

MINUTES OF THE REGULAR MEETING

of the

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

Held at Gordon Dining and Event Center
2nd Floor, Symphony Room
770 W. Dayton Street
Madison, Wisconsin

Friday, August 24, 2018
9:00 a.m.

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Friday, August 24, 2018
9:00 a.m.

-President Behling presiding-

PRESENT: Regents Robert Atwell, John Behling, Tony Evers, Eve Hall, Mike Jones, Tracey Klein, Regina Millner, Janice Mueller, Drew Petersen, Cris Peterson, Jason Plante, Ryan Ring, Bryan Steil, and Mark Tyler

UNABLE TO ATTEND: Regents José Delgado, Michael Grebe, and Gerald Whitburn

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Per Regent Policy Document 2-4, "Ethics and Conflict of Interest Policy for the UW System Board of Regents," the following conflicts or potential conflicts of interests were declared with items included on the open session agenda:

Vice President Drew Petersen recused himself from discussion and voting on Resolution 11096, "UW-Madison Contractual Agreement with Deere & Company."

Regent Regina Millner recused herself from discussion and voting on Resolution 11096, "UW-Madison Contractual Agreement with Deere & Company."

Regent Bryan Steil stated that he would recuse himself from discussing or voting on all contracts between the UW System and any outside 3rd parties for the duration of his Congressional campaign.

Regent Tony Evers announced he would recuse himself from discussing or voting on all contracts between the UW System and any outside 3rd parties for the duration of his Gubernatorial campaign.

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APPROVAL OF THE MINUTES OF THE JUNE 2018 MEETING

The minutes of the June 7-8, 2018 Board of Regents meeting had been provided. Vice President Petersen moved approval of the minutes. The motion was seconded by Regent Hall and adopted on a voice vote.

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REPORT OF THE PRESIDENT OF THE BOARD

Reports of the Wisconsin Technical College System Board and Higher Educational Aids Board

The reports of the Wisconsin Technical College System Board and Higher Educational Aids Board had been provided. There were no comments or questions.

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REPORT OF THE PRESIDENT OF THE SYSTEM

President Behling turned the floor over to President Cross for his report.

Guardians Initiative

President Cross reflected on the previous day's presentation on the Guardians: "There is great potential on our campuses, as well as in business communities and all communities around the state, to tell our story." He encouraged everyone to help share the message about the value of higher education.

Wisconsin Idea Summit: "Smart Futures"

President Cross announced the UW System presented its second Wisconsin Idea Summit earlier in August, focused this time on "Smart Futures." The summit was expertly hosted by Chancellor Ford and her team at UW-Parkside and attracted close-to-overflow crowds, bringing together education leaders, government officials, industry leaders, and community members to learn about what a "smart" community really looks like and how Wisconsin can envision and create its own. He said the summit was a great example of the critical role the university can play as it strives to help cities, communities, students, and the state prepare for a connected digital future.

President Cross recalled one of the major themes he heard during last year's Wisconsin Idea Summit on dairy issues was the need for ongoing and increased collaboration to address the numerous challenges facing the dairy industry in Wisconsin. In response to that summit, Governor Walker asked DATCP Secretary Sheila Harsdorf and President Cross to convene a

dairy task force. President Cross said the group recently finished its first meeting, and members are excited about the work ahead.

News from Around the UW System

President Cross next shared some news from around the UW System, through a video presentation.

UW-La Crosse Researchers Use Drones to Generate 3D Maps

This summer at UW-La Crosse, Assistant Professor Niti Mishra and senior Jackson Radenz used drones to generate 3D maps of a local rock quarry. The images and analysis they produced are superior to traditional ground surveys and help companies more effectively manage their assets.

UW-Green Bay Teams Up with Packers and Microsoft to Help Startup Businesses

UW-Green Bay and the UW System are teaming up with the Green Bay Packers and Microsoft to help launch new companies in Wisconsin. A recently announced “Entrepreneur-in-Residence” position at TitledTownTech will connect startup businesses with investors.

UW-Eau Claire Partners with Local Software Company to Offer Coding Day Camp

UW-Eau Claire and local software company Jamf partnered in July to offer the Blugold Beginnings Coding Day Camp. The weeklong camp taught youth in grades 6-12 to build websites, games, and other applications.

UW-Whitewater Students Win International Haptics Competition

UW-Whitewater media arts and game development undergraduates won first place in an international competition held in Italy. Mentored by Assistant Professor of Communications Nick Hwang, students Luke Lamberg, Nicole Nelson, and Brandon Hanabarger created a hand therapy musical game to increase range of motion.

UW-Superior ESL Students Continue Summer Studies

Summer is not a break from studies for students in UW-Superior’s English as a Second Language International Program. Lam Hoang Mai of Vietnam plans to study international business and finance after she passes the English proficiency requirement from this accredited intensive program.

UW-Stout Students Research Ways to Improve Red Cedar River Watershed

UW-Stout undergraduates are researching how to improve the Red Cedar River watershed. The LAKES research experience examines solutions to problems caused by toxic blue-green algae. Geography professor Innisfree McKinnon appreciates working on research that involves the local community.

UW-Stevens Point Students Earn Valuable Experience Through Summer Internships

Madalyne Fielder is among hundreds of UW-Stevens Point students who earn valuable work experience through summer internships. The sociology major is working with Portage County community justice programs. Other students are involved in educational travel to Europe, research projects, and career-enhancing experiences.

UW-River Falls Team Goes on International Tropical Restoration Experience

UW-River Falls Assistant Professor of Conservation and Environmental Science Kevyn Juneau led a group of students on an international tropical restoration experience this summer. The team travelled to Andros Island to collect data and to assist the Bahamas Forestry Unit.

UW-Platteville's Pioneer Farm Hosts 42nd Annual Lafayette County Dairy Breakfast

UW-Platteville's Pioneer Farm hosted the 42nd annual Lafayette County Dairy Breakfast in June. More than 3,000 people toured the university's 430-acre farm. Director Charles Steiner said the event is a great way to promote agriculture and the dairy industry.

UW-Parkside Students Work and Study at Home and Abroad

At UW-Parkside, Professor Abey Kuruvilla led a "Doing Business in Italy" study abroad. Meanwhile, theatre arts students joined acting companies across the country, and geosciences major Mark Hrpcek explored the Laurentide Ice Sheet's impact on Racine County with Dr. Rachel Headley.

UW-Oshkosh Hosts "Grandparents University"

UW-Oshkosh's Grandparents University is an educational program that brings grandparents and their grandchildren together for two fun-filled days of cross-generational exploration and learning. UWO alumni and other participants enjoyed sharing a chapter of their lives with a younger generation.

UW-Fond du Lac Partners with Local Children's Museum on Research Opportunities

UW-Fond du Lac, a branch campus of UW-Oshkosh, is partnering with the local children's museum to provide research opportunities through the Living Laboratory. Sophomore Grace Hudson created a game to research young children's use of prepositions.

UW-Milwaukee Studies Big Data with Northwestern Mutual Data Science Institute

UW-Milwaukee is making a commitment to big data with its partnership in the Northwestern Mutual Data Science Institute. The \$40-million institute will include the work of scientists studying ways to harness the torrent of data generated in today's computer-driven society.

Middle School Students Visit UW-Madison Archaeological Site at Aztalan State Park

Middle school students visited a UW-Madison archaeological site at Aztalan State Park in southeast Wisconsin to learn how people lived 1,000 years ago. Children's interest in archaeology is piqued at various stations, where they see artifacts and discuss the process of excavation and radiocarbon dating.

Ideadvance Earns Global Good Practice Award in International Competition

Ideadvance earned a Global Good Practice Award from the University-Industry Innovation Network at its annual competition held in London. Ideadvance supports entrepreneurship on UW campuses and is a partnership between UW-Extension, UW System, and the Wisconsin Economic Development Corporation (WEDC).

After the video concluded, President Cross explained Ideadvance is an exciting partnership between the UW System and WEDC which is helping to commercialize the ideas and technology generated in UW labs and classrooms statewide. Saying the accolades Ideadvance received in London were well deserved, he recognized several key players in this initiative who were present in the gallery:

- Idella Yamben, program manager for Ideadvance Seed Fund, with the Institute of Entrepreneurship and Economic Development (formerly administered by UW-Extension and now associated with the UW System);
- Mark Lange, executive director of the Institute of Entrepreneurship and Economic Development; and
- David Brukardt, UW System's corporate relations and economic engagement lead, who also has a joint appointment with WEDC.

President Cross offered his congratulations to these individuals.

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REPORT AND APPROVAL OF ACTIONS TAKEN BY THE CAPITAL PLANNING AND BUDGET COMMITTEE

President Behling called upon Regent Steil to present the report of actions taken by the Capital Planning and Budget Committee.

Regent Steil reported that the Capital Planning and Budget Committee considered seven resolutions.

Resolution 11084, brought forward by UW-Green Bay, requests authority to enter into a lease with Brown County for office and laboratory space at the Brown County STEM Innovation Center, a building that will be constructed on the UW-Green Bay campus. The facility will house various tenants, such as the Einstein Project (a private nonprofit organization dedicated to

the development and distribution of STEM education materials), UW-Extension agricultural and horticultural programs, Brown County Land and Water Conservation offices, and UW-Green Bay's mechanical engineering program.

Resolution 11085, also brought forward by UW-Green Bay, requests authority to rename UW-Marinette the "University of Wisconsin-Green Bay, Marinette Campus"; UW-Manitowoc the "University of Wisconsin-Green Bay, Manitowoc Campus"; and UW-Sheboygan the "University of Wisconsin-Green Bay, Sheboygan Campus." Regent Steil noted these changes reflect the integration of the institution with its new regional partners.

Resolution 11086, brought forward by UW-Milwaukee, similarly requests authority to rename UW-Washington County the "University of Wisconsin-Milwaukee at Washington County" and UW-Waukesha the "University of Wisconsin-Milwaukee at Waukesha." Regent Steil said these changes also reflect the consolidation of the branch campuses with UW-Milwaukee.

Resolution 11087, brought forward by UW-Platteville, requests authority to rename UW-Baraboo/Sauk County the "University of Wisconsin-Platteville Baraboo Sauk County" and UW-Richland the "University of Wisconsin-Platteville Richland." Regent Steil indicated these changes will enhance recruiting and marketing efforts with a cohesive approach to growing three campuses.

Resolution 11088, brought forward by UW-Stevens Point, requests authority to rename UW-Marathon County the "University of Wisconsin-Stevens Point at Wausau" and UW-Marshfield/Wood County the "University of Wisconsin-Stevens Point at Marshfield." Regent Steil said these changes will improve the branding and marketing capabilities of the campus partnerships.

Resolution 11089, brought forward by UW-Whitewater, requests authority to rename UW-Rock County the "University of Wisconsin-Whitewater at Rock County." Regent Steil concluded that this change also reflects the restructuring which joined the two campuses.

Resolution 11090, brought forward by the UW System on behalf of UW-Madison, requests authority to increase the budget for the UW-Madison Hoofers Boat Dock and Deck Replacement Project with gift funds. Regent Steil explained the bids for the project came in higher than expected due to increased costs of site utilities and water improvements, as well as the saturated construction market.

Finally, Associate Vice President Alex Roe reported to the Capital Planning and Budget Committee on State Building Commission approvals. Regent Steil said the committee then moved into closed session to consider the naming of facilities at UW-Stevens Point and UW-Stout.

Regent Steil moved for the adoption of Resolutions 11084, 11085, 11086, 11087, 11088, 11089, and 11090. The motion was seconded by Regent Ring and the resolutions were adopted on a voice vote.

Authority to Enter Into an Operating Lease with Brown County, UW-Green Bay

Resolution 11084 That, upon the recommendation of the UW-Green Bay Chancellor and the President of the University of Wisconsin System, authority be granted to execute a lease of 22,883 GSF of office and laboratory space between the Board of Regents and Brown County for the College of Science, Engineering, and Technology.

Authority to Rename the University of Wisconsin-Marinette, the University of Wisconsin-Manitowoc, and the University of Wisconsin-Sheboygan, UW-Green Bay

Resolution 11085 That, upon the recommendation of the UW-Green Bay Chancellor and the President of the University of Wisconsin System, authority be granted to rename: (1) University of Wisconsin-Marinette “University of Wisconsin-Green Bay, Marinette Campus;” (2) University of Wisconsin-Manitowoc “University of Wisconsin-Green Bay, Manitowoc Campus;” and (3) University of Wisconsin-Sheboygan “University of Wisconsin-Green Bay, Sheboygan Campus.”

Authority to Rename the University of Wisconsin-Washington County and the University of Wisconsin-Waukesha, UW-Milwaukee

Resolution 11086 That, upon the recommendation of the UW-Milwaukee Chancellor and the President of the University of Wisconsin System, authority be granted to rename UW-Washington County “University of Wisconsin–Milwaukee at Washington County” and UW-Waukesha “University of Wisconsin–Milwaukee at Waukesha.”

Authority to Rename the University of Wisconsin-Baraboo/Sauk County and the University of Wisconsin-Richland, UW-Platteville

Resolution 11087 That, upon the recommendation of the UW-Platteville Chancellor and the President of the University of Wisconsin System, authority be granted to rename UW-Baraboo/Sauk County “University of Wisconsin–Platteville Baraboo Sauk County” and UW-Richland “University of Wisconsin–Platteville Richland.”

Authority to Rename the University of Wisconsin-Marathon County and the University of Wisconsin-Marshfield/Wood County, UW-Stevens Point

Resolution 11088 That, upon the recommendation of the UW-Stevens Point Chancellor and the President of the University of Wisconsin System, authority be granted to rename the University of Wisconsin-Marathon County as “University of Wisconsin–Stevens Point at Wausau” and University of Wisconsin-Marshfield/Wood County “University of Wisconsin–Stevens Point at Marshfield.”

Authority to Rename the University of Wisconsin-Rock County, UW-Whitewater

Resolution 11089 That, upon the recommendation of the UW-Whitewater Chancellor and the President of the University of Wisconsin System, authority be granted to rename the University of Wisconsin-Rock County “University of Wisconsin–Whitewater at Rock County.”

Authority to Increase the Budget of the UW-Madison Hoofers Boat Dock and Deck Replacement Project, UW System

Resolution 11090 That, upon the recommendation of the President of the University of Wisconsin System, authority be granted to (a) increase the budget by \$1,234,000 Gift Funds, and (b) construct the Hoofers Boat Dock and Deck Replacement project for an estimated total cost of \$4,900,000 Gift Funds.

REPORT OF THE RESEARCH, ECONOMIC DEVELOPMENT, AND INNOVATION COMMITTEE

President Behling called upon Regent Hall to present a report of the Research, Economic Development, and Innovation Committee.

Regent Hall reported that the Research, Economic Development, and Innovation Committee heard presentations about foreign trade, entrepreneurship, and the Tommy G. Thompson Center on Public Leadership.

Regent Hall first shared an exciting announcement from Tommy G. Thompson Center Director Ryan Owens about applications for faculty research awards addressing prison-to-work initiatives or the future of transportation in Wisconsin. Individual grant awards range from \$5,000 to \$500,000 and will fund faculty research across the UW System which help leaders address pressing policy challenges. Applications are due by 5:00 pm on September 21, 2018.

In addition, Regent Hall noted the Tommy G. Thompson Center is offering “Thompson Talks” speaker grants during the 2018-19 academic year. These grants may be applied for by student organizations, faculty, or departments of any UW System school except UW-Madison to bring in speakers “who will promote local discussions of leadership and policy-making solutions in Wisconsin and beyond.” The deadline for the next round of these grants is October 1, 2018. She encouraged those interested to visit the Tommy G. Thompson Center website for more detailed information.

Katy Sinnott, WEDC Vice President of International Business Development, provided the Research, Economic Development, and Innovation Committee with an update on a growing list of initiatives and programs aimed at increasing foreign direct investment opportunities within the state. In 2017, foreign trade equated to \$22.3 billion, nearly 7 percent of Wisconsin’s \$324

billion GDP. WEDC collaborates with the university and state businesses to increase exports; examples include partnerships with cutting-edge academic programs in aerospace, advanced manufacturing, bio health, and water technology. Regent Hall highlighted one of the many collaborations underway: UW-Milwaukee and the Zuckerberg Institute for Water Research are working on a formal agreement to have the Ben-Gurion-University of the Negev in Israel become part of the Water Equipment and Policy Center.

Finally, Regent Hall said the committee heard three presenters explain how the university and the State of Wisconsin are researching and working to grow entrepreneurship. UW-Madison Professor Jon Eckhart discussed a research project funded by the Kaufman Foundation which identifies the predictive characteristics of entrepreneurs, successful innovators, and business startups. UW System Executive Director Mark Lange explained how the Institute for Business and Entrepreneurship is looking at new data sources to recognize key trade sectors, identify high potential companies, and connect local economies. Aaron Hagar, WEDC Vice President of Entrepreneurship and Innovation, highlighted several entrepreneurial programs – including Ideavance, which recently received global recognition for its innovative approach to lean startup from the University Industry Innovation Network based in Europe.

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REPORT OF THE AUDIT COMMITTEE

President Behling called upon Regent Mueller to present a report of the Audit Committee.

Regent Mueller said Chief Audit Executive Lori Stortz presented two reports to the Audit Committee about progress-to-date on the FY 2019 Audit Plan and management's progress-to-date on the audit comments and response plans included in the audit reports. Ms. Stortz indicated the Office of Internal Audit continues to receive strong cooperation from management. Regent Mueller noted there were a number of unresolved information technology security audit comments and that everyone involved has pledged to continue to work hard on resolving those issues.

Ms. Stortz also reported that she has been working with President Cross and Regent Grebe to examine the needs of stakeholders in compliance with the Audit Committee's wide-ranging charter. Toward that end, committee members heard from General Counsel Quinn Williams regarding the ethical issues the Audit Committee is charged with overseeing; the preparation and dissemination of a new employee ethics and public records management handout and related training efforts; and an existing hotline number for concerned employees. Regent Mueller said Mr. Williams reiterated the UW System's commitment to providing faculty and staff with the awareness and tools they need to properly identify and resolve potential ethical issues.

Vice President for Administration Rob Cramer and Associate Vice President Ruth Anderson provided background information on Enterprise Risk Management and the creation of

a System-wide risk committee. Regent Mueller reminded her colleagues that the UW System does not have a single risk officer; instead this responsibility is shared. She said committee members expressed strong interest in having this information presented to the full Board when the System-wide risk committee's work is complete.

Katherine Mayer, Associate Vice President for Information Security, provided an update to the Audit Committee on a new policy for employees whose affiliation has changed, such as retired faculty, as well as the use of university accounts for personal email communications. Ms. Mayer explained that access is dependent on each staff member's role and will be modified as those roles change.

Regent Mueller said Vice President for Finance Sean Nelson reported on the UW System's response to the Legislative Audit Bureau's Report 18-4, "Relationships between the University of Wisconsin and Certain Affiliated Organizations." She indicated the Audit Committee would hear more about the System's plans to move forward on both foundation relationships and information security concerns at a future meeting.

Finally, Regent Mueller said the Audit Committee moved into closed session to discuss information security findings and responses, as permitted by state statute.

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REPORT AND APPROVAL OF ACTIONS TAKEN BY THE BUSINESS AND FINANCE COMMITTEE

Before calling on Regent Atwell to present a report of actions taken by the Business and Finance Committee, President Behling noted the following Regents would be voluntarily recusing themselves from discussing or voting on various agenda items:

- Vice President Drew Petersen and Regent Regina Millner each recused themselves from discussion and voting on Resolution 11096, "UW-Madison Contractual Agreement with Deere & Company."
- Regent Bryan Steil recused himself from discussion or voting on all contracts between the UW System and any outside 3rd parties for the duration of his Congressional campaign.
- Regent Tony Evers recused himself from discussion or voting on all contracts between the UW System and any outside 3rd parties for the duration of his Gubernatorial campaign.

Additionally, Regent Steil had requested that Resolution 11095 be removed from the consent agenda and voted on separately.

Regent Atwell said the Business and Finance Committee received a report from Vice President Rob Cramer and UW Shared Service Executive Director Steve Wildeck about their framework and strategy for helping to streamline operational services to System campuses in an effort to make them more cost effective and consistent.

The Business and Finance Committee approved the Semi-Annual Status Report on Large/Vital Information Technology Projects, as required by Wisconsin statute. Steven Hopper, UW System Associate Vice President and CIO, reviewed the status of 12 different projects underway, the majority of which are on schedule, scope, and budget. The report will be submitted next to the Joint Committee on Information Policy and Technology.

The Business and Finance Committee approved a one-year extension to the UW System's contractual agreement with Fox World Travel. Regent Atwell said this approval was made pending further decisions by the System about the long-term direction it would like to take in this area.

The committee also approved a new contract between the Eaton Corporation and UW-Milwaukee. Regent Atwell reported that through this contract the university will work with Eaton on a prototype distributed sensor network and analytics platform, and the results will be included in a report to the U.S. Air Force Civil Engineering Center. The contract is a four-year pass-through agreement in the amount of \$1,293,000.

The Business and Finance Committee approved UW-Madison's contractual agreement with Learfield Communications. Regent Atwell said this initiative, which connects corporate marketing opportunities with non-athletic areas of the campus, has a seven-year term with a potential \$15 million over the life of the contract.

The committee also approved UW-Madison's contractual agreement with Deere Company regarding researching the efficiency gains of off-road power trains. The agreement has a five-year term with a potential \$1 million over the life of the contract.

The Business and Finance Committee approved a salary range exceeding 75 percent of the System President's salary for the Dean of the School of Business at UW-Madison. Regent Atwell noted the committee's approval was not unanimous, with Regent Steil voting against the resolution.

The committee received a report from Mike Jacobs and Trish Reopelle with the State of Wisconsin Investment Board (SWIB) regarding the funds that were transferred from the UW System to be administered by SWIB. The arrangement involves total fund assets of \$577 million, with \$420 million invested long term and \$157 million in cash as the transition process continues.

The Business and Finance Committee also received the final Quarterly Gifts, Grants and Contracts Report for FY 2018. Regent Atwell observed the ending total of \$1.5 billion is up \$90 million from the previous year.

Finally, Regent Atwell said the Business and Finance Committee received updates from Vice President Rob Cramer on the UW System's vehicle self-insurance program and on matters involving worker's compensation.

Regent Atwell moved for the adoption of Resolutions 11091, 11092, 11093, and 11094. The motion was seconded by Vice President Petersen, and the resolutions were adopted on a voice vote. Regent Evers and Regent Steil abstained from voting.

UW System Information Technology Status Report on Large/Vital Information Technology Projects

Resolution 11091 That, upon the recommendation of the President of the University of Wisconsin System, the Board of Regents approves: (1) the UW System Information Technology Status Report on Large/Vital Information Technology Projects dated August 24, 2018, which describes the implementation status of information technology projects at UW-Madison, UW-Stevens Point, UW Colleges and UW-Extension, and the UW System; and (2) UW System Administration's submittal of the report on the Board's behalf to the legislative Joint Committee on Information Policy and Technology, as required by s. 36.59(7), Wis. Stats.

UW System Contractual Agreement with Fox World Travel

Resolution 11092 That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves a one-year contract extension with Fox World Travel for travel related services.

UW-Milwaukee Contractual Agreement with Eaton Corporation

Resolution 11093 That, upon the recommendation of the Chancellor of the University of Wisconsin-Milwaukee and the President of the University of Wisconsin System, the Board of Regents approves the contractual agreement between the University of Wisconsin-Milwaukee and Eaton Corporation with a four-year term.

UW-Madison Contractual Agreement with Learfield Communications, LLC

Resolution 11094 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 contractual agreement between the University of Wisconsin-Madison and Learfield Communications, LLC. The contract is for a three-year term, with the possibility of renewal(s) for an additional four years.

Regent Atwell next moved for the adoption of Resolution 11095, which was taken up separately at Regent Steil's request. The motion was seconded by Vice President Petersen, and the resolution was adopted on a voice vote.

Authorization to Recruit a Limited Appointee (Dean of the School of Business) at UW-Madison at a Salary above 75% of the UW System President's Salary

Resolution 11095 That, upon recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, UW-Madison be authorized to recruit for a Dean of the School of Business at a salary that may exceed 75% of the UW System President's current salary up to a maximum of \$500,000.

Further, the Board of Regents authorizes the President of the University of Wisconsin System to approve the appointment and the salary for this position.

Finally, Regent Atwell moved for the adoption of Resolution 11096. The motion was seconded by Regent Hall, and the resolution was adopted on a voice vote. Regents Evers, Millner, Petersen, and Steil abstained from voting.

UW-Madison Contractual Agreement with Deere & Company

Resolution 11096 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 contractual agreement between the Board of Regents of the University of Wisconsin System, doing business as UW-Madison, and Deere & Company for a five-year term.

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REPORT AND APPROVAL OF ACTIONS TAKEN BY THE EDUCATION COMMITTEE

President Behling called upon Regent Millner to present the report of actions taken by the Education Committee.

Regent Millner said the Education Committee first heard a report from Interim Vice President Karen Schmitt. Dr. Schmitt provided updates regarding the UW System math initiative and the UW Colleges and UW-Extension restructuring initiative. Regent Millner noted Interim Vice President Schmitt would shortly present to the full Board on the restructuring initiative as well.

Regent Millner thanked Dr. Schmitt, Laura Dunek, and staff in the Office of Academic & Student Affairs for their work on both initiatives, as well as the Education Committee's teacher education presentation series.

The Education Committee unanimously approved two degree programs at UW-Green Bay, a Bachelor of Science in Nursing and an Executive Masters of Business Administration.

Regent Millner noted the first program will expand the capacity of UW-Green Bay to meet student demand for a high-quality nursing degree at a reasonable tuition cost. Through its new Executive MBA Program, UW-Green Bay is responding to market demand for advanced innovative training for regional business and community leaders; university staff worked with businesses in the Green Bay community to create this degree.

Regent Millner reported that UW-Stevens Point received approval for three undergraduate degree programs. In response to accreditation recommendations from the Association to Advance Collegiate Schools of Business, the campus will expand three concentrations into major degree programs: a Bachelor of Science in Finance, a Bachelor of Science in Management, and a Bachelor of Science in Marketing. These programs will enroll existing students and do not require additional faculty or staff because the necessary coursework is already being offered on the campus.

In response to a supplemental funding proffer of \$3.7 million from the Vilas Trust Fund, the Education Committee approved a request from UW-Madison to spend the proffer in support of a major construction project for its chemistry building.

The Education Committee also approved the corrected 2018 Report on Faculty Promotions, Tenure Designations, and Other Changes in Status, which reflects a correction to the UW-Extension Faculty Promotion Report for 2018.

UW-River Falls submitted its revised mission statement to the Education Committee for its first reading. Regent Millner indicated the faculty senate unanimously approved the revised mission statement on August 1, 2018, and final approval will be requested from the Board of Regents at its October meeting. She said the revised mission statement will facilitate success for UW-River Falls during the campus reaccreditation visit by the Higher Learning Commission on October 15-17, 2018.

The Education Committee heard a presentation by a panel of deans of UW schools of education, entitled “Building a Strong Teacher Workforce in Wisconsin.” Panel members included Dr. Carmen Manning from UW-Eau Claire, Dr. Marcie Wycoff-Horn from UW-La Crosse, Dr. Diana Hess from UW-Madison, and Dr. Alan Shoho from UW-Milwaukee. Regent Millner indicated this was the last in a series of four presentations, all of which advanced the process developed by the Education Committee for considering issues related to licensure and teacher education in the state of Wisconsin. She encouraged her colleagues to view the video recordings of all four presentations, which are publicly available on the Board of Regents website.

Finally, Associate Vice President for Academic Programs and Educational Innovation Carleen Vande Zande delivered an update on the UW System’s program array. In her report, Dr. Vande Zande described the growth and elimination of academic degree programs, as well as the expansion of distance education and collaborative degree programs from 2013 to 2018. Regent Millner remarked that this was an excellent presentation which answered many questions regarding both increases and decreases of programs in various categories.

Regent Millner moved for the adoption of Resolutions 11097, 11098, 11099, 11100, 11101, 11102, and 11103. The motion was seconded by Regent Jones, and the resolutions were adopted on a voice vote.

Program Authorization (Implementation) Bachelor of Science in Nursing, UW-Green Bay

Resolution 11097 That, upon the recommendation of the Chancellor of UW-Green Bay and the President of the University of Wisconsin System, the Chancellor is authorized to implement the Bachelor of Science in Nursing.

Program Authorization (Implementation) Master of Business Administration, UW-Green Bay

Resolution 11098 That, upon the recommendation of the Chancellor of UW-Green Bay and the President of the University of Wisconsin System, the Chancellor is authorized to implement the Master of Business Administration.

Program Authorization (Implementation) Bachelor of Science in Finance, UW-Stevens Point

Resolution 11099 That, upon the recommendation of the Chancellor of University of Wisconsin-Stevens Point and the President of the University of Wisconsin System, the Chancellor is authorized to implement the Bachelor of Science in Finance at UW-Stevens Point.

Program Authorization (Implementation) Bachelor of Science in Management, UW-Stevens Point

Resolution 11100 That, upon the recommendation of the Chancellor of University of Wisconsin-Stevens Point and the President of the University of Wisconsin System, the Chancellor is authorized to implement the Bachelor of Science in Management at UW-Stevens Point.

Program Authorization (Implementation) Bachelor of Science in Marketing, UW-Stevens Point

Resolution 11101 That, upon the recommendation of the Chancellor of University of Wisconsin-Stevens Point and the President of the University of Wisconsin System, the Chancellor is authorized to implement the Bachelor of Science in Marketing at UW-Stevens Point.

Supplemental Proffer to Trustees of the William F. Vilas Trust Estate

Resolution 11102 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 request from the University of Wisconsin-Madison in response to the supplemental proffer of

\$3,753,332.99 from the Trustees of the William F. Vilas Trust Estate for fiscal year July 1, 2018 to June 30, 2019, for the special building fund for the Chemistry Building at the University of Wisconsin-Madison.

Approval of Correction to 2018 Report on Faculty Promotions, Tenure Designations, and Other Changes of Status

Resolution 11103 That, upon request from the UW-Extension the 2018 Report on Faculty Promotions, Tenure Designations, and Other Changes of Status be approved as corrected, such that Mary Campbell Wood is named as a full professor in the UW-Extension Department of Family Development rather than Trisha Wagner.

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UW COLLEGES AND UW-EXTENSION RESTRUCTURING UPDATE

President Behling recalled that when the Board of Regents approved the restructuring of UW Colleges and UW-Extension, he committed to making progress reports a standing agenda item for the Board’s next six meetings. He invited Karen Schmitt, Interim Vice President for Academic and Student Affairs, and Carleen Vande Zande, Associate Vice President for Academic Programs, to provide the fifth report on the restructuring effort.

The Board of Regents approved a resolution to restructure UW Colleges and UW-Extension on November 9, 2017. The goal of the restructuring was to ensure the UW System would continue to serve students and communities by expanding access to higher education, maintaining affordable tuition, and increasing opportunities for students, despite the enrollment and financial challenges brought by Wisconsin’s changing population demographics.

Interim Vice President Schmitt said she was pleased to report that the UW System has successfully met this charge. Since the Board’s previous meeting in June 2018, the UW System restructuring project achieved some of its most significant milestones; most notable was the June 28th approval of the UW System’s application to restructure UW Colleges and UW-Extension by the Higher Learning Commission (HLC), the regional accrediting body for all UW institutions.

With HLC approval in place, the UW System restructuring moved forward on schedule. On July 1, 2018, the 13 two-year campuses formerly known as UW Colleges were joined as branch campuses with seven of the UW System’s four-year comprehensive and research institutions. The four primary divisions of UW-Extension were joined with UW-Madison and UW System Administration.

On July 12, 2018, the HLC notified the UW System that as a result of restructuring, the separate accreditation status of UW Colleges ceased as of July 2, 2018. Thousands of new and continuing students enrolled on the 13 two-year branch campuses across the state are preparing to launch into their fall semester classes as new members of the student bodies of their receiving UW institutions.

Interim Vice President Schmitt indicated she has an inside source on the student experience at one campus: her 18-year-old nephew is a new freshman at UW-Stevens Point at Wausau. She said her nephew reported a smooth transition through the application, admission, enrollment and orientation process, and “was way more excited about the biology course he had registered for than about the new name for the campus.”

Interim Vice President Schmitt next shared a video of the receiving chancellors discussing their new campus communities:

- Chancellor Andrew Leavitt (UW-Oshkosh, UW-Fond du Lac, and UW-Fox Valley):

“This is really a once-in-a-lifetime opportunity to create something new and something profound for this region – and that’s why I’m so delighted and so proud of all the efforts that have gone into creating this new university from the three institutions. Our future is very bright, and I believe that we will serve the region very well.”

- Chancellor James Schmidt (UW-Eau Claire and UW-Eau Claire – Barron County):

“The University of Wisconsin Board of Regents decided last November to join the campuses of UW-Eau Claire and UW-Barron County. Immediately, our faculty, staff, and students wanted to get to know each other. UW-Eau Claire and UW-Eau Claire – Barron County will be serving northwestern Wisconsin with excellence for many years to come.”

- Chancellor Beverly Kopper (UW-Whitewater and UW-Whitewater at Rock County):

“The day after the Board of Regents approved the restructuring we went to the Rock County campus because we wanted to meet with the students, the faculty, and the staff and learn about their dreams and learn about their culture – and what we quickly discovered is that we have many similarities: our laser focus on student success, our commitment to serving our communities, and our deep passion for making a difference in whatever we do.”

- Chancellor Gary Miller (UW-Green Bay; UW-Green Bay, Manitowoc Campus; UW-Green Bay, Marinette Campus; and UW-Green Bay, Sheboygan Campus):

“We’re going to be joining with three great colleges: UW-Marinette, Manitowoc, and Sheboygan. This is a fantastic opportunity for this part of the state of Wisconsin – but one of the most important things this does is it gives us an opportunity to provide access to a lot of different students in this region. Our goal is to give students in this region, and everywhere else in Wisconsin who want to join us here, opportunities to engage in all of our degree programs, from the associate degree up to our graduate programs.”

- Chancellor Mark Mone (UW-Milwaukee, UW-Milwaukee at Washington County, and UW-Milwaukee at Waukesha):

“UW-Milwaukee is delighted to join with UW-Waukesha and UW-Washington County. With a dual mission of access and research, we’re building a partnership for a better future for our students, region, and state. For our restructured UWM, a top priority is student success, which includes providing numerous pathways, programs and offerings to strengthen the pipeline from high schools, technical colleges, and two-year colleges.”

- Chancellor Dennis Shields (UW-Platteville, UW-Platteville Baraboo Sauk County, and UW-Platteville Richland):

“Every once in a great while opportunities present themselves. The joining of UW-Richland and UW-Baraboo/Sauk County with the University of Wisconsin-Platteville is one of those sorts of opportunities. Each of these institutions have been contributing to the quality of life in this region of the state for years. Now, as times change, we have the opportunity to continue to contribute in significant ways to the quality of life in this region of the state. Educational programming that we deliver, the opportunity and the access to that education we provide to the citizens of this region in the state are remarkable.”

- Chancellor Bernie Patterson (UW-Stevens Point, UW-Stevens Point at Marshfield, and UW-Stevens Point at Wausau):

“We see this as complete integration of what we’re doing in higher education in this part of the state, because we know that we’re stronger together than if we stand alone. So this is a time for change; this is a time to think about things differently; this is a time to be involved. This is a new chapter in higher education in our state. I invite you to be a part of the conversation that is occurring on all of our campuses. I invite you to enroll in a class. I invite you to help us create the future for our state and our region.”

- Chancellor Rebecca Blank (UW-Madison, Cooperative Extension, and Wisconsin Public Media):

“UW-Madison faculty and staff are happy to welcome Cooperative Extension and Wisconsin Public Television and Radio back to our campus. These institutions provide important links between the education and research done at UW System schools and Wisconsin residents, no matter how far away they live from the campus. We all have a mission to share knowledge, connect to the whole state, and make life better here.”

Interim Vice President Schmitt said the UW System’s success in meeting the major milestones of restructuring was due to the exemplary leadership of these chancellors and to the exceptional engagement, hard work, and dedication of more than 1,800 people to-date who have

participated in the planning, implementation, and project management activities related to the restructuring at the System and regional levels. On behalf of UW System Administration, she thanked the chancellors and the many UW campus and System leaders, faculty, staff, students, and community leaders and members across the state who have contributed to the UW System restructuring process over the past nine months.

Noting the restructuring process continues, Interim Vice President Schmitt asked Associate Vice President Carleen Vande Zande to report on the HLC's approval of the change of structure and the UW System's planning for focused HLC visits to the receiving institutions, which will be scheduled for later in fall 2018.

Associate Vice President Vande Zande said the UW System submitted a 1,500-page application in mid-January for review by the HLC and the U.S. Department of Education. On June 28, 2018, the HLC's board approved the System's application for the restructuring of the UW Colleges to become branch campuses of seven UW four-year institutions. She explained that accreditation:

- helps determine if an institution meets or exceeds minimum standards of quality;
- helps students determine institutions of quality for their enrollment;
- assists institutions in determining acceptability of transfer credits from one institution to another; and
- qualifies the institution to be able to distribute financial aid.

On June 29, 2018, the UW System was informed of the HLC's approval. On July 1, 2018, the System formally entered Phase I of the restructuring, which will continue until July 1, 2019. Associate Vice President Vande Zande indicated that Phase I is characterized as the transition year, when faculty, staff, students, and curricular programs and operations of the branch campus come under the administrative authority of the receiving four-year institutions and their chancellors.

A memorandum of understanding (MOU) will guide the responsibilities and services at both the receiving institutions and at the remaining UW Colleges Administrative Service Office, which continues to provide some services. Associate Vice President Vande Zande gave special thanks to the central administrative staff at the UW Colleges and UW-Extension who will continue to serve in this capacity during the coming year. The MOU covers such areas as administrative oversight, admissions and registration, assessment of student learning, auxiliaries, budget and planning, curriculum, facilities, financial aid, governance, human resources, oversight of instruction, student support services, and other items.

During Phase I, the seven receiving institutions will work with their newly-acquired branch campuses to make a series of decisions to continue integrating the existing practices, policies, routines, and culture of the institutions. Associate Vice President Vande Zande stated the goal is to ensure students continue to be supported and can continue their programs at the branch campus. Also during Phase I, financial allocations to the receiving institutions will be administered according to the budget report reviewed at the June 2018 Board of Regents meeting.

In July and August 2018, the receiving institutions gained approval from the HLC to offer the Associate of Arts and Science degree or the Bachelor of Applied Arts and Science degree as the UW Colleges' curriculum transitions to the receiving institutions.

During the fall 2018 semester, Associate Vice President Vande Zande indicated students, faculty, staff, and administration at the branch campuses will have a new identity as members of the receiving institutions' communities. Branch campus students will be able to continue their academic programs, and branch campus course schedules will remain in place for the transition year; she noted that UW Colleges faculty and staff worked hard to get the 2018-19 academic year schedule in place for students at the branch campus. Some faculty will be members of the newly established colleges at the receiving institutions, while other faculty will join existing academic departments. All faculty, staff, and students at the branch campuses will be joined to shared governance structures at the receiving institution or have a plan to transition to those structures.

Associate Vice President Vande Zande said the HLC requires a follow-up visit six months after the start of a branch campus. This fall the UW System and its institutions will begin preparing for this six-month review, which will be focused on the implementation of the branch campus model at the receiving institutions. UW System will submit a combined report to the HLC and the four-year institutions will submit a written statement about their progress in implementing the branch campus plan, which includes information about how the branch campuses meet accreditation criteria, administrative oversight, planning and budgeting, faculty qualifications and hiring, student support services, the curriculum, and assessment of student learning.

In early spring 2019, a two-person team from the HLC will visit the UW System to talk with representatives from the seven receiving institutions about their branch campuses. A follow-up report will be issued at the end of the spring semester.

Associate Vice President Vande Zande thanked the academic planners in her office and the accreditation liaison offices at each of the seven receiving institutions and at UW-Madison for their hard work to assure compliance at their institutions. This work continues to be supported by functional teams made up of specialists from around the System with specific areas of focus, guided by System and Board policies and federal compliance regulations. She concluded that the restructuring team's work requires nimble decision-making with the Wisconsin Idea, student success, and the UW System's mission as their guide.

Regent Klein said she was thankful the HLC approved and understands the work involved in the UW System's restructuring proposal. She also thanked the chancellors for accepting this additional responsibility and all the work involved in making a smooth integration.

Regent Klein asked when information about facility usage and potential cost savings might be available. President Behling noted that there is currently one more progress report scheduled for the Board of Regents' October meeting.

President Cross first thanked the chancellors, provosts, and staff who worked on the restructuring, saying that he was proud to be affiliated with such fine hardworking people who are committed to serving students and the faculty and staff on the branch campuses.

In response to Regent Klein's question, President Cross said eliminating an administrative function at some level should intuitively lead to cost savings, but he did not yet know how much. He explained, "Strategic mergers and acquisitions that have been successful have been predominantly done for the purpose of strategic advantage," such as expanding markets or improving processes, rather than capturing savings. The purpose of the UW Colleges and UW-Extension restructuring was primarily to gain strategic advantage: to preserve the branch campuses, bring opportunity for new programming into their communities, and improve transfers.

President Cross predicted that within a couple of years the UW System will be able to articulate some savings based on an established cost baseline. He emphasized the restructuring's purpose is to expand opportunity and preserve the campuses, and one of the secondary outcomes is to save money.

Regent Klein also asked if the Board of Regents could get a report on facility usage now that the UW System has cleared the first regulatory hurdle, observing that some of the two-year campuses have fairly large structures. President Cross indicated he would return to this suggestion in a few months with some information on the facilities.

Regent Mueller said a component of tracking funding is also tracking which administrative functions are sent to the institutions and which are retained by System Administration. She asked that this issue also be addressed at a subsequent meeting.

President Cross affirmed the division of administrative functions would be addressed, noting that at the previous day's meeting the Business and Finance Committee had heard a report on the new UW Shared Services, which is part of the CORE agenda.

Regent Millner complimented the restructuring team for their "extraordinary" work and congratulated the chancellors on working "so hard and so well" with the branch campuses.

In response to a question from Regent Millner, Associate Vice President Vande Zande explained that branch campus faculty at UW-Milwaukee and UW-Whitewater will be placed within newly-approved colleges, while branch campus faculty at other institutions will be placed with an affiliated academic department or division.

President Behling thanked Interim Vice President Schmitt and Associate Vice President Vande Zande for their presentation.

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PERSONNEL FILES AND REFERENCE CHECKS POLICIES UPDATE

President Behling said the Board of Regents would next hear a report on the progress being made in developing policies related to personnel files and reference checks. At its June 2018 meeting, the Board unanimously approved a resolution calling for the UW System to develop or modify human resource policies to ensure more robust hiring and reference check processes related to sexual harassment be implemented at all UW institutions.

President Behling asked UW System General Counsel Quinn Williams to lead the report.

On June 7, 2018, the Board of Regents adopted Resolution 11038, “Employee Personnel Files and Reference Checks,” which required the development or modification of certain human resource policies for all UW institutions regarding documenting sexual harassment allegations and investigations; maintaining personnel files and conducting reference checks; and exchanging personnel files between all UW institutions and State of Wisconsin agencies. Pursuant to this direction, General Counsel Williams said the UW System has developed draft policies for the Board’s review prior to seeking additional feedback and consultation from shared governance groups and other relevant stakeholders in anticipation of implementation in January 2019.

By way of background, General Counsel Williams indicated the issue of appropriately documenting personnel files and communicating during reference checks violations of sexual violence and sexual harassment policies by employees of academic institutions has been a historically challenging issue both within Wisconsin and across the nation. Colloquially known as “passing the harasser” or “passing the trash,” this issue has received appropriately increased scrutiny both in Wisconsin and across the country as the result of the #MeToo movement.

General Counsel Williams said K-12 institutions, which have similar trust responsibilities over vulnerable populations as the UW System, have been the first educational enterprise to aggressively address this issue: first nationally, with the federal Every Student Succeeds Act of 2015, which prohibits K-12 employers aiding and abetting sexual abuse; and in Wisconsin, as part of the recently enacted 2017 Act 30 “Pass the Trash” law, which prohibits K-12 employers from assisting school employees in obtaining a new job in any other school if the employer knows or should have reasonable suspicion to believe the employee has committed a sex offense against a minor or a pupil.

On the reference check front, in 2018 California passed AB 2770, which provides an explicit defense against defamation claims for all employers who respond to questions of sexual harassment during reference checks. General Counsel Williams said this new law is comparable to Wisconsin’s broad general reference check immunities provided under Wisconsin Statutes s. 895.487, which provides immunity for references given in good faith and only subjects employers to liability when knowingly providing false information or providing a reference maliciously.

General Counsel Williams stated, “This problem is pernicious, and we are not alone.” A cursory search online revealed innumerable other states and academic institutions have

experienced similar situations with employees gaining employment in subsequent academic institutions after being found to have engaged in sexual harassment or sexual violence, and without the subsequent knowledge of that receiving institution, including the University of South Florida, University of Northern Colorado, Texas Tech University, University of Chicago, Princeton University, University of North Carolina, Berklee College of Music, Yale University, Columbia University, University of Minnesota, and many more.

General Counsel Williams added that this is a significant employee and student safety issue as well, as supported by newly published research. The newly published National Academy of Sciences, Engineering, and Medicine report entitled, “Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine,” reflects on the results of research on sexual harassment against women to determine what could be done to prevent it in the academic settings of science, engineering, and medicine, where female employees report experiencing sexual harassment during their employment at rates of 58 percent over their careers – the second-highest after the military. He strongly encouraged the Regents to read this well-researched and thoughtful study.

Following the June 2018 Board of Regents meeting, a work group was created to consider issues and draft the policies currently under review. In addition to General Counsel Williams, work group members included:

- Teresa O’Halloran, Affirmative Action Director and Title IX Coordinator, UW-Eau Claire;
- Kate McQuillan, Chief of Staff, UW-Oshkosh;
- Megan Dzyuba, Senior HR Specialist, UW-Madison;
- Lauren Hasselbacher, Title IX Coordinator, UW-Madison;
- Karen Massetti-Moran, Associate Director of Human Resources, UW-Milwaukee;
- Wade Harrison, Senior Legal Counsel, UW System Office of General Counsel.
- Andrew Preboski, Program Assistant, UW System Office of General Counsel;
- Neal Schlavensky, third-year law student and law clerk, UW System Office of General Counsel; and
- Rich Thal, Employment Relations Specialist, UW System Office of Human Resources.

Working collaboratively on a very tight timeline, the work group performed a current state assessment of personnel file and reference check policies at 37 different institutions, including all UW System institutions; all Big Ten institutions; other large systems, including the State University of New York, University of Texas, University of California, and California State University; additional universities, including University of Georgia, University of North Carolina, and University of Virginia; as well as the Wisconsin Department of Administration and K-12 institutions throughout the state.

As part of that review, General Counsel Williams said the work group determined most of the institutions reviewed did not have written policies that directly addressed documenting sexual violence or sexual harassment allegations or investigations within personnel files;

conducting or responding to reference checks regarding allegations and investigations of sexual violence or sexual harassment; or sharing and/or transferring personnel files between institutions.

However, a number of the large institutions are currently in the process of reviewing and/or updating their sexual violence and sexual harassment personnel or reference check policies. General Counsel Williams indicated those same large institutions were very interested in reviewing both the UW System work group's research and a copy of the System's draft and final policies, "highlighting the national leadership role that the Board of Regents is taking on this issue."

Materials provided to the Board of Regents included a draft of the revised UW System UPS Operational Policy TC 1, "Recruitment Policies and Reference Checks," which requires consistent disclosure across the enterprise to hiring institutions – both within the UW System and for external employers – of violations of sexual violence and sexual harassment policies. The policy would also require UW institutions to ask about sexual violence and sexual harassment prior to hiring any final candidates.

The draft UPS Operational Policy TC 1 clarifies that potentially adverse information is not an automatic disqualifier and that any disclosures will be weighed as part of the evidence-based hiring process. Additionally, the draft policy does not ask about or require disclosure of unsubstantiated allegations of sexual violence or sexual harassment; the only exception is in instances where an employee leaves during an active investigation into allegations of sexual violence or sexual harassment. General Counsel Williams said overall the draft policy provides reasonable minimum requirements for consistency across the enterprise while providing institutions ample flexibility for implementation.

Also included in the Board's materials was a draft of the revised UW System UPS Operational Policy HR 13, "Personnel Files," which standardizes the content of personnel files across the enterprise and requires their transfer between all UW institutions and state agencies upon hire. The policy defines when and with whom personnel files are shared and ensures appropriate documentation of sexual violence and sexual harassment within the personnel file.

General Counsel Williams stated that the draft UPS Operational Policy HR 13 also expressly does not prejudice hiring decisions by providing access to the entire personnel file before hire; does not include investigative materials in personnel files; does not change who has access to the personnel files; and does not include documentation of unsubstantiated allegations of sexual violence and sexual harassment.

General Counsel Williams indicated the work group also identified other recommendations which fall outside the direct scope of the Board's resolution but are nevertheless important for the proposed policies to be ultimately successful. These recommendations include:

- moving to the creation of a uniform electronic recording storage for personnel files;
- researching and developing systems for employee categories not covered by these policies, including graduate students, student hourly, or temporary employees;

- developing implementation guides and providing training to supervisors on these policies;
- completing all investigations of sexual violence and sexual harassment, even if the employee leaves during an active investigation;
- consulting policy stakeholders, including shared governance; and
- conducting a regular assessment of policy and best practices during implementation.

The work group also recommended ensuring consistent documentation and procedures across the enterprise of sexual violence and harassment allegations and investigations. General Counsel Williams noted this item will be addressed through the concurrent work of the System President's Sexual Violence and Harassment Priorities Working Group, which the Board would be updated on following his presentation.

The work group will work with campuses, shared governance groups, and other stakeholders during the consultation and review phase leading up to November 2018. The work group will collect feedback and lay the ground work for training and implementation of the policies in January 2019. General Counsel Williams indicated the final policies would be brought forward for the Board's review prior to implementation.

President Behling opened the floor to questions from the Regents.

Regent Klein said this was "a tremendous step forward," and expressed support for having a consistent policy across the UW System. General Counsel Williams confirmed that the UW System is also working to ensure UW-Madison also adopts an identical policy with the exact same provisions, to ensure consistency across the enterprise.

Regent Klein said if allegations are unsubstantiated but repeated, that is relevant and should be included in the personnel file. She suggested the file can note that the allegations were determined to be unsubstantiated, "but if somebody is repeatedly engaging in conduct it ought to be referenced and known."

Regent Klein also advocated for the liberal use of releases, if necessary. She said lying during the application process ought to be grounds for immediate dismissal, adding that the UW System ought to insist on obtaining releases from personnel in order to verify their history with another institution.

Regent Klein concluded that this is a big issue for the Board of Regents because of the Board's oversight responsibility. She thanked General Counsel Williams and the work group for their efforts.

General Counsel Williams noted the inclusion of non-findings in personnel files has been an item of much discussion, not only amongst the work group but also at the State of Wisconsin Division of Personnel Management. Explaining that unsubstantiated allegations are still captured as part of the UW System's Title IX responsibilities, he stated that the UW institutions are committed to ensuring information is exchanged throughout the hiring process.

President Behling asked General Counsel Williams to comment on the work group's research into other Big Ten and Midwest schools.

General Counsel Williams indicated that as part of the #MeToo movement, the wide inconsistency in how allegations of sexual harassment and sexual assault are handled in personnel file and reference check policies across Big Ten and other large institutions has become an emerging issue: "This is an issue that everyone is wrestling with right now in real time." The work group found that institutions generally capture the same types of information in personnel files. However, universities have just started wrestling with the issue of reference checks as they hire faculty members and later discover incidents of sexual violence or harassment at other institutions were not appropriately documented or disclosed.

Regent Jones offered his support for the work group's important efforts, stating, "We need to step up and stop this vicious cycle of passing a harasser from one institution to another." He said the innovative policy under discussion may be the first of its kind in the country, and thoughtfully balances the due process rights of the accused with the UW System's responsibility to keep sexual harassers and sexual predators out of its workforce and off the campuses.

Regent Steil noted that the State of California adjusted its law to address the liability associated with passing along certain information during reference checks. He asked whether any changes to Wisconsin law would be required to properly implement the new policies and protect the UW System from liability going forward.

General Counsel Williams said in terms of protection for employers Wisconsin's law is sufficiently robust: so long as an employer is not malicious and does not lie, they have immunity under Wisconsin's reference check statute. California law goes a step further and additionally protects witnesses as well as complainants from potential claims of defamation. He suggested these two provisions could potentially be a subject for discussion by Wisconsin's legislature, as they could significantly encourage individuals to report issues of sexual violence and sexual harassment.

Regent Atwell commended General Counsel Williams and the work group for their efforts on the new policies. He noted that policies and procedures can be applied down the organizational charts, but the #MeToo movement has led to a cultural awareness of the ability of "powerful, influential, impactful figures – whether they are in the media, in the academy, in sports, or in religious institutions" to hide at the top. Looking at instances of this at Michigan State, Penn State, and within the Catholic Church, he said the Board of Regents and the UW System must be aware of the group dynamics which lead people to close ranks around something in the name of protecting the institution. Regent Atwell encouraged everyone to embrace the new changes: "We have to do the right thing, regardless of what we think the implications are to the institution. It can't apply to the little people and not the big."

Saying he agreed with the sentiment of many of his fellow Regents and noting the UW System is "leading the charge" in this area, President Behling asked the work group members who were present in the gallery to stand and be recognized by the Board. The Board of Regents will receive another report from the work group at its October 4-5, 2018 meeting.

SEXUAL VIOLENCE AND HARASSMENT PRIORITIES WORKING GROUP UPDATE

President Behling next turned the Board's attention to an update from the Sexual Violence and Harassment Priorities Working Group, delivered by Shenita Brokenburr, Senior Associate Vice President and Chief Human Resources Officer.

In December 2016, President Cross adopted the report and recommendations of the UW System Task Force on Sexual Violence and Harassment. A three-fold purpose guided the work of the task force:

- 1) To ensure compliance with new and existing requirements established by state and federal laws and the expectations of enforcement agencies related to this area;
- 2) To continue the efforts to promote a culture of prevention, timely reporting, and effective response to allegations of sexual misconduct; and
- 3) To serve as a clearing house for resources concerning training, research, and best practices.

Senior Associate Vice President Brokenburr said this resulted in two over-arching mandates for immediate implementation. The first was to review, revise, and comply with Regent Policy Document 14-2, "Sexual Violence and Sexual Harassment," and Regent Policy Document 14-8, "Consensual Relationships." She reported 100-percent compliance with these policies has now been achieved across the UW System institutions.

The second mandate was to implement mandatory training for employees and students on preventing sexual harassment and sexual violence. To date, the UW System has achieved a 99.6-percent completion rate for employees. Senior Associate Vice President Brokenburr indicated student completion rates will be reported to the Board of Regents in October 2018.

The President's Sexual Violence and Harassment Priorities Working Group was created to assure compliance with task force recommendations and to establish additional expectations. This working group will provide recommendations to President Cross on the ongoing UW System Administration and UW institutions' commitment to enacting task force recommendations. The working group's priorities include:

- conducting a current state assessment of Title IX;
- a comprehensive policy review by the Office of Internal Audit;
- developing an advanced training curriculum for first responders and Title IX coordinators;

- a review of recordkeeping, data collection, and technology used in the process of reporting, tracking, and monitoring all allegations; and
- identifying best and most common practices.

Senior Associate Vice President Brokenburr said the target date for completing these priorities is October 1, 2018.

The working group project structure includes Senior Associate Vice President Brokenburr and General Counsel Quinn Williams as Executive Sponsors, and Christopher Paquet, Assistant Vice Chancellor for Policy and Compliance at UW-Green Bay, as Chair.

The working group was made up of 11 members representing nine UW institutions. Assistant Vice Chancellor Paquet said the membership included a diversity of representation and a variety of subject matter expertise from human resources directors, Title IX coordinators and deputy coordinators, the Dean of Students Office and student affairs personnel, as well as equity and diversity directors. The working group also reached out to the Office of Internal Audit; Mr. Paquet thanked Chief Audit Executive Stortz for her cooperation, consultation, and resources.

Assistant Vice Chancellor Paquet said the working group's priorities were compartmentalized into four different categories. The first category was best practices and recommendations on intake and work flow. The Office of General Counsel began that work and the data collection has been completed.

The second category was the recommendation for recording data using a central repository software. The Office of General Counsel has done some advance work in this area, and the Office of Human Resources is surveying other Big Ten institutions to see what technology they use for common reporting.

The third category was policy review and recommendations for consistency. Regent Policy Documents 14-2 and 14-8 have been implemented on the campuses, and the next step is to review institutional policies for consistency. Assistant Vice Chancellor Paquet said the Office of Internal Audit has been very helpful in providing guidance on how to best assess the gaps that may commonly exist across the institutional policies.

The final category is advanced training for first responders and Title IX coordinators. Assistant Vice Chancellor Paquet indicated that many institutions are spending considerable internal resources to obtain this type of training, adding that it could be more efficient to establish some common trainings for faculty and staff, as well as for student review committees, Title IX coordinators, and investigators.

The working group has split into three sub-groups addressing each of these categories. Assistant Vice Chancellor Paquet concluded that data collection is now complete and the work group is ready to move on with assessment.

President Behling opened the floor to questions from the Regents.

Regent Mueller observed that issues of sexual violence and alleged sexual violence are sweeping through the athletic departments of major universities. Recalling UW-Madison Athletic Director Barry Alvarez had discussed an ongoing voluntary audit of the athletic department in February 2018, she asked if that work had been completed.

UW-Madison Chancellor Blank answered that the “incredibly comprehensive” audit was expanded to include many different aspects of the athletic department’s functions. She indicated the audit is expected to be completed in September, and that later in the fall UW-Madison will provide an update to the Board.

Regent Atwell shared that his father, who has long worked in higher education and closely follows national issues involving Division I athletics, had cautioned against allowing sexual violence and harassment matters to be contained within athletic departments. Noting athletics is “one of the areas where, historically, powerful people have been able to hide,” Regent Atwell asked Chancellor Blank for assurance that she has sufficient knowledge, control, and awareness of any emerging financial or behavioral issues regarding athletics.

Indicating this could potentially be a topic for a longer conversation, Chancellor Blank stated, “We have a number of controls from outside the athletic department itself.” She also noted no student disciplinary issues were adjudicated within the athletics department.

Chancellor Blank explained that once per month she meets separately with the athletic director and the head of the athletic board. The athletic board is a group of faculty, staff, community members, and alumni who are charged with meeting monthly and conducting external oversight of the department. A board member is assigned to every team, to be available and ask questions. Additionally, the Vice Chancellor for Finance and Administration has oversight over the athletics department budget, and UW-Madison’s legal team regularly consults with the department’s regulatory compliance staff.

Chancellor Blank concluded, “I am quite aware of the need for external review. Can I promise that never will anything happen that we won’t see? Of course I can’t – but I do think we have the controls in place.”

Regent Atwell asked if President Cross was also satisfied that he has sufficient knowledge, visibility, and awareness of issues which may arise in Division I athletics.

President Cross answered, “I am, and I agree with Chancellor Blank.” He recalled that when he learned of the Michigan State situation, he discussed his concerns about the reporting process with Chancellor Blank. He said it was apparent that much of the information about the incidents at Michigan State probably never made it out of the athletics department, but Chancellor Blank immediately assured him, “We don’t do that. We have access to that.”

President Cross stated that he does think he has sufficient knowledge, “but I suspect there are always issues.” He expressed appreciation for Regent Atwell’s comments about the responsibility of the Board of Regents and UW System leadership: “Power does conceal, and we have to do our best to break that up.”

President Behling added that as President of the Board, chancellors also communicate with him about issues immediately after contacting President Cross.

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RESOLUTION OF APPRECIATION FOR UW COLLEGES AND UW-EXTENSION CHANCELLOR CATHY SANDEEN

President Behling announced this would be the final meeting for UW Colleges and UW-Extension Chancellor Cathy Sandeen, who accepted a new position as chancellor for the University of Alaska Anchorage. He called upon Regent Ring to present the Board's resolution of appreciation for Chancellor Sandeen.

Regent Ring said he met Chancellor Sandeen at his first Board of Regents meeting in June 2017 and has since admired her hard work at promoting open access to education in Wisconsin. He noted they both share the special attribute of being first-generation college students.

Regent Ring thanked Chancellor Sandeen on behalf of the students across the UW System. He then read aloud the resolution of appreciation, which was adopted by acclamation:

Resolution of Appreciation for UW Colleges and UW-Extension Chancellor Cathy Sandeen

Resolution 11104 WHEREAS, Cathy Sandeen has served with distinction as the third chancellor of the University of Wisconsin Colleges and University of Wisconsin–Extension, from 2014 to 2018; and

WHEREAS, Cathy, drawing on her experience as a first-generation college graduate, served as an advocate for open access to education in all its forms, the embodiment of the Wisconsin Idea; and

WHEREAS, Cathy led a restructuring of UW Colleges into a streamlined, consolidated, and regional administrative structure, large portions of which have been retained by the UW System as part of its Commitment to Operational Reform and Excellence – or CORE – initiative; and

WHEREAS, Cathy led a new vision for the 100-year-old UW Cooperative Extension organization to help secure its continued viability and to enhance its flexibility, including digital delivery of essential programs and services to the citizens of Wisconsin; and

WHEREAS, Cathy fostered the growth of new programs like UW Flexible Option, WisContext, Food Finance Institute, and Edible Alpha within various UW-Extension divisions; and

WHEREAS, Cathy established productive relationships with counties, municipalities, elected officials, professional and industry groups, employers, and community leaders, reaching virtually every corner of Wisconsin; and

WHEREAS, Cathy has demonstrated focused and committed leadership through the restructure process;

BE IT THEREFORE RESOLVED that the Board of Regents of the University of Wisconsin System offers sincere gratitude to Chancellor Cathy Sandeen for her service and dedication to the University of Wisconsin Colleges and University of Wisconsin–Extension, as well as the entire state of Wisconsin, and wishes her continued success as Chancellor of University of Alaska Anchorage.

President Behling thanked Chancellor Sandeen for her service and wished her the best in her new position.

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REGENT COMMUNICATIONS, PETITIONS, AND MEMORIALS

On behalf of the UW System and the Board of Regents, President Behling offered condolences to the family and friends of Professor Nicholas Karolides of UW-River Falls, who passed away in early June, just shy of his 90th birthday: “We are deeply grateful for Dr. Karolides’ distinguished service and many contributions to the UW System and the State of Wisconsin, and we take a moment to acknowledge his exceptional impact as a teacher and mentor to so many students, including myself.” Noting Dr. Karolides taught English at UW-River Falls for 48 years, President Behling said his influence would be long remembered.

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CLOSED SESSION – SONATA ROOM

President Behling called upon Vice President Petersen to read the motion to move into closed session. The motion was seconded by Regent Ring and adopted on a roll-call vote, with Regents Atwell, Behling, Evers, Jones, Klein, Millner, Mueller, Petersen, Peterson, Plante, Ring, Steil, and Tyler voting in the affirmative. There were no dissenting votes and no abstentions.

Closed Session Resolution

Resolution 11105 That the Board of Regents move into closed session to consider personnel evaluations of chancellors, as permitted by s. 19.85(1)(c), Wis. Stats.

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The meeting was adjourned at 1:40 p.m.

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Submitted by:

/s/ Jess Lathrop
Jess Lathrop, Executive Director and Corporate Secretary
Office of the Board of Regents
University of Wisconsin System