

UNIVERSITY OF MASSACHUSETTS

AMHERST•BOSTON•DARTMOUTH•LOWELL•WORCESTER

MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES

Wednesday, May 25, 2005; 9:15 a.m.

Library Reading Room
University of Massachusetts
285 Old Westport Road
North Dartmouth, Massachusetts

Trustees Present: Chair Karam; Vice Chair White; Trustees Armstrong, Austin, Boyle, DiBiaggio, Dubilo, Fey, Kennedy, King, Labrecque, Mahoney, McCarthy, Murphy, O'Shea, Pearl, Pham, Rainey and Sheridan

Trustees Absent: Trustees Cassel, James Mahoney and Moseley

University Administration: President Wilson; General Counsel O'Malley; Chancellors Lombardi, Motley, Hogan and Lazare; Vice Presidents Julian, Chmura, Gray and Lenhardt; Associate Vice President Harrington; Chancellor-elect Collins

Faculty Representatives: Professor O'Connor, UMASS Amherst; Professor May, UMASS Amherst; Professor Tirrell, UMASS Boston; Professor Carter, UMASS Lowell

Chair Karam convened the meeting at 9:40 a.m.

The first item on the agenda was **Consideration of Minutes of the Previous Meeting of the Board.**

It was moved, seconded and

VOTED: To approve the minutes of the February 16, 2005 meeting of the Board.

The first item on the agenda was the **Chair's Report.** Chair Karam reported that the University is concluding a very successful academic year; the overall financial health of the University is improving and our faculty and students are being recognized for their academic achievements.

Chair Karam thanked the five out-going student trustees: Matthew Murphy, UMASS Amherst, Tuan Pham, UMASS Boston, Matthew Moseley, UMASS Dartmouth, Michael Labrecque, UMASS Lowell and Jeffrey King, UMASS Worcester. The University, the Board and the campuses have been well served by their intelligence and diligence. The Chair then distributed a gift card to each student Trustee.

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The University's capital projects are progressing; these improvements will enhance the University in the area of marketing. The mission of the University also includes providing quality and affordable higher education opportunities to the citizens of the Commonwealth.

Chair Karam also noted the Board's review of system-wide and campus-based annual performance indicators that have shown where our strengths and weaknesses lie; the University will continue to raise the bar and set ambitious goals.

Mr. Thomas Coish, President of the UMASS Amherst Chapter of Local 888, Service Employees International Union, AFL-CIO addressed the Board about his concerns with diversity, access, support and advocacy for racial and ethnic minorities and lower-income students.

Senator Marian Walsh addressed the Board and offered her support for Michael Collins as Chancellor at the Boston campus. The Boston campus has a bright future and will make great strides forward under Dr. Collins' leadership.

Professor Noushin Ashrafi, Chairwoman of the Faculty Council, UMASS Boston addressed the Board and expressed her enthusiastic endorsement of the appointment of Dr. Michael Collins as the Chancellor. She offered her gratitude to Interim Chancellor Keith Motley for his service to the campus and extended best wishes in his new role as University Vice President for Business and Public Affairs.

The next item was the **President's Report**. President Wilson reported on the success of the Inauguration on May 12 and expressed his gratitude to all those who provided support for the event. There was an announcement about the raising of \$11 million in new funding for the University. The Governor has asked for a proposal of \$40 million for the UMASS Boston parking garage. The President's Medal was awarded to Senator Kennedy at the event.

There is positive news about this year's state budget; the University is providing close to 90% in financial aid to our students; the move of the President's Office to 225 Franklin Street was successful, plans for the University Club on the 33rd floor are moving ahead.

President Wilson then provided some academic highlights: Craig Mello from the Worcester campus has been elected to the National Academy of Sciences in recognition of his work in the discovery of gene silencing known as RNA interference; UMASS Boston celebrated 40 years as Boston's public University with a gala fundraiser for student scholarships; UMASS Lowell has entered into an agreement with WBZ to broadcast the results of the University's quarterly polls which regularly provide policy makers with voter opinion on public policy and leadership roles; UMASS Dartmouth has students and faculty competing in two National Competitions: the Solar Decathlon sponsored by the Department of Energy, and the national Defense Advanced Research Projects Agency Grand Challenge contest.

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The Committee on Academic and Student Affairs had a lengthy discussion about the role of research on the campuses that has proven critical to our economy. We've also held the 11th Annual Massachusetts state-wide Conference on Undergraduate Research at UMASS Boston with 400 students in attendance.

Chair Karam then reported on the success of the Trustee Dinner held last night and arranged by Chancellor MacCormack and her staff. The Trustees were dispersed at tables with outstanding faculty members involved in various research projects. He then thanked Provost Esposito, Vice Chancellor Paul Vigeant, John Hoey and the entire group of faculty members that helped make the event a memorable one.

Chair Karam asked for a moment of silence for Chancellor Jean MacCormack's father, George MacCormack who passed away yesterday.

The next item on the agenda was the **Report of the Committee on Academic and Student Affairs**. Trustee Austin, Chair of the Committee reported that the Committee met on May 24. The Committee heard a report about the interface of research and the classroom and the way in which faculty research activity enhances and expands the undergraduate educational experience. Research universities offer students the opportunity to participate in research with faculty. Professor Joseph Krupczynski and Robert Cichocki, UMASS Amherst, Professor Adan Colon-Carmona and Sheridon Channer, UMASS Boston, Professor Juliette Rooney-Varga and Alex Loriaux, UMASS Lowell and Professor Mark Santow, UMASS Dartmouth, had addressed the Committee regarding this issue.

The Annual Indicators on Academic Quality, Student Success and Satisfaction and Access and Affordability from the Performance Measurement System report were also discussed by the Committee as was a presentation of the Financial Aid Report.

Trustee Austin introduced the first action item: **Approval of the Revisions to the Code of Student Conduct, UMASS Boston**. The changes were made to streamline the appeal process, address new violations of academic dishonesty made possible by new technology.

It was moved, seconded, and

VOTED: To approve the revisions to the Code of Student Conduct at the University of Massachusetts Boston. (Doc. T94-059, as amended)

The remaining items would be taken up in Executive Session.

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The next item was the **Report of the Committee on Administration and Finance**. Trustee Dubilo reported that the Committee had met on May 18 and heard reports about FY2004 Financial Ratios System Peer Analysis, FY2005-2010 Indicator Projections, FY2005 Financial Aid Report and FY2006 State Budget Update.

Trustee Dubilo thanked the President's Office staff and the Campus' Staff for contributing to the success of these reports.

The first item for action was **Revisions to the Investment Policy**.

It was moved, seconded and

VOTED: To approve the University of Massachusetts Operating Cash Portfolio Investment Policy and Guidelines Statement as contained in Doc. T92-031, Appendix F, as amended.

The next item was **Revision to the Capitalization and Inventory Control Policy**.

It was moved, seconded and

VOTED: To approve the University of Massachusetts Capitalization and Inventory Control Policy as contained in Doc. T96-073, as amended.

The next item was **Approval of Parking Violation Fines, UMASS Boston**.

It was moved, seconded and

VOTED: In accordance with Section 1A (b) of Chapter 75 of the General Laws, to establish and approve the schedule of parking violation fines for the Boston campus as described below:

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Schedule of Parking Violation Fines

Violation	Boston Campus
Group A	
Parking Within an HP or DV Space	\$50.00
Blocking Handicapped Ramp	\$50.00
Group B	
Posted Tow Zone	\$25.00
Posted Fire Lane	\$25.00
On a Sidewalk	\$25.00
In A Crosswalk	\$25.00
10' of Fire Hydrant	\$25.00
Within 20 Ft of Intersection	\$25.00
Posted Emergency Vehicle Area	\$25.00
Obstructing Building Entrance/Exit	\$25.00
Controlled Parking Area w/o Authorization	\$25.00
Toll Evasion	\$25.00
Posted Bus Stop	\$25.00
Interfere with Snow Removal	\$25.00
Delivery Zone	\$25.00
Group C	
Double Parking	\$15.00
Parking in Front of Street Barricade	\$15.00
Blocking Driveway	\$15.00
Blocking Gateway or Field Entrance	\$15.00
More Than 12" from Curb	\$15.00
No Parking Zone	\$15.00
Parking in Access Lane	\$15.00
Facing the Flow of Traffic	\$15.00
On Land not for Vehicular Use	\$15.00
Overnight w/o Authorization	\$15.00
Single Vehicle Over Two Spaces	\$15.00

(Doc. T05-039)

Trustee Dubilo then excused himself from the next two items. Chair Karam asked for consideration for **Request for Building Authority Action**. Mr. MacKenzie addressed the Board indicating that the first resolution is a request by the Trustees for the Building Authority to operate the dining club on behalf of the University.

It was moved, seconded and

VOTED:

BE IT RESOLVED:

WHEREAS, University of Massachusetts Building Authority (the "Authority") is authorized by Chapter 773 of the Acts of 1960, as amended, among other things, (a) to provide dormitories, dining commons and other buildings and structures for the use of the University of Massachusetts (the "University"), its students, staff

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and their dependents and certain organizations related to the University, (b) upon written request made by authority of the Board of Trustees (the "Trustees") of the University, to acquire, add to, alter, enlarge, reconstruct, remodel and do other work in or upon or respecting any building or structure and (c) to provide and install furnishings, furniture, machinery, equipment and facilities in or for or related to any such building or structure; and

WHEREAS, the Authority is further authorized by said Chapter 773 to acquire real and personal property by lease, purchase or otherwise; to operate such buildings or structures or portions thereof; and to provide services therein; and

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 Authority carry out the undertakings described below;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The President of the University be and he hereby is authorized in the name and on behalf of the Trustees to make a written request of the Authority that the Authority undertake the following:
 - (a) Through lease, purchase or otherwise, to obtain premises in the City of Boston suitable for the establishment of a private dining club known as the University of Massachusetts Club and to operate and manage the Club, including but not limited to, the obtaining of a liquor license for the Club, and/or to contract for the operation and management of the Club, and
 - (b) To alter, reconstruct, remodel and do other work in upon or respecting such premises and to provide and install furnishings, furniture, machinery, equipment and facilities in or such premises, all to make such premises suitable for their intended purposes.
2. The President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of University, be and they are and each acting singly is authorized and directed to do such other things and to take such other action as the officer or officers so acting shall, as conclusively evidenced by their taking the action hereby authorized, deem necessary desirable to be done or taken to carry into effect the undertakings of the Authority hereby authorized. (Doc. T05-029)

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Chair Karam then introduced the next item **Building Authority Refinancing**. It was moved, seconded and

VOTED:

BE IT RESOLVED:

That the issuance by the University of Massachusetts Building Authority (the "Authority") of bonds (in one or more series) or notes (in one or more series) for the purpose of refunding any or all of the outstanding indebtedness of the Authority, including indebtedness of the University of Lowell Building Authority, is hereby approved, and the President of the University of Massachusetts (the "University"), and the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, and each other officer of the University, acting alone, are hereby authorized in the name and on behalf of the Trustees of the University (the "Trustees") to approve in writing the issuance by the Authority of bonds (in one or more series) for such purpose or notes (in one or more series) for such purpose.

That President of the University, and the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, and each other officer of the University, acting alone, are hereby authorized to do all other things and to take all such other action as the officer or officers so doing or acting shall, as conclusively evidenced by the doing of the things or the taking of the action hereby authorized, deem necessary or desirable to carry into effect the matters hereby authorized, including without limitation the execution, sealing and delivery on behalf of The Commonwealth of Massachusetts (the "Commonwealth"), the Trustees or the University of contracts including without limitation, interest rate swap agreements for the express purpose of converting floating rate debt to fixed rate debt (which are hereby authorized) permitted by Chapter 773 of the Acts of 1960, as amended (the "Enabling Act"), or any other applicable provision of law (including without limitation contracts entered into by the Commonwealth, acting by and through the Trustees, with the Authority (to which the Trustees may need not be a party) for state financial assistance in the form of a guaranty by the Commonwealth of bonds (in one or more series) or notes (in one or more series) of the Authority or for management and services with respect to projects financed or refinanced by bonds or notes of the Authority, all as provided in and subject to the Enabling Act), each

such contract to have such provisions as are approved by the signer thereof on behalf of the Commonwealth, the Trustees or the University, the execution of any such contract by such signer conclusively to evidence that such contract is authorized by this resolution and the approval by such signer of the provisions thereof.

That in addition to the authorizations granted by this resolution to the President of the University, and the Vice President for Management and Fiscal Affairs and Treasurer of the University and each other officer of the University, and without limiting any such authorizations, the Trustees, pursuant to Chapter 75, Section 3A of the Massachusetts General Laws and every other authority thereunto the Trustees enabling, hereby delegate to the President of the University, and the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, and each other officer of the University, acting alone, the power to do all acts and things and exercise all powers each officer of the University is authorized by this resolution to do or exercise, such delegation being intended to be commensurate with the authorizations granted to each such officer by this resolution, and such delegation being in the judgment of the Trustees necessary or desirable. (Doc. T05-036)

The next item was the **Report of the Athletic Committee**. Trustee Sheridan reported that the Committee had met on May 24. The Committee heard reports from the campus Athletic Directors on the subjects of Standards for Athletes in the Areas of Academic Eligibility, Title IX Compliance and Retention of Athletes. Betsy Mosher, Associate Director for Compliance at the Amherst campus gave a comprehensive report on Student-Athlete Academic Requirements, NCAA Requirements and Drug Testing Policies.

Trustee Sheridan indicated that he would request Ms. Mosher's presentation be a topic at a future meeting of the Committee of the Whole. There was also a discussion about the status of the Recreation Center on the Amherst campus and the need to move this initiative forward.

The Committee also heard from Chancellor Lombardi about the hiring of Travis Ford, the new basketball coach for the Minutemen.

The next item was the **Report of the Development Committee**. Trustee Mahoney reported that the Committee canceled their last scheduled meeting. Some of the highlights from the past couple of months included: significant progress in the focus to secure cash gifts and pledges with help from the President's Office securing matching funds with our friends in the Legislature.

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Trustee Mahoney also reported that the University will succeed in fully meeting this fiscal year's challenge with an additional \$9 million for the University system; at the end of the third quarter the University has raised 83% of the cash goal with \$62.3 million raised.

The Amherst and Worcester campuses were in the strongest positions against goal, each over 90% toward their total. Dartmouth has raised 79% of their total and Lowell and Boston at 58% and 59% respectively.

Trustee Mahoney ended his report by stating his pleasure with the first-rate UMASS Honors event that brought many significant UMASS supporters to Symphony Hall.

Chair Karam congratulated the Chancellors that reached their goals; this will be an outstanding year if every campus could meet its goal.

Chair Karam then announced the **Membership for the Governance Committee**: Stacey Rainey will serve as Chair, William Kennedy as Vice Chair and Trustees Dennis Austin, William O'Shea and Robert Sheridan. The Governance Committee will report back to the Board at the August Board meeting.

The next item was the **Report of the Audit Committee**. Trustee White reported that the Committee met on May 24. The Committee heard a report from Robert Harrison, Director of Internal Audits, summarizing the audit related activities in process throughout the University's five campuses and central offices.

There were three items discussed that will need to be voted on at the next meeting: The Operational Review of the Parking and Transportation Trust Fund, UMASS Boston, The Operational Review of Continuing Studies and Corporate Education, UMASS Lowell and minor Revisions to the Audit Charter.

The Committee heard from Paul Hanley from PricewaterhouseCoopers, the engagement partner for the University Financial Statement Audit and Related Federal Assistance Review. Mr. Hanley briefed the Committee on the FY2005 Audit scope and plan for these reviews.

Ms. Christine Wilda, the University Controller reported on the initiatives to document internal control plans for the central office and all campuses and her collaboration with the internal auditor in developing a high-level department-wide risk assessment.

Chair Karam suggested that in the future, the Audit Committee may follow the Committee on Administration and Finance to generate better attendance.

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Under **Other Business**, Chair Karam discussed the **Appointment of the Chancellor, UMASS Boston**. He first thanked Trustee Stacey Rainey, Chair of the Chancellor's Search Committee as well as the Search Committee members, President Wilson and Interim Chancellor Keith Motley. Trustee Rainey and the Committee members committed many hours to this project. This was a diverse search committee; Chair Karam thanks them for their service.

In naming Michael Collins to the position of Chancellor at UMASS Boston, President Wilson is taking a step that is in the best interest of UMASS Boston. Dr. Collins will be an outstanding Chancellor and will work tirelessly on behalf of the students and the faculty. Dr. Collins is the right leader at the right time.

Chair Karam then expressed his gratitude to the job Dr. Keith Motley has done as Interim Chancellor. He has the Board's admiration and respect and will continue to serve the University providing excellence to higher education.

President Wilson thanked Trustee Rainey and the Search Committee members. He thanked Chancellor Motley for his work on the Boston campus and expressed his pleasure that Dr. Motley will be joining the President's Office as Vice President for Business and Public Affairs.

There was then a round of applause.

President Wilson then reported that Dr. Michael Collins possesses great experience, skill and enormous integrity. He brings twenty-one years of academic experience to the task, commitment to diversity and the ability to shape and maximize human potential.

Trustee Rainey provided a brief summary of the Search Committee's work. The Search began last October united in the hope that the Committee would find a strong candidate to lead the Boston campus into the future. She extended her thanks to the members of the Search Committee for their dedication to the process. The Search Committee worked many hours in meetings and on the campus meeting with students, faculty, staff and alumni.

The Search Committee was very pleased with the caliber of the candidates; each of the three finalists visited the campus and met with the students, faculty, community leaders and alumni. After careful and deliberate consideration, the Search Committee is happy to nominate Michael Collins as Chancellor of the Boston campus.

It was moved and seconded.

Several Trustees expressed their satisfaction with the search process; Trustee McCarthy thanked Chair Karam for adding Robert Haynes to the Search Committee as a member of labor.

It was then

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VOTED: Upon recommendation of the President, to appoint Michael F. Collins as Chancellor of the University of Massachusetts Boston at a salary with terms to be determined by the President in consultation with the individual members of the Compensation Committee.

And further,

To commend and thank the Chair and members of the Chancellor's Search Committee for their time, effort and commitment in the search for a Chancellor at the University of Massachusetts Boston:

Stacey R. Rainey, Chair
Kristine Alster
Mark Atkins
Lawrence Boyle
Robert Chen
Patricia Flaherty
Heriberto Flores
Terrence Gomes
Robert Haynes
Robert Johnson
Thomas Keady
Michael Keating
William Kennedy
Winston Langley
Regina McCarthy
Denise Patmon
Tuan Pham
Robert Sheridan
Natalie Crawford-Smith
Manickam Sugumaran (Doc. T05-040)

Trustee Austin abstained from the vote.

Following the vote, there was another round of applause.

Chancellor-elect Michael Collins addressed the Board thanking the Trustees and President Wilson and expressed his optimism and appreciation for this privilege. He also thanked Dr. Motley for the work he has done over the past year to build a community on campus and looked forward to partnering with him during the transition.

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Dr. Collins also expressed his desire to work with members of the Boston community, elected officials and community leaders to protect and promote diversity and opportunity on the Boston campus.

There was then another round of applause.

President Wilson then proposed a motion of commendation to Dr. J. Keith Motley:

You have our gratitude and respect for the outstanding service you provided as Interim Chancellor of UMASS Boston; all of us look forward to working with you in the future.

It was moved, seconded and voted.

There was then another round of applause.

Trustee Boyle congratulated the Dartmouth campus for the success of the recent Commencement activities.

Trustee Labrecque thanked everyone for their help and guidance during his term as student Trustee. Chair Karam thanked the Student Trustees for their contributions to the University and to the Board.

Trustee McCarthy inquired about a recent proposal by the Governor that would reduce University fees for members of the National Guard and if the Board would be willing to endorse such a concept. Chair Karam asked that the Administration put together a cost study of the proposal and bring it back to the Board for review.

Chair Karam then announced the Board would enter **Executive Session** to consider certain **Appointments with Tenure, UMASS Amherst, UMASS Worcester, Awards of Tenure, UMASS Amherst, UMASS Boston** and **UMASS Worcester** and **Transfers of Tenure, UMASS Lowell.**

The Board will not reconvene in Open Session. The Secretary will call the Roll; Trustees are requested to state yes or no.

It was moved, seconded and

VOTED: To enter Executive Session to consider certain **Appointments with Tenure, UMASS Amherst, UMASS Worcester, Awards of Tenure, UMASS Amherst, UMASS Boston** and **UMASS Worcester** and **Transfers of Tenure, UMASS Lowell**

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Chair Karam voted for the motion as did Vice Chair White, Trustees Armstrong, Austin, Boyle, DiBiaggio, Dubilo, Fey, Kennedy, King, Labrecque, Mahoney, McCarthy, O'Shea, Pearl, Rainey and Sheridan. The time was 11:00 a.m.

Barbara F. DeVico
Secretary to the Board of Trustees