

UNIVERSITY OF MASSACHUSETTS

VOTES

BOARD OF TRUSTEES

SEPTEMBER 21, 2016

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Governance – September 21, 2016

ACTION ITEM #1: 2016-2017 Officers and Committee Leadership

DATE: Board of Trustees – September 21, 2016

DOC. & VOTE I.D. #: T16-062

VOTED: To confirm and approve the 2016-2017 Officers and Committee Chairs of the Board of Trustees as set forth in Doc. T16-062; all persons to serve until the next annual meeting of the Board.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

DATE: Board of Trustees – September 21, 2016

VOTED: To approve the following votes listed as 1-10 on the Consent Agenda:

CONSENT AGENDA VOTES

The Committee on Academic and Student Affairs approved items 1-5 on September 7, 2016.

1. B.A. in Environmental Studies and Sustainability, UMass Boston (Doc. T16-049)

To approve the B.A. in Environmental Studies and Sustainability at the University of Massachusetts Boston as contained in Doc. T16-049.

2. Appointments to Named Professorships, UMass Amherst, Lowell (Doc. T16-050)

To concur with the President in the appointment of Wesley Autio to the Alpha Tau Gamma Fred P. Jeffrey Professorship at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Thomas J. McCarthy as Distinguished Professor at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of D. Julian McClements as Distinguished Professor at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Steven C. Tracy as Distinguished Professor at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Ramaswamy Nagarajan to the James V. Dandeneau Endowed Professorship at the University of Massachusetts Lowell.

And further, To concur with the President in the appointment of James Sherwood to the Howard P. Foley Endowed Professorship at the University of Massachusetts Lowell.

And further, To concur with the President in the appointment of Joey Mead to the David and Frances Pernick Endowed nanotechnology Professorship at the University of Massachusetts Lowell.

And further, To concur with the President in the appointment of Stephen McCarthy to the Mark and Elisia Saab Endowed Professorship at the University of Massachusetts Lowell.

And further, To concur with the President in the appointment of Seongkyu Yoon to the Robert and Gail Ward Endowed Professorship at the University of Massachusetts Lowell.

3. Administrative Action Required to Formally Rescind Superseded Policies (Docs. T99-049, T00-045, T02-032)

To rescind the following University of Massachusetts Medical School Policies: Faculty Dismissal Policy, Doc. T99-049; Periodic Multiyear Review of Tenured Faculty (PMYR) Policy, Doc. T00-045; and the Tenure Definition Policy, Doc. T02-032.

4. Appointments with Tenure, UMass Boston, Dartmouth, Lowell, Medical School (Doc. T16-052)

To concur with the President in the appointment of Steve Striffler as professor with tenure in the Department of Anthropology at the University of Massachusetts Boston.

And further, To concur with the President in the appointment of David Klamen as professor with tenure in the Department of Fine Arts at the University of Massachusetts Dartmouth.

And further, To concur with the President in the appointment of Olof Ramström as professor with tenure in the Department of Chemistry at the University of Massachusetts Lowell.

And further, To concur with the President in the appointment of Nouredine Melikechi as professor with tenure in the Department of Physics and Applied Physics at the University of Massachusetts Lowell.

And further, To concur with the President in the appointment of Cole Haynes as associate professor with tenure in the Department of Molecular, Cell and Cancer Biology at the University of Massachusetts Medical School.

And further, To concur with the President in the appointment of Shlomit Schaal as professor with tenure in the Department of Ophthalmology at the University of Massachusetts Medical School.

5. Awards of Tenure, UMass Medical School (Doc. T16-053)

To concur with the President in the awards of tenure to the following individuals in the following Departments:

MEDICAL SCHOOL	Shaoguang Li , Department of Medicine
	David Smelson , Department of Psychiatry

The Committee on Administration and Finance approved items 6-10 on September 14, 2016.

6. Non Discrimination and Harassment Policy (Doc. T16-040)

To approve the Non Discrimination and Harassment Policy which establishes what each campus' policies and procedures must provide to address issues of discrimination and harassment, and to authorize the President or his/her designee to issue Standards to be followed by each campus conduct code.

And further, To rescind the Sexual Harassment Policy, Doc. T92-037.

7. Fiscal Year 2018 State Budget Request Authorization (Doc. T16-056)

To authorize the President to prepare and submit the University's Fiscal Year 2018 State Budget request per the Board's Governance policy (T73-098).

8. Approval of the University’s FY2017–FY2021 Capital Plan (Doc. T16-057)

Pursuant to Trustee Policy T93-122, as amended, to approve the University’s Five-year Capital Plan (FY2017 to FY2021) as described in Doc. T16-057 and to satisfy the University’s written request that the UMass Building Authority undertake projects in accordance with Board of Trustees vote T16-058. Approval of the University’s capital plan does not constitute approval of the individual projects and each project must follow the capital project approval process pursuant to Trustee Policy T93-122.

And further,

With respect to any or all of the projects identified in the University’s 5 Year Capital Plan, Doc. T16-057, and in the Approved Capital Project list, as reviewed and amended quarterly, 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 Development Finance Agency or any other statutorily qualified issuer in the Commonwealth to issue debt therefor, or to request the Worcester City Campus Corporation to effectuate the financing thereof through any such issuer of debt, (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.

9. Approval of Changes to the Approved Capital Projects List (Doc. T16-067)

Pursuant to Trustee Policy T93-122, as amended to approve the following projects under the second vote or “**Full Project Approval**” and to satisfy the University’s written request that the UMass Building Authority undertake projects in accordance with Board of Trustees vote T16-058:

Campus	Project Name	Preliminary Campus Estimate	Full Project Approval (Second Vote)	Funding Source				
				Local Funding	External Funding	Borrowed Funding	State Funding	P3
Amherst	Isenberg School of Management renovations and addition	\$62,000,000	\$62,000,000	-	\$16,000,000	\$46,000,000	-	-
Boston	Construct New Garage Facility (Master Plan Phase I)	\$45,000,000	\$71,000,000	-	-	-	-	71,000,000.00
Boston	Construct University Dining Facility in New Residence Hall 1	\$18,000,000	\$18,000,000	-	-	\$18,000,000	-	-
Boston	Renovations to Existing Academic Buildings (McCormack Hall and Wheatley Hall) (Master Plan Phase I)	\$75,000,000	\$45,000,000	-	-	\$45,000,000	-	-
Boston	Elevator Renovations in Clark Athletic Center, McCormack Hall, Quinn Administration Building, and Wheatley Hall	\$3,300,000	\$8,300,000	\$2,700,000	-	\$5,600,000	-	-
Boston	Clark Athletic Center: Replace Gymnasium Roof and East Curtain Wall and Repair Rink South Façade	\$5,250,000	\$5,250,000	\$625,000	-	\$3,000,000	\$1,625,000	-
Boston	Fox Point Dock: Upgrades and ADA Accessibility	\$2,500,000	\$2,500,000	-	-	\$2,500,000	-	-
Total		\$211,050,000	\$212,050,000	\$3,325,000	\$16,000,000	\$120,100,000	\$1,625,000	\$71,000,000

And further,

Pursuant to Trustee Policy T93-122, as amended to approve the following projects that **exceeded the Approved Project cost by more than 10%** and to satisfy the University’s written request that the UMass Building Authority undertake projects in accordance with Board of Trustees vote T16-058:

Campus	Project Name	Full Project Approval (Second Vote)	Adjusted Cost	% Change
Boston	Utility Corridor and Roadway Relocation Project (Master Plan Phase I)	\$177,700,000	\$233,500,000	31%
Lowell	Fox Hall Elevators	\$14,000,000	\$18,000,000	29%
Total		\$191,700,000	\$251,500,000	31%

10. Resolution Authorizing Request for Initiation by UMass Building Authority of University Projects and Related Matters (Doc. T16-058)

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 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 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 2017-2021 Capital Plan, Doc. T16-067, and in the Approved Capital Project list, as reviewed and amended quarterly, and to the extent consistent with the Plan; 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 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.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSINESS #1: **Department of Defense, Exclusion from Personnel Clearance Requirements**

DATE: **Board of Trustees – September 21, 2016**

DOC. & VOTE I.D. #: **T16-063**

VOTED: WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the Chairman of the Board, the President, 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, 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, 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>	<u>TITLE</u>
James R. Buonomo	Trustee
Richard P. Campbell	Trustee
Lawrence M. Carpman	Trustee
Edward W. Collins, Jr.	Trustee
Kevin F. Delaney	Trustee

Robert Epstein	Trustee
Pantea Fatemi Ardestani	Trustee
Philip A. Feinberg	Trustee
David G. Fubini	Trustee
Maria D. Furman	Trustee
Philip W. Johnston	Trustee
Alyce J. Lee	Trustee
Robert J. Manning	Trustee
Jeffrey B. Mullan	Trustee
Joshua S. Odam	Trustee
Kerri Osterhaus-Houle	Trustee
R. Norman Peters	Trustee
James A. Peyser	Trustee
Malinda E. Reed	Trustee
Henry M. Thomas, III	Trustee
Margaret D. Xifaras	Trustee