

UNIVERSITY OF MASSACHUSETTS

AMHERST•BOSTON•DARTMOUTH•LOWELL•WORCESTER

MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES

Wednesday, February 15, 2006; 9:15 a.m.
Woodland Commons Facility
Room One
285 Old Westport Road
University of Massachusetts
North Dartmouth, Massachusetts

Trustees Present: Chair Karam; Vice Chair White; Trustees Armstrong, Austin, Boyle, Carlin, DiBiaggio, Dubilo, Hyppolite, Kennedy, King-Shaw, Louis, Mahoney, Makrez, McCarthy, O'Shea, Pearl, Rainey, Sheridan and Silver

Trustees Absent: Trustees Cassel and Longo

University Administration: President Wilson; Interim General Counsel Bench; Chancellors Lombardi, Collins, MacCormack, Hogan and Lazare; Vice Presidents Julian, Chmura, Gray, Motley and Williams

Faculty Representatives: Professor O'Connor, UMASS Amherst; Professor May, UMASS Amherst; Professor Tirrell; Professor Ashrafi, UMASS Boston; Professor Gibbs, UMASS Dartmouth; Professor Carter, UMASS Lowell; Dr. Cooke, UMASS Worcester

Chair Karam convened the meeting at 9:26 a.m.

The next 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 November 16, 2005 meeting of the Board.

The first item on the agenda was the **Chair's Report.** Chair Karam welcomed everyone to the Dartmouth campus, his alma mater. The campus represents the positive things happening in this region. He thanked Chancellor MacCormack and her staff for their efforts to make the Trustees welcome; the campus is a gateway to opportunity for many people.

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Chair Karam reported that yesterday's meeting of the Committee of the Whole had an important discussion concerning diversity. He thanked the Trustees, President Wilson, Vice President Williams and the Chancellors for their important contributions to yesterday's discussion. Diversity will remain a Trustee priority and our commitment to diversity will continue.

The Trustees will continue to dedicate themselves to ensuring the University remains within reach of the citizens of the Commonwealth while providing a quality education. The Board will request an increase today in tuition and fees lower than the rate of inflation. While the cost of attending the University has risen so has our commitment to financial aid.

Chair Karam then recognized two students from the Amherst campus who had requested the opportunity to address the Board.

Mr. Darren Griffiths, GEO Vice President reported that today's proposed increases in student charges will impose a greater financial burden on the backs of the students and force students to incur thousands of dollars in debt. One of the solutions proposed is to change the process of electing Trustees that are more responsive to the students in this University.

Mr. Uri Strauss, President, Graduate Student Senate, reported on his displeasure with the Board's failure to act on the ALANA/Diversity resolution proposed in August, 2005 and questions the Administration's leadership on the Amherst campus and the University's commitment to the best interest of the students. He also questioned the status of the statute-based Campus Councils.

Trustee Silver then gave the **Student Trustee Report** and spoke of his positive experience attending the Dartmouth campus and the quality education he has received. From the success of the Advanced Technology & Manufacturing Center (ATMC) and the School for Marine Science and Technology (SMAST), the Dartmouth campus has continued to provide many opportunities to students attending the Dartmouth campus. Trustee Silver's remarks were followed by a round of applause.

Trustee King-Shaw had a question about the Campus Councils statute; General Counsel Bench replied that there had been no indication of non-compliance brought to his attention.

The next item was the **President's Report**. President Wilson thanked Chancellor MacCormack and her staff for the hospitality shown over the past two days and congratulated her for being named the 2005 South Coast Woman of the Year by the New Bedford Standard Times.

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The Dartmouth campus is evolving in many ways, with the new 1200 bed housing complex, a first rate research enterprise that is approaching \$20 million a year and the campus' marine science efforts. The Chancellor's economic development team led by Paul Vigeant has been collaborating with the other campuses, private higher education institutions, business and government.

President Wilson also reported on the following:

- the Administration and the Board of Trustees have reaffirmed and committed to assembling a diverse student body, faculty and staff and employing the principles that will ensure proper diversity when it comes to the procurement of goods and services. The Committee on Administration and Finance heard progress reports from the Affirmative Action Officers that included sincere intentions for effective action and resolve to do better in the future;

- the Committee on Administration and Finance was also involved in a constructive discussion concerning the topic of student charges for 2006-2007. Today's recommendation is a 3.4% increase in the student charge which is lower than the 3.6% inflation rate for the Northeast urban region. This would be the third consecutive year that the University has restrained the tuition and fee increase for in-state undergraduates to a rate that is lower than inflation;

- there is recognition that even a small increase can present hardship for some students; last year the University contributed \$56 million of its own funds to aid for students, more than \$30 million of that in need-base aid, combined with funding from the state and federal government to create an overall aid pool of \$339 million; U.S. News and World Report last fall rated UMASS Amherst as a national leader when it comes to graduating students with the least amount of accumulated debt; a tuition and fee freeze would undermine the hiring of new faculty and rebuilding programs; the Governor has recommended a 5% increase in our state appropriation which will just cover the annualized collective bargaining costs for state-funded employees;

Campus Updates:

- Microsoft Corp. has designated UMASS Amherst as the first Microsoft Information Technology Showcase School in the nation;

- The Boston campus reports on the highest number of Fulbright candidates in the six years of competition;

- The Dartmouth campus is playing a leadership role in building strategic alliances focused on marine science and technology; seeded by a \$125,000 grant, the Dartmouth and Boston campuses are developing an inter-campus technology-based alliance;

- The Lowell campus has a new center that will combine the engineering expertise from Lowell, the clinical and medical expertise at UMASS Worcester and the marketing knowledge of the Donahue Institute to help companies with product design, prototyping, manufacturing, clinical trials and FDA compliance issues;

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•The Worcester campus has redefined the final moment of cell division with a break through discovery by Professor Stephen Doxsey, Professor of Molecular Medicine.

President Wilson also reported that the UMASS Honors Night at the Pops will be held on June 14, 2006 at Boston Symphony Hall beginning with a small reception at The University Club for major benefactors; the campuses are hosting events in The University Club; the search for an Executive Director of the Foundation is underway with the hiring of the search firm Witt Kieffer; an Integrated Marketing firm has been selected and we are in the middle of negotiating the final contract, the project will begin immediately; the Campus Crime Task Force met recently with James Kallstrom, a UMASS Amherst alumnus and internationally recognized public safety expert; Chancellor Lombardi's review will begin soon with Vice President Lenhardt staffing the Committee; Lawrence Bench has stepped forward to serve as General Counsel following Terence O'Malley's retirement from the University.

The next item on the agenda was the **Report of the Committee on Academic and Student Affairs**. Trustee Austin, Chair of the Committee first noted the rising costs of running the University including electricity increases. He then reported that the Committee had met on February 14th.

The Committee heard a report on Faculty Research/Impact on Local and Global Economic Developments from: Senior Vice President Marcellette Williams, Michael Goodman, Economic Research Director, Donahue Institute, Alan Clayton-Matthews, Professor of Public Policy, UMASS Boston, Kevin Stokesbury, Professor of Marine Science, UMASS Dartmouth, Jaymant Kumar, Professor of Physics and Louis Petrovic Director of External Funding, Technology Transfer and Partnering, UMASS Lowell, Judith Ockene, Professor of Medicine and Chief of Division of Preventative and Behavioral Medicine, UMASS Worcester, Joseph Goldstein, Professor of Engineering, UMASS Amherst and Lynn Griesemer, Executive Director, Donahue Institute.

The speakers discussed the impact of teaching and research including economic development, public policy, workforce development, the environment, healthcare and more. Examples included the work analyzing the state economy, plans for an international economics research center, assistance to the fishing industry, the potential for offering affordable clean energy to third worlds, the establishment of the Women's Health Initiative and improving the information technology curriculum within the state's public higher education system in selected K-12 districts.

Trustee Austin introduced the first action item: the **Approval of a M.F.A. Degree in Creative Writing, UMASS Boston**. The Committee heard from Dean of Liberal Arts, Donna Kuizenga and Professor Joyce Peseroff regarding the need for this program. An M.F.A. degree at UMASS Boston would fulfill the University's urban mission by providing students with access to opportunities available at comparable institutions elsewhere in the country.

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It was moved, seconded, and

VOTED: To approve the M.F.A. Degree in Creative Writing at the University of Massachusetts Boston as contained in Doc. T06-006.

The next item was Approval of a **Ph.D. Degree in Biology, UMASS Boston**. Dean of Science and Mathematics Michael Greeley and Professors Manickam Sugumaran and Greg Beck presented the proposal reporting that the campus presently offers a Ph.D. in Environmental Sciences. It has been determined that students would be better served if this degree is divided to reflect a more traditional disciplinary taxonomy.

It was moved, seconded and

VOTED: To approve the Ph.D. Degree in Biology at the University of Massachusetts Boston as contained in Doc. T06-007.

The next item was **Appointments to Named Professorships, UMASS Amherst**. Dr. Sharon Rallis is being appointed to the Dwight W. Allen Professorship; this Professorship was established in 2001 to be awarded to a scholar with a national reputation in the area of education, policy and reform.

The Silvio O. Conte Distinguished Professorship was established to honor a faculty member in the Polymer Science and Engineering Department who has attained the highest level of achievement.

It was moved, seconded and

VOTED: To concur with the President in the appointment of Sharon Rallis to the Dwight W. Allen Professorship of Education Policy and Reform at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Thomas Russell as the Silvio O. Conte Distinguished Professor at the University of Massachusetts Amherst (Doc. T06-009)

Trustee Austin reported that the last action item before the Executive Session had been the Accessibility Proposal presented by Trustee Valerie Louis. Mr. Nate Kupel, ALANA Caucus Internal Chair and Mr. Eduardo Bustamante, former SGA President presented information regarding recent history at Amherst concerning costs, support programs and admissions practices. The presentation pointed out differences in data that was supplied by President Wilson

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which arise when data is reported on underrepresented students only rather than all students of color.

Following comments and questions, the Board members and the President acknowledged the need to present data disaggregated by race/ethnicity. Several Trustees found it difficult to vote on the resolution; some of the resolutions were directed at Amherst, some were directed at the entire University system.

Trustee Austin had suggested that the Committee either table the motion until the next meeting when a fuller discussion could occur with more data and background materials provided, or that the Committee form a subcommittee to examine the issues raised in the resolution. Trustee Louis agreed to the idea of the formation of a subcommittee and did not move the resolution for a vote. The Committee moved and seconded a motion that a subcommittee be formed; Chair Karam, President Wilson and Vice President Williams will appoint interested Trustees and others to the subcommittee.

The remaining action items would be taken up in Executive Session.

The next item was the **Report of the Committee on Administration and Finance**. Trustee Dubilo reported that the Committee had met on February 8th and heard brief reports on current activities. The Committee approved the Affirmative Action Plans, made a change to the Purchasing Policy and approved Student Charges for FY07.

There were comprehensive presentations from each of the five campus' Affirmative Action Directors related to data on hiring and special programs to assure diversity in the University work force. The Committee members reinforced the need to work effectively in assuring that explicit management efforts are made to expand the hiring and retention process.

There was an extensive presentation on the last ten years of student charge activity. The information provided was set against peer institution data and against trends in State appropriations. There was extensive discussion and commentary from Amherst student representatives. The mandatory charges will be held to less than inflation.

Trustee Dubilo thanked the members of the President's Office and the campus staff for their presentations.

The first item was **Approval of the Affirmative Action Plans**.

It was moved, seconded and

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VOTED: To accept the Affirmative Action Plans of the Amherst, Boston, Dartmouth, Lowell, Worcester campuses of the University of Massachusetts as contained in Doc. T06-013.

The next item was an **Amendment to the President's Delegations, Policy for the Management of University Funds.**

It was moved, seconded and

VOTED: To amend the University of Massachusetts President's Delegations relative to the Policy for the Management of University Funds and Associated Policies and Delegations as revised on February 7, 2001 by striking the following words in section c:

“with specific Board of Trustees and Division of Capital Planning and Operations approval.” (Doc. T92-031, as amended)

The next item for action was **Academic Year 2006-2007 Mandatory Student Tuition and Fee Rates and Student Housing Rent and Food Service Charges.**

It was moved and seconded. Trustee Carlin indicated that he had always voted against fee increases as a member of the Board of Higher Education and intended to vote against the measure today.

Trustee Mahoney thanked the students for their presentation and stated that the Trustees have an obligation to provide an affordable quality education to the citizens of the Commonwealth.

Trustee McCarthy objected to the remarks made by the student speakers and stated his belief that the comments were out of order and there should be an apology offered. The Trustees are committed to public service and take their responsibilities very seriously.

Trustee Boyle stated that he has recused himself from this vote for the past three years due to his son attending UMASS Dartmouth. It is his belief that the Trustees can establish fees but not tuition rates.

There was a discussion between Board members about the increase in utilities and the need to continue to enhance the quality of the University. Chair Karam and several Trustees replied to a request for increased Legislature lobbying for more funds by stating the countless hours the President and the Trustees have spent on lobbying on behalf of the University.

There was a round of applause following Trustee Louis' call for additional lobbying; the burden of increased expenses should not fall on the students.

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Trustee Armstrong then called for the motion and it was

VOTED:

1. In accordance with Section 1A of Chapter 75 of the General Laws, to establish and approve tuition at the following maximum rates for the Amherst, Boston, Dartmouth and Lowell campuses for academic year 2006-2007:

<u>Tuition</u>	<u>Amherst</u>	<u>Boston</u>	<u>Dartmouth</u>	<u>Lowell</u>
Undergraduate (resident)	\$1,714	\$1,714	\$1,417	\$1,454
Undergraduate (non-resident)	\$9,937	\$9,758	\$8,099	\$8,567
Graduate (resident)	\$2,640	\$2,590	\$2,071	\$1,637 *
Graduate (non-resident)	\$9,937	\$9,758	\$8,099	\$6,425 *

*Per 9 credit load

2. And further, in accordance with Section 1A of Chapter 75 of the General Laws, to establish and approve the following maximum mandatory fee rates for the Amherst, Boston, Dartmouth, and Lowell campuses for academic year 2006-2007:

<u>Total Mandatory Fees (Curriculum & Other Mandatory Charges)</u>				
	<u>Amherst</u>	<u>Boston</u>	<u>Dartmouth</u>	<u>Lowell</u>
Undergraduate (resident)	\$7,881	\$6,832	\$6,892	\$6,990
Undergraduate (non-resident)	\$9,380	\$10,219	\$9,710	\$11,147
Graduate (resident)	\$7,242	\$7,238	\$7,375	\$6,332 *
Graduate (non-resident)	\$8,969	\$10,231	\$9,710	\$9,328 *

*Per 9 credit load

3. And further, in accordance with Policy T92-031, Appendix E, to authorize the President to approve, no later than April 7th, 2006, the individual rates for mandatory charges, providing that total mandatory student charges shall not exceed the total rates as outlined below for the Amherst, Boston, Dartmouth, and Lowell campuses for academic year 2006-2007:

<u>Total Mandatory Student Charges</u>	<u>Amherst</u>	<u>Boston</u>	<u>Dartmouth</u>	<u>Lowell</u>
Undergraduate (resident)	\$9,595	\$8,546	\$8,309	\$8,444

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Undergraduate (non-resident)	\$19,317	\$19,977	\$17,809	\$19,714	
Graduate (resident)	\$9,882	\$9,828	\$9,446	\$7,969	*
Graduate (non-resident)	\$18,906	\$19,989	\$17,809	\$15,753	*

*Per 9 credit load

4. And further, in accordance with Section 1A of Chapter 75 of the General Laws, to establish and approve the following tuition and maximum mandatory fee rates for the Worcester campus for academic year 2006-2007:

<u>Worcester</u>	<u>Tuition</u>	<u>Mandatory Fees</u>	<u>Total Student Charges</u>
Medical School (resident)	\$8,352	\$5,710	\$14,062
Ph.D./MD (resident)	\$2,640	\$20,508	\$23,148
Ph.D./MD Years 1-2 (non-resident)	\$9,856	\$35,508	\$45,364
Ph.D./MD Years 3+ (non-resident)	\$9,856	\$25,652	\$35,508
Graduate School of Nursing (resident)	\$2,640	\$5,710	\$8,350
Graduate School of Nursing (non-resident)	\$9,856	\$5,710	\$15,566
Grad. School of Biomedical Science (resident)	\$2,640	\$3,942	\$6,582
Grad. School of Biomedical Science(non-resident)	\$9,856	\$3,942	\$13,798

5. And further, in accordance with Section 1A of Chapter 75 of the General Laws and T92-031 (Appendix E), to authorize the President to approve, no later than April 7, 2006, final student housing rent and food service charges providing that the average total charge to undergraduate Massachusetts resident students shall not exceed the average rates as outlined below for academic year 2006- 2007:

	Amherst	Boston	Dartmouth	Lowell
<u>Room & Board</u> (average rate)	\$6,989	NA	\$8,893	\$6,520

6. And further, to authorize the President to approve, no later than April 7, 2006, the full schedule of rent and food service charges for all other classifications of students, room options and meal plans for academic year 2006-2007.

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7. And further, to authorize the President to approve, no later than April 7, 2006, individual fee rates for other student fees and student fee/revenue based operations charges not already approved by the Board for academic year 2006-2007. (Doc. T06-012)

Trustees Boyle, Carlin and Louis voted against the motion.

The next item was the **Report of the Audit Committee**. Vice Chair White reported that the Committee had met on February 8th and discussed a number of completed audit report action items and heard a report summarizing all audit activity.

The Committee heard a report from Robert Harrison, Director of Internal Audit, summarizing the audit related activity in process throughout the University's five campuses and central offices. He updated the Committee on the status of reviews being performed by the internal audit staff and those co-sourced with outside audit services firms and current projects by the Office of the State Auditor and federal audit agencies such as HHS or the Defense Department. Mr. Harrison also discussed the process to seek bid proposals for a multi-year contract for a general external audit firm, which will be appointed by the Committee.

The initial three action items dealt with the Fiscal Year 2005 reviews by the external auditing firm, PricewaterhouseCoopers. The Committee heard from Paul Hanley, the engagement partner for all University reviews. Mr. Hanley presented the **University's Management Letter, the Report on Federal Financial Assistance per OMB Circular A-133 and the Massachusetts Student Financial Assistance Report for the Boston and Lowell Campuses**.

It was moved, seconded and

VOTED: To accept the following Audit Reports:

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1. PricewaterhouseCoopers University Management Letter (**Doc. T06-004**)
2. Report on Federal Financial Assistance Programs in Accordance with OMB Circular A-133 (**Doc. T05-068**)
3. Report on Massachusetts Student Financial Assistance Programs, UMASS Boston, UMASS Lowell (**Doc. T05-069**)

The Committee heard from Mr. Harrison on the three audits specifically contracted due to external oversight agency requirements.

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It was moved, seconded and

VOTED: To accept the following Audit Reports:

1. WFCR-FM and Friends of WFCR, Combined Financial Statements, Management Letter, Communication Letter (**Doc. T06-001**)
2. WUMB-FM Financial Statements, Independent Auditor's Report on Internal Control, Communication Letter (**Doc. T06-002**)
3. Intercollegiate Athletic Programs, UMASS Amherst (**Doc. T06-003**)

Trustee Austin then apologized to Chancellor Lombardi for comments made by the student speakers; calls from a student leader at the Amherst campus had recently been placed to Trustee Austin's home on a weekend.

Trustee O'Shea gave the **Report of the Development Committee**. The Committee met on February 14th and heard several reports. Trustee O'Shea is in the process of visiting the campuses to discuss development activities, opportunities and challenges facing each campus.

The Development Council led by Vice President Motley has been formed. The Council will establish effective practices and enhance communication and collaboration between the campuses. The search for an Executive Director of the Foundation is in process; an ad for the position has been advertised, a search firm hired and an advisory group developed.

There was also an update of the Glenn Strehle Report. We are in the last stage of analyzing the development process including the implementation of successful marketing and sales tools.

Trustee O'Shea reported on Campus Fundraising efforts. The campuses continue to implement suggestions from the Glenn Strehle report aspiring to achieve the 2006 fundraising goals.

Chair Karam then announced the Board would enter **Executive Session** to consider **Appointments with Tenure, UMASS Amherst, UMASS Boston, Awards of Tenure, UMASS Amherst, UMASS Worcester and Honorary Degrees, UMASS Boston, UMASS Dartmouth and the University of Massachusetts**.

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

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It was moved, seconded and

VOTED: To enter Executive Session to consider **Appointments with Tenure, UMASS Amherst, UMASS Boston, Awards of Tenure, UMASS Amherst, UMASS Worcester and Honorary Degrees, UMASS Boston, UMASS Dartmouth and the University of Massachusetts.**

Chair Karam voted for the motion as did Vice Chair White, Trustees Armstrong, Austin, Boyle, Carlin, DiBiaggio, Dubilo, Hyppolite, Kennedy, King-Shaw, Louis, Mahoney, McCarthy, O'Shea, Pearl, Rainey and Sheridan. The time was 10:45 a.m.

Barbara F. DeVico
Secretary to the Board of Trustees