

**RECORD OF THE MEETING OF THE  
UNIVERSITY OF WISCONSIN SYSTEM BOARD OF REGENTS  
EXECUTIVE COMMITTEE**

Thursday, July 29, 2021  
4:00 p.m.

Via Webex Videoconference

-President Manydeeds presiding-

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The recording of this meeting's open session is available at: [July 29, 2021 Webcast](#)

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**CALLING OF THE ROLL**

[\[Recording: 00:01:10\]](#)

PRESENT: Regents Robert Atwell, Scott Beightol, Amy Bogost, Michael Grebe, Ed Manydeeds, Andrew Petersen, Ashok Rai, Karen Walsh, and Kyle Weatherly

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**DECLARATION OF CONFLICTS**

[\[Recording: 00:02:27\]](#)

Before considering any items on the open session agenda, President Manydeeds 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 were declared.

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**ESTABLISHMENT OF ILLINOIS NON-RESIDENT TUITION RATE FOR UW-MILWAUKEE**

[\[Recording: 00:02:38\]](#)

UW-Milwaukee Chancellor Mark Mone provided an overview of the request to establish a non-resident tuition rate for Illinois students. Noting that because the state of Illinois

unexpectedly withdrew from the Midwest Student Exchange Program, recruited Illinois students would no longer be eligible to receive an agreed upon tuition rate of 150% of the resident tuition rate, which had been in operation since 2005. Chancellor Mone added that Regent approval was needed to reduce the non-resident tuition rate from 200% of the resident rate to 150% of the resident rate.

Chancellor Mone explained the urgency of this request, noting that recruiting cycle for the fall of 2022 has already begun, and the state of Illinois is actively encouraging Illinois high school students to stay in Illinois to attend college rather than enroll at UW-Milwaukee. He added that the financial implications for UW-Milwaukee are \$3.8 million from the freshman class for the fall of 2022 and increasing to almost \$20.0 million annual as the fall 2022 class moves through their sophomore, junior, and senior years.

In response to a question from Regent Weatherly, Chief of Staff Dean Stensberg noted other UW campuses use different methods to incentivize Illinois students and will not pursue a similar request.

Regent Walsh moved to adopt Resolution 11681. The motion was seconded by Regent Grebe and approved on a voice vote.

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#### Establishment of Illinois Non-resident Tuition Rate for UW-Milwaukee

Resolution 11681     That, upon the recommendation of the President of the UW System and the Chancellor of UW-Milwaukee, the UW System Board of Regents approves a continuation of the UW-Milwaukee tuition rate for Illinois residents equivalent to the Midwest Student Exchange Program rate for students entering for the 2022-2023 academic year.

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### **RENEWAL OF DELEGATION OF AUTHORITY TO THE UW SYSTEM PRESIDENT TO TEMPORARILY WAIVE PROVISIONS OF REGENT POLICY DOCUMENTS**

[\[Recording: 00:12:34\]](#)

President Manydeeds called upon General Counsel Quinn Williams to provide an overview of the request to renew the delegation of authority to the UW System President to temporarily waive provisions of Regent Policy Documents (RPDs).

General Counsel Williams explained that the authority to waive Board of Regents policies was delegated to the UW System President last year, and subsequently renewed, to allow

for prompt response to the rapidly evolving COVID-19 pandemic. This authority was allowed to expire on May 31, 2021. However, the continued need to respond to the COVID-19 pandemic, and the emerging uncertainties created by the Delta variant, necessitates the renewal of this authority for the fall semester of the 2021-2022 academic year in order to expeditiously address emerging issues. Williams added that this authority is being delegated to the System President and cannot be further delegated.

Regent Rai moved for the adoption of Resolution 11682. The motion was seconded by Regent Weatherly.

Regent Atwell asked if there were any limitations on the System President's authority to act under this delegation, and if this delegated authority might extend to mandating vaccines. In response, General Counsel Williams noted that the delegation of authority is constrained to COVID-19 responses. Williams also noted that there is no Board policy addressing vaccine mandates and so there would not be a waiver. In response to another question from Regent Atwell as to what type actions are expected to be necessary, General Counsel Williams noted that contracts related to address the pandemic might be necessary, such as a contract to set up isolation or quarantine space.

Regent Atwell stated that he believed the Board is competent to act if actions are necessary and prefers to have actions presented to the Board or the Executive Committee if necessary. He also noted that the data he asked for at the April meeting was not provided. Regent Atwell added that a consideration for him is that a clear picture of the level of morbidity and mortality on the UW campuses during the last year has not been provided. As such, he will not vote in favor of the resolution.

Regent Walsh asked if the action would cover a mask mandate, and if the President could institute a mask mandate, or would that require action of the Board. General Counsel Williams explained that the System President has the authority to issue a mask mandate. In response to a question from Regent Weatherly, General Counsel Williams confirmed that the Board could take action to rescind the delegated authority, that the delegated authority expires at the end of the calendar year, and that prior to execution of delegated authority the System President is expected to check in with Regent leadership.

Regent Grebe noted that regardless of the proposed delegated authority under consideration, the System President has the broad authority to issue a mask mandate or a vaccine mandate without Board action, and by adopting the resolution the Board would not be enhancing the System President's authority to issue a mask or vaccine mandate without Regent approval. General Counsel Williams confirmed that Regent Grebe's interpretation was correct.

The motion to adopt resolution 11682 was approved on a voice vote.

Renewal of Delegation of Authority to the UW System President to Temporarily Waive Provisions of Regent Policy Documents

Resolution 11682 That, upon the recommendation of the President of the UW System, the Board of Regents delegates to the UW System President the authority to temporarily suspend the provisions of Regent Policy Documents if the UW System President determines that any provisions of the Regent Policy Documents would prevent, hinder, or delay necessary actions to respond to the public health emergency or the abnormal economic disruption resulting from the COVID-19 pandemic, effective July 29, 2021, through December 31, 2021, unless so authorized or extended by the Board of Regents.

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The meeting was adjourned at 4:21 p.m.

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Submitted by:

/s/ Jess Lathrop

Jess Lathrop  
Executive Director & Corporate Secretary  
Office of the Board of Regents  
University of Wisconsin System