2) Properly classify public records, so as to support UW System institution functions and ensure appropriate disposition of these records; (3) Obtain approval for disposition of public records from the State of Wisconsin Public Records Board; (4) Ensure secure storage of public records throughout the lifecycle of these records; (5) Ensure that expired public records are destroyed, paying special attention to the additional steps necessary to destroy expired electronic records; and (6) Preserve the history of the UW System institutions by implementing archival processes that ensure the security, accessibility, accuracy, authenticity, readability, and reliability of public records notwithstanding the passage of time.

**4.6 Treatment of Electronic Public Records.** Public records management programs shall ensure that throughout their lifecycle, electronic public records are secure, accessible, accurate, authentic, legible, readable, and reliable. These programs shall also ensure that upon disposition, electronic public records are either properly destroyed or archived. Because some information technology systems may retain portions of deleted electronic records, public records management programs must ensure that expired electronic records are actually destroyed.

**4.7 Information and Digitization Systems and Business Tools.** UW System institutions shall not purchase, support, or utilize information and digitization systems, or business tools, which fail to comply with this policy and state and federal legal requirements for public records management. Therefore, the procurement, development, and maintenance of information and digitization systems should include public records management functions.

**4.8 Electronically-Stored Information.** Information and digitization systems routinely create electronically-stored information which, in many instances, comprises a public record. Therefore, UW System institution employees and the technology professionals who provide, support, and manage information and digitization systems must ensure that electronically-stored information is only created, received, or retained if it supports UW System institution business functions.

**4.9 Review of Public Records Management Programs.** The State of Wisconsin Department of Administration has authority to periodically audit the public records management programs at UW System institutions in order to evaluate legal compliance. In order to ensure the success of such an audit or to ensure compliance with this policy, the public records and forms officer at each UW System institution may conduct periodic reviews of public records management programs.

## **5.0 PUBLIC RECORDS MANAGEMENT ROLES AND RESPONSIBILITIES**

**5.1 Employee Supervisors.** Supervisors of UW System institution employees are responsible for ensuring that the employees under their supervision attend public records management training sessions and manage public records in compliance with this policy and state and federal legal requirements.

**5.2 Employees.** UW System institution employees are responsible and accountable for managing public records in compliance with this policy and state and federal legal requirements. Failure to do so may result in loss of access to UW System institution information and digitization systems and business tools, as well as appropriate disciplinary action.

**5.3 Use of Business Tools.** UW System institution employees shall manage and retain public records using only information and digitization systems and business tools that are supported by the institution.

**5.4 Suspension of Public Records Retention Schedules.** Record retention schedules must be suspended whenever UW System institution records are relevant to litigation, audit, or public records requests. Any suspension of retention schedules shall be carefully tailored to the scope of the litigation, audit, or public records request. Although UW System institutions will suspend public records retention schedules when reasonably necessary, these institutions shall not be responsible for individual employees acting outside the scope of their authority, or in a manner inconsistent with the suspension of public records retention schedules.

University of Wisconsin System  
New Format for the Regent Policy Documents

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

Whereas, the Regent Policy Documents of the University of Wisconsin System follow a chronological numbering system, under which each policy is assigned a number that combines the year in which the policy was approved with the sequential number of the policy within that year;

Whereas, this numbering system can make it difficult for members of the public and University employees to efficiently search the Regent Policy Documents, especially using web-based information technology tools;

Whereas, a new organizational structure and format categorizing the policies by topic and assigning each policy a number based upon its sequential position within each topical category will provide greater public transparency in the governance of the UW System because the Regent Policy Documents will be easier to research using web-based information technology systems;

Therefore, be it resolved, upon recommendation of the President of the University of Wisconsin System, the Board of Regents adopts the organizational structure and format for the Regent Policy Documents of the University of Wisconsin System as set forth in the attached document.

April 13, 2007

Agenda Item I.2.g.(3)

**UNIVERSITY OF WISCONSIN SYSTEM  
NEW FORMAT FOR THE REGENT POLICY DOCUMENTS**

**EXECUTIVE SUMMARY**

**BACKGROUND**

The Regent Policy Documents of the University of Wisconsin System follow a chronological numbering system, which assigns each policy a number that combines the year in which the policy was approved together with the number of policies passed in that year. This system can make it difficult for members of the public and University employees to efficiently search the Regent Policy Documents, especially using information technology tools, such as the world-wide web.

**REQUESTED ACTION**

Approval of Resolution I.2.g.(3)

**DISCUSSION**

The new organizational structure and numbering system for the Regent Policy Documents categorizes the policies by topic and assigns each policy a number based upon its sequential position within each topical category. This new format will ensure greater public transparency in the governance of the UW System because the Regent Policy Documents will be easier to search using web-based information technology systems. The new format will also facilitate workplace efficiency for University employees who must have access to policies when transacting public business on behalf of the University, because it will be easier to electronically search the policies using key word searches.

In addition, the proposed format for the Regent Policy Documents reflects best business practices within the field of higher education, as institutions of similar size and structure to the University of Wisconsin utilize similar formats for their systemwide governance documents.

Therefore, the UW System President recommends that the Board of Regents adopt the new format for the Regent Policy Documents, as attached.

**RELATED REGENT POLICIES**

None.



# UNIVERSITY OF WISCONSIN SYSTEM REGENT POLICY DOCUMENTS

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BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

I.3. Physical Planning and Funding Committee

Thursday, April 12, 2007  
Reeve Memorial Union, Room 227  
UW-Oshkosh

10:00 a.m. All Regents

- UW-Oshkosh Presentation: Collaboration in Action – Building a Regional Model
  - Chancellor Wells' Welcome and Overview
  - New ERA panel – “Model University Center?”

11:00 p.m. Education Committee – All Regents Invited

- The Equity Scorecard Project: Institutional Engagement and Learning to Achieve Equity and Excellence in Educational Outcomes

12:30 p.m. Box Lunch

1:00 p.m. Physical Planning and Funding Committee – All Regents Invited -Reeve Memorial Union, Room 227

- 2007-09 Capital Budget – Building Commission Recommendations

1:30 p.m. Physical Planning and Funding Committee – Reeve Memorial Union, Room 202

- a. Approval of the Minutes of the March 8, 2007 Meeting of the Physical Planning and Funding Committee
- b. UW-Oshkosh Presentation: Enhancing Existing and Building New Facilities
- c. UW-Madison: Authority to Construct Two Utility Structures for the East Campus Utility Project  
[Resolution I.3.c.]
- d. UW-Madison: Authority to Accept a Gift-In-Kind of a Parcel of Land for the Kegonsa Research Campus  
[Resolution I.3.d.]
- e. UW-Milwaukee: Authority to: (a) Sell a Parcel of Land to the Milwaukee Jewish Federation; (b) Petition the City of Milwaukee to Vacate a Public Alley; (c) Enter Into a Land Use Agreement to Allow Construction of a Parking Area and Accept It as a Gift-In-Kind; (d) File a Certified Survey Map; and (e) Convey a Right-Of-Way to the City of Milwaukee  
[Resolution I.3.e.]

- f. UW-Platteville: Authority to Purchase a Parcel of Land for Parking Purposes  
[Resolution I.3.f.]
- g. UW-River Falls: Authority to Accept a Gift-In-Kind of a Parcel of Land for the Mann  
Valley Farm  
[Resolution I.3.g.]
- h. UW System: Authority to Construct All Agency Maintenance and Repair Projects  
[Resolution I.3.h.]
- i. Report of the Assistant Vice President
  - Building Commission Actions
  - Other
- x. Additional items which may be presented to the Committee with its approval

Authority to Construct Two Utility Structures  
for the East Campus Utility Project,  
UW-Madison

PHYSICAL PLANNING AND FUNDING COMMITTEE

Resolution:

That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted to reallocate \$1,500,000 of existing Program Revenue Supported Borrowing to construct two underground bridge structures for the East Campus Utility Project.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action April 2007

1. Institution: The University of Wisconsin–Madison
2. Request: Requests authority to reallocate \$1,500,000 of existing Program Revenue Supported Borrowing to construct two underground bridge structures for the East Campus Utility Project.
3. Description and Scope of Project: This project will construct two underground bridge structures on University Avenue and Johnson Street at the points where the tunnel intersects the East Campus Pedestrian Mall. Steel sheet pilings will be driven on the east and west sides of the tunnel corridor and a concrete cap will be installed at road level to bridge the pilings. Once complete, the bridges will allow construction of the east campus utility tunnel to occur without disrupting traffic on University Avenue and Johnson Street. A complete description of the tunnel and tunnel utilities will be provided when approval of the Design Report and authority to construct the project is requested.
4. Justification of the Request: The city of Madison will only allow the East Campus Utility project to disrupt traffic on University Avenue and Johnson Street one lane at a time during the summer, at night, and on weekends. In order to maintain the tight schedule of the East Campus Utility project and maintain the coordination between the Ogg Hall Demolition, University Square, Chazen Museum Addition, and the East Campus Pedestrian Mall projects, construction of the bridges must occur this summer. Delaying construction of the bridges until to 2008 would have serious financial implications for to the grand opening of the University Square retail space which fronts the East Campus Pedestrian Mall. Completion of the University Square project is slated for June of 2008.

5. Project Budget and Schedule:

|                   |               |
|-------------------|---------------|
| Construction      | \$1,175,500   |
| A/E Design (8%)   | 94,040        |
| Contingency (15%) | 176,390       |
| DSF Fee (4%)      | <u>54,070</u> |
| Total Project     | \$1,500,000   |

Unallocated PRSB will be reallocated to this project from appropriation T125.

Project Schedule:

|                                   |             |
|-----------------------------------|-------------|
| SBC Approval                      | April 2007  |
| Bid Opening                       | May 2007    |
| Estimated Construction Start Date | June 2007   |
| Estimated Final Completion        | August 2007 |

6. Previous Action:

|                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February 10, 2006<br>Resolution 9125 | Granted approval to request the release of \$1,215,300 Building Trust Funds–Planning, and the use of \$301,700 Program Revenue-Cash to prepare preliminary plans, a design report, and construction documents for the 2007-09 East Campus Utility Improvement project for an estimated total project cost of \$19,984,000 (\$16,009,960 General Fund Supported Borrowing and \$3,974,040 Program Revenue Supported Borrowing). |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



Authority to Accept a Gift-In-Kind of a Parcel of  
Land for the Kegonsa Research Campus,  
UW-Madison

PHYSICAL PLANNING AND FUNDING COMMITTEE

Resolution:

That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted to accept a gift-in-kind from the University of Wisconsin Foundation of land and a structure located in the Town of Dunn, Dane County, Wisconsin. The value of this gift-in-kind is approximately \$400,000.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action April 2007

1. Institution: The University of Wisconsin-Madison
2. Request: Requests authority to accept a gift-in-kind from the University of Wisconsin Foundation of land and a structure located in the Town of Dunn, Dane County, Wisconsin. The value of this gift-in-kind is approximately \$400,000.
3. Description and Scope of Project: The gift includes a 1.06 parcel of land and a structure currently operated as a lodging facility for users of the Synchrotron Radiation Center (SRC). The parcel is located at 2014 Green Road, Stoughton, Wisconsin, and is south of the UW-Madison Kegonsa Research Center (see attached map). The donor of this property, through the University of Wisconsin Foundation, is Robert Green.

The property is approximately 46,000 square feet, and is zoned A-1 exclusive (agricultural). The structure on the property was constructed in 1954 and was originally used as a school. In the early 1980's, the building was converted to a housing facility with fifteen rooms with a number of shared bathrooms, one manager apartment, one main kitchen/dining area, and a living room. The building is inspected annually by the State of Wisconsin Department of Health and Family Services, and its fire alarm system is inspected annually by the city of Stoughton.

4. Justification of the Request: The Synchrotron Radiation Center (SRC) is a national research facility which is operated by the Graduate School of the University of Wisconsin-Madison with funding from the National Science Foundation Division of Materials Research. The SRC provides synchrotron light as a research tool to conduct a diverse range of scientific experiments. Researchers come from all over the world to use the facility. The facility provides research space on a twenty-four hours a day, five days a week basis with weekends available for set up and testing. Researchers are given three week blocks of time to carry out their research. They often work long hours during their three week time allotment, so convenient and affordable housing has always been desirable.

In the early 1980's, the researchers using the SRC, especially graduate students and postdoctoral fellows, had few housing choices: staying in a motel in Madison or renting an apartment, both of which constituted a major expense for limited research budgets. Mr. Green purchased the building (the land had been donated by his father to the local school district), and remodeled it into a housing facility for SRC users who rented from him directly. The facility has been available exclusively for SRC users since Mr. Green

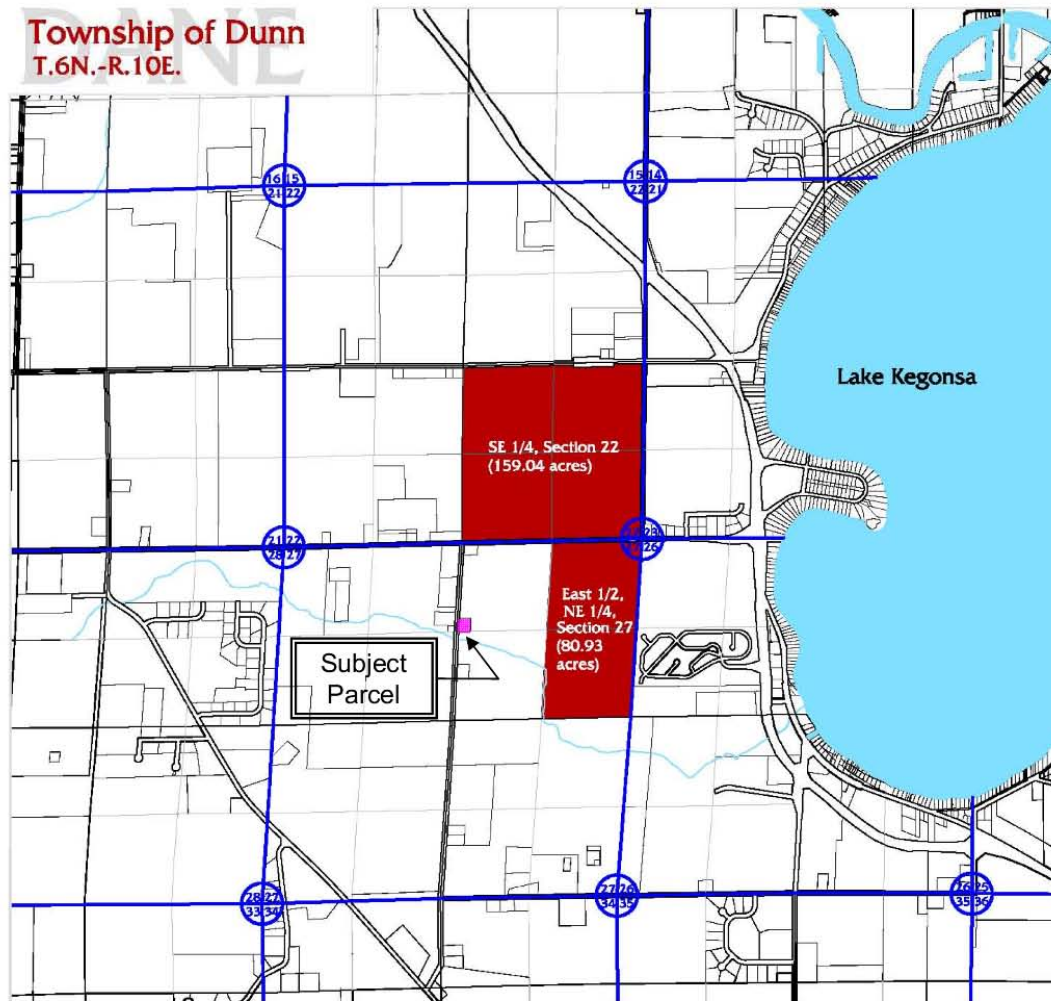
purchased it and he now wishes to gift it to the university to continue to provide affordable housing for researchers. Once transferred to UW-Madison, the facility will be administratively housed within the Graduate School and managed by the SRC staff.

A current appraisal and a Phase I Environmental Site Assessment have been completed. An above ground fuel oil storage tank is located on the property which provides fuel to the facility's boiler but poses no existing or future concerns. An underground storage tank was successfully removed from the property in 1989 without incident.

5. Budget: Not applicable.

6. Previous Action: None.

**Township of Dunn**  
T.6N.-R.10E.

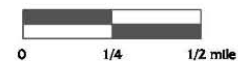


RRF November 18, 2003

**Land Atlas / University of Wisconsin-Madison**



- Section Line
- Quarter Section Line
- 1/4 / Quarter Line
- KRC Property
- City of Madison
- Other Municipalities



**Kegonsa  
Research  
Campus**

Authority to: (a) Sell a Parcel of Land to the Milwaukee Jewish Federation; (b) Petition the City of Milwaukee to Vacate a Public Alley; (c) Enter Into a Land Use Agreement to Allow Construction of a Parking Area and Accept It as a Gift-In-Kind; (d) File a Certified Survey Map; and (e) Convey a Right-Of-Way to the City of Milwaukee, UW-Milwaukee

#### PHYSICAL PLANNING AND FUNDING COMMITTEE

##### Resolution:

That, upon the recommendation of the UW-Milwaukee Chancellor and President of the University of Wisconsin System, authority be granted: (a) to sell approximately 0.18 acres of land facing North Stowell Avenue that is a portion of the 2419 East Kenwood Boulevard (Zelazo) Board of Regents-owned property in Milwaukee, Wisconsin, to the Milwaukee Jewish Federation (MJF) for \$219,500; (b) to petition the city of Milwaukee to vacate a public alley located southwest of the intersection of East Kenwood Boulevard and North Prospect Avenue; (c) to enter into a land use agreement with the MJF to allow them to construct a reconfigured parking area and a driveway, and to accept the completed facility as a gift-in-kind; (d) to file a certified survey map subdividing the property into three lots, an outlot, and a public alley; and (e) to convey to the city of Milwaukee a new public alley (dedicated right-of-way) connecting to an existing public alley, North Prospect Avenue, and North Stowell Avenue to allow public access to the reconfigured parking area.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action April 2007

1. Institution: The University of Wisconsin–Milwaukee
2. Request: Requests authority: (a) to sell approximately 0.18 acres of land facing North Stowell Avenue that is a portion of the 2419 East Kenwood Boulevard (Zelazo) Board of Regents-owned property in Milwaukee, Wisconsin, to the Milwaukee Jewish Federation (MJF) for \$219,500; (b) to petition the city of Milwaukee to vacate a public alley located southwest of the intersection of East Kenwood Boulevard and North Prospect Avenue; (c) to enter into a land use agreement with the MJF to allow them to construct a reconfigured parking area and a driveway, and to accept the completed facility as a gift-in-kind; (d) to file a certified survey map subdividing the property into three lots, an outlot, and a public alley; and (e) to convey to the city of Milwaukee a new public alley (dedicated right-of-way) connecting to an existing public alley, North Prospect Avenue, and North Stowell Avenue to allow public access to the reconfigured parking area.
3. Description: The campus will sell approximately 0.18 acres, a portion of an existing surface parking lot located at 2419 East Kenwood Boulevard (adjacent to North Stowell Avenue) in Milwaukee, to the Milwaukee Jewish Federation for \$219,500. This price is the average of two independent market appraisals (\$219,000 and \$220,000), and represents an estimated fair market value. Following the vacation of a city-owned alley to the university, the MJF will, in conjunction with the design and construction of the new Hillel facility, design and construct a reconfigured parking area and driveway. The driveway and an extension of the north-south alley will be conveyed to the city of Milwaukee when the certified survey map is filed and will become a public alley (dedicated right-of way).
4. Justification: The Milwaukee Jewish Federation desires to build a new Hillel Foundation facility near the University of Wisconsin-Milwaukee (UWM) campus. This is in the best interest of the university as a means of attracting and retaining a diverse student, faculty, and staff population; providing valuable programming available to the entire university community; and strengthening relationships with Milwaukee's Jewish community.

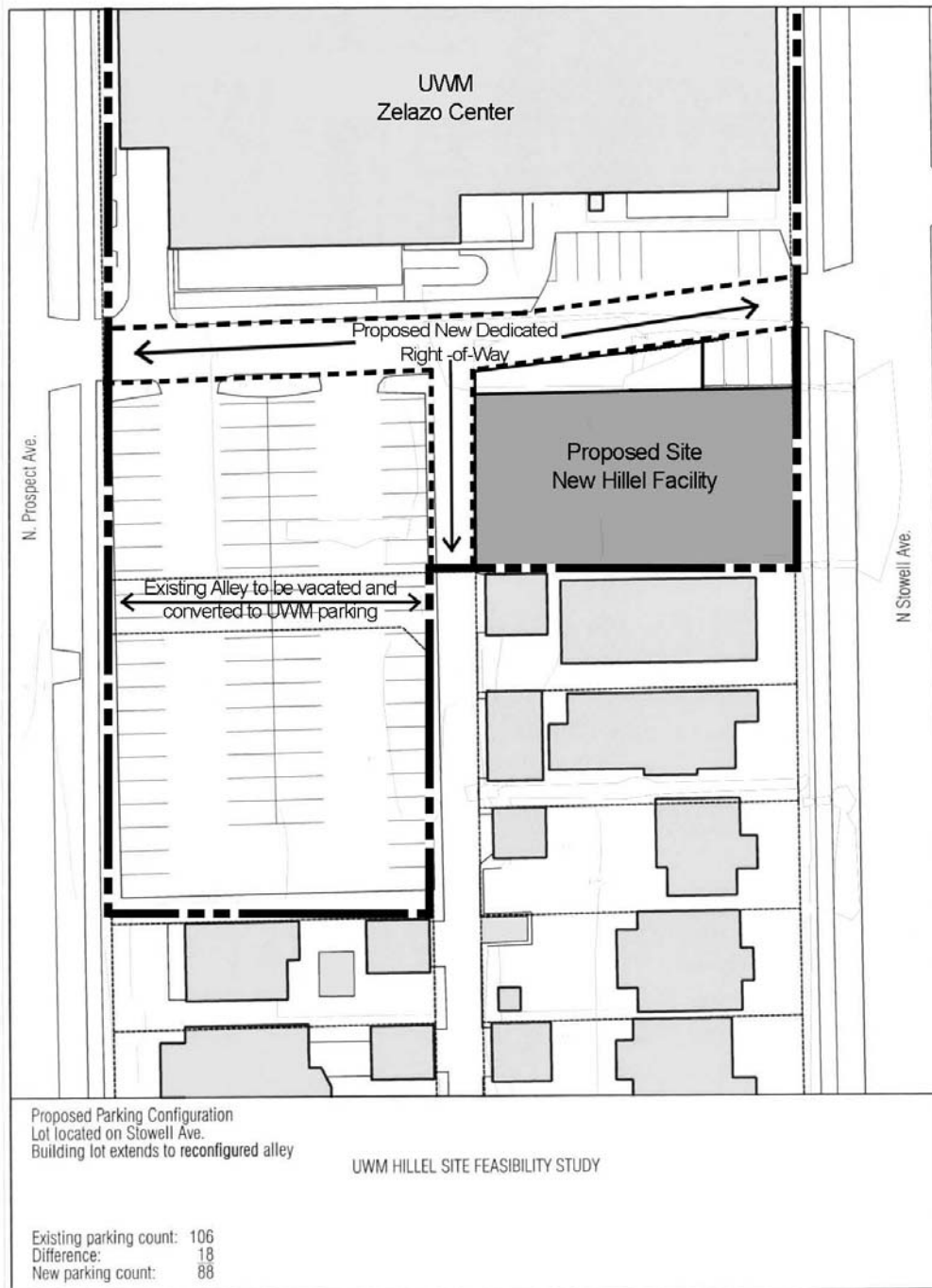
Hillel and Milwaukee Jewish Federation leaders have concluded that they are unable to meet their needs at their current facility and must build a new facility. The new facility will be used for religious, social, and educational programs; it will not be used for student housing. The feasibility of numerous sites near UWM was evaluated. Proximity to the UWM campus is important to facilitate the support provided to the university community by Hillel. Furthermore, this site is adjacent to other similar existing religiously-affiliated facilities bordering the campus.

The proposed property sale will cause an overall loss of parking adjacent to the Helene Zelazo Center for the Performing Arts. The appraisal process took into consideration the loss of parking revenue in determining the value of the property. This loss, however, will be minimized to only 18 spaces by functional and efficiency improvements in the entire existing surface parking lot. Reconfiguration of the parking area and the driveway will be most cost-effectively accomplished during this project when done in conjunction with the design and construction of the new Hillel facility.

5. Budget: Costs for property appraisals, inspection services, title insurance, closing costs, sale preparations, and real estate commissions, if applicable, will be deducted from the sales proceeds. Costs for improvements of the remaining University of Wisconsin-Milwaukee surface parking areas will be included in the transaction and funded (in addition to the property sales price) by the Milwaukee Jewish Federation; redesign and construction of the remaining UWM parking area and driveway will be done in conjunction with the new Hillel facility.

6. Previous Action:

|                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February 05, 1999<br>Resolution 7856 | Granted authority to: (1) accept a gift from the UW-Milwaukee Foundation of an approximately 2-acre parcel of land located at <u>2419 East Kenwood Boulevard</u> , improved with a 103-car parking lot and a facility to be remodeled by the Foundation as performance and instructional space for the School of the Arts; (2) expand the campus boundary accordingly; and (3) utilize \$475,000 Campus Parking Utility funds toward the acquisition costs. |
| November 11, 2000<br>Resolution 8246 | Authorized to execute a use permit agreement between the Board of Regents and the UW-Milwaukee Foundation to remodel the Helene Zelazo Center for the Performing Arts (formerly known as the Congregation Emanu-El B'ne Jeshurun) for the UW-Milwaukee Peck School of the Arts.                                                                                                                                                                             |





Authority to Purchase a Parcel of Land for  
Parking Purposes, UW-Platteville

PHYSICAL PLANNING AND FUNDING COMMITTEE

Resolution:

That, upon the recommendation of the UW-Platteville Chancellor and President of the University of Wisconsin System, (a) authority be granted to purchase a 0.1187-acre parcel of land and property improvements within the approved campus boundary located at 55 South Hickory Street in the city of Platteville at a cost of \$157,500 (\$122,500 Program Revenue-Cash and \$35,000 Gift Funds) and (b) an exemption be granted of Board of Regents Policy 94-3 which requires that the negotiated purchase price of the property be at or below the average of two recent appraisals.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action April 2007

1. Institution: The University of Wisconsin-Platteville
2. Request: Requests: (a) authority to purchase a 0.1187-acre parcel of land and property improvements within the approved campus boundary located at 55 South Hickory Street in the city of Platteville at a cost of \$157,500 (\$122,500 Program Revenue-Cash and \$35,000 Gift Funds) and (b) that an exemption be granted of Board of Regents Policy 94-3 which requires that the negotiated purchase price of the property be at, or below, the average of two recent appraisals.
3. Description and Scope of Project: This 0.1187-acre parcel is located immediately adjacent to campus-owned land to the north and south of the parcel. The property contains a wood-framed, 1,324 SF house constructed in 1870. The house is not historically significant. The land will be used for parking lot development.

Two certified appraisals completed in 2006 value the property at \$110,000 and \$120,000 respectively; their average yields an estimated fair market value of \$115,000. The owner will not sell the property for less than \$150,000 due to business losses. The UW-Platteville Foundation will contribute \$35,000 to offset the difference in the average appraised value and the actual selling price. In addition to the \$150,000 purchase price, additional costs are estimated at \$7,500 for associated environmental testing, demolition, site restoration, and closing costs. No relocation costs will be incurred as a result of this acquisition.

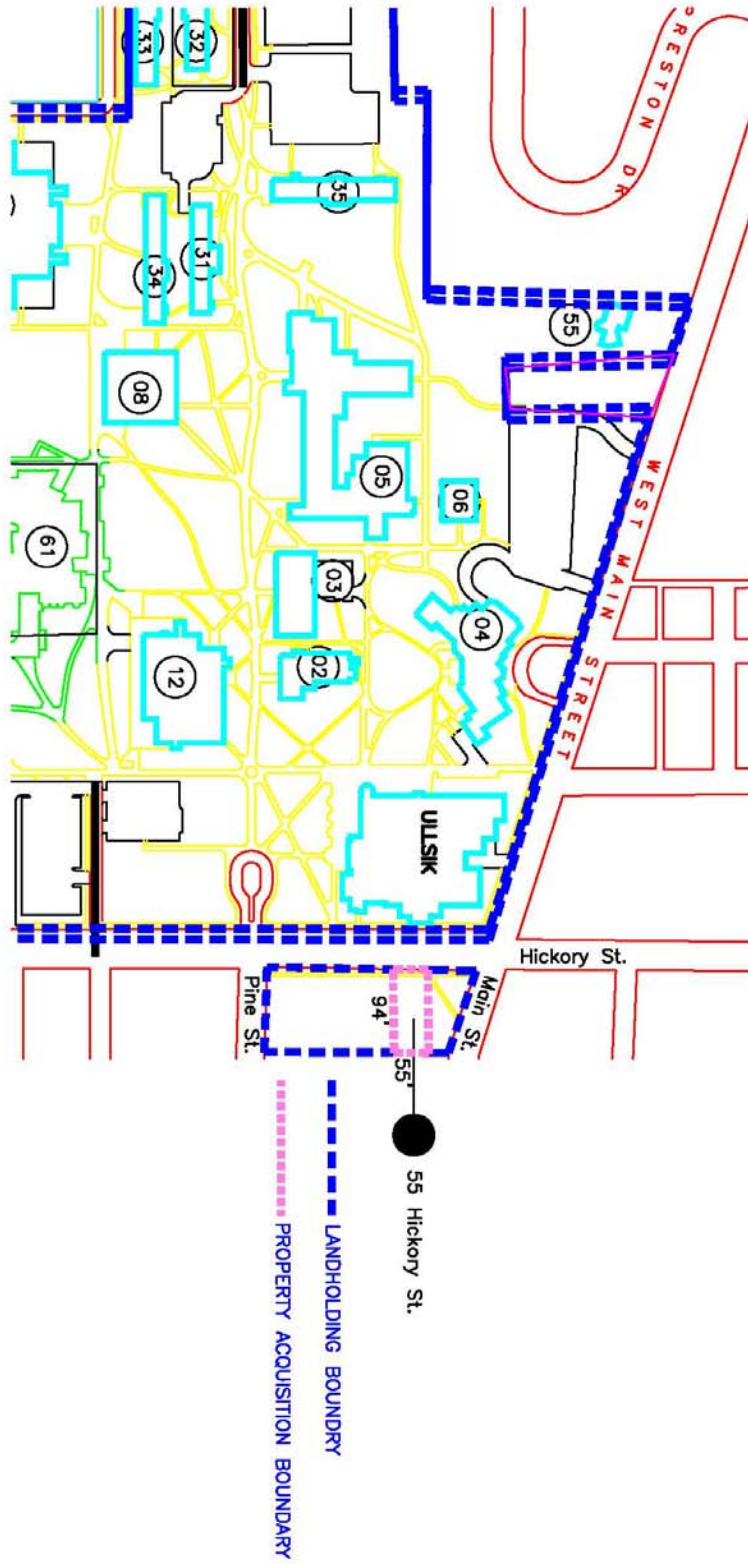
An environmental audit has been conducted and there are no known environmental hazards associated with the land to be purchased.

4. Justification of the Project: The property is located amid three other lots currently owned by the Board of Regents. The four lots together comprise half of a city block. By purchasing this property, a well-designed parking lot can be developed to help satisfy parking demand in the northeast quadrant of the campus. A parking analysis identified a need to provide parking for faculty, students, and visitors in this area; and to support parking demand anticipated for Ullsvik Hall, an intensively-used academic and administrative building currently under construction.
5. Related Action:

November 5, 1999  
Resolution 8021

Authority granted to expand the campus east boundary to include three contiguous parcels on the east side of Hickory Street and to purchase one parcel within the expansion area, 75 Hickory Street, for \$75,000 Program Revenue Parking Funds Cash, including all fees and associated costs.

0407PropertyAcq\_55\_S\_Hickory\_St\_BOR.doc



Authority to Accept a Gift-In-Kind of a Parcel  
of Land for the Mann Valley Farm,  
UW-River Falls

PHYSICAL PLANNING AND FUNDING COMMITTEE

Resolution:

That, upon the recommendation of the UW-River Falls Chancellor and President of the University of Wisconsin System, authority be granted to accept a gift-in-kind of a 0.358-acre parcel of land located approximately 600 feet west of South Glover Road adjacent to county trunk highway (CTH) "MM" in Section 34 of the Town of Troy, St. Croix County, Wisconsin for the UW-River Falls Mann Valley Farm.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action April 2007

1. Institution: The University of Wisconsin-River Falls
2. Request: Requests authority to accept a gift-in-kind of a 0.358-acre parcel of land located approximately 600 feet west of South Glover Road adjacent to county trunk highway (CTH) "MM" in Section 34 of the Town of Troy, St. Croix County, Wisconsin for the UW-River Falls Mann Valley Farm.
3. Description and Scope of Project: This transaction will accept a 0.358-acre parcel in the Town of Troy, adjacent to land approved to be acquired in a trade, from K&S Developers, Inc. Based on the average cost per acre identified by recent appraisals conducted for adjacent properties, the value of this parcel is approximately \$4,500. An environmental audit has been conducted and there are no known environmental hazards associated with the land to be received.
4. Justification of the Request: This request is in response to an opportunity that has arisen in conjunction with a larger land transaction at the Mann Valley Farm which was approved by both the Board of Regents and State Building Commission in November of 2006. During negotiations with K&S Developers, they offered to give this small parcel of land to the Board of Regents at no cost to the university in order to add it to the farm and preclude any development of this remnant parcel. No covenants or deed restrictions will be attached to the land being received.
5. Budget: There is no cost associated with this transaction.
6. Related Action:

|                                      |                                                                                                                                                               |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| November 15, 2006<br>Resolution 9259 | Granted authority to exchange a 98.9-acre parcel of university-owned land at the Mann Valley Farm for a 187-acre parcel of land owned by K&S Developers, Inc. |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|

0407MannValleyLandGiftRequest\_BOR.doc

UW-River Falls Mann Valley Farm  
Land Gift Map



KEY



Mann Valley Farm



UW Land  
To Be Gained  
(Per November  
2006 BOR and  
SBC Actions)



Drawn: DKB  
March, 2007

Authority to Construct All Agency Maintenance  
and Repair Projects, UW System

PHYSICAL PLANNING AND FUNDING COMMITTEE

Resolution:

That, upon the recommendation of the President of the University of Wisconsin System, authority be granted to construct various maintenance and repair projects at an estimated total cost of \$4,970,000 (\$379,300 General Fund Supported Borrowing; \$3,134,000 Program Revenue Supported Borrowing; and 1,456,700 Program Revenue Cash).

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action April 2007

1. Institution: The University of Wisconsin System
2. Request: Requests the authority to construct various maintenance and repair projects at an estimated total cost of \$4,970,000 (\$379,300 General Fund Supported Borrowing; \$3,134,000 Program Revenue Supported Borrowing; and 1,456,700 Program Revenue Cash).

### FACILITIES MAINTENANCE & REPAIR

| INST           | PROJ. NO. | PROJECT TITLE              | GFSB | PRSB | PR CASH      | GIFT/GRANT | BTF  | TOTAL        |
|----------------|-----------|----------------------------|------|------|--------------|------------|------|--------------|
| EAU            | 07C1U     | Bridgman Hall Maint & Repr | \$ - | \$ - | \$ 1,436,000 | \$ -       | \$ - | \$ 1,436,000 |
| FM&R SUBTOTALS |           |                            | \$ - | \$ - | \$ 1,436,000 | \$ -       | \$ - | \$ 1,436,000 |

### UTILITIES REPAIR & RENOVATION

| INST           | PROJ. NO. | PROJECT TITLE                             | GFSB       | PRSB         | PR CASH   | GIFT/GRANT | BTF  | TOTAL        |
|----------------|-----------|-------------------------------------------|------------|--------------|-----------|------------|------|--------------|
| MSN            | 03J2N     | KRC Phys Sci Lab 2nd Well Inst (Increase) | \$ 229,300 | \$ -         | \$ 20,700 | \$ -       | \$ - | \$ 250,000   |
| PKS            | 07C1Q     | Union Lot Reconst                         | \$ 150,000 | \$ 3,134,000 | \$ -      | \$ -       | \$ - | \$ 3,284,000 |
| UR&R SUBTOTALS |           |                                           | \$ 379,300 | \$ 3,134,000 | \$ 20,700 | \$ -       | \$ - | \$ 3,534,000 |

|                   | GFSB       | PRSB         | PR CASH      | GIFT/GRANT | BTF  | TOTAL        |
|-------------------|------------|--------------|--------------|------------|------|--------------|
| APRIL 2007 TOTALS | \$ 379,300 | \$ 3,134,000 | \$ 1,456,700 | \$ -       | \$ - | \$ 4,970,000 |

3. Description and Scope of Project: This request constructs maintenance, repair, renovation, and upgrades through the All Agency Projects Program.

### Facilities Maintenance and Repair Requests

EAU - Bridgman Hall Maintenance and Repair (\$1,436,000): This project repairs or replaces several infrastructure components of the 50,000 GSF, 4-story, 259-bed residence hall built in 1965. Project work includes replacing four metal frame and four storefront exterior doors; replacing 151 residential room and 30 storefront exterior windows; replacing exterior masonry control joints and tuck pointing as required; and converting the steam radiation heating system to a hot water system, including new air handling equipment and new digital controls throughout the entire facility. Project work also includes any necessary hazardous materials abatement.

The exterior metal windows were originally installed in 1965 and are in poor condition. Due to their age, window replacement parts are unavailable. The windows have experienced over 40 years of abuse, and window hardware and seal caulking are failing. These units are single glaze windows with thermally unbroken, uninsulated frames. They



are energy inefficient and require replacement. New windows with commercial grade glass and insulated frames will increase energy efficiency, provide reliable room ventilation, and reduce related maintenance costs for this residence hall.

Most of the control joints on the exterior masonry have failed. Repairing the control joints and tuck pointing, as required, will restore the integrity of the exterior masonry and preclude further damage.

The steam heating system was originally installed in 1965 and is in poor condition. The entire steam system is corroded, noisy, and unreliable. During the heating season, constant maintenance and repair is required. Replacing the steam radiation system with a steam to hot water system will extend the life of this residence hall. The new hot water heating system will be more energy efficient and provide better environmental controls for the student residents.

### **Utilities Repair and Renovation Requests**

MSN - Kegonsa Research Campus Physical Science Lab Second Well Installation (\$250,000 Increase): This project constructs a new 12-inch high-capacity well at the Kegonsa Research Campus located in the Town of Dunn. The project also includes well and pump repairs on the original well, once the new well is fully functional.

Recent bids have exceeded the authorized project budget. This budget increase will allow completion of the original project intent and scope.

PKS - Union Lot Reconstruction (\$3,284,000): This project reconstructs and expands an existing 591-stall parking lot into a 670-stall parking lot, including associated area lighting, landscaping, associated storm water control, and pavement markings. This project also includes reconstructing and widening a section of Inner Loop Road, constructing a new roadway connection between Inner Loop Road and Outer Loop Road, and removing a section of Outer Loop Road and restoring it to natural landscaping.

Project work includes reconstructing 725 LF of Inner Loop Road into a new boulevard, widening this section from 20 feet to 32 feet, and terminating at a ceremonial vehicular turn-around between Molinaro Hall and the Student Union; constructing a new 560 LF, 32-foot wide north-south roadway connector between Inner Loop Road and Outer Loop Road; and removing a 700 LF east-west section of Outer Loop Road, including the Wood Road and Outer Loop Road intersection, and restoring the site to natural landscaping. All constructed roadway sections will include bike lanes, area lighting, and associated landscaping.

This project implements one phase of the recently completed campus master plan, which included a series of circulation and traffic improvements across campus. The master plan proposes a carefully sequenced series of roadway and parking lot improvements to coordinate with several building construction projects. This project must be completed before Spring of 2009 when the expanded Student Union opens.

The Union Parking Lot was constructed in 1974, resurfaced in 1988, and now requires complete reconstruction. Routine maintenance (crack filling, asphalt infrared heat repair, and concrete curb repair) has been completed as necessary. Approximately half of the curb is broken, settled, or completely eroded which allows water to readily penetrate and damage the base. Drainage problems also result in standing water and create ice hazards during the winter months. Rather than simply reconstructing the lot in-kind, these areas will be reconfigured and expanded to be consistent with the master plan.

During preparation of the master plan, several workshops and presentations were conducted that identified physical facility deficiencies. Among the highest priorities identified was the need to restructure the roadway network to simplify campus navigation for those not familiar with the campus. This project completes one section of the necessary roadway reconstruction, including establishing a new "front door" and campus identity for visitors. The main vehicular access will be reconstructed into a two-way traffic boulevard and terminate with a ceremonial vehicular turn-around. This project reconfigures the lot to add approximately 80 stalls and locates the lot closer to the Student Union. Campus visitors and Student Union users, particularly disabled persons and elderly persons, will benefit from improved proximity and increased quantity of parking spaces. The steep grades of pedestrian pathways and the distance between the Student Union and the Union Lot are a frequent complaint of campus visitors as revealed through the master planning process.

4. Justification of the Request: UW System Administration and the Division of State Facilities continue to work with each institution to develop a comprehensive campus physical development plan, including infrastructure maintenance planning. After a thorough review of approximately 250 All Agency Project proposals and 520 infrastructure planning issues submitted, and the UW All Agency Projects Program funding targets set by the Division of State Facilities (DSF), this request represents high priority University of Wisconsin System infrastructure maintenance, repair, renovation, and upgrade needs. This request focuses on existing facilities and utilities, targets the known maintenance needs, and addresses outstanding health and safety issues. Where possible, similar work throughout a single facility or across multiple facilities has been combined into a single request to provide more efficient project management and project execution.

5. Budget:

|                                           |                  |
|-------------------------------------------|------------------|
| General Fund Supported Borrowing .....    | \$ 379,300       |
| Program Revenue Supported Borrowing ..... | 3,134,000        |
| Program Revenue Cash.....                 | <u>1,456,700</u> |
| Total Requested Budget ..                 | \$ 4,970,000     |

6. Previous Action: None.

REVISED 4/10/07

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

April 13, 2007  
Reeve Memorial Union, Room 227  
UW-Oshkosh  
Oshkosh, Wisconsin  
9:00 a.m.

II.

1. Calling of the roll
2. Approval of the minutes of the March 8 and 9, 2007 meetings
3. Report of the President of the Board
  - a. Report on the March 27 and 28, 2007 meetings of the Wisconsin Technical College System Board
  - b. Report on the April 11, 2007 meeting of the Hospital Authority Board
  - c. Additional items that the President of the Board may report or present to the Board
4. Report of the President of the System
  - a. UW-Oshkosh presentation: "The New North: North of What You'd Expect"
  - b. Achieving Excellence: UW System 2006-07 Accountability Report
  - c. Additional items that the President of the System may report or present to the Board
5. Report of the Education Committee
6. Report of the Physical Planning and Funding Committee
7. Report of the Business, Finance, and Audit Committee
8. Additional resolutions
  - a. Resolution of appreciation to UW-Oshkosh
9. Communications, petitions, or memorials
10. Unfinished or additional business
11. Move into closed session to consider appointment of a dean, UW-Baraboo/Sauk County, appointment of a dean, UW-Sheboygan, and appointment of a dean, UW-Marathon County as permitted by s.19.85(1)(c), *Wis. Stats.*, to consider an employment contract amendment for a UW-Madison coach, as permitted by s.19.85(1)(c), *Wis. Stats.*, to consider appointment of an interim chancellor for UW-Whitewater, as permitted by 19.85(1)(c), *Wis. Stats.* and to confer with legal counsel regarding pending or potential litigation, as permitted by s.19.85(1)(g), *Wis. Stats.*

The closed session may be moved up for consideration during any recess called during the regular meeting agenda. The regular meeting will reconvene in open session following completion of the closed session.

**Achieving Excellence:  
The University of Wisconsin System  
Accountability Report 2006-07**

**Executive Summary**

**BACKGROUND**

Since 1993, the UW System has provided detailed annual accountability reports to the citizens of Wisconsin. These reports are a reflection of the UW System's commitment to demonstrating the excellence of its institutions of higher education. Each annual accountability report covers a broad spectrum of higher education performance measures that address diverse constituent interests. Ongoing refinements and enhancements have been made to these reports to ensure their continued relevance and value as a resource for all potential users.

The first UW System accountability report, *Accountability for Achievement*, was initiated in March 1993, when Governor Tommy Thompson appointed a Task Force to suggest approaches to the development of the UW System's initial accountability document. The Governor's Task Force recommended 18 higher education performance measures. These measures were adopted by the Board of Regents as the basis for *Accountability for Achievement*. The report was issued on a yearly basis for a mandated period of three biennia.

After the initial mandate was concluded, the UW System embarked in July 1999 on a thorough review of the accountability reporting process. The Accountability Review Task Force reviewed the existing report and recommended a revised set of goals and indicators for the assessment of university performance. The Task Force members, which included students, faculty, staff, and administrators from all of the UW institutions, felt strongly that university performance should be measured in two distinct ways:

- 1) The achievement of student and institutional outcomes, and
- 2) The provision of a high quality student learning experience.

It was the latter of these two performance categories that led the Task Force to recommend a set of measures that included several new and innovative approaches to demonstrating accountability. These new measures focused primarily on the ways in which the UW institutions provide an environment that fosters learning.

In June 2000, the Board of Regents accepted the recommendations of the Task Force and authorized the production of the new UW System accountability report entitled *Achieving Excellence*. The current document is the seventh annual edition of *Achieving Excellence*. It is available electronically on the internet at: [www.uwsa.edu/opar](http://www.uwsa.edu/opar).

**REQUESTED ACTION**

Information only.

## DISCUSSION

*Achieving Excellence* represents the UW System's continuing commitment to broad-based accountability to the citizens of Wisconsin. All of the measures in *Achieving Excellence* were designed with the mission of the UW System in mind, concentrating on the many ways in which the University of Wisconsin seeks to serve its students and the State of Wisconsin. While it is not feasible to report on every possible area of university activity in a single document, *Achieving Excellence* presents a "balanced scorecard" approach to accountability reporting, reflecting a broad diversity of stakeholder interests.

Each new edition of *Achieving Excellence* includes updated information on university performance that addresses current accountability issues in higher education, both locally and on the national level. *Achieving Excellence* includes many of the same measures that are presented in *America's Best Colleges*, published by U.S. News and World Report, and in state-level accountability reports such as *Measuring Up*. *Achieving Excellence* also includes many measures that are not usually found in other state and national accountability documents. Specifically, *Achieving Excellence* combines the more traditional indicators of access, retention, graduation, and resource management with measures of the overall university learning environment and how well it fosters student success. By providing both process and outcome measures, the report more fully reflects the ways in which institutional activities promote the achievement of excellence.

In order to address both of these accountability concerns, it is necessary to augment regularly reported systemwide outcomes data with findings from student and alumni surveys. Each edition of *Achieving Excellence* reports findings from a cycle of surveys, including the National Survey of Student Engagement (NSSE) and the ACT Alumni Outcomes Survey. Each of these surveys provides national benchmarks, affording the opportunity to make comparisons of UW System performance with that of other higher education institutions. Moreover, the insights gained from these survey findings help to advance our understanding of the non-survey data that are also presented in this report.

Each of the 15 UW institutions has created its own individual report as a companion to the systemwide *Achieving Excellence* report. These reports provide common performance measures across institutions, but also highlight the unique accomplishments of each UW campus. The institution-specific *Achieving Excellence* reports were produced in response to suggestions from members of the Board of Regents who felt that our accountability efforts would be enhanced by the reporting of institutional measures in a format that is consistent across all campuses. Although the systemwide *Achieving Excellence* report does include an appendix of selected institution performance measures, the core purpose of the report is to assess performance at the system level. The institutional reports are designed to demonstrate accountability in light of the specific character and mission of each institution.

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*The Regents President and Vice President serve as ex-officio voting members of all Committees.*

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## 2007 MEETING SCHEDULE

(Held in Madison unless otherwise indicated)

January 4<sup>th</sup> and 5<sup>th</sup> (cancelled, circumstances permitting)

February 8<sup>th</sup> and 9<sup>th</sup>

March 8<sup>th</sup> and 9<sup>th</sup> (at UW-Parkside)

April 12<sup>th</sup> and 13<sup>th</sup> (at UW-Oshkosh)

May 10<sup>th</sup> and 11<sup>th</sup>

June 7<sup>th</sup> and 8<sup>th</sup> (at UW-Milwaukee)

July 12<sup>th</sup> and 13<sup>th</sup>

August 23<sup>rd</sup> and 24<sup>th</sup> (cancelled, circumstances permitting)

September 6<sup>th</sup> and 7<sup>th</sup>

October 4<sup>th</sup> and 5<sup>th</sup> (at UW-River Falls)

November 8<sup>th</sup> and 9<sup>th</sup>

December 6<sup>th</sup> and 7<sup>th</sup> (hosted by UW-Madison)