UNIVERSITY OF MASSACHUSETTS

VOTES

BOARD OF TRUSTEES

SEPTEMBER 26, 2008

COMMITTEE: Academic and Student Affairs – September 3, 2008

ACTION ITEM #a,1: B.A. in Early Education and Care in Inclusive Settings,

UMASS Boston

DATE: BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-073

<u>VOTED:</u> To approve the B.A. in Early Education and Care in Inclusive

Settings at the University of Massachusetts Boston as contained in

Doc. T08-073.

COMMITTEE: Administration and Finance – September 10, 2008

ACTION ITEM #b,1: Amendments to Trust Fund Reserve

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-031, as amended

VOTED:

To rescind the vote taken March 19, 2008, authorizing engagement of an appropriate University of Massachusetts affiliate for the purposes of directing Investment of University cash reserves (Doc. T08-031) and to adopt in its place the following:

The University Treasurer, under the direction of the President, may transfer reserve funds of the University to the University of Massachusetts Foundation, Inc. for investment purposes. An agreement between the University Treasurer and the University of Massachusetts Foundation, Inc. shall be executed assuring that ownership, accounting and liquidity needs of the University are met. The University Treasurer has the authority to request the return of funds at any time in order to meet the operating needs of the University.

COMMITTEE: Administration and Finance – September 10, 2008

ACTION ITEM #b,2: Information Technology Acquisition Policy

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-086

VOTED:

The University shall ensure that there is an Information Technology (IT) environment sufficient to support the lease, purchase and implementation of IT related hardware and software. In these efforts, University personnel engaged in the procurement, acquisition and leasing of information technology related hardware and software shall consult with appropriate University Information Technology departments to:

- identify opportunities for cost savings through enterprise or other aggregated purchasing of IT related hardware and software;
- identify areas of privacy or data security vulnerability or risk for which controls need to be implemented;
- ensure that IT leases and acquisitions are compatible to University data and computing standards including the appropriate use and handling of Confidential data;
- ensure that consulting engagements do not duplicate previous efforts or cause potential harm to the IT environment; and
- ensure that IT contract, lease, and purchasing guidelines/standards (e.g., MS-ISAC, NIST, etc.) are considered.

The President shall issue guidelines to assist in the implementation of this policy.

COMMITTEE: Administration and Finance – September 10, 2008

ACTION ITEM #b,3: Edward M. Kennedy Institute

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-087

VOTED:

WHEREAS, the University of Massachusetts (the "University") and the John Fitzgerald Kennedy Library Foundation agreed in a Memorandum of Understanding dated December 19, 2003 that was authorized by the Board of Trustees on August 28, 2003 (Doc. T03-058) to lease with an option to purchase certain real estate utilized by the University of Massachusetts Boston campus to the Edward M. Kennedy Institute for Study of the United States Senate (the "Institute");

WHEREAS, the purposes of the Institute are to:

- 1. to educate students, the general public, and public servants about the role and importance of the United States Senate;
- 2. to engage the target groups in public debate by bringing them inside the legislative process through innovative and participatory educational programs;
- 3. to celebrate the legislative career of Senator Edward M. Kennedy and use his collected papers to focus attention on how the United States Senate shapes public policy and the nation;
- 4. to increase awareness of the role of the United States Senate by providing broad public access to the available papers of all Senators through an extensive digital library, available on-site and on-line; and
- 5. to establish a close working relationship with the University to take advantage of their proximity, to establish a world-class facility by leveraging the strengths of both institutions, and to enhance the academic and research environment available to students of the University; and

WHEREAS, the University and the Institute intend to develop, construct and operate a civic, academic, research, and archival institution that will have a primary focus on the study of the United States Senate (the "Project");

Be it RESOLVED, the Board of Trustees of the University hereby approve the activities of the Institute as furthering the purposes of the University, and

Be it further RESOLVED, that the Board of Trustees hereby approves the Project as a project included in the 2009-2013 capital plan for the University and authorizes the President of the University and such other officers of the University as he may designate (the President and each such other officer referred to herein as an "Authorized Officer"), each acting singly, in the name and on behalf of the trustees, the University or the Commonwealth, as appropriate, (a) to effectuate the financing of one or more or all of such projects by such means as such Authorized Officer shall deem advisable, including without limitation by requesting in writing the University of Massachusetts Building Authority, the Massachusetts Health and Educational Facilities Authority, the Massachusetts Development Finance Agency or any other statutorily qualified issuer in the Commonwealth to issue debt therefore, or to request the Worcester City Campus Corporation to effectuate the financing thereof through any such issuer of debt, so long as the estimated total project cost does not exceed the estimated total project cost of fifty million dollars by more than 20% (exclusive of capitalized interest, debt service reserve funds, cost of issuance of the obligations, costs of bond insurance or other credit enhancement and other cost of the financing), and, (b) in connection with any such financing, to take such actions (including without limitation the execution of the guaranty of guaranteed by Commonwealth any obligation on Commonwealth), secure such governmental approvals, execute such agreements (including without limitation contracts for financial assistance, management and services, contracts for management and services, leases or subleases, or real estate sales and purchase agreements) containing such provisions and provide for such terms and sources of repayment, all as such Authorized Officer shall deem advisable and as may be required or permitted by law.

COMMITTEE: Administration and Finance – September 10, 2008

ACTION ITEM #b,4: FY2009-2013 Capital Plan Update

DATE: BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-084

<u>VOTED:</u> Pursuant to Trustee policy T93-122, to approve the following new

capital projects:

Cost Estimate
Aug-08

Amherst Campus

Southwest Concourse Infrastructure Renovations	\$6,000,000
Chenoweth new faculty renovations	\$1,961,000
Dickinson Window Replacement	\$2,133,000
Flint Steamline Phase II	\$5,000,000
Goessman Addition new faculty renovations	\$4,671,000
Hasbrouck new faculty renovations	\$2,133,000
Life Sciences Facility	\$95,000,000
LGRC Astronomy Cluster	\$1,800,000
LGRC Elevator Replacement	\$2,300,000
Morrill II & III new faculty renovations	\$2,686,500
Morrill Science Renovations	\$3,200,000
New Animal Care Facility	\$12,400,000
Polymer Steamline Replacement	\$8,000,000
Student Union Roof Replacement	\$1,395,000
Totman Roof Replacement	\$1,700,000
FY08 New Faculty Hire Renovations	\$3,000,000
Electrical/other infrastructure	\$5,000,000
Campus Master Plan Update	\$2,000,000
Chenoweth Food Science Lab Renovations	\$2,800,000
Science Facility Renovations	\$15,000,000
Fine Arts Center MEP	\$4,550,000
Boyden Gym drainage	\$2,000,000
Roof Repairs	\$2,000,000
New Africa House Elevator	\$1,700,000
Paige Lab Renovations	\$15,000,000

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Rand Theater Renovations	\$12,000,000
Renaissance Center Great Hall	\$2,575,000
subtotal Amherst	\$703,290,500

Boston Campus

Relocation WUMB Radio to Modular Building	\$4,000,000
Renovate Space Vacated by Opening of Integrated Science	
Complex	\$15,000,000
Master Plan Phase 1: Construct 1,000 Bed Living and Learning	
Center	\$88,000,000
Healey Library: Renovations to Create Learning Commons	\$2,000,000
Life Sciences: Center for Personalized Cancer Therapy	\$10,000,000
Campus-Wide: Create ADA-conforming Restrooms and Accessible Pathways in Healey Library, McCormack Hall, the Science Center and Wheatley Hall	\$1,200,000
subtotal Boston	\$120,200,000

Dartmouth campus

New Bedford Incubator		\$5,000,000
Taunton Life Sciences Center		\$5,000,000
SMAST/Marine Fisheries Building		\$20,000,000
	subtotal Dartmouth	\$30,000,000

Lowell campus

Civic and Attrictic Facilities	subtotal Lowell	\$115,000,000
Civic and Athletic Facilities		\$10,000,000
Property Acquisition		\$55,000,000
East Residence Hall		\$50,000,000

Medical School

Construct New NW Parking Garage	\$26,400,000
Construct New Data Center	\$16,000,000
Class Size Increase Initiative	\$4,000,000
Construct Child Care Center	\$5,000,000
Shaw Building Upgrades for GSN	\$2,000,000
Renovate and Expand BL3 Suite - 7th Floor	\$2,700,000
AQA Terminal Box Improvements	\$3,000,000
School Stairwell Fire and Safety Improvements	\$2,000,000
Construct New Storage Warehouse	\$5,000,000
Construct New Freezer Farm	\$2,000,000

Replace Water Distribution Lines in Student Lab Wing	\$1,370,000
subtotal Medical School	\$69,470,000

Total all new projects	\$1,037,960,500

And further,

To approve the following revised project cost estimates for previously approved capital projects:

Project Name	Initial TPC	Revised TPC	% Change
Amherst Campus	•		
Campus Center Repairs	\$4,400,000	\$10,000,000	127%
Goessmann Roof Replacement and Snow Diverters	\$500,000	\$950,000	90%
Lab Safety Improvements - eyewash stations/showers	\$600,000	\$1,600,000	167%
Student Union Fire Suppression	\$700,000	\$1,122,000	60%
Lederle GRC Electrical Upgrades	\$1,695,000	\$4,148,000	145%
Boston Campus			
Master Plan Phase I: Construct New Integrated Sciences Complex	\$100,000,000	\$152,000,000	52%
Master Plan Phase I: Construct 1,200 Vehicle Parking Garage	\$25,000,000	\$35,000,000	40%
Master Plan Phase II: Construct 1,200 Vehicle Parking Garage	\$25,000,000	\$35,000,000	40%
Dartmouth Campus			
ADA & Interior Access Immediate Needs	\$1,650,000	\$2,184,000	32%
Research Extension Phase II	\$1,500,000	\$1,900,000	27%
Lowell Campus	+ 1/2 2 2/2 2 2 1	<i>+ - </i> ,	
Fox Hall Renovations	\$3,500,000	\$15,000,000	429%
Medical School			
New Science Facility	\$235,000,000	\$330,000,000	40%
Complete CHW and Steam Loop on Campus	\$10,000,000	\$13,000,000	30%
Power Plant Electrical Room Expansion	\$2,300,000	\$3,500,000	52%
Deferred Maintenance List - Priority 2	\$3,000,000	\$4,500,000	50%

And further,

To approve the FY2009 to FY2013 University Capital Plan as described in Doc. T08-084.

With respect to any or all of the projects identified in the said University Capital Plan as described in Doc. T08-084, to authorize the President of the University and such other officers of the University as he may designate (the President and each such other officer referred to herein as an "Authorized Officer"), each acting singly, in the name and on behalf of the trustees, the University or the Commonwealth, as appropriate, (a) to effectuate the financing of one or more or all of such projects by such means as such Authorized Officer shall deem advisable, including without limitation by requesting in writing the University of Massachusetts Building Authority, the Massachusetts Health and Educational Facilities Authority, the Massachusetts Development Finance Agency or any other statutorily qualified issuer in the Commonwealth to issue debt therefore, or to request the Worcester City Campus Corporation to effectuate the financing thereof through any such issuer of debt, so long as the estimated total project cost does not exceed the estimated total project cost listed in Doc. T08-084 by more than 20% (exclusive of capitalized interest, debt service reserve funds, cost of issuance of the obligations, costs of bond insurance or other credit enhancement and other cost of the financing), and, (b) in connection with any such financing, to take such actions (including without limitation the execution of the guaranty of the Commonwealth on any obligation guaranteed by the Commonwealth), secure such governmental approvals, execute such agreements (including without limitation contracts for financial assistance, management and services, contracts for management and services or leases or subleases) containing such provisions and provide for such terms and sources of repayment, all as such Authorized Officer shall deem advisable and as may be required or permitted by law, including without limitation St. 1960, c. 773, §_19A, as amended, and St. 1992, c. 138, §_15A, as inserted by St. 2000, c. 159, § 303.

COMMITTEE: Administration and Finance – September 10, 2008

ACTION ITEM #b,5: Resolution of Authorizing Requests for Initiation by UMASS

Building Authority of University Projects and Related Matters

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-085

VOTED:

WHEREAS, 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 dormitories, dining commons and other buildings and structures 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's 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 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 Vice President for Management and Fiscal Affairs 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 set forth in the University of Massachusetts FY2009 to 2013 University Capital Plan (Trustee Document T08-084); 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 in writing from time to time by an Authorized Officer, the making of any such request being hereby authorized.
- 2. The projects 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 on such terms 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 any refunding bonds. 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's 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.

COMMITTEE: Audit – September 10, 2008

ACTION ITEM #d,1-4: Audit Reports

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-066, T08-067, T08-068, T08-069

<u>VOTED:</u> To accept the following Audit reports:

1. Information Technology Controls Reviews, UMASS Amherst Parking Services and UMASS Amherst Transit Services

- 2. Chancellor's Office Compliance Review, UMASS Dartmouth
- 3. President's Office Purchasing Function Follow-Up Review
- 4. Cash Receipting Locations, UMASS Dartmouth

COMMITTEE: Science, Technology and Research - September 3, 2008

ACTION ITEM #e,1: Life Sciences Task Force Report

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-077

VOTED:

To accept the following report "A University wide Plan to Strengthen the life Sciences and Promote Inter-campus Collaboration over the Next Five Years" – as prepared by the University of Massachusetts Life Sciences Task Force with the support of the Trustee Committee on Science, Technology and Research;

And further,

To affirm the importance of the life sciences to the University's research and education enterprise, in that its disciplines account for nearly 60% of the University's research expenditures and engage thousands of students in classroom- and laboratory-based programs;

To recognize this unique "life sciences moment," where the University plays a critical role in an emerging Commonwealth strategy to secure far into the future Massachusetts' position as a global leader in both fundamental research in the life sciences and its application to create new technologies and therapies to advance human health and address other societal challenges;

To endorse the effort of the Task Force to craft a university-wide aspirant vision in the life sciences and develop strategies for encouraging multi-disciplinary collaborations, links with industry and other research institutions, and inter-campus partnerships that will enable our faculty to enhance the excellence of their research programs, benefit our students through the education they obtain and by enabling them to assume positions of leadership in industry and research, and support the growth of the Commonwealth's industry base;

To commend the members of the Task Force, which included nearly 40 members of the faculty and administrative staff from the five campuses and the President's Office, for their thoughtful, collaborative and far-sighted report:

Nancy Cohen, John Cunningham, Steven Goodwin, Paul Kostecki, George Langford, Michael Malone and T.J. Mountziaris from UMass Amherst; Richard Antonak, Joan Becker, Stephen Crosby, Paul Fonteyn, Greer Glazer, Andrew Grosovsky and Winston Langley from UMass Boston; Anthony Garro, William Hogan, Robert Peck, Louis Petrovic and Paul Vigeant from UMass Dartmouth;

Ahmed Abdelal, Susan Braunhut, Partha Chowdhury, Carl Lawton, Jacqueline Moloney, Stephen McCarthy, and David Wegman from UMass Lowell; Anthony Carruthers, Brendan Chisholm, Terence Flotte, Paulette Seymour Route, John Sullivan, James McNamara and Judith Ockene from UMass Worcester; and Abigail Barrow, Jeffrey Brancato, Thomas Chmura, Michael Goodman and Marcellette Williams from the UMass President's Office; and Michael Collins, Chair; and

To urge the President and Chancellors, in consultation and partnership with all relevant governance bodies on the campuses, to take necessary actions to follow through as may be appropriate on the recommendations identified in the report and to use the report to advance the interests of the University with the Governor, Legislature and other relevant parties.

OTHER BUS. #a: Appointment of Chancellor, UMass Worcester

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-078

VOTED:

Upon recommendation of the President, to appoint Michael F. Collins as Chancellor of the University of Massachusetts Worcester.

And further,

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

Philip W. Johnston, Chairman Craig C. Mello, Vice Chairman

John F. Blais

Michael P. Czech

Jennifer S. Daly

Walter H. Ettinger, Jr.

Marianne E. Felice

Robert W. Finberg

Terence R. Flotte

Jay Himmelstein

Charles J. Hoff

Charles J. 11011

James R. Julian, Jr.

James J. Karam

Daniel H. Lasser

Katherine F. Ruiz de Luzuriaga

Bharath D. Nath

Kerri E. Osterhaus-Houle

Linda A. Pape

Janet D. Pearl

R. Norman Peters

Paulette Seymour Route

Marian Wilson

Marcellette G. Williams

OTHER BUS. #b: Department of Defense

<u>DATE:</u> BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-088

VOTED:

WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the Chairman of the Board, the President, the Secretary, and the designated Facility Security Officer meet the personnel clearance requirements established for a contractor's facility clearance; and

WHEREAS, said Department of Defense Regulations permit the exclusion from the personnel clearance requirements of certain members of the Board of Trustees and other officers, provided that this action is recorded in the minutes.

NOW, THEREFORE, BE IT DECLARED that the Chairman of the Board, the President, the Secretary and the designated Facility Security Officer at the present time do possess, or will be processed for, the required security clearance; and

BE IT RESOLVED that in the future, when any individual enters upon any duties as Chairman of the Board, the President, the Secretary or the designated Facility Security Officer, such individual shall immediately make application for the required security clearance; and

BE IT RESOLVED FURTHER that the following members of the Board of Trustees and other officers shall not have, and can be effectively excluded from access to all classified information in the possession of the corporation and do not occupy positions that would enable them to affect adversely policies or practices in the performance of classified contracts for the Department of Defense or the User Agencies of its Industrial Security Program:

<u>NAME</u>	TITLE
Lawrence F. Boyle	Trustee
Jennifer C. Braceras	Trustee
Matthew E. Carlin	Trustee
Edward W. Collins, Jr.	Trustee
John A. DiBiaggio	Trustee
Tamara Endich	Trustee
Kristin D. Gerson	Trustee
Philip W. Johnston	Trustee
James J. Karam	Trustee
Ruben J. King-Shaw, Jr.	Trustee
David Koffman	Trustee
Aleksandar Kulenovic	Trustee
Richard J. Lawton	Trustee
Kenneth A. MacAfee, II	Trustee
Lindsay McCluskey	Trustee
Kerri Osterhaus-Houle	Trustee
Janet D. Pearl	Trustee
Alda Rego	Trustee
Paul Reville	Trustee
Henry M. Thomas, III	Trustee
Stephen P. Tocco	Trustee

OTHER BUS. #c: Worcester City Campus Corporation

DATE: BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-089

<u>VOTED:</u> The University of Massachusetts Board of Trustees sitting as the

sole member of the Worcester City Campus Corporation, appoints

as members of the Board of Directors:

Kerri Osterhaus-Houle, M.D.

Alda Rego

Thomas J. Chmura

James R. Julian

Stephen W. Lenhardt

David MacKenzie

Thomas Manning

Robert Jenal

COMMITTEE: Governance

ACTION ITEM #VIII,a: Slate of Officers

DATE: BoT – September 26, 2008

DOC. & VOTE I.D. #: T08-074

<u>VOTED:</u> To confirm and approve the Officers and Committee Chairs of the

Board of Trustees set forth in Doc. T08-074, all to serve until the

next annual meeting of the Board.