

MINUTES OF THE REGULAR MEETING

of the

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

Milwaukee, Wisconsin

UW-Milwaukee  
Held in the Wisconsin Room  
UW-Milwaukee Union  
Friday, May 8, 2009  
9:00 a.m.

- President Bradley presiding -

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Friday, May 8, 2009, 2008  
9:00 a.m.

- President Bradley presiding -

PRESENT: Regents Jeffrey Bartell, Mark Bradley, Elizabeth Burmaster, Eileen Connolly-Keesler, Judith Crain, Mary Cuene, Danae Davis, Michael Falbo, Thomas Loftus, Kevin Opgenorth, Charles Pruitt, Brent Smith, Michael Spector, Colleene Thomas, David Walsh, and Betty Womack

UNABLE TO ATTEND: Regents John Drew and José Vásquez

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**Approval of Minutes of March 5, 2009 Meeting**

The minutes of the March 5, 2009 meeting stood approved as distributed.

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**REPORT OF THE PRESIDENT OF THE SYSTEM**

**Thanks to UW-Milwaukee**

President Reilly thanked Chancellor Carlos Santiago and his UW-Milwaukee colleagues for hosting a gracious and stimulating meeting that brought forth a great deal of positive energy.

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### **State Budget Shortfall**

President Reilly referred to Governor Doyle's announcement that the projected revenue shortfall for the 2009-11 biennium was now projected to grow by almost one billion dollars more than originally estimated. Under the initial \$5.7 billion estimate, the UW System faced up to \$174 million in cuts and reallocations. Since then, the Legislature clarified that the university's gifts and grants would not be used to help close the state's budget gap and reduced the transfer from campus auxiliary funds, bringing projected cuts down to \$156 million.

However, based on the newly projected shortfall of \$6.5 billion, it was clear that budget challenges would only grow greater from this point forward.

Last evening, President Reilly had asked the chancellors to forward the following message from him to all UW faculty and staff:

"As you may have heard in the news, Governor Doyle today announced his response to manage a growing state budget deficit. New projections show that the shortfall for 2009-11 is projected to about \$1 billion higher than initially expected, now totaling more than \$6 billion over the biennium.

"Remember that the original deficit projections resulted in major challenges for us, including funding cuts and reallocations totaling as much as \$174 million at one point in the process. While we had begun to see some reductions in that projected cut, we now expect the situation to worsen.

"The Governor's proposal will require all state employees, including UW System faculty and academic staff, to forego the two percent pay plan increase that was scheduled to take effect on June 1 of this year. It will also require all state employees, including UW faculty and staff, to take eight days of unpaid leave (furlough) in each of the next two years (July 1, 2009 – June 30, 2011). Represented classified staff will be asked to re-open contract negotiations to allow for the cancellation of the June 1, 2009 general wage increase, or face layoffs to attain the equivalent in savings.

"In these extraordinary times, our Governor and our Legislature are facing tough choices to help the state regain its financial footing and preserve core services in this deepening economic crisis. We know that the UW System institutions play a major role in the state's economic recovery and renewal. With that in mind, we will continue to advocate for strategies that minimize further harm to our core mission of teaching, research, and service. At the same time, we must remain cognizant of the broader context – extreme economic turmoil that has resulted in business closings and family hardships all across the nation. We are not immune from those economic impacts.

"More information will be forthcoming on the details of the governor's proposals and their implications for our university workforce. I recognize that these kinds of actions will have a big impact on each of you, your colleagues, and your families; and we will be mindful of that impact going forward.

“I thank you for your continued efforts on behalf of the students and citizens of Wisconsin.”

The question now, President Reilly stated, is how to do the least damage to the UW’s commitments so that the university can continue to help the state and its residents rebound from this major recession and position itself for a bright future in the spirit of the Growth Agenda for Wisconsin. Working with chancellors and other colleagues, he said that a plan reflecting those commitments would be developed and returned to the Board for advice and reaction. The case, which is Wisconsin’s case, will be made very strongly to the Governor and Legislature as the plan is put together; and their reactions will help to shape what must be done.

In conclusion, the President said: “We will get past this recession and to recovery. As we have all seen, there are some positive signs out there already that point the way. The question then will be, did Wisconsin comport itself through the recession in a way that propelled it ahead in the recovery and beyond? We intend for the answer to that question to be ‘yes,’ and for the UW to have adequate resources and resiliency to help get Wisconsin to that ‘yes.’

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### **H1N1 Virus**

President Reilly reported that information was being gathered from institutions across the UW System on activities to manage the swine flu challenge and plans were being made as to what steps should be taken if the flu situation should worsen. He called upon Senior Vice President Tom Anderes for more information about this matter.

Mr. Anderes reported that UW institutions had been in touch with their local health agencies and that a communication process was set up for sharing information from the state. Those institutions with students studying abroad in Mexico were monitoring the situation and students were being given the option of returning home.

He introduced Dr. Julie Bonner, Director of UW-Milwaukee’s Norris Health Center, to describe what steps were being taken on campus. Noting that 233 cases had been confirmed to date in Wisconsin, Dr. Bonner said that the Emergency Operations Team was meeting daily to review the situation in view of the campus’ Emergency Plan and Pandemic Influenza Plan. The goal would be to reduce transmission and severity of the disease, while minimizing its impact on the university’s operations.

Communications with local and state health authorities were excellent, she noted, adding that communications with the public schools also were very important, given interactions involving internships, student teachers, and day care operations.

If the severity of the flu is low and transmission slowed, the plan would be to operate as with regular seasonal flu, encouraging everyone to use good hygiene and anyone who is sick to stay home. The situation would continue to be monitored, recognizing that the flu could return in a stronger form in the fall.

In response to a question by Regent Loftus, Dr. Bonner said that, at this time, 99% of probable cases were being confirmed as H1N1. The guidance is to isolate those who are sick for seven days and work with health agencies to advise close contacts who are not sick about whether to stay home or continue their normal routines.

Replying to a question by Regent Bartell, President Reilly indicated that Senior Vice President Anderes was serving as the system's coordinator for health issues.

Regent Bartell asked if all of the campuses have health officers and plans, to which Mr. Anderes replied that 75% already have plans, while the rest are in the planning process. All have health care officers on campus, with UW-Milwaukee and UW-Madison serving as hubs. President Reilly added that model plans were being shared among the campuses.

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### **Posters in the Rotunda**

It was reported by President Reilly that the sixth annual "Posters in the Rotunda" event had been held at the State Capitol. A celebration of undergraduate research, the event provided the opportunity to see the exciting breadth and diversity of research projects exhibited by more than 140 students and nearly three dozen faculty advisors from each UW campus.

The President remarked that the celebration provided a reminder of how academic research can be an "inspiring example of the innovation and entrepreneurial spirit so necessary for economic recovery and the future growth of our communities, state, and nation."

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### **National Conference on Undergraduate Research**

President Reilly commended UW-La Crosse and Chancellor Joe Gow for hosting the 23<sup>rd</sup> National Conference on Undergraduate Research, attended by more than 2,500 student scholars and faculty members from about 300 universities in more than 30 states – making it the largest conference ever hosted by UW-La Crosse.

This was the second time the conference was held in Wisconsin, the first being in 2002 at UW-Whitewater.

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### **Bio-Nanotechnology Workshop**

President Reilly reported that UW-River Falls' Tissue and Cellular Innovation Center recently co-hosted with Chippewa Valley Technical College the second annual Bio-Nanotechnology workshop.

Dr. Timothy Lyden, Director of the Innovation Center, called the event a cornerstone of the growing relationship with Chippewa Valley Tech's NanoRight Center in Eau Claire. That relationship is part of a joint effort between the two systems to help

students gain more knowledge and experience with cell culture, stem cell biology, tissue engineering, labeling of cells, and fluorescent microscopy.

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### **Wisconsin Idea Forum**

Reporting that on May 14<sup>th</sup>, UW-Eau Claire would host the first-ever Wisconsin Idea Forum, President Reilly remarked that this exciting new project will put the Wisconsin Idea into action by tapping into the UW System's longstanding tradition of leveraging its resources to benefit the citizens of Wisconsin. The forums will convene diverse voices and stakeholders for far-reaching policy discussions on important topics, including social, environmental, and economic challenges.

The May 14<sup>th</sup> forum is an ambitious project titled: "Addressing Alcohol Abuse through Public Policy: Finding Common Ground".

Noting that the Wisconsin Idea Forums are one of the Action Steps that grew out of the Advantage Wisconsin Strategic Planning process to advance the Growth Agenda for Wisconsin, he congratulated UW-Eau Claire Chancellor Brian Levin-Stankevich and colleagues for stepping up to host the first of these forums.

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### **Stephen Kolison Wins Exemplary Leader Award**

President Reilly congratulated Stephen Kolison, Associate Vice President for Academic and Faculty Programs, on being honored as an Exemplary Leader by the Association of Research Directors. He was recognized for his contributions towards advancing agricultural research at the Historically Black Land Grant Universities as a faculty member and administrator over a period of 18 years at Tuskegee University and Tennessee State University.

Dr. Kolison also was praised for combining vision, diplomacy, and political astuteness in leading the Association of Research Directors during his service as Chair from 2004-06. He joined the UW System in September 2008.

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### **UW-Oshkosh Model United Nations Team Wins 25<sup>th</sup> Consecutive Outstanding Delegation Award**

President Reilly commended the UW-Oshkosh Model United Nations Team on winning its 25<sup>th</sup> consecutive Outstanding Delegation Award at the 2009 National Model United Nations competition, which featured 4,700 students from 300 universities in 36 states, five Canadian provinces, and 24 countries on five continents.

Students are judged on their knowledge of global issues and their familiarity with the United Nations system, as well as on their diplomatic and negotiating skills.

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**UW-Whitewater Men's Wheelchair Basketball Team Wins Eighth National Championship**

President Reilly congratulated the UW-Whitewater Men's Wheelchair Basketball Team and its Coach Jeremy Lade on winning its eighth national championship and its fifth in this decade. To claim the title, the Warhawks beat the defending champion Fighting Illini from the University of Illinois by a score of 82-76.

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**UW-Stout Awarded Scholarships in Science, Technology, Engineering, and Mathematics Grant by National Science Foundation**

President Reilly commended UW-Stout Chancellor Charles Sorensen and colleagues on receipt of a National Science Foundation Scholarships in Science, Technology, Engineering, and Mathematics grant of \$567,000 to the university's applied science program for support of the project, "Polytechnic Mission, Applied Science Vision."

Beginning in fall 2010, incoming students in the applied sciences will have the opportunity to apply for \$10,000 scholarships; and current and future applied science students may apply for \$5,000 scholarships.

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**REPORT OF THE PRESIDENT OF THE BOARD**

**President Reilly Honored with Signature of Excellence Award**

Regent President Bradley congratulated President Reilly on his receipt of the Signature of Excellence Award from the University Continuing Education Association at its 94<sup>th</sup> annual conference in Boston.

The award honors the CEO of a higher education institution who has demonstrated unique qualities of leadership and exemplary service to the field of continuing higher education.

President Reilly was also recognized for his role in developing, in collaboration with others, the Growth Agenda for Wisconsin.

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**President Reilly and Chancellor Wilson Receive Commendation from the Governor**

Regent President Bradley commended President Reilly and David Wilson, Chancellor of the UW Colleges and UW Extension, for receiving a commendation from the Governor for leadership in Project Lead the Way, which supports efforts to get more

science, technology, engineering, and math education into Wisconsin's middle and high schools.

These objectives also are aligned with the Growth Agenda for Wisconsin.

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### **President Reilly Elected Vice President of National Association of System Heads**

Reporting that President Reilly was recently elected Vice President of the National Association of System Heads, Regent President Bradley commended him, on behalf of the Board, for the important leadership role that he was taking in national higher education.

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### **Regent Falbo Honored with Lifetime Recognition Award**

Regent President Bradley congratulated Regent Falbo on receiving the 2009 UW-Parkside Lifetime Recognition Award during the fifth annual Celebrazione Italiana on campus.

At the same event, there was a moment of silence in honor of Regent Emeritus Alfred DeSimone, who passed away in February.

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### **Regent Burmaster to Become President of Nicolet Technical College**

Regent President Bradley congratulated Regent Burmaster on her appointment as President of Nicolet Technical College.

Noting that she had served on the Board of Regents since 2001, when she began her service as State Superintendent of Public Instruction, he thanked her for all the valuable contributions she had made as a Regent and extended best wishes in her new venture.

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### **A Time of Daunting Challenges**

Concluding his remarks, Regent President Bradley observed that it is a very challenging time to serve as a member of the Board of Regents. While not paid for their service, Regents have the opportunity to use their talents and experience to deal with historic challenges, while, at the same time, increasing student access.

While the task is daunting, he said, the members of the Board have the necessary knowledge, talent and dedication. It is a matter of using them to make the best decisions possible in the interests of the students and people of the state; and that is what the Board is committed to do.

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## **REPORT OF THE BUSINESS, FINANCE, AND AUDIT COMMITTEE**

Regent Smith, Chair, presented the committee's report.

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### **UW-Madison Undergraduate Differential Tuition Initiative**

Senior Vice President Tom Anderes provided background information on the Madison Initiative, highlighting the goals, funding requirements, student and private funding sources, tuition and fee comparisons to Big Ten peers, and steps taken by the university to ensure accountability to the campus community.

UW-Madison Chancellor Biddy Martin, Dean Gary Sandefur, of the College of Letters and Sciences, and Chynna Haas, of the Associated Students of Madison, made presentations on behalf of the university. Three other students also spoke about the initiative, two in support and one in opposition.

Key elements of the Madison Initiative are increasing access to courses and majors, preserving the quality and value of a UW-Madison degree and preserving affordability for students.

Questions by committee members focused on the rationale for setting the hold-harmless floor at \$80,000 and appropriate accountability mechanisms. After considerable discussion, the committee amended the resolution to clarify holding students with a family income of less than \$80,000 harmless from the tuition increase, adding an annual report to the Board, and reducing the review period to four years.

Adoption of the following resolution was moved by Regent Smith and seconded:

### **UW-Madison Undergraduate Differential Tuition**

Resolution 9608: That, upon the recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Board of Regents approves the differential tuition for all UW-Madison undergraduate students beginning in Fall 2009. The differential tuition will be phased in over four years. For resident students, the differential will be \$250 per year in 2009-10; \$500 per year in 2010-11; \$750 per year in 2011-12; and \$1,000 per year in 2012-13. For nonresident students, the differential will be \$750 per year in 2009-10; \$1,500 per year in 2010-11; \$2,250 per year in 2011-12; and \$3,000 per year in

2012-13. The differential will be prorated for part-time students.

The initiative will add faculty and instructional support while increasing need-based financial aid. Undergraduate residents and undergraduate non-resident students of families with adjusted gross income (AGI) of \$80,000 or less, and reflected financial need, will be held harmless from the differential increase.

The proposed differential tuition will be evaluated on an annual basis by the Madison Initiative Oversight Board, which will be comprised of students, faculty, and staff. There will be a status report provided to the Business, Finance, and Audit Committee and the Board of Regents annually. In addition, the outcomes of the proposed differential will be presented to the Board of Regents for review in four years (2013-2014).

Brittany Wiegand, outgoing chair of the Associated Students of Madison (ASM), reported that students were engaged in the initiative in a meaningful way and that the Chancellor was very receptive to student input. After the initiative was unveiled to student leaders on March 24<sup>th</sup>, two listening sessions were held to obtain student feedback and recommendations, especially regarding student services. The ASM Student Council then passed a resolution of partial endorsement of the initiative.

A final decision by ASM was postponed until April 22<sup>nd</sup> in order to allow time to speak to more students and conduct two on-line surveys. The first survey, sent to 9,000 students, focused on whether or not students were learning about the initiative and having their questions answered. Six hundred and twenty one comments were received and reviewed by ASM and the Dean of Students Office.

The second survey, which asked whether students supported the initiative, was sent to 37,000 students and resulted in a support rate of 50.4%. The Student Council then endorsed the initiative on a vote of 17-1, based on the conclusion that benefits of the initiative outweighed the costs and that it would increase the quality of education at UW-Madison.

Jonah Zinn, incoming Chair of the Academic Affairs Committee of ASM, spoke in opposition to the initiative. In the current economic climate, he felt that it would be unreasonable to ask students to pay more for higher education and urged a closer relationship between the Board and the Legislature to make education a higher priority for state funding. Finally, while outreach efforts were to be commended, he thought there should be a vote on whether or not students supported the initiative.

Chris Tiernan, outgoing Chair of the Academic Affairs Committee of ASM, commented that it would not be realistic to expect the state to solve the university's funding problems. With regard to beneficial effects of the Madison Initiative, he gave the

example of faculty shortages in the Spanish Department causing students who wished to major in that language to be tuned away from the department and causing bottlenecks in various courses.

Chynna Haas, of the Associated Students of Madison, indicated that students at UW-Madison have unmet financial need of \$20 million and that she, herself, would graduate with \$21,000 in debt. A student body with economic diversity, she commented, is important to providing a quality education to all students.

Paul Theine, a student in the School of Business, reported that differential tuition in that school had provided important benefits in increased numbers of faculty and career/academic advisors and had helped to maintain its reputation as a top-notch business program. The tuition initiative served to bring Business School administrators and students together, and he felt confident that the Madison Initiative would have the same effect.

Regent Crain stated her strong support for the Madison Initiative, remarking that the process was a thoughtful one and that its implementation is important both for educational quality and financial aid reasons. She expressed interest in the effect the initiative would have on middle-income families with incomes over \$80,000.

Regent Womack thanked Chancellor Martin for using an outstanding collaborative process for the initiative.

Stating his enthusiastic support for the initiative, Regent Loftus congratulated Chancellor Martin for undertaking an extensive campaign to explain the rationale for the initiative to constituents ranging from alumni to legislators. Observing that it is a time of opportunity as well as challenge, he encouraged other campuses also to bring forth their visions for the future.

Expressing agreement with Regent Loftus, Regent Davis commended Chancellor Martin for an inclusive process, noting that student comments confirmed the involvement that they had. She also encouraged other UW institutions to develop ways to improve quality in an affordable manner.

Regent Bartell said that his only hesitation about the initiative is the effect it might have on the state's sense of obligation to fund the university in the years ahead. He commended Chancellor Martin for outstanding work in describing the advantages of the initiative and seeking input.

Speaking in favor of the initiative, Regent Thomas recalled that she had heard much about difficulties experienced by students in obtaining access to courses. The initiative, she said, would meet many of the most urgent needs and benefit the university and students greatly. The most compelling criticism, she thought, was that the initiative would constitute another step on the path of expecting students to pay for a greater share of education.

While he supported the initiative, Regent Opgenorth expressed some concern about how student engagement changed the initiative and to what extent incoming freshmen know about it.

Indicating that she and her staff had responded to many student questions about the initiative, Chancellor Martin said that student ideas about the kinds of services they need and student oversight of how the funds would be used were incorporated into the initiative. While the incoming freshman class had not yet been fully selected, she noted that the initiative had received extensive media coverage across that state and that numbers of applications continued to be high.

While he supported funding student financial aid, Regent Falbo said that he did not support the source of those funds. Because of the initiative's importance, however, he would not vote against it and therefore intended to abstain.

Chancellor Martin thanked all involved for a wonderful and collaborative effort.

The question was put on Resolution 9608, and it was adopted on a voice vote, with Regent Falbo abstaining, and no votes in opposition.

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### **Trust Fund Issues**

#### ***UW System Annual Endowment Peer Benchmarking Report***

Doug Hoerr, Director of Trust Funds, presented highlights from three benchmarking studies, which showed that UW trust fund returns exceeded those of peer institutions with assets in the \$100 million to \$500 million range in the one, three, five and ten year periods ending June 30, 2008. The UW's 4% spending rate is more conservative than the peer average of 4.8%.

#### ***Voting of 2009 Non-routine Proxy Proposals***

It was noted that Regent policy 31-10 provides the proxy voting policy for UW System Trust Funds. Dominant social issues for the 2009 season included the environment and sustainability, corporate political contributions, health care issues, and human rights.

The committee passed a resolution approving non-routine shareholder proxy proposals for inclusion in the consent agenda.

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### **Operations Review and Audit Issues**

#### ***Program Review – UW System Excess Credit Policy***

Julie Gordon, Director of the UW System Office of Operations Review and Audit briefed the committee on the findings of this recently completed review, which showed that the policy has been implemented at all UW institutions, although there are some variations in the application of the surcharge. Management concurred with the report's recommendation that UW System Administration revise its policies to clarify how the surcharge is to be assessed and advise institutions to review their accounting practices to ensure that revenues are properly coded.

***Follow-Up Review: Children's Centers at UW Institutions***

Director Gordon briefed the committee on the review, which reported that, while progress has been made on recommendations contained in the initial review, some centers continue to have challenges with national accreditation, operating deficits and in documenting that student parents are the beneficiaries of segregated fee funding support. Management agreed that additional steps need to be taken.

***Quarterly Status Update***

Director Gordon provided a status report on current projects, including UW-sponsored camps and clinics, service learning and Legislative Audit Bureau projects.

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**Committee Business**

***Quarterly Gifts, Grants and Contracts (3<sup>rd</sup> Quarter)***

Vice President Debbie Durcan reported that total awards of \$1.1 billion were reported for the quarter ending March 31, 2009 – an increase of \$189.7 million over the prior year. Non-federal awards were up \$101.2 million, while federal awards increased by \$88.5 million.

***Quarterly Expenditures – Budget to Actual (3<sup>rd</sup> Quarter)***

The committee received a report on third quarter expenditures – budget to actual.

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**Consent Agenda**

Adoption of the following resolutions as consent agenda items was moved by Regent Smith, seconded by Regent Davis, and carried on a unanimous voice vote.

**UW System Voting of 2009 Non-Routine Proxy Proposals**

Resolution 9609: That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the non-routine shareholder proxy proposals for UW System Trust Funds, as presented in the attachment.

**UW-Eau Claire Food Service Contract with Sodexo Operations, LLC**

Resolution 9610: That, upon recommendation of the Chancellor of the University of Wisconsin-Eau Claire and the President of the University of Wisconsin System, the Board of

Regents approves the contract with Sodexo Operations, LLC to provide Dining Services at the University of Wisconsin-Eau Claire effective June 1, 2009 for a period of seven years.

**UW-Parkside Food Service Contract with Sodexo Operations, LLC**

Resolution 9611: That, upon recommendation of the Chancellor of the University of Wisconsin- Parkside and the President of the University of Wisconsin System, the Board of Regents approves the contract with Sodexo Operations, LLC to provide Dining Services to the University of Wisconsin-Parkside, effective June 1, 2009 for a period of seven years.

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**Report of the Senior Vice President**

***Update on Selected Federal Legislation and Status of Federal Stimulus Program***

Senior Vice President Tom Anderes provided an update on federal legislation on credit cards and on financial aid changes to Pell Grants.

He also discussed a stimulus project currently under way, involving broadband access, that exemplified the necessity to create partnerships throughout the state in order to be competitive for federal funds. He reported that the UW System is trying to identify funding for grant writers to access stimulus funding opportunities.

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**REPORT OF THE CAPITAL PLANNING AND BUDGET COMMITTEE**

Regent Bartell, Chair, presented the committee's report.

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**Joint Meeting of Capital Planning and Budget Committee and Business, Finance, and Audit Committee**

***UW-Milwaukee Presentation***

The committees heard an update of the UW-Milwaukee Master Plan, presented by Vice Chancellor Christy Brown and Lora Strigens, an architect and UW-Milwaukee



alumna. The presentation covered the key elements of academic planning, research growth, and physical planning for the campus. It was noted that much activity had occurred since the last update in June 2008.

Phase A – Observation and assessment – has been completed. In Phase B – Vision, a team worked on establishing a big picture vision for the campus, including exploration of potential at various opportunity sites and potential distribution of academic programs at the sites.

The current phase is Phase C – Design Studies, which is focused on detailed designs for the opportunity sites, with a particular focus on the Kenwood campus. Phase D concerns examination of financial, operational, and other costs of implementation and phasing options.

The Master Plan team has given several all-campus presentations, which were attended by several hundred campus community members and which will resume in September. More than 100 campus representatives have served on Master Plan committees, and there have been more than 100 meetings, presentations, and listening sessions on campus, in the community and with partners. The plan is scheduled to be completed in December 2009.

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**UW-Madison: Authority to Seek a Waiver of Wis. Stat. §16.855 under Provisions of Wis. Stat. §13.48(19) to Allow the Selection of a Design-Build Company to Design and Construct the Physical Plant Shop/Office Building Project**

The committee approved for inclusion in the consent agenda a resolution granting authority to seek a waiver for a design/build process for the UW-Madison physical plant shops/office building project. The building is needed to house offices, shop space, stores, and storage operations that must be moved for the Charter Street Heating Plant renovation.

**UW-Oshkosh: Approval of Design Report and Authority to Adjust Budget and Construct the Elmwood Center Remodeling and Addition Project**

The committee was informed that this project would renovate the existing Elmwood Center and add approximately 11,000 gross square feet of additional space to consolidate student support, development, and academic resource functions into one facility. Heavily influenced by principles of sustainability, the building and mechanical systems would be designed to be much more energy efficient than required by the current state building code.

The committee passed a resolution approving the design report and granting the requested authority for inclusion in the consent agenda.

**UW-Platteville: Authority to Purchase a Parcel of Land and Accept a Gift of Two Parcels of Land for the Purpose of Future Road Construction**

UW-Platteville planned to use the requested properties as part of a new, improved campus entrance from Highway 151 that would be accomplished through projects supported in coordination with the Grant County Highway Department and the City of Platteville.

The committee approved a resolution granting the requested authority for inclusion in the consent agenda.

**UW-Stevens Point: Authority to Demolish Hyer Hall, Approval of Design Report, and Authority to Adjust the Budget and Construct a New Residence Hall Project**

The committee was advised that this project, which was enumerated in the 2007-09 Capital Budget for \$35.5 million, would construct a 323-bed, six-story residence hall to replace Hyer Hall. The building design would include sustainable features emphasizing energy efficiency, long-term durability, and maintenance. It would be expected to obtain a LEED silver certification.

A budget increase of 1.4% represented the addition of electrical distribution that would serve the needs of future buildings through the utility work of this project. The project would be financed and operated by room rental rates of \$4,500 per year – about the same as single rates in existing residence halls.

The committee passed a resolution granting the requested authority and approving the design report for inclusion in the consent agenda.

**UW-Stout: Authority to Adjust the Budget of the Hovlid Hall Renovation and Addition Project**

The committee approved for inclusion in the consent agenda a resolution granting authority to increase the budget for the Hovlid Hall renovation and addition project by \$600,000 to allow bids to be accepted for this \$13 million project.

**UW System: Authority to Construct an All Agency Maintenance and Repair Project**

The committee approved for inclusion in the consent agenda a resolution granting authority to increase the project budget of an all agency maintenance and repair project at UW-Madison. Recent cost estimates for the project, which would renovate the University Houses Preschool, exceeded the budget; and an additional \$800,000 would be needed to complete the project and provide additional items necessary to meet building codes.

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**Consent Agenda**

Regent Bartell moved adoption of the following resolutions as consent agenda items. The motion was seconded by Regent Burmaster and carried on a unanimous voice vote.

**Authority to Seek a Waiver of Wis. Stat. § 16.855 under Provisions of Wis. Stat. § 13.48(19) to Allow the Selection of a Design-Build Company to Design and Construct the Physical Plant Shops/Office Building Project UW-Madison**

Resolution 9612:           That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted to seek a waiver of Wis. Stat. § 16.855 under Wis. Stat. § 13.48(19) to allow a design-build entity to design and construct a Physical Plant Shops/Office Building project at a total project cost not to exceed \$4,600,000 Existing Program Revenue Supported Borrowing.

**Approval of the Design Report and Authority to Adjust the Budget and Construct the Elmwood Center Remodeling and Addition Project, UW-Oshkosh**

Resolution 9613:           That, upon the recommendation of the UW-Oshkosh Chancellor and the President of the University of Wisconsin System, the Design Report of the Elmwood Center Remodeling and Addition project be approved and authority be granted to increase the budget by \$357,000 Energy Incentive/Retrofit Funds and construct the project at a total cost of \$8,821,000

(\$8,464,000 General Fund Supported Borrowing and \$357,000 Energy Incentive/Retrofit Funds).

**Authority to Purchase a Parcel of Land and to Accept a Gift of Two Parcels of Land for the Purpose of Future Road Construction, UW-Platteville**

Resolution 9614: That, upon the recommendation of the UW-Platteville Chancellor and the President of the University of Wisconsin System, authority be granted to: (1) accept a gift-in-kind of two parcels of land, 435 Gridley Avenue and an undeveloped 0.67 acre property known as Tract 1 located along South Chestnut Street in Platteville Township, from the UW-Platteville Foundation valued at \$20,500 and \$5,000 respectively, and (2) purchase a privately-owned property, which is located at 820 South Chestnut Street, at an acquisition cost of \$141,900 Program Revenue-Cash.

**Authority to Demolish Hyer Hall, Approval of the Design Report, and Authority to Adjust the Budget and Construct a New Residence Hall Project, UW-Stevens Point**

Resolution 9615: That, upon the recommendation of the UW-Stevens Point Chancellor and the President of the University of Wisconsin System, (1) authority be granted to demolish Hyer Hall, (2) the Design Report of the New Residence Hall project be approved, and (3) authority be granted to increase the project budget by \$482,000 (\$183,000 General Fund Supported Borrowing All Agency Funds and \$299,000 Program Revenue Supported Borrowing All Agency Funds) and to construct the project for a total estimated cost of \$35,982,000 (\$35,500,000 Program Revenue Supported Borrowing, \$299,000 General Fund Supported Borrowing All Agency Funds and \$183,000 Program Revenue Supported Borrowing All Agency Funds).

**Authority to Adjust the Budget of the Hovlid Hall Renovation and Addition Project, UW-Stout**

Resolution 9616: That, upon the recommendation of the UW-Stout Chancellor and the President of the University of Wisconsin System, authority be granted to increase the

budget of the Hovlid Hall Renovation and Addition project by \$600,000 (\$300,000 Residual Program Revenue Supported Borrowing and \$300,000 Program Revenue-Cash) for an estimated total project cost of \$13,000,000 (\$8,570,000 Program Revenue Supported Borrowing, \$1,880,000 Residual Program Revenue Supported Borrowing, and \$2,550,000 Program Revenue-Cash).

**Authority to Construct an All Agency Maintenance and Repair Project, UW System**

Resolution 9617: That, upon the recommendation of the of the President of the University of Wisconsin System, authority be granted to construct a maintenance and repair project at an estimated total cost of \$800,000 Gifts and Grants Funding.

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**Report of the Associate Vice President**

***2009-11 Capital Budget Update***

Associate Vice President David Miller updated the committee on progress of the 2009-11 Capital Budget, reporting that the Building Commission approved a total statewide Capital Budget authorizing \$484 million, of which the UW would receive about 70%. The commission did not approve the process improvement proposals that had been suggested, but it was hoped that these conservative, money-saving changes would still be adopted.

***All Agency 2007-09 Biennial Report***

Tom Bittner, Planning and Systems Specialist, provided a report about how the all-agency projects program specifically targets maintenance and repair projects. While recent increases in all-agency funding were intended to decrease the maintenance backlog, funding availability remains at less than half of the demonstrated need. The percentage of requested projects that are deferred has grown from 30% to 77% in just two biennia due to aging of facilities and lack of funding.

***Building Commission Actions***

Associate Vice President David Miller reported on recent Building Commission actions.

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## **REPORT OF THE EDUCATION COMMITTEE**

Regent Davis, Chair, presented the committee's report.

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### **Joint Meeting of the Education Committee and Business, Finance, and Audit Committee**

#### ***Approval of Interim Guidelines for Making Textbooks More Affordable***

Regent Davis moved adoption of the following resolution, which had been approved unanimously by both committees. The motion was seconded by Regent Smith and carried on a unanimous voice vote.

#### **Approval of Interim Guidelines for Making Textbooks More Affordable**

Resolution 9618:           That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents adopts the Interim Guidelines for Making Textbooks More Affordable.

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#### ***UW-Milwaukee Presentation***

The committees heard a presentation by UW-Milwaukee on combating alcohol and drug abuse.

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### **Doctoral Program Authorizations**

The Education Committee heard a joint presentation on proposed Doctor of Nursing Practice degrees at UW-Eau Claire and UW-Oshkosh.

Reporting that the committee was comfortable in approving these degrees, Regent Davis related that considerable groundwork had been laid in the past year and a half by the comprehensive universities and Senior Vice President Martin to:

- Provide information about changing practice and accreditation requirements, as well as workforce demands, leading to the development of more professional doctorates;
- Establish guidelines for offering doctorates at the comprehensive universities;
- Explain the reasons why the Doctor of Nursing Practice is the credential required by advanced practice nurses;

- And provide extensive data on employer and workforce needs, for both Wisconsin and the nation, detailing the projected shortage of advanced practice nurses and nursing faculty.

The committee was satisfied that both UW-Eau Claire and UW-Oshkosh have the faculty, curricula, resources, and student demand needed to offer their respective DNPs and that the newly established guidelines by which comprehensive universities can offer professional doctorates were well met. The two universities, which had collaborated in developing their programs, assured the committee that they would continue to collaborate with each other in offering them.

The third proposed doctoral degree, the PhD in Clinical Investigation at UW-Madison, would focus on providing clinicians with rigorous training across disciplines to conduct cutting-edge research. The School of Medicine and Public Health received \$41 million in funding from the National Institutes of Health to establish the new Institute for Clinical and Translation Research to house the new PhD program.

The program is interdisciplinary and collaborative, involving the schools of Medicine and Public Health, Nursing, Veterinary Medicine, Pharmacy, and the College of Engineering, as well as the Marshfield Clinic.

It will help to prepare future generations of clinician-scientists to lead multidisciplinary research teams and to translate scientific discoveries to applications that improve human health.

The committee approved resolutions to authorize the three doctoral programs for inclusion in the consent agenda.

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### **UW-Milwaukee Presentation: Access to Success – Succeeding in the Classroom**

The presentation was given by Provost Rita Cheng, Psychology Professor Diane Reddy, and Teaching Assistant Jessica Barnack.

Professor Reddy, who won a Regents Teaching Excellence Award in 2007, developed a program for Psychology 101 called U-Pace, in which students take online quizzes at their own pace and do not move forward in the course until they master the material and get an A on every quiz.

Data were presented showing dramatic gains in student performance, retention and even achievement in other courses taken by U-Pace students. The results were particularly striking for students of color and at-risk students, demonstrating a significant closing of the achievement gap.

UW-Milwaukee is planning to expand the model to other disciplines, beginning with sociology this summer.

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**Consent Agenda**

Adoption by the Board of the following resolutions, which were approved by the committee, was moved by Regent Davis, seconded by Regent Crain and carried on a unanimous voice vote.

**Program Authorization (Implementation) Doctor of Nursing Practice  
University of Wisconsin-Eau Claire**

Resolution 9619: That, upon recommendation of the Chancellor of the University of Wisconsin-Eau Claire and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Doctor of Nursing Practice.

**Program Authorization (Implementation) Doctor of Nursing Practice  
University of Wisconsin-Oshkosh**

Resolution 9620: 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 Doctor of Nursing Practice.

**Program Authorization (Implementation) Ph.D. in Clinical Investigations  
University of Wisconsin-Madison**

Resolution 9621: That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Ph.D. in Clinical Investigations.

**Approval of Appointments to Natural Areas Preservation Council**

Resolution 9622: That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the appointments of Dr. Evelyn Howell and Mr. Patrick Robinson, for terms effective immediately, and ending July 1, 2012, as University of Wisconsin System representatives to the Natural Areas Preservation Council.



**Wisconsin Partnership Program UW School of Medicine and Public Health Oversight and Advisory Committee Appointment**

Resolution 9623: That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Board of Regents approves the appointment of Christine Holmes to the UW School of Medicine and Public Health Oversight and Advisory Committee of the Wisconsin Partnership Program as a children's health advocate beginning May 11, 2009, through October 31, 2012.

**Program Authorization (Implementation) B.S. in Community and Nonprofit Leadership University of Wisconsin-Madison**

Resolution 9634: That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Chancellor be authorized to implement the B.S. in Community and Nonprofit Leadership.

**Program Authorization (Implementation) Collaborative Online B.S. in Sustainable Management University of Wisconsin-Parkside, -River Falls, -Stout, and -Superior**

Resolution 9625: That, upon recommendation of the Chancellors of the University of Wisconsin-Parkside, -River Falls, -Stout, and -Superior, and the President of the University of Wisconsin System, the Chancellors be authorized to implement the Collaborative Online B.S. in Sustainable Management, with administrative and financial support from UW-Extension.

**Program Authorization (Implementation) B.S. in Technical and Professional Communication, University of Wisconsin-Stout**

Resolution 9626: That, upon recommendation of the Chancellor of the University of Wisconsin-Stout and the President of the University of Wisconsin System, the Chancellor be authorized to implement the M.S. in Technical and Professional Communication.

**Program Authorization (Implementation) Master of Physician Assistant Studies, University of Wisconsin-Madison**

Resolution 9627: That, upon recommendation of the Chancellor of the

University of Wisconsin-Madison and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Master of Physician Assistant Studies.

**Requests to Trustees of the William F. Vilas Trust Estate**

Resolution 9628: 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 \$5,316,899 for fiscal year July 1, 2009, to June 30, 2010, 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.

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**Amendments to UWS Chapters 17 and 18, Wisconsin Administrative Code**

Regent Spector, who had chaired the Board's public hearing on the proposed revisions, summarized the most substantive issues for the committee, the major point of contention being whether or not students should be allowed to have lawyers representing them at disciplinary hearings and, if so, in what capacity.

Speakers who addressed the committee were: Ervin Cox, UW-Madison Dean of Students Office; Mary Beth Mackin, UW-Whitewater Assistant Dean of Students; Jim Hill, UW-Milwaukee Dean of Students; and Chynna Haas, a UW-Madison student.

While a number of people and groups still were not satisfied with the proposed amendments, the committee was reminded that the process of rule revision had been carefully conducted to provide transparency and allow for wide input from many different groups and people over the past two and a half years.

Nevertheless, the committee agreed to postpone action on the proposed amendments for one month, until the June 2009 meeting. Steps to be taken in the meantime include:

- Data would be collected on the number of expulsions, suspensions, and attorneys present at disciplinary hearings system-wide for the past five years.
- Information would be collected on hearing practices in place at the campuses for cases of sexual assault.

- Information would be gathered on availability of legal aid counsel in university communities for students without the means to obtain counsel and on access for students to public defenders, if they need them.
- Regent President Bradley would be asked to convene a group, led by Regent Spector, to develop compromise language based on discussion at the committee meeting.
- Additional input about the latest proposed revisions would be welcomed within the next month.
- The compromise language would be returned to the Regents in June.

It still was hoped to have the new rules in place by September 2009; however it was recognized that might not be possible, depending on the Board's action in June and on any action by the Legislature.

In discussion at the Board meeting Regent Loftus commended Regent Davis and Regent Spector for allowing full exploration of these complex issues.

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## **ADDITIONAL RESOLUTIONS**

### **Resolution of Appreciation to UW-Milwaukee**

Presenting Resolution 9629, Regent Pruitt expressed appreciation to Chancellor Carlos Santiago and UW-Milwaukee for carrying forward the university's research vision, especially in these difficult times.

The following resolution was adopted by acclamation, accompanied by a standing ovation of appreciation to UW-Milwaukee.

### **Resolution of Appreciation, UW-Milwaukee**

Resolution 9629:       **WHEREAS**, the members of the Board of Regents of the University of Wisconsin System are pleased to learn more about UW-Milwaukee's growing emphasis on research at all levels of the student experience, as discussed in Chancellor Carlos E. Santiago's presentation and relayed through the first-hand accounts of undergraduate and graduate students; and

**WHEREAS**, the Regents commend UW-Milwaukee's commitment to a safe and healthy campus and support

the steps being taken by the Norris Health Center, under the leadership of its director, Dr. Julia Bonner, to address a broad range of health care issues of major concern to the campus community, including additional focus on mental health issues, a topic examined in the 2008-09 academic year by the Campus Mental Health Task Force; and

**WHEREAS**, UW-Milwaukee's Campus Master Plan process continues to proceed under the leadership of several campus executives – including Chancellor Santiago, Provost Rita Cheng, Vice Chancellor Christy Brown, Dean Robert Greenstreet, Director Claude Schuttey, Associate Vice Chancellor Patricia Arredondo, Assistant Director Christopher Gluesing, Associate Professor Lee Ann Garrison, Professor Alan Horowitz and Associate Professor Marylou Gelfer – whose combined efforts are helping to revitalize the campus infrastructure to meet the future needs of students, the community, and the region; and

**WHEREAS**, through the Access to Success campaign and other efforts, UW-Milwaukee has quickly become a leader and innovator in providing educational opportunities that are accessible and affordable for many students, and the campus has consequently experienced increased enrollment and student interest; and

**WHEREAS**, the Regents appreciate UW-Milwaukee's hospitality and the opportunity to see firsthand the university's new Welcome Center operated by the Division of Recruitment and Outreach in the refurbished Vogel Hall;

**BE IT THEREFORE RESOLVED** that the Board of Regents of the University of Wisconsin System extends its gratitude to the staff, faculty, and students of UW-Milwaukee for supporting the mission of the UW System and graciously hosting this productive May 2009 meeting.

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--- The meeting was recessed at 11:05 a.m. and reconvened at 11:15 a.m.---

**Closed Session**

The following resolution, moved by Regent Pruitt, was adopted on a unanimous roll-call vote, with Regents Bartell, Bradley, Burmaster, Crain, Cuene, Davis, Falbo, Opgenorth, Pruitt, Smith, Spector, Thomas, and Womack (13) voting in the affirmative. There were no negative votes and no abstentions.

Resolution 9630: That the Board of Regents move into closed session to consider extension of a leave of absence at UW-Madison, as permitted by *Wis. Stat.* § 19.85(1)(c); to consider a student request for review of a UW-Milwaukee decision, as permitted by *Wis. Stat.* § 19.85(1)(f); to consider appointment of Interim Chancellor, UW-Stevens Point, as permitted by *Wis. Stat.* § 19.85(1)(c); to confer with legal counsel regarding pending and potential litigation, as permitted by *Wis. Stat.* § 19.85(1)(g); and to consider annual personnel evaluations, as permitted by *Wis. Stat.* § 19.85(1)(c).

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During the closed session, the Board adopted the following resolutions:

**Approval of Extended Leave of Absence University of Wisconsin-Madison**

Resolution 9631: That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Board of Regents approves the extended leave of absence for Professor Steven Ingham, for the purpose of serving as the Administrator of the Division of Food Safety at the Department of Agriculture, Trade and Consumer Protection for up to four years.

**Request for Regent Review of UW-Milwaukee Decision**

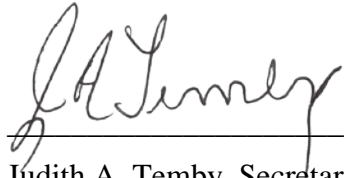
Resolution 9632: That the Board of Regents adopts the attached Proposed Decision and Order as the Board's final Decision and order in the matter of a student request for Regent review of a UW-Milwaukee decision.

**Authorization to Appoint: Interim Chancellor University of Wisconsin-Stevens Point**

Resolution 9633: That, upon recommendation of the President of the University of Wisconsin System, Mark A. Nook be appointed Interim Chancellor of the University of Wisconsin-Stevens Point, effective June 1, 2009 at a salary of \$194,146.

The meeting was adjourned at 1:30 p.m.

Submitted by:

A handwritten signature in black ink, appearing to read "J. A. Temby", is written over a horizontal line.

Judith A. Temby, Secretary