

MINUTES OF THE REGULAR MEETING
of the
BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

Held at UW-Madison
Union South, Varsity Hall II
1308 W. Dayton Street
Madison, Wisconsin

Thursday, February 7, 2019
1:00 p.m.

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-President Behling presiding-

PRESENT: Regents Robert Atwell, John Behling, Scott Beightol, José Delgado, Michael Grebe, Eve Hall, Mike Jones, Tracey Klein, Regina Millner, Janice Mueller, Drew Petersen, Cris Peterson, Jason Plante, Ryan Ring, Carolyn Stanford Taylor, Torrey Tiedeman, Mark Tyler, and Gerald Whitburn

UNABLE TO ATTEND: None

Before considering any items on the agenda, President Behling asked if any Board members wished to declare any conflicts of interest as per Regent Policy Document 2-4, "Ethics and Conflict of Interest Policy for the UW System Board of Regents." No conflicts of interests were declared with any items included on the open session agenda.

UPDATES AND INTRODUCTIONS

President Behling thanked everyone for coming to the Board's February meeting, noting that "even in Wisconsin's worst weather" the Regents had achieved perfect attendance.

President also thanked Chancellor Blank and her team for welcoming the Board of Regents to the UW-Madison campus.

Regent Carolyn Stanford Taylor

President Behling welcomed a new colleague on the Board: Regent Carolyn Stanford Taylor. Regent Stanford Taylor was recently appointed State Superintendent of Wisconsin's Department of Public Instruction, which also makes her a member of the Board of Regents. She has four decades of public education experience, including 17 years as the Assistant State Superintendent for the Division of Learning Support.

A native of Mississippi, Regent Stanford Taylor is a UW-Madison alumna. President Behling noted that this is not her only connection to the UW System: Regent Stanford Taylor is also the sister of the UW System's long-time budget leader Freda Harris, who retired in 2017 after almost 30 years with the university.

President Behling invited Regent Stanford Taylor to say a few words.

Regent Stanford Taylor stated, "I am deeply honored to be a part of this Board and the great work that you are all doing. As you all know, we bring our own life experiences to the work that we do, and my journey also informs the way I intend to operate on the Board."

Regent Stanford Taylor was one of the first students to integrate the public schools in Marks, Mississippi – the same place that Dr. Martin Luther King, Jr. chose as the starting point for the Poor People's Campaign in 1968. "The barriers I saw and experienced haven't been erased – and while we've made some progress, we understand there is still much work to be done." She explained that she has dedicated her life to this work as a teacher, a principal, Assistant State Superintendent, and now as State Superintendent of the Department of Public Instruction.

Regent Stanford Taylor said she left Mississippi and came to Wisconsin to seek higher education. She graduated from UW-Madison with a bachelor's degree in elementary education and a master's degree in educational administration. "I know that the education that we provide at the University of Wisconsin System changes lives because it changed mine. I look forward to working with all of you as we continue to support the students on our campuses as they look to change their lives."

Dr. Cheryl Green, Interim Chancellor, UW-Whitewater

President Behling turned the floor over to President Cross for some additional introductions.

President Cross first introduced Cheryl Green, Interim Chancellor at UW-Whitewater. Dr. Green agreed to step away from her position as Vice Chancellor for Student Affairs at UW-Oshkosh to serve in this role while a national search to fill the UW-Whitewater chancellorship is conducted. Prior to joining UW-Oshkosh, she served as Assistant Vice President for Student Affairs at Tennessee State University. She has also served at Chicago State University in a variety of roles.

Interim Chancellor Green has a Ph.D. and master's degree in Counseling Psychology from Southern Illinois University and a bachelor's degree in Psychology from Manchester College (now Manchester University) in Indiana. She also holds a National Incident Management System certificate from the U.S. Federal Emergency Management Institute.

Deej Lundgren, Director for State Relations, UW System Administration

President Cross also introduced Deej Lundgren, who joins Jeff Buhrandt on the UW System's State Relations team as the new Director for State Relations. Mr. Lundgren previously worked for Congressman F. James Sensenbrenner in his Washington, D.C. office, and served as Chief of Staff to the Wisconsin Legislature's Finance Committee Co-Chair, Senator Alberta Darling.

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**HOST CAMPUS PRESENTATION BY UW-MADISON CHANCELLOR
REBECCA BLANK: "INVESTING IN UW-MADISON"**

President Behling said the Board of Regents would next hear from its host, UW-Madison Chancellor Rebecca Blank.

Introduction

Chancellor Blank stated, "There is no single institution in our nation more important to economic growth than the public university." She explained that research universities are essential to U.S. economics for two reasons: first, they produce highly-skilled workers essential to retaining the nation's lead in a global labor market; and second, they provide the resource of long-term innovation through basic and applied research.

Chancellor Blank added that public universities are particularly important because of their size and scope. UW-Madison belongs to the American Association of Universities (AAU), which is comprised of the 60 biggest research universities in the country. AAU membership is almost equally split between public and private institutions. Among AAU schools, 82 percent of undergraduate degrees and two-thirds of Ph.Ds. are awarded at the public universities. About 60 percent of the AAU members' research dollars flow through the public universities.

As the UW System enters another budget year, Chancellor Blank said there has never been a more important time to talk about the contributions Wisconsin's public universities make, not just to the state but to the long-term health of the nation.

Recent News

Chancellor Blank announced that a stable state budget, combined with hard work on campus to increase investment opportunities, led to a year of moving forward for UW-Madison. She then shared five important news stories from the last year.

Strong and Rising Applications

In 2017-18, UW-Madison's applications went up by 20 percent. Indicating that this was an unexpected jump, Chancellor Blank attributed it partially to UW-Madison adopting the Common App.

Over the last five years, UW-Madison has seen a 34-percent increase in applications. Currently UW-Madison is expecting about 44,000 applicants in 2018-19, a three percent increase over the previous year. Both out-of-state and in-state applications have increased, with a slightly larger increase in out-of-state applicants.

Chancellor Blank noted that a strong application pool is central to UW-Madison's ability to recruit a high-quality class of students.

Rising Student Quality

Chancellor Blank said the quality of both in-state and out-of-state applications has also increased.

In 2016, UW-Madison began the PRIME program in an effort to keep the state's top students in Wisconsin for higher education. Chancellor Blank explained that if students stay in-state for college, they are much more likely to stay in Wisconsin for their careers as well.

Emphasizing the importance of targeting Wisconsin students with top grades and top ACT scores using high-touch admissions efforts, Chancellor Blank said these students are contacted by faculty members from the departments they are interested in.

Chancellor Blank added that she recently met with a group of PRIME students from 18 Wisconsin high schools whose average ACT score was 33, among the top 1 percent. Since starting PRIME, UW-Madison has added over 300 additional Wisconsin students to its freshman class who score at the 95th percentile or above on the ACT.

New Facilities Taking Shape

Chancellor Blank announced that UW-Madison has begun construction on a number of new facilities, including the Hamel Music Center, the School of Music's new performance facility. This building is funded entirely with gift dollars and will be located next to the Chazen Museum of Art, creating a miniature arts campus.

New renovations and equipment at Babcock Hall, part of the Center for Dairy Research, will open many new opportunities for both food science research and the production of Babcock ice cream. Chancellor Blank indicated that the dairy industry was a major funding contributor for this project, which will be complete in 2021.

In September, UW-Madison's Chemistry Building began its first round of renovations in a two-part project, which includes the construction of new towers and a new lab, the installation

of new HVAC systems, and renovations to parts of the old building. Chancellor Blank said this project is critical to resolving bottlenecks in the chemistry program, as 55 percent of undergraduates take at least one chemistry class. Noting that the Chemistry Building experienced multiple burst pipes during the previous week's extreme cold weather, she said facilities staff are working hard to clean up the building so normal classes can resume.

Integration of Cooperative Extension and Wisconsin Public Media

Chancellor Blank said she was excited about the integration of Cooperative Extension and Wisconsin Public Television and Radio, which has added 1,000 new employees to UW-Madison. She indicated that the ongoing transition of most of those employees is expected to be complete by the end of fiscal year 2018-19.

Chancellor Blank reported that UW-Madison is working hard on opportunities to tie its research and educational ventures more closely into Cooperative Extension and Wisconsin Public Media programming and increase connections around the state. Over the last year, she visited different parts of the state to meet with county executives – one of the many new stakeholder groups UW-Madison has acquired – to discuss how they use Cooperative Extension programs and how to make an effective transition.

In December, UW-Madison announced a new partnership between the Wisconsin Institute for Discovery and Wisconsin Public Television to create the Timothy William Trout Education Innovation Lab. Through this gift-funded partnership, UW researchers will help develop the K-12 science curriculum that airs on public TV into millions of homes and classrooms around the state.

In spring 2019, UW-Madison will hold a major event bringing Cooperative Extension and UW-Madison researchers in medicine and public health together with local communities to discuss the opioid crisis in Wisconsin and best practices for solving this problem.

Departure of Two Top Leaders

Finally, Chancellor Blank announced that two of UW-Madison's top leaders would soon be departing.

Norman Drinkwater, Interim Vice Chancellor for Research and Graduate Education, has plans to move on from his position after the spring semester. Indicating that a search for his replacement is ongoing, Chancellor Blank thanked Interim Chancellor Drinkwater for his great work.

After five years in her current position, Provost Sarah Mangelsdorf will depart UW-Madison at the end of the academic year to become the new President at the University of Rochester in New York. Chancellor Blank wished Provost Mangelsdorf well in her new position, adding that UW-Madison hopes to complete the search for her replacement by the end of the semester.

Future Goals

Chancellor Blank stated that maintaining and growing academic excellence at UW-Madison requires investment revenue, as well as using that investment revenue wisely. She discussed five areas where UW-Madison is investing new resources and thinking strategically about how to maintain and build on its reputation and results.

Maintain and Strengthen Educational Outcomes

Chancellor Blank said UW-Madison has made great strides in its educational outcomes, though there is more to be done in the face of the rapidly-changing landscape of higher education. UW-Madison has a retention rate over 95 percent and a time-to-degree of 4.01 years, or four years and four days. The university has also increased graduation rates and substantially closed the graduation gap between historically under-represented groups and other students.

Chancellor Blank indicated that one effect of these improvements is that students are moving through their degree programs faster, in turn lowering student loan debt. In 2018, 53 percent of undergraduate students graduated with zero student loan debt.

Among the new educational opportunities UW-Madison is working on is the Early Start Program, which provides freshmen or other incoming students an opportunity to get a head start on their degree by beginning their studies during the summer. Chancellor Blank said this program is particularly helpful for students who want to complete their degree in three years or less, as well as first-generation or international students who want to acclimatize before 45,000 other students arrive on campus. The university has created and plans to expand a number of Early Start programs in engineering and the College of Agricultural & Life Sciences.

UW-Madison is also launching the Wisconsin Experience Summer Launch program for freshmen and transfer students in the College of Letters and Science. Participating students will earn five credits in eight weeks before the first semester starts, choosing from a list of online and hybrid courses that fill common requirements.

Chancellor Blank indicated that an increasing number of students are interested in taking a gap year and gaining some real-life experiences before coming to college. UW-Madison plans to introduce a gap-year program that would leverage the university's existing overseas connections to help students find an international education, volunteer, or internship experience and potentially receive credit.

Finally, UW-Madison is gradually expanding its online degree offerings. Chancellor Blank noted that online options not only provide important flexibility for traditional students who want to complete internships or study abroad, but also are helpful to older adults who have some college credits but not a degree. She indicated that the university is working with a consulting firm to consider opportunities in this area with hopes of implementing a fully online undergraduate degree program aimed at nontraditional students by 2020.

Grow Accessibility

Chancellor Blank stated, “I want every student who can qualify for admission to UW-Madison to be able to afford to come.” In addition to reducing time-to-degree and expanding online courses, she discussed some of the other ways UW-Madison is addressing affordability and financial aid. The Badger Promise and Bucky’s Tuition Promise programs create new pathways to UW-Madison by simplifying the financial aid process and being upfront about how much applicants can expect to pay.

Bucky’s Tuition Promise provides four years of tuition support to students in Wisconsin low-income families, meaning any family below the median income distribution. Eight hundred students from 65 of Wisconsin’s 72 counties, comprising about 17 percent of resident freshmen, participated in the Bucky’s Tuition Promise program.

Chancellor Blank said the biggest challenge is making sure people know the program exists by communicating with guidance counselors and families while their students are high-school sophomores or juniors. “If you have a student who is really a good student, who ought to be coming to UW-Madison, we want to work with you to make this affordable.”

Chancellor Blank announced that UW-Madison is raising the eligibility threshold for Bucky’s Tuition Promise from \$56,000 to \$58,000, tracking the increase in Wisconsin’s income levels. She also noted that the next day’s Student Spotlight would feature a UW-Madison freshman student who is a participant in the Bucky’s Tuition Promise program.

To expand the number of students in these programs, Chancellor Blank said UW-Madison must continue growing its financial aid funds. State dollars have decreased slightly over the last seven to eight years; Higher Educational Aids Board (HEAB) dollars have increased slightly; and federal dollars have remained flat. Institutional dollars have seen the most growth, increasing from \$21 million to \$73 million over the last ten years, through serious efforts by UW-Madison.

Chancellor Blank said UW-Madison is redirecting 25 percent of new tuition dollars from out-of-state students to financial aid, in addition to its very successful capital fundraising campaign to raise money for scholarships. UW-Madison’s athletic program also generates \$5 million to \$7 million annually, much of which goes into scholarships for non-athletes.

Chancellor Blank said UW-Madison would continue to work on expanding institutional scholarship dollars, but she added that the state and federal governments need to be partners in this effort. She thanked the Board of Regents for requesting an increase to HEAB scholarship dollars for low-income Wisconsin students.

Expand Research Investments

Over the last ten years UW-Madison’s research expenditures have lagged those of its peers, falling from second or third in the nation to sixth in the rankings. Chancellor Blank said the university is taking a number of steps to improve in this area.

UW-Madison has seen some success in its efforts to expand federal research expenditures, with faculty bringing in record-setting grants and having their research featured in *The Washington Post*, *The New York Times*, and *The Wall Street Journal*.

Chancellor Blank indicated that UW-Madison is providing better support for graduate students. In a time of budget cuts, the university prioritized raising graduate student stipends by 25 percent in the last five years, moving from the bottom of the Big Ten to just above the median.

UW-Madison is also growing industry partnerships with companies like GE Health Care, Johnson Controls, and Foxconn. Chancellor Blank said the university will continue to work on securing federal grants and building industry partnerships.

Maintain and Grow Faculty Strength

Chancellor Blank indicated that UW-Madison's next two goals are focused on building the foundation that will make it possible to accomplish its first three goals in educational outcomes, accessibility, and research.

She stated, "The reputation and quality of the university rests on its faculty." UW-Madison has started a number of new programs aimed at building the long-term strength of its faculty, including the cluster hire program, where three or four faculty are hired together in a key area that is anticipated to grow and expand. The program funded ten cluster hires in the previous year, covering a broad range of fields from modern-era politics to precision medicine. The program will continue funding four to five clusters annually over a five-year period, resulting in 50 to 65 new faculty hired in important areas that could potentially be transformative for the university.

The Targets of Opportunity (TOP) program provides departments with more support and new tools for hiring faculty who are under-represented in their field. Departments must submit a proposal demonstrating that a potential hire comes from an under-represented group, which could include women, ethnic minorities, or an unusual perspective in their field. Chancellor Blank reported that a number of outstanding new hires have already been made through this program, with 30 more potential recruitments in progress.

Chancellor Blank said the UW institutions' biggest problem in terms of building faculty strength is the lack of competitive pay. Compensation for UW-Madison's full professors is more than 10 percent below the median of their Big Ten peers. She argued that UW-Madison's position at the bottom of the Big Ten rankings for faculty compensation does not reflect the university's reputation and strength. She also pointed to the decline of faculty compensations relative to other schools as one of the major reasons why UW-Madison's *U.S. News and World Report* ranking has fallen.

Chancellor Blank expressed appreciation for the two 2-percent pay increases UW employees received in 2018-19, but said they only kept the university from falling further

behind. She indicated that to bring all UW-Madison faculty to the median of the peer group will cost almost \$22 million; this amount would not include any staff pay increases.

Chancellor Blank also expressed appreciation for the proposed 3-percent annual pay increase for 2019-21 that was requested by the Board of Regents, but noted UW-Madison's peers would also be giving their faculty a similar raise: "It's still not going to help us catch up in the way we need to." She concluded that UW-Madison will need funds for a larger pay catch-up program than it has received so far.

Strengthen Financial Stability

Chancellor Blank said that all of the previous goals will require financial stability. For the last four years UW-Madison has worked to become more entrepreneurial, expand investment revenues, and leverage state dollars even more effectively. Programs like the cluster hires, TOP, Bucky's Tuition Promise, and expanded online course offerings have all been funded by new investment dollars generated in recent years by expanding summer sessions, increasing out-of-state tuition, conducting a fundraising campaign, and moderately increasing some class sizes.

Chancellor Blank indicated that UW-Madison is unique among its peer institutions for having experienced a decline in overall revenue of 1.6-percent annually in FY 2014 and FY 2015. UW-Madison's revenue growth rate has since recovered to match that of its peers at about 4.2 percent, but the university will need to expand that rate of growth for several years in order to catch up.

Chancellor Blank said the state has an important role to play in this effort. Currently the state provides 14 percent of UW-Madison's revenues, almost all of which fund educational activities. She thanked the Board of Regents for its biennial budget request: "The state has to be our partner if we're going to maintain our strength as a strong public institution."

Noting that the capital budget is also important, Chancellor Blank said one of the top priorities of UW-Madison's capital campaign was the expansion and renovation of the School of Veterinary Medicine. The existing facility's animal hospital was designed for 12,000 patients per year, but currently serves 27,000 patients annually. UW-Madison also has a number of program revenue projects waiting to move forward with its capital budget request.

Example of the Value of New Investment: Expanding Computer & Data Science

Chancellor Blank said UW-Madison hopes to announce some new strategic initiatives in the area of computer and data science. Computer science is UW-Madison's largest major, having grown from 300 to 1,600 students over five years. She indicated that the department has "unbounded" hiring authority and has brought in eight new faculty in the last two years. The university has also added money to the department's budget for expanding teaching assistant positions.

UW-Madison's computer science program was among the top five programs nationally in the 1960s and 1970s; now it is 13th in the rankings. Chancellor Blank said she had asked a group

of faculty and alumni to look at how UW-Madison can expand its education and research programs to grow its reputation and visibility in this area.

One strategy might be a reorganization within the College of Letters & Science to bring together computer and data science-related fields in order to enhance education and research and create new opportunities for collaboration. UW-Madison is currently working to create a new undergraduate major in data science to supplement the computer science major. The university is also working to expand access to computer and data science educational programming to students who may not be majoring in those fields but do want exposure and training in them.

UW-Madison is also considering plans to create a new Data Science Institute. This multi-disciplinary research institute would report to the Vice Chancellor for Research and bring together faculty from every program. Noting that every department on campus – from the humanities to the medical school – is increasingly working with big data and data science, Chancellor Blank said, “We need to find ways to bring those faculty into closer collaboration and create more conversation.”

Chancellor Blank also indicated that UW-Madison needs the state to be involved in raising the funds to support these initiatives. The UW-System’s proposed capacity-building initiative would help support expansions in computer science at UW-Madison by leveraging dollars from the institution and its donors. Successfully raising the national visibility of UW-Madison’s computer and data science programs would help better position the university to compete for federal and foundation grants, recruit top faculty and students, and work with industry partners in this field: “The key to a strong future is investing in the right areas.”

After being held back by reduced budgets for many years, the chancellor said UW-Madison is moving forward again thanks to investments by the state, alumni, and faculty and staff. However, further investments are needed for UW-Madison to catch up with its peers and maintain its reputation and quality.

Chancellor Blank paraphrased the late U.S. Senator Daniel Patrick Moynihan: “If you want to create a great city – and I would say a great state as well – first create a great university, and then wait 100 years.” She concluded that the citizens of Wisconsin have been investing in UW-Madison for 171 years, and the university must continue that commitment.

Finally, Chancellor Blank invited Regents to refer to UW-Madison’s *Budget in Brief* publication for more information about the university’s revenues and expenditures.

President Behling thanked Chancellor Blank for her presentation.

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REPORT FROM ASSOCIATE VICE PRESIDENT ALEX ROE: “REPAIR AND RENOVATE: CAPITAL RENEWAL”

Introducing the next presentation on proposed facility repair and renovation, President Behling noted this is an important issue for all campuses across the UW System. Recognizing this, the Board of Regents approved a significant capital budget request as part of the UW System’s 2019-21 biennial budget request.

President Behling invited Associate Vice President Alex Roe to lead the presentation.

Presentation

Associate Vice President Roe explained that to “repair and renovate” means replacing end-of-life building systems and exterior envelope components, investing in programmatic improvements, and addressing deferred maintenance needs. The UW System’s buildings require ongoing maintenance, care, and upkeep: “Since teaching, learning and research are not static activities, functional upgrades are necessary for the institutions to stay current with pedagogical changes and to incorporate new technology.”

Associate Vice President Roe said renovation and repair projects must take into consideration the type of construction that was prevalent in the development of the university. For example, the UW System, like many of its peers, found an unprecedented spike in construction following the return of GIs during the Post-War era. These facilities went up fast to keep pace with the increased enrollment many institutions faced at the time.

Associate Vice President Roe noted that energy conservation was not a factor in those years, as oil was cheap and seemingly plentiful: “These buildings were not meant to last.” Although the average percentage across higher education categories is closer to 33 percent of the total inventory, she estimated that more than half of the UW System’s facilities were built in the Post-War era.

The primary drivers for the two largest growth periods in higher educational facilities have been enrollment growth and program amenity growth. However, experts predict that a new, larger wave is approaching focused on investment needs: building systems require cyclical maintenance and eventual replacement.

Sightlines, a facilities and space assessment firm that works throughout higher education at more than 360 campuses, recommends that major building systems be replaced somewhere between every 25 to 35 years. However, Associate Vice President Roe said many of the UW System’s buildings that were constructed in the 1950s and 1970s have never had their electrical, HVAC, plumbing, or exterior envelope systems replaced or repaired.

The intersection of the life cycles of “first wave” and “second wave” buildings will be a serious challenge for the higher education institutions starting in the very near future, resulting in what experts are predicting as the next wave.

Associate Vice President Roe noted that one consideration not factored into a typical renewal program is the probability that newer buildings, which have computerized systems and controls, will require upgrade and replacement on a more frequent basis than older systems. UW System physical plant staff have had to maintain a combination of older facilities that require one kind of skill set, and at the same time manage the ever-increasing complexity of electronic systems that keep life safety, heating, and cooling infrastructure operational.

Associate Vice President Roe said physical plant staff are well aware of the myriad challenges and problems of the building systems they maintain: “They know where the issues are and how to fix them. What they lack are sufficient capital and operational funds to keep up with the demands of either an aging infrastructure, or a very complex set of systems that increasingly requires them to outsource preventative maintenance due to the lack of qualified workers.”

Several biennia of operational budget cuts have reduced the available physical plant staff at UW institutions. In addition, the UW System is increasingly unable to compete salary-wise with the private sector, making it more difficult to find and keep qualified staff in a low unemployment environment.

Associate Vice President Roe observed that more and more often, physical plant staff are called upon to take care of emergency problems, such as the ongoing plumbing problems that plague high-rise residential facilities in Eau Claire and Milwaukee, which diverts manpower from routine preventative maintenance activities. She said each of the UW System institutions have similar stories to share.

Associate Vice President Roe emphasized that the issue is not that facility staff are not doing their jobs. She quoted the Educational Advisory Board, which reported, “Far from neglecting the physical plant, facilities leaders have taken on the responsibility of stretching a shrinking operation budget farther and farther.”

She also noted that it is not just universities that are facing these challenges – hospitals and other large, complex campuses are experiencing similar issues. As a point of reference, the U.S. Capitol recently announced that it has over \$1 billion in deferred maintenance for its 18.4 million square feet, 190 structures, and 580 acres of land. Associate Vice President Roe pointed out that this legislative and high court campus is smaller than UW-Madison.

The UW System did not receive any all-agency general fund supported borrowing in FY 2015-17 that would have financed efforts to repair and renovate. As a result, UW institutions had to concentrate and redirect the limited funding they had left – as well as future funding – into prioritized categories.

Associate Vice President Roe indicated that projects dealing with code compliance, failing systems, failing envelopes, or critical functions or programs are allowed to move forward. Every project is scrutinized to ensure it meets the criteria to get access to the limited funding available: funding to replace the roof on a chancellor’s house was denied, while programmatic upgrades to a police station were debated but ultimately approved.

Associate Vice President Roe then proceeded to display a series of photographs demonstrating some of the challenges that UW institutions face in their day-to-day work, including standing water on rooftops; degraded roofing shingles; eroded exterior envelopes, including falling bricks due to moisture penetration; eroded and falling concrete, in some cases resulting in exposed rebar; and soil erosion adjacent to roads and outdoor athletic facilities.

Many photographs showed interior water and flooding damage, flooded basements and loading docks, loading dock and retaining wall degradation, deteriorated foundation, and structural column damage.

Other photographs exposed burst steam pipes, failing supports for a large water softener tank, cardboard vent covers, water in an air intake and filter bay, damaged underground utilities, old and corroded electrical panels, old theater lighting, and old and corroded laboratory equipment.

Among the final photographs shown were those of a deteriorated agriculture research station, including failing or nonfunctional equipment, and animal facilities which were vacated and closed due to unsafe conditions.

Associate Vice President Roe noted that none of the photographs she presented were of the numerous facility issues that resulted from the previous week's extreme cold weather.

Thanking the Board of Regents for giving its support to the UW System's FY 2019-21 budget request to finance necessary repair and renovation activities across the System, Associate Vice President Roe said it is important that this remains a high priority: "We can't afford to keep kicking this issue down the road." She added that deferring repairs and renovation has a negative impact on operational activity by diverting resources, people, and funding necessary to keep the UW institutions safe and fully functional: "The longer we delay renewal activities, the more expensive these projects will become. The best course for us to address our needs is with consistent funding."

The FY 2019-21 capital budget request presented at the August 2018 Board meeting would only impact about 8.44 percent of the UW System's nearly 62 million gross square feet. Twenty-five of the 29 projects included are repair, renovation, and replacement projects, which together comprise about \$1.8 billion of the total \$1.9 billion request.

Associate Vice President Roe reiterated that the UW institutions work diligently to ensure facilities are safe, secure, and provide the necessary living, learning, and research spaces required by faculty and students. She concluded that the UW System needs the resources to keep the institutions operational and make sure physical plant is not negatively impacting the quality of the educational process, nor the safety of students, faculty, and staff.

Discussion

Regent Millner said she has visited many of the campuses and toured their old buildings. She complimented the facilities staff for their cleanliness and basic repairs, but noted that it is

not possible for staff to manage the kind of internal structural issues that had just been presented. Stating that facility repairs and maintenance are critical to the UW System's mission, Regent Millner thanked Associate Vice President Roe for her "daunting" report.

In response to a question from Regent Mueller, Associate Vice President Roe explained that city and county governments own and build the facilities used by the two-year branch campuses. Currently the UW System pays for maintenance related to operational impacts and energy conservation projects in addition to providing all of the equipment within those facilities; however, the university does not provide any funds for construction or renovation. She also affirmed that the UW System will maintain the existing partnership with local governments through the ongoing restructuring.

Regent Delgado asked Associate Vice President Roe if the UW System's newest buildings are designed with long-term maintenance in mind. Associate Vice President Roe indicated that facilities staff at the UW institutions are more conservative about maintenance now than in past decades. However, new electronics systems – including fire alarms and HVAC controls – do not have the same longevity as some older electronic systems, and the convergence of upgrades to both older and newer buildings will present some challenges.

Associate Vice President Roe also said that long-term maintenance is one consideration in the UW System's conversations with the Department of Administration as they work to source high-quality product for new construction.

Responding to a question from Regent Jones, Associate Vice President Roe said each of the receiving institutions have been assessing the current state of the branch campuses and creating a list of issues they want to work on with their respective local governments.

Vice President Petersen asked how emergency repairs fit into the capital budgeting process. Associate Vice President Roe explained that the state notifies the UW System of how much funding it will receive for maintenance, repair, renovation, and minor remodeling needs as part of the all-agency budgetary process. Institutions can apply to the Department of Administration for access to those funds for emergency projects.

In the last biennium the UW System requested \$100 million in all-agency funds and received \$101 million, including about \$80 million for all-agency maintenance and repairs and about \$20 million for the heating plant program. Associate Vice President Roe indicated that the System initially set aside \$10 million for small projects costing \$0 to \$300,000; when those funds were gone, the System diverted another \$5 million from bigger projects. She reiterated that all projects are being reviewed and prioritized in an effort to make those funds last.

Observing the Regents' interest in the state of facilities at the branch campuses, President Behling asked Associate Vice President Roe and her team to provide an update on that topic at a future meeting.

REPORT FROM UW SYSTEM SEXUAL VIOLENCE AND HARASSMENT PRIORITIES WORKING GROUP

The Sexual Violence and Harassment Priorities Working Group, which was created by President Cross in 2018, recently completed its broad review of UW System policies and practices related to sexual harassment and sexual violence. Dr. Shenita Brokenburr, Senior Associate Vice President of Human Resources, and Quinn Williams, UW System's General Counsel, co-chaired this effort.

President Behling invited Dr. Brokenburr, joined by UW-Green Bay Assistant Vice Chancellor Christopher Paquet, to present the group's findings and recommendations.

Background

In 2016, the original UW System Task Force on Sexual Violence and Harassment delivered two overarching mandates with regard to Title IX. The first was to review, revise, and ensure campus compliance with Regent Policy Document 14-2, "Sexual Violence and Sexual Harassment," and Regent Policy Document 14-8, "Consensual Relationships." The task force also mandated training for employees and students on preventing sexual harassment and sexual violence.

Regarding progress made towards compliance with the 2016 mandates, Dr. Brokenburr reported 100-percent compliance at the campus level with policy revisions and implementation of Regent Policy Documents (RPDs) 14-2 and 14-8.

She also reported that 100 percent of employees across the UW System have completed the mandatory training. In 2019, compliance with the mandatory training will be a requirement for pay plan eligibility for all employees of the UW System.

Finally, 86 percent of students across the UW System have completed the mandatory training. Dr. Brokenburr indicated that student training completion rates by institution are very high overall.

As a follow-up to the task force's 2016 efforts, President Cross established the President's Sexual Violence and Harassment Priorities Work Group in 2018. The working group was charged with assessing how the UW System is measuring up against its goals and conducting a current state assessment of Title IX activities across the UW System. Focus areas included an audit of institutional Title IX policies, a recommendation for advanced training curriculum, a review of current technology used for recordkeeping and data collection, and a review of best and most common practices.

Dr. Brokenburr said the working group was comprised of 11 members representing nine UW institutions who volunteered their time, talent and expertise to this effort. To ensure diversity in terms of subject matter expertise, membership included representatives from human

resources, Title IX, student affairs, and equity and diversity. The Office of Internal Audit was a consulting partner in this effort.

Dr. Brokenburr then turned the floor over to Assistant Vice Chancellor Paquet, who she commended for his excellent work and heavy lifting with the working group.

Recommendations

Assistant Vice Chancellor Paquet said the working group's initial task was to review each UW institution's published policies for compliance with RPD 14-2 and RPD 14-8. The working group found 100-percent compliance with the implementation of RPD 14-2 and RPD 14-8, as well as a great deal of commonality in the definitions and processes used throughout all the institutional policies: "What is unique within each institution is who is doing the work."

The working group's primary recommendation is that all institutions maintain compliance with RPD 14-2 and RPD 14-8, as well as issue a separate Title IX statement which identifies campus resources and reporting systems; regional resources, such as local law enforcement and local sexual assault centers; and other resources available to individuals who may be the victim of sexual misconduct on campuses.

Assistant Vice Chancellor Paquet said the working group also reviewed advanced training curriculum for individuals on campus who are responsible for responding to Title IX complaints and incident reports of sexual misconduct, including Title IX coordinators, deans of students, judicial conduct officers, hearing committee personnel, investigators, residential life assistants and staff, coaches, and law enforcement. This advanced training would go beyond the mandatory training for all employees on preventing sexual harassment and sexual violence.

He reported that the working group again found a great deal of commonality between the institutions as to what additional training was being provided to those practitioners, including trauma-informed consent; the Violence Against Women Act; crimes and responses; and Chapter UWS 17 of the Wisconsin Administrative Code, which addresses how institutions must deal with nonacademic misconduct. Indicating that each institution would like to provide this advanced training at a higher level, Assistant Vice Chancellor Paquet said challenges include the difficulty of finding time for all the necessary individuals to take a half-day training, as well as a lack of resources.

After reviewing the workflow for Title IX cases at each institution, from the receipt of an incident report through its disposition and close, the working group's recommendation was to create a central clearinghouse for all incident reports from anywhere on campus. Assistant Vice Chancellor Paquet said this central area can assess what the appropriate or required response would be, taking into consideration what the complainant wants as well as what the institution feels is necessary to protect students and employees. If no formal process is required, the response could be immediate disposition; if a formal process is required, whether judicial or disciplinary, an internal or external referral may be necessary.

Assistant Vice Chancellor Paquet said another common element among the institutions was a process for notifying high-level administration, such as the chancellor or a vice chancellor, when a particular matter may draw significant external attention. The working group's recommendation was that this process be incorporated into each institution's formal workflow.

Regarding recordkeeping and data collection technology, the working group found that many institutions use the Maxient system, while several other institutions invested a great deal of time, effort, and financial resources into developing their own data collection system. Assistant Vice Chancellor Paquet noted the importance of having some method of data collection to create audit trails that can be referenced in the future to determine how any individual case was handled, or how the institution was responding to cases in the aggregate at a particular time. He added that the development of a consistent workflow process would assist in making sure information gets added to the database.

The working group also examined best practices in Title IX and made a number of recommendations, including the following:

- Where possible and feasible, obtain the complainant's agreement before proceeding with an investigation.
- In formal investigations, document all phases of the process.
- Inform complainants and respondents of their rights and available resources.
- Interim measures may be put in place, including no contact directives.

Finally, Assistant Vice Chancellor Paquet said the working group agreed on the need for a consistent definition of which students are required to take the mandatory training. The recommendation is that all first-year students matriculating into an institution, including freshman and transfer students, be required to take the mandatory training.

Discussion

Regent Atwell requested clarification on when and how the determination is made to refer Title IX matters to criminal justice authorities.

General Counsel Williams answered that it is usually up to the complainant to approach law enforcement for a referral, as FERPA regulations often prevent universities from reaching out to law enforcement.

Regent Beightol asked the presenters to discuss what the greatest challenges may be in this area moving forward.

Assistant Vice Chancellor Paquet said a safe harbor provision currently under consideration by the Department of Education would make Title IX enforcement through the Office of Civil Rights Compliance equal to that of the current civil litigation standard as set forth by the U.S. Supreme Court. He indicated that applying policies and procedures uniformly across the UW institutions will afford greater them greater protection under this provision.

President Cross suggested that the biggest challenge is how to propagate a culture where sexual violence and sexual harassment is not prominent: “We can develop all kinds of policies and mechanisms to evaluate and measure the implementation of those, but if we haven’t changed the culture we’re reacting and not being proactive.” He said it is important for not just the administration but also the Board to articulate its desire to change this culture.

President Cross said the second challenge the UW System faces is how to discipline students through a campus judicial process that allows for due process. He noted that the public does not always understand that the campus disciplinary process is distinct from the criminal judicial process.

Responding to a question from Regent Ring, Assistant Vice Chancellor Paquet said the working group discussed different methods of ensuring compliance with the mandatory training for students. For example, some campuses place a hold on students’ SIS accounts until they complete the 45-minute online module.

Regent Mueller asked if the Board and the public would see a count of sexual violence and sexual harassment incidents by campus.

Assistant Vice Chancellor Paquet noted that campuses define sexual assault incidents differently. Any incident that occurred or is reported to university personnel during a student’s college years is formalized into a sexual misconduct report and goes through the Title IX process, which helps ensure all reporters receive the same treatment and access to resources. He concluded that a recommendation from the Office of General Counsel about uniform reporting standards would help the UW System respond to requests like Regent Mueller’s.

Indicating that the UW System can provide current data, President Cross confirmed that there is inconsistency in the definitions and terms used by institutions. He added that the state and federal governments also define sexual violence and sexual harassment incidents differently, which adds to confusion in reporting.

UW-Madison Chancellor Blank noted that each of the UW institutions issues annual reports under the federal Clery Act on the number of sexual violence and harassment reports they receive.

Regent Whitburn observed that the working group’s report set forth its recommendations but stopped short of articulating any specific plans for the operationalization of those recommendations. He emphasized the need for follow-up, noting the high level of public awareness and sensitivity around this subject.

President Cross said the UW System is currently acting on the working group’s four basic recommendations on how to improve implementation of RPD 14-2 and RPD 14-4. He added that the Board would receive future updates on this topic.

Responding to a question from Regent Stanford Taylor, Assistant Vice Chancellor Paquet clarified that the mandatory training requirement applies to all first-year students who have not

already completed the online module, which would include transfer students from outside the UW System.

Regent Hall asked how the UW System compares to other systems regarding policies and practices on sexual violence and harassment.

President Cross said RPD 14-2 is among the best policies in the country from his perspective, noting that it took almost two years to develop and incorporated best practices from policies around the country: “Our policy is really well done, and that’s why we’re trying to make sure that we implement it in an effective, consistent, and thoughtful way.”

Addressing one area of concern, President Cross indicated that the UW System recently submitted a letter to the Department of Education seeking to provide clarification on proposed rules that would conflate the criminal and campus disciplinary processes.

Saying the UW System is “leading the charge,” Dr. Brokenburr suggested that additional follow-up could be done with regard to how the System’s policies compare with those at other Big Ten institutions.

Vice President Petersen thanked President Cross and the work group for bringing forward proactive steps the UW System has taken to shine a light on sexual violence and harassment, Title IX compliance and awareness, and efforts to train students, faculty, and staff, in addition to preparing for the U.S. Secretary of Education’s modernization efforts.

Noting that the working group’s report places primary responsibility over sexual harassment and violence awareness and institutional oversight with the UW System’s Office of General Counsel, Vice President Petersen asked General Counsel Williams if his office has the appropriate resources.

General Counsel Williams announced the creation of a new Office of Compliance, including plans to bring in a Title IX coordinator to focus on these issues, assist other Title IX coordinators across the UW System, and ensure ongoing compliance in this important area.

Observing that there is often a push-and-pull between the System and the campuses, Regent Beightol said this is a perfect example of where the System should take the lead. Predicting that federal law will continue to change, mandates will continue to increase, and the importance and sensitivity around these subjects will become magnified, Regent Beightol emphasized the need for uniform standards and discipline.

Regent Tiedeman asked if any data is available on how many students experienced an interruption or discontinuation of their studies following a sexual harassment or violence incident, either annually or since the beginning of the working group’s report.

Assistant Vice Chancellor Paquet indicated that most UW institutions collect that type of information through campus climate surveys, but added that those surveys are not done as frequently as institutions would like due to resource allocation issues.

At Regent Atwell's request, President Behling agreed that data from the UW institutions' Clery Act reports would be aggregated and made available to the Board.

Responding to a question from Regent Atwell, Assistant Vice Chancellor Paquet said Executive Order #54, "Relating to Supplemental Mandatory Reporting Requirements of Child Abuse and Neglect," would supersede the discretionary Title IX process in cases involving minor victims.

Stating his concern with the differentiation between civil, criminal, and campus disciplinary matters, Regent Atwell observed that universities and other institutions have been known to try handling matters internally that should have been referred to criminal justice authorities. He also noted that in cases of alleged or actual abuse, sexual or otherwise, criminal justice authorities do not always rely on the will of the victim in advancing criminal action.

With no further questions or comments, President Behling thanked Assistant Vice Chancellor Paquet, Dr. Brokenburr, and General Counsel Williams for their hard work.

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CLOSED SESSION – VARSITY HALL I

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

Closed Session Resolution

Resolution 11161 That the Board of Regents move into closed session to: (a) consider personal histories related to a UW-Oshkosh honorary degree nomination, as permitted by s. 19.85(1)(f), Wis. Stats.; (b) consider a student request for review of a UW-Madison disciplinary decision, as permitted by s. 19.85(1)(a), (f), and (g), Wis. Stats.; (c) consider personal histories or disciplinary data of specific persons relating to the UW-Oshkosh Foundation matter which, if discussed in public, would be likely to have a substantial effect upon the reputation of such persons, as permitted by s. 19.85(1)(f), Wis. Stats.; (d) confer with legal counsel regarding pending litigation (*Bank First National v. UW-Oshkosh Foundation*; *Board of Regents v. Sonnleitner and Wells*; *University of Wisconsin-Oshkosh Foundation, Inc. v. Board of Regents*; *UW-Oshkosh Foundation, Inc. Chapter 11 Bankruptcy Filing*), as permitted by s. 19.85(1)(g), Wis. Stats.; and (e) consider amended employment and compensation agreements for UW-Madison head football coach, as permitted by s. 19.85(1)(c) and (e), Wis. Stats.

During the closed session, Regent Beightol, Regent Jones, and Regent Tyler recused themselves from discussion of pending litigation.

Resolution 11162 was moved by Vice President Petersen, seconded by Regent Klein, and adopted on a voice vote.

Approval of Amended Employment and Compensation Agreements, University of Wisconsin-Madison Head Football Coach

Resolution 11162 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 attached fourth Amended and Restated Employment Agreement between UW-Madison Head Football Coach Paul Chryst and the Board of Regents of the University of Wisconsin System, effective February 7, 2019, and the Fourth Amended and Restated Additional Compensation Agreement between UW-Madison Head Football Coach Paul Chryst and the University of Wisconsin Foundation, effective February 7, 2019.

Resolution 11163 was moved by Regent Peterson, seconded by Regent Whitburn, and adopted on a voice vote.

Student Request for Review of a UW-Madison Disciplinary Decision

Resolution 11163 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-Madison decision.

The meeting was adjourned at 3:57 p.m.

Submitted by:

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