

UNIVERSITY OF MASSACHUSETTS

VOTES

BOARD OF TRUSTEES

DECEMBER 12, 2023

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

DATE: Board of Trustees – December 12, 2023

VOTED: To approve the following votes listed as 1-11 on the Consent Agenda:

CONSENT AGENDA VOTES

The Committee on Academic and Student Affairs approved items 1-3 on November 29, 2023.

1. **Bachelor of Arts in Computational Linguistics, UMass Amherst, Doc. T23-053**
To approve the Bachelor of Arts in Computational Linguistics at the University of Massachusetts Amherst.

2. **Appointments to Named Professorships and Endowed Chairs, UMass Amherst, Lowell, Doc. T23-054**
To concur with the President in the appointment of Professor Jack Schnieder for the title of Dwight W. Allen Distinguished Professorship in Educational Policy and Leadership at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Professor Ana Caicedo for the title of Dr. Constantine J. Gilgut Professorship in Plant Biology at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Professor Bertie Greer for the title of Rist Family Endowed Dean in the Manning School of Business at the University of Massachusetts Lowell.

3. **Appointments with Tenure, UMass Amherst, Boston, Dartmouth, Lowell, Doc. T23-055**
To concur with the President in the appointment of Professor Jack Schnieder in the Department of Educational Policy, Research & Administration at the University of Massachusetts Amherst.

To concur with the President in the appointment of Professor Hettie V. Williams in the Department of History at the University of Massachusetts Boston.

To concur with the President in the appointment of Professor Samuel Panarella in the School of Law at the University of Massachusetts Dartmouth.

To concur with the President in the appointment of Associate Professor Adam Lerner in the College of Fine Arts, Humanities & Social Sciences at the University of Massachusetts Lowell.

The Audit and Risk Committee approved items 4-5 on December 11, 2023.

4. University’s Annual Financial Statements, Doc. T23-048

To approve the University’s Annual Financial Statements.

5. Audit and Risk Committee Charter, T03-030, as amended

To approve the changes to the Audit and Risk Committee Charter.

The Committee on Administration and Finance approved items 6-11 on December 11, 2023.

6. Approval of Changes to the Capital Projects List (related to the FY2024–FY2028 Capital Plan) - Traditional Project Vote 1: Flint Renovations, UMass Amherst, Doc. T23-047, as amended

Pursuant to Trustee Policy T93-122, as amended, to authorize the following project under the **first vote**; the adoption of such vote hereby satisfies the University’s written request that the University of Massachusetts Building Authority undertake the following projects to the extent permitted by Trustee Policy T93-122, as amended:

Campus	Project Name	Building	Total Building DM	Preliminary Campus Estimate	Funding Sources				Alternative Finance & Delivery
					Local Funding	External Funding	Borrowed Funding	State Funding	
Amherst	Flint Renovations	Flint Laboratory	\$7,913,638	\$28,000,000	\$28,000,000	-	-	-	-
TOTAL			\$7,913,638	\$28,000,000	\$28,000,000	\$0	\$0	\$0	\$0

7. Approval of Changes to the Capital Projects List (related to the FY2024–FY2028 Capital Plan) - Traditional Project Vote 2: PVTA Bus Garage Expansion, Engineering Building, Thermal Energy Storage Tank, and School of Public Health and Health Sciences Hub, UMass Amherst; Façade Repairs Phase 1B, UMass Boston; CVPA Building Envelope Improvement Project, UMass Dartmouth; and Olney Project A - Instructional Modernization, UMass Lowell, Doc. T23-047, as amended

Pursuant to Trustee Policy T93-122, as amended, to authorize the following projects under the **second vote**; the adoption of such vote hereby satisfies the University’s written request that the University of Massachusetts Building Authority undertake the following projects to the extent permitted by Trustee Policy T93-122, as amended:

Campus	Project Name	Building	Total Building DM	Vote 1	Vote 2	Funding Sources				P3
						Local Funding	External Funding	Borrowed Funding	State Funding	
Amherst	PVTA Bus Garage Expansion	PVTA Bus Facility Building	\$1,712,707	\$11,000,000	\$11,000,000	-	11,000,000	-	-	-
Amherst	Engineering Building	Draper Hall Annex, New Construction	\$1,160,954	\$100,000,000	\$125,000,000	25,000,000	20,000,000	80,000,000	-	-
Amherst	Thermal Energy Storage Tank	New Construction		\$9,750,000	\$13,000,000	13,000,000	-	-	-	-
Amherst	School of Public Health and Health Sciences Hub	Totman	\$6,795,224	\$30,000,000	\$43,000,000	13,000,000	5,000,000	25,000,000	-	-
Boston	Façade Repairs - Phase 1B	Wheatley Hall	\$174,367,200	\$7,775,000	\$10,623,000	6,292,018	-	-	4,330,982	-
Dartmouth	CVPA Building Envelope Improvement Project	College of Visual & Performing Arts	\$26,525,852	\$7,500,000	\$7,500,000	-	-	3,300,000	4,200,000	-
Lowell	Olney Project A - Instructional Modernization	Olney	\$150,573,723	\$40,000,000	\$127,000,000	18,000,000	-	72,000,000	37,000,000	-
TOTAL			\$361,135,660	\$206,025,000	\$337,123,000	\$75,292,018	\$36,000,000	\$180,300,000	\$45,530,982	\$0

8. Authorization to Issue Debt in Support of the University's Capital Plan, Doc. T23-057

WHEREAS, pursuant to Chapter 773 of the Acts of 1960, as amended ("Building Authority Enabling Act"), the University of Massachusetts Building Authority is a body politic and corporate and a public instrumentality of The Commonwealth of Massachusetts (the "Commonwealth") created to aid and contribute to the performance of the education and other purposes of the University of Massachusetts (the "University") by providing buildings and other structures, working capital, and tangible and intangible property, for the use of the University, its students, staff and their dependents and for lease to or use by an organization or association, in any form, of students or others the activities of which are a part of the activities at the University and subject to regulation by the Board of Trustees of the University (the "Trustees");

WHEREAS, pursuant to the Building Authority Enabling Act, the Building Authority may issue bonds to finance projects undertaken by the Building Authority at the request of the Trustees, or, with the approval of the Trustees, issue refunding bonds, all of which bonds are secured, in part, by revenues from the Building Authority, the University and the Commonwealth, as authorized by the Trustees on behalf of the University and the Commonwealth;

WHEREAS, in the judgment of the Trustees it is in the best interests of the University, its students, staff and their dependents and said organizations that the Building Authority undertake projects and finance such projects as described below;

WHEREAS, in the judgment of the Trustees it is in the best interest of the University for the Building Authority to restructure bonds when deemed desirable and refund bonds when market conditions are favorable; and

WHEREAS, the Building Authority's enabling act authorizes the Trustees, on behalf of the Commonwealth, to provide a Commonwealth guaranty of not to exceed \$200,000,000 outstanding principal amount of Building Authority Bonds;

NOW, THEREFORE,

1. Each of the President and the Senior Vice President for Administration & Finance and Treasurer of the University, acting alone, be and each, acting alone, (each, an "Authorized Officer") hereby is authorized in the name and on behalf of the Trustees to make a written request of the Building Authority that the Building Authority initiate and undertake:
 - a) Any or all of the projects identified in the University's FY2024-FY2028 Capital Plan, Doc. T23-047, as amended 'which are on' the Authorized Capital Project list, as reviewed and amended quarterly 'by the Trustees'; and

- b) any other construction of or respecting or renovation, repair, remodeling or other work in or upon or respecting any building or structure owned or used by the University or the Building Authority, or the provision, installation, renovation, repair or remodeling of or other work upon or respecting any furnishings, furniture, machinery, equipment or facilities with respect to any such building or structure, all as may be requested of the Building Authority from time to time by an Authorized Officer, the making of any such request being hereby authorized.
 2. The project to be initiated by the Building Authority in accordance with any request authorized to be made in Section 1 of this resolution may in the discretion of the Building Authority be undertaken separately or together for financing purposes.
 3. The issuance of refunding bonds by the Building Authority is hereby approved, in such amount and pursuant to such terms, including but not limited to restructuring the terms of debt service, as shall be approved in writing by an Authorized Officer.
 4. Each Authorized Officer hereby is authorized to execute and deliver on behalf of the University and the Commonwealth one or more contracts for financial assistance, management and services with respect to the projects financed or refinanced by the Building Authority and the Building Authority bonds issued in connection therewith, including the refunding bonds authorized herein. Each such contract may include the Commonwealth guaranty of all or a portion of such bonds, as determined by an Authorized Officer and within the limits prescribed by the Building Authority Enabling Act.
 5. Each Authorized Officer is hereby authorized to take such other action as deemed necessary or desirable to be done or taken to effectuate the matters hereby authorized, as conclusively evidenced by their doing the things or taking the action hereby authorized.
9. **Approval of Changes to the Non-Unit Personnel Policy, Doc. T94-023, as amended**
To approve revisions to the changes to the Non-Unit Personnel Policy, and to authorize the President or his/her designee to issue Standards to be followed by each campus.
10. **Resolution to Leverage the University to Address Enrollment Challenges, Doc. T23-063**
Whereas, the University and the Board of Trustees have required transparency regarding enrollment assumptions and strategies that address enrollment challenges related to the declining number of college-bound high school graduates, questioning of return on investment in post-secondary education, decreasing professional requirements for post-secondary degree, and increasing competition in the international student market;
- Whereas, campuses are adapting approaches to recruiting and retaining students to address enrollment challenges;

Whereas, the Board of Trustees directed the Advisory Working Group on Financial Planning to develop short term initiatives that can impact Fall 2024 enrollment and a long term plan for system-wide admissions planning guided by:

- Preserving and improving enrollment on all campuses,
- Engaging campus subject matter experts,
- Ensuring strategies do not place any of our campuses at a competitive disadvantage,
- Recognizing that the calendar for admissions has an established cycle, and
- Building upon existing infrastructure where appropriate (i.e., Common App);

Now therefore, the Board endorses the short-term strategy recommendations for Fall 2024 admissions of the Advisory Working Group on Financial Planning to:

1. Improve Campus Sharing of Applicants by implementing more deliberate timing and messaging and expanding the Dartmouth pilot to Lowell,
2. Target Non-Enrolling In-State & Regional Students by exploring a digital marketing of the value of a UMass education (any campus) through an education awareness campaign, and
3. Research the outcomes of admission & transfer programs at other systems; including intercampus transfers.

The Board of Trustees requests a status report at each meeting to include the status of implementation, metrics used to measure progress and continued development of longer-term strategies that leverage the power of the University.

11. Resolution to Appoint the Chancellor of UMass Lowell as the Sole Member Representative to the University of Massachusetts Lowell Applied Research Corporation, Doc. T23-064

WHEREAS, in 2020, the University established the University of Massachusetts Lowell Applied Research Corporation (the “Corporation”) for the purpose of promoting research at the University of Massachusetts Lowell campus;

WHEREAS, the University acting through its Board of Trustees, is the Sole Member of the Corporation;

WHEREAS, pursuant to the By-laws of the Corporation, as the Sole Member the University may authorize an individual (the “Sole Member Representative”) to act on the University’s behalf in connection with the Corporation;

WHEREAS, due to the transition of the Corporation’s current Sole Member Representative to a new position at the University of Massachusetts Amherst campus, there is a need for the appointment of a new Sole Member Representative.

NOW, THEREFORE:

1. The Chancellor of the University of Massachusetts Lowell is hereby designated as the Sole Member Representative to the Corporation and shall serve as the Sole Member Representative on behalf of the University of Massachusetts until such time as the University of Massachusetts Board of Trustees votes to remove and replace the Chancellor of the University of Massachusetts Lowell as Sole Member Representative, or until such person's earlier death, disability or other disqualification pursuant to the By-laws of the University of Massachusetts or the Corporation.
2. The Sole Member Representative shall provide updates regarding the activities of the Corporation to the Committee on Administration and Finance of the University of Massachusetts Board of Trustees on at least an annual basis, or as requested by the Committee on Administration and Finance.
3. The President of the University of Massachusetts or his designee is hereby authorized and empowered to provide such notice to the Corporation of the foregoing designation of the Chancellor of the University of Massachusetts Lowell as Sole Member Representative as is sufficiently expedient or required by the By-laws of the Corporation.
4. The Sole Member Representative is authorized to amend and restate the By-laws of the Corporation on behalf of the Sole Member as reasonably necessary, provided the Sole Member reserves the right to reject such amendments to the By-laws adopted by the Sole Member Representative or to make further amendments thereto.