BOARD OF REGENTS MEETING
IOWA STATE UNIVERSITY – AMES, IOWA
SCHEMAN BUILDING
FEBRUARY 1-2, 2006

Board Members

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<th>February 1, 2006</th>
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<td>Amir Arbisser</td>
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<td>Mary Ellen Becker</td>
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<td>Tom Bedell</td>
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<td>Ruth Harkin</td>
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<td>Jenny Rokes</td>
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<td>Rose Vasquez</td>
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<td>Teresa Wahlert</td>
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Staff Members

Andrea Anania, Susan Anderson, Brad Berg, Marcia Brunson, Pam Elliott Cain, Sheila Doyle, Tom Evans, Tony Girardi, Diana Gonzalez, Emiliano Lerda, Joan Racki, Dianne Smith, Gary Steinke, Todd Stewart

Regent Institutions

SUI  David Skorton, Sue Buckley, Peter Densen, Eric Dickson, Dennis Domsic, Meredith Hay, Donna Katen-Bahensky, Michael Hogan, Mark Kresowik, Lola Lopes, Ann Madden Rice, Jennifer Modestou, Chet Rzonca, John Staley, Doug True, Richard Williams

ISU  Gregory Geoffroy, Benjamin Allen, John Brighton, Steve Carter, Mark Engelbrecht, Carla Espinoza, David Holger, Warren Madden, Jim Oliver, Bill Tysseling

UNI  Robert Koob, James Lubker, Randy Pilkington, Tom Schellhardt

ISD  Jeanne Prickett*, Jim Heuer

IBSSS  Mike Hooley, Luann Woodward

*Interim Administrator for IBSSS.

Others

Ed Bittle, Ahlers & Cooney, P.C.  John Hartung, Iowa Association of Independent Colleges and Universities
Bradd Brown, OPN, Architects, Inc.  Art Neu, Iowa Public Radio Executive Council
Richard Cowart, University of Dubuque  Cindy Browne, Iowa Public Radio
Mark LeMay, Springsted, Inc.
Sr. Jude Fitzpatrick, Coordinating Council

The corresponding docket memorandum for each agenda item, an integral component of the minutes, is available on the Board of Regents web site: www.state.ia.us/educate/regents.

Copies of these memoranda can also be obtained from the Board Office by calling 515-281-3934.
President Gartner called the meeting to order at 9:07 a.m. on February 1, 2006.

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**ECONOMIC DEVELOPMENT COMMITTEE**  
February 1, 2006, Minutes

**Committee Members**  
Ruth Harkin, Chair  
Tom Bedell  
Jenny Rokes  
Teresa Wahlert  
President Michael Gartner (ex officio)  
President Pro Tem Robert Downer (ex officio)

**Economic Development Committee Work Plan Evaluation of Progress**  
The Committee accepted the plan for committee work through June 2006.

**Report of Regent University Research Infrastructure and Commercialization Funding Initiatives**  
University representatives provided a report of their proposed plan for the state’s investment of $50 million to be obtained through tobacco settlement refinancing. Presenters included John Brighton (ISU), Steve Carter (ISU), Meredith Hay (SUI), and Randy Pilkington (UNI).

Governor Vilsack has proposed to use these funds for initiatives outlined in the Battelle report. The universities’ plan calls for the appropriation of $41 million to upgrade the research infrastructure at the Regent universities and $9 million to be invested in business opportunities through a commercialization resources organization (CRO). According to the plan, the CRO would provide a systematic interface among all three Regent universities and the private sector.

**Grow Iowa Values Fund Proposal – Iowa Association of Independent Colleges and Universities**  
The Committee considered the Iowa Association of Independent Colleges and Universities’ proposal for a $200,000 Grow Iowa Values Fund (GIVF) award to support a project at the University of Dubuque, in Dubuque, Iowa. Appropriations require a one-to-one match of institutional dollars. The Committee recommended that the proposed budget be amended so that awarded dollars fund equipment and supplies and the University of Dubuque’s matching funds finance salaries and benefits for research personnel.

- MOVED by WAHLERT, SECONDED by ROKES to recommend that the Board approve the Iowa Association of Independent Colleges and Universities’ proposal for a $200,000 Grow Iowa Values Fund award to support a project at the University of Dubuque, in Dubuque, Iowa contingent on auditable and contracted procedures to be developed consistent with state code. MOTION APPROVED UNANIMOUSLY.

**Report of a Pilot Project to Promote Economic Development in Northwest Iowa**  
Regent Bedell provided an update on Regent efforts to stimulate economic development throughout the state through a pilot program focused on northwest Iowa.

**Universities’ Grow Iowa Values Fund Reports**  
The Committee received the universities’ Grow Iowa Values Fund reports by GENERAL CONSENT.

**Report on Current University Activities related to Entrepreneurship**  
The Committee received the universities’ reports on current activities related to entrepreneurship by GENERAL CONSENT.

**Highlighted Project Report: Virtual Reality Applications Center – ISU**  
The Committee received a report providing an overview of Iowa State University’s infrastructure for economic development and a discussion of the Virtual Reality Applications Center.
Chair Report to the Full Board

- Regent Harkin, Chair, reported on the Economic Development Committee’s discussion during its February 1, 2006, meeting and the full Board received the report by GENERAL CONSENT.

- MOVED by HARKIN, SECONDED by BECKER to approve the Iowa Association of Independent Colleges and Universities’ proposal for a $200,000 Grow Iowa Values Fund (GIVF) award to support a project at the University of Dubuque, in Dubuque, Iowa contingent on auditable and contracted procedures to be developed consistent with state code. MOTION APPROVED. DOWNER ABSTAINED.

PROPERTY AND FACILITIES COMMITTEE
February 1, 2006, Minutes

Committee Members
Amir Arbisser, Chair
Tom Bedell
Jenny Rokes
Teresa Wahlert
President Michael Gartner (ex officio)
President Pro Tem Robert Downer (ex officio)

Property and Facilities Committee Work Plan Evaluation of Progress
The Committee’s activities since its first meeting in June 2005 were summarized.

Facilities Governance Report
Regent Arbisser spoke of the Committee’s recent discussions on the estimated costs to maintain campus buildings and to avoid deferred maintenance, and the universities’ consensus on the need for capital renewal funding equal to 1.5 percent of the replacement value of the facilities to meet capital renewal needs. Vice Presidents True and Madden explained that capital appropriations for some large projects with deferred maintenance components have been beneficial in addressing the universities’ deferred maintenance needs; however, the availability of sufficient operating budget building repair funding is necessary to control the growth of deferred maintenance and to reduce the amount of future deferred maintenance capital appropriations requests to the state.

In response to questions from Regents Arbisser and Gartner, President Geoffroy and Vice President Madden addressed the complexities involved in analyzing the different methods and funding sources which have been and could be used to address deferred maintenance and achieve the 1.5 percent target. President Koob suggested a review of the universities’ annual operating budgets for maintenance, factoring in the various funding sources for renovation projects, to evaluate the universities’ level of effort toward the 1.5 percent target and identify the gap that must be closed to reach that goal.

Regents Wahlert and Arbisser noted that UIHC information on fire safety is not consistently reported throughout the report. Regent Wahlert expressed concern for the Property and Facilities Committee’s governance authority and the flow of accountability relative to UIHC facility issues. Regents Wahlert, Arbisser, and Gartner agreed that UIHC information should be reported consistently throughout the report; Regent Arbisser stated that the report will continue to evolve into being more comprehensive.
Status Report on Implementation of November 2004 Policy Changes

The status report outlined the impact of the Board’s delegation of capital project approval responsibilities to the Board Office and the universities since November 2004. It was recommended that further approvals for the selection of architects and engineers for projects with budgets of $2 million or more and for feasibility studies be delegated to the Board Office.

In response to Regent Gartner’s question regarding current projects for which planning funds have been allocated and/or architects hired, Joan Racki summarized the status of the projects from the Board’s 2004 bonding authorization.

Vice President True expressed his suggestion that the Board consider raising the capital project Board approval threshold from $2 million to $5 million. Regent Bedell indicated that with such a threshold increase, the Board should insist on a report identifying the approved projects, source of funds, etc., so the Board can remain accountable and raise any objections or concerns. Regent Wahlert requested a review of the number of projects with budgets between $2 million and $5 million before considering this threshold change. Joan Racki explained that she could modify the tables in the current report for a future meeting to identify the number of projects with budgets between $2 million and $5 million, and those with budgets above $5 million.

Executive Director Steinke expressed his willingness to work with the vice presidents and the Board to review changes in the thresholds.

- The report on the implementation of capital project procedure/policy changes was received by GENERAL CONSENT.

- MOVED by WAHLERT, SECONDED by ROKES, to recommend the Board approve for first reading the additional policy changes outlined in the memorandum with the understanding that additional proposed changes may be brought forward at a later date. MOTION APPROVED UNANIMOUSLY.

Strategies and Policies to Ensure Optimal Utilization of Existing Campus Facilities

Joan Racki explained that the proposed policies and strategies were provided for discussion purposes at this time. Subject to Committee agreement, the policies and strategies could be presented for adoption at a subsequent meeting.

Vice President True outlined the University of Iowa’s process for the utilization of general assignment, departmental, and research space, including recent efforts to develop improved guidelines for the allocation of research space due to its high value. Vice President Madden reported that these processes are similar at Iowa State University. Regent Arbisser indicated his surprise that only 5 percent or less of campus space is classified as classrooms. Vice President Madden noted that the majority of campus space is in other types of facilities to meet program needs. President Geoffrey added that a great deal of learning occurs outside of the formal classroom.

Vice President True reported that the amount of academic and administrative space per FTE enrollment for the University of Iowa and Iowa State University (139 and 136, respectively) is well below the mean for the Big 10 plus ISU (169). Regent Wahlert raised several questions regarding the value of the comparable (mean) data, and the objective of the report (i.e., an implementation policy) relative to the data presented.
University of Iowa Campus Recreation Center/Relocation Master Plan
Vice President True introduced the Master Plan explaining that it was prepared to address the complexities of relocating the existing functions from the antiquated buildings located at the proposed Recreation Center site.

Bradd Brown from OPN Architects presented the Master Plan which includes the relocation of functions to the Old Capitol Mall, the University Services Building, and a new Services Complex building. He reported that the proposed relocations would result in a total square footage reduction of 7 to 10 percent due to efficiencies in co-locating functions within one building, reducing overlaps, and creating more collaborative environments. Regent Arbisser asked if the proposed Master Plan would reduce manpower requirements. Bradd Brown indicated that the University would be studying this issue.

In response to Board members’ questions on the increased student fees to support the Recreation Center, Vice President True reported that the students have been very enthusiastic supporters of the project. UISG President Mark Kresowik further emphasized the importance of the project to the students, explaining that the students would support a fee increase beyond the proposed $165 building fee and $44 operations and maintenance fee to allow certain elements, such as the multi-purpose gym and running track, to be included in the project. Regent Downer added that the project is of immense importance not only to the University but to the Iowa City community to address the problem of insufficient leisure time activities.

University of Iowa Real Estate Matter – Old Capitol Mall
Vice President True and Associate Vice President Domsic provided an overview of the proposed lease and financing arrangement with the University of Iowa Facilities Corporation for Phase 2 of the University’s acquisition of space in the Old Capitol Mall. He explained that the lease arrangement would provide for the University’s use of space close to the center of campus (adjacent to the Pentacrest) at a competitive price, with the long-term benefit of the University’s majority interest (62 percent) in the land and facility and its ability to determine its future use.

- The Committee recommended that the Board approve the proposed lease and financing arrangement with the University of Iowa Facilities Corporation. APPROVED BY GENERAL CONSENT.

Register of Capital Improvement Business Transactions – University of Iowa
Dr. Richard Williams, Head of the Department of Urology, provided an overview of the UIHC Urology Clinic Renovation and Expansion project. In response to a question from Regent Becker, Dr. Williams affirmed that the increase in the Clinic's patient visits is partially due to the aging Iowa population, but it is primarily due to the rapid increase in pediatric patients, as UIHC offers the only fellowship-trained pediatric urologists in Iowa.

Vice President True outlined the remaining projects on the capital register. In response to a question from Regent Arbisser on the trade services capital funds, a fund source for the Services Complex project, Vice President True explained that these funds are generated from an internal service fee which has a capital replacement component that is set aside for capital costs.

- MOVED by ARBISSER, SECONDED by WAHLERT, to recommend that the Board approve the University of Iowa capital register. MOTION APPROVED UNANIMOUSLY.
Register of Capital Improvement Business Transactions – Iowa State University
Vice President Madden provided an overview of the projects on the capital register. Regent Gartner asked about the architectural selection process and whether faculty of the Department of Architecture could design the College of Design Addition. Dean Engelbrecht of the College of Design explained that the professional delivery of the project would be best handled outside of the College; however, the College has elected to use the project as a pedagogical tool (studios and faculty involved in programming new facility and setting standards, especially for sustainable design elements), and the College will be very deeply engaged in the project.

Regents Bedell and Gartner encouraged involvement by the College of Design faculty, staff, and students on all campus projects to integrate real life experiences for students and capitalize on the College’s expertise. Dean Engelbrecht agreed with the Regents that the College is a resource that should be made available to the larger University, as well as to the Regent enterprise.

- MOVED by WAHLERT, SECONDED by ROKES, to recommend that the Board approve the Iowa State University capital register. MOTION APPROVED UNANIMOUSLY.

Gilchrist Hall Fire - UNI
Vice President Schellhardt updated the Board with current information relative to the Gilchrist Hall fire. He reported that since the need to remove the encapsulated asbestos in the building will result in a renovation project of approximately one year, the University is working to consolidate some of the displaced functions in other locations, particularly to better accommodate prospective students and their parents. He further reported that the updated cost estimate to renovate Gilchrist Hall is at least twice the amount of the $2 million insurance deductible. Regent Rokes indicated that the University has been very effective in communicating the location of services on campus, and she expressed the students’ appreciation.

ISU Proposed Property Sale
Vice President Madden provided an overview of the University’s plans for the possible sale of the Central Stores Warehouse facility located along Duff Avenue. The University would return to the Board for approval of the sale.

- The Committee recommended that the Board approve the University’s plans for the possible sale of the Central Stores Warehouse facility. APPROVED BY GENERAL CONSENT.

ISU Equipment Purchase and Financing
Vice President Madden addressed the Veterinary Teaching Hospital’s need for the purchase of new Radiological Diagnostic Equipment. He explained that currently the Hospital transports animals to the Mary Greeley Medical Center in Ames for these imaging services, and this practice is becoming increasingly difficult for the College of Veterinary Medicine. The College has prepared a business plan for the equipment purchase financing; this includes lease payments to be made from patient charges for the imaging procedures.

- The Committee recommended that the Board approve the purchase of new Radiological Diagnostic Equipment for the Veterinary Teaching Hospital. APPROVED BY GENERAL CONSENT.

Institutional Agreements, Leases and Easements
- The Committee recommended that the Board approve the institutional agreements, leases, and easements. APPROVED BY GENERAL CONSENT.
Chair Report to the Full Board
Regent Arbisser, Chair, reported on actions of the Property and Facilities Committee during its February 1, 2006, meeting and the full Board took the following actions:

- The Board received the following BY GENERAL CONSENT:
  - Facilities Governance Report
  - Report on Implementation of Capital Project Procedure/Policy Changes
  - SUI Recreation Center Relocation Master Plan
  - Status Report on UNI Gilchrist Hall Fire

The Board discussed policies and strategies to ensure optimal utilization of space with proposed policies to be brought forward at a later date.

- MOVED by ROKES, SECONDED by WAHLERT to reaffirm Board support for continued interinstitutional collaboration and coordination on facility issues, and institutional correction of identified fire safety and deferred maintenance deficiencies within the limits of available resources. MOTION APPROVED UNANIMOUSLY.

- MOVED by WAHLERT, SECONDED by ROKES to approve for first reading the additional policy changes outlined in the memorandum with the understanding that additional proposed changes may be brought forward at a later date. MOTION APPROVED UNANIMOUSLY.

- MOVED BY WAHLERT, SECONDED by ROKES to authorize the University of Iowa to proceed with a lease with the University of Iowa Facilities Corporation for property (approximately 101,185 gross square feet of space in the Old Capitol Mall in Iowa City) to be acquired by the University of Iowa Facilities Corporation. MOTION APPROVED UNANIMOUSLY.

- MOVED by WAHLERT, SECONDED by ROKES to approve the University of Iowa capital register including permission to proceed with project planning, including the architectural selection process, for the University Hospitals and Clinics – Urology Clinic Renovation and Expansion project, and permission to proceed with project planning and the selection of OPN Architects, Cedar Rapids, Iowa, to provide services as a project manager for the Services Complex project. MOTION APPROVED UNANIMOUSLY.

- MOVED by ROKES, SECONDED by BEDELL to ratify the Executive Director’s authorization to utilize the services of a construction manager (CM) and begin the selection process for the College of Veterinary Medicine – Teaching Hospital and Diagnostic Laboratory Renovation project, and to authorize permission to proceed with project planning, including the architectural selection process, for the College of Design Addition project. MOTION APPROVED UNANIMOUSLY.

- MOVED by WAHLERT, SECONDED by ROKES to authorize Iowa State University, in consultation with the Board Office, to implement a competitive process for the possible sale of the warehouse property located at 205 Southeast 5th Street in Ames, Iowa. MOTION APPROVED UNANIMOUSLY.

- MOVED by BEDELL, SECONDED by ROKES to authorize the Executive Director to approve the purchase and financing of up to $3.4 million for Radiological Diagnostic Equipment for the Veterinary Teaching Hospital at Iowa State University. MOTION APPROVED UNANIMOUSLY.

- MOVED by ROKES, SECONDED by BEDELL to approve the institutional agreements, leases and easements. MOTION APPROVED BY ROLL CALL:

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<th>Arbisser</th>
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<th>Bedell</th>
<th>Downer</th>
<th>Gartner</th>
<th>Harkin</th>
<th>Rokes</th>
<th>Vasquez</th>
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Resolution for the Sale and Award of $25,000,000 Utility System Revenue Bonds, Series S.U.I. 2006

Mark LeMay of Springsted, Inc., the Board’s financial advisor, reported that two bids were received that morning. The winning bid, with a true interest cost of 4.216%, was submitted by Merrill Lynch & Co. with two co-managers. Mr. LeMay reported that Springsted had expected bids in that range and that they were pleased with the results.

Ed Bittle of Ahlers & Cooney, P.C., the Board’s bond counsel, reported that these bonds are issued under an indenture since the first utility bonds (1986) were issued as variable rate bonds and were then converted to fixed rate bonds. Last time SUI Utility bonds were issued, the bond resolution was updated so that a trustee will no longer be required in 2010 thereby creating future administrative efficiencies.

MOVED by DOWNER, SECONDED by ARBISSE to adopt:

- A Resolution providing for the sale, award, and issuance of $25,000,000 Utility System Revenue Bonds (The State University of Iowa), Series S.U.I. 2006, approving and authorizing the agreement of such sale and award and authorizing and approving the execution and delivery of the Tenth Supplemental Indenture, Tax Exemption Certificate, and Continuing Disclosure Certificate.

MOTION APPROVED by ROLL CALL:

Preliminary Bond Resolutions

MOVED by DOWNER, SECONDED by BECKER to adopt:

- A Resolution authorizing the Executive Director to fix the date or dates for the sale of up to $8,000,000 Utility System Revenue Bonds, Series I.S.U. 2006, and declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the Utility System for certain original expenditures paid in connection with the specified projects.

MOTION APPROVED by ROLL CALL:

MOVED by ARBISSE, SECONDED by HARKIN to adopt:

- A Resolution authorizing the Executive Director to fix the date or dates for the sale of up to $17,250,000 Dormitory Revenue Refunding Bonds, Series I.S.U. 2006.

MOTION APPROVED by ROLL CALL:
Committee Members
Mary Ellen Becker, Chair       Jenny Rokes       President Michael Gartner (ex officio)
Amir Arbisser                  Rose Vasquez      President Pro Tem Robert Downer (ex officio)

Professional Development Assignment Request
The Committee approved this item by GENERAL CONSENT.

Education and Student Affairs Committee Work Plan Evaluation of Progress
The Committee reviewed the work plan.

Iowa Public Radio Executive Council Status Report
The Committee received a report from Iowa Public Radio Executive Council Chair Art Neu and Executive Director Cindy Browne describing the four phases that will complete the creation of Iowa Public Radio.

IBSSS Status Report
The Committee received a report from Coordinating Council for Vision Services Co-Chair Sr. Jude Fitzpatrick describing the activities of the Coordinating Council which included reviewing results of needs assessments, identifying strengths and weaknesses of vision services in Iowa, discussing characteristics of a preferred future for vision services in Iowa, and identifying possibilities for making vision services in Iowa more effective and efficient.

Graduation and Retention Rates Report
The Committee received the Fall 2005 Graduation and Retention Rates Report which described two cohorts – first-time, full-time freshmen and transfer students.

Distance Education Cost Study
The Committee received a report which calculated an average cost for each of the primary distance education technologies/delivery modes at the Regent universities in 2004-05 using five cost components.

Review of Academic Program Review Procedure Changes
The Committee received Iowa State University’s follow-up report on the changes implemented in its academic program review and student outcomes assessment procedures as a result of the Board Office audit in 2004.

Common Academic Indicators
The Committee received the report and requested that the provosts include a target/goal for each of the indicators at the March 2006 Committee meeting.

Chair Report to the Full Board
Regent Becker, Chair, reported on actions of the Education and Student Affairs Committee during its February 1, 2006, meeting and the full Board took the following actions:

- Accepted the reports by GENERAL CONSENT.
- MOVED by BECKER, SECONDED BY VASQUEZ, to approve the professional development assignment request. MOTION APPROVED UNANIMOUSLY.
Committee Work Plan Update
Regent Vasquez stated that the committee’s next meeting would be on May 1-2. The Committee accepted the work plan update by GENERAL CONSENT.

Human Resources Comprehensive Report
(Merit System, Fringe Benefits, Salary, Retirement and Resignations)
Marcia Brunson stated that this is a newly formulated report. It combines seven previous annual governance reports: Regent Merit System, Fringe Benefits including sick and vacation leave, Salary, Faculty Resignations, Faculty Salary Comparisons, and Retirement. There was general discussion of the salary gap between men and women faculty and staff members as compared across different disciplinary areas and rankings. The University of Iowa will share with the Board its recently completed equity study. The Regents expressed interest in striving for increased equity within each professional discipline.

➤ MOVED by ROKES, SECONDED by HARKIN to receive the report and recommend that the Board ratify the additions and revisions to the Regent Merit System Classification Plan. MOTION APPROVED UNANIMOUSLY.

Annual Diversity Report
Marcia Brunson explained that this report summarizes the progress that Regent institutions have made during the past year in providing equal employment opportunities for administrators, faculty, and staff. Due to the timing of the Board meeting and the statutory requirement that these reports be submitted to the Iowa General Assembly by January 31st, it was necessary to ask the Board to review the report and comment on it prior to the release of the agenda materials for the February meeting. To meet the statutory deadline, the reports were forwarded as required by the statute.

Institutional affirmative action officers were present at the meeting to provide brief comments and respond to questions. There was a general discussion of ways that the Regent institutions can attract and integrate more diverse groups into the Regent enterprise, including seeking outside input on changes that could be made within the system itself. ISU stated that it had done a climate study which generated steady but significant progress and discussion on its campus, such as outreach programs seeking to attract diverse populations into specific colleges.

Comments included whether or not the Regent institutions’ goal should be meeting or, rather, exceeding state demographics standards in recruiting and retaining diverse staff and faculty on the campuses. The Regents discussed the idea of having the universities form partnerships with communities and the private sector to create a diverse climate in communities and the state as a whole.

➤ MOVED by HARKIN, SECONDED by BEDELL to:
  • Receive the annual reports on Affirmative Action and the Minority and Women Educators Enhancement Program; and
  • Ratify submission of the Affirmative Action and the Minority and Women Educators Enhancement Program reports to the Iowa General Assembly in accordance with Iowa Code §19B.5 and §262.93.

MOTION APPROVED UNANIMOUSLY.
Request for Exception to Board Policy
Tom Evans stated that a former Regent institution employee has requested that the Board grant her a hardship exception to the current Board policy regarding convertibility of TIAA-CREF accounts of former employees less than age 55, due to: 1) a medical/disability condition that necessitated her early retirement, and 2) her detrimental reliance upon representations by TIAA-CREF that she was eligible to convert her entire account to a Transfer Payout Annuity (TPA).

Iowa Regent institution TIAA-CREF programs are governed by Board of Regents policy with regard to distributions. More specifically, Section 4.17(B)(2) of the Board’s Policy Manual permits convertibility of up to one-third (1/3) of the TIAA-CREF accounts of former employees who terminated employment with a Regent institution and are less than 55 years of age. This allows convertibility of all the employee’s contributions and accumulations made by the employee from the employee’s own funds. At or after age 55, the remaining portion of the TIAA-CREF account is available for the convertibility distribution.

TIAA-CREF has opined that the Board can grant exceptions to its policy on a case-by-case basis; and that any exception will be limited to the specific circumstances of the case.

- MOVED by BEDELL, SECONDED by HARKIN to recommend to the Board that it authorize the Executive Director to grant this exception to the Board’s Policy [Section 4.17(B)(2)] regarding convertibility of TIAA-CREF accounts for a former employee who is less than age 55. This exception will be limited to the specific circumstances relating to this former employee only. MOTION APPROVED UNANIMOUSLY.

Chair Report to the Full Board
Regent Vasquez, Chair, reported on actions of the Human Resources Committee during its February 1, 2006, meeting and the full Board took the following actions:

- Accepted the work plan by GENERAL CONSENT.

- MOVED by WAHLERT, SECONDED BY ROKES to:
  - Ratify the additions and revisions to the Regent Merit System Classification Plan;
  - Ratify submission of the Affirmative Action and the Minority and Women Educators Enhancement Program reports to the Iowa General Assembly in accordance with Iowa Code §19B.5 and §262.93.
  - Authorize the Executive Director to grant an exception to the Board’s Policy [Section 4.17(B)(2)] regarding convertibility of TIAA-CREF accounts for a former employee who is less than age 55. This exception will be limited to the specific circumstances relating to this former employee only.

MOTION APPROVED UNANIMOUSLY.
MOVED by ARBISSER, SECONDED by DOWNER to enter into closed session pursuant to Iowa Code section 21.5(1)(c) to discuss strategy with counsel in a matter where litigation is imminent and disclosure would be likely to prejudice or disadvantage the Board’s position in that litigation.  MOTION APPROVED by ROLL CALL:

Regent  Arbisser  Becker  Bedell  Downer  Gartner  Harkin  Rokes  Vasquez  Wahlert
Aye  x  x  x  x  x  x  x  x
Nay

The Board convened in closed session at 4:40 p.m.

The Board of Regents adjourned for the day at 5:10 p.m.

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President Gartner called the meeting to order at 10:00 a.m. on February 2, 2006.

Art Neu, Chair of the Iowa Public Radio Executive Council, introduced Cindy Browne, the new Executive Director. Ms. Browne provided a brief overview of her background and highlighted the progress at Iowa Public Radio.

Dr. Richard LeBlond, President of the Faculty Senate at the University of Iowa, addressed the Board on behalf of the elected leadership at the University. Dr. LeBlond requested that the Board consider significant institutional representation on the search and screen committee for the new President at the University of Iowa. The Board agreed to attend a University-wide meeting in Iowa City to listen to concerns prior to the March Board meeting and prior to naming a search committee.

MOVED by ARBISSER, SECONDED by HARKIN to enter into closed session pursuant to Iowa Code section 21.5(1)(c) to discuss strategy with counsel in a matter where litigation is imminent and disclosure would be likely to prejudice or disadvantage the Board’s position in that litigation; and Iowa Code section 21.5(1)(e) to discuss whether to conduct a hearing to suspend or expel a student.  MOTION APPROVED by ROLL CALL:

Regent  Arbisser  Becker  Bedell  Downer  Gartner  Harkin  Rokes  Vasquez  Wahlert
Aye  x  x  x  x  x  x  x  x
Nay

The Board convened in closed session at 10:20 a.m.

The Board recessed for lunch at 12:00 p.m.

The Board reconvened in closed session at 1:30 p.m.

The Board reconvened in open session at 2:55 p.m.

Presidential Search Process

MOVED by HARKIN, SECONDED by ROKES to send out an RFP for an executive search firm for the Presidential search at the University of Iowa. MOTION APPROVED by ROLL CALL:

Regent  Arbisser  Becker  Bedell  Downer  Gartner  Harkin  Rokes  Vasquez  Wahlert
Aye  x  x  x  x  x  x  x  x
Nay
Consent Agenda

- Minutes of the Meeting of November 2-3, 2005
- Minutes of the Meeting of December 6, 2005
- Amendment to Master Lease Agreement
- Institutional Personnel Transactions
- Requests for Proposal Issuances
- Revisions to the Board of Regents Policy Manual
- Amendments to Iowa Administrative Code
- Conflict of Interest Vendors
- Supplemental FY 2006 Appropriations Request
- University of Iowa – Equipment Purchases
- Iowa State University – Equipment Purchase
- Iowa State Center Annual Report for FY 2005
- Revisions to Board Meeting Schedule:
  - March 20-21, 2006 Southern Prairie AEA Ottumwa
  - May 3-4, 2006 University of Northern Iowa Cedar Falls
  - June 21-22, 2006 Lakeside Laboratory Okoboji
  - August 8-9, 2006 University of Iowa Iowa City
  - September 27-28, 2006 University of Northern Iowa Cedar Falls
  - November 8-9, 2006 Iowa State University Ames
  - December 11-12, 2006 University of Iowa Iowa City

- MOVED by DOWNER, SECONDED by WAHLERT to approve the Consent Agenda, except for the Amendment to the Master Lease Agreement, which was removed and voted on separately. MOTION APPROVED BY ROLL CALL:

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- MOVED by BEDELL, SECONDED by ROKES to approve the Amendment to the Master Lease Agreement. MOTION APPROVED BY ROLL CALL:

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**Investment Policy Modifications and Implementation**

Pam Elliott Cain explained that the proposed investment policy modifications were based on the need identified when contracts for the new fund managers were reviewed.

- MOVED by BEDELL, SECONDED by HARKIN to approve the investment policy modifications. MOTION APPROVED UNANIMOUSLY.
Fund Manager Issues
Pam Elliott Cain stated that Board policies require any changes in fund manager ownership be reported. The Board received the fund manager report on issues affecting two of the Board’s external fund managers.

Audit and Compliance Committee
President Gartner delayed the Audit and Compliance Committee meeting until the March 2006 Board meeting.

Board of Regents
- MOVED by DOWNER, SECONDED by WAHLERT to reverse the final institutional decision and reinstate the intent of the Judicial Board decision, including but not limited to, suspension of two full semesters which will be effective until the summer of 2007. The Board’s decision is based upon the arbitrary and capricious nature of the final institutional decision. MOTION APPROVED by ROLL CALL:

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- MOVED by HARKIN, SECONDED by BECKER to ask the President of the Board to come forward with a proposal for a search committee after several Regents meet with various constituencies at the University of Iowa between now and the March meeting. MOTION APPROVED by ROLL CALL:

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- MOVED by ARBISSER, SECONDED by BECKER to ratify the personnel registers at the University of Iowa, Iowa State University, University of Northern Iowa, Iowa School for the Deaf, and the Iowa Braille and Sight Saving School. MOTION APPROVED UNANIMOUSLY.
Board of Trustees Members
Amir Arbisser        Ruth Harkin         President Michael Gartner
Mary Ellen Becker   Jenny Rokes         President Pro Tem Robert Downer
Tom Bedell          Rose Vasquez
Teresa Wahlert

Emergency Medicine Program and Trauma Care at UIHC
Donna Katen-Bahensky introduced Dr. Eric Dickson, Associate Professor and Head of the Department of Emergency Medicine (DEM). Dr. Dickson provided an overview of the State’s Emergency Medical Systems (EMS); described the ways in which DEM is meeting its mission of patient care, education, and research; and the ways in which DEM is supporting the State’s EMS.

Donna Katen-Bahensky introduced Dr. Peter Densen, Executive Associate Dean in the Carver College of Medicine. Dr. Densen reported that Dr. Keith Carter is the new head of the Department of Ophthalmology and gave a brief background of Dr. Carter.

Dr. Densen reported that the search for the head of the Department of Dermatology is anticipated to conclude by the end of the academic year and a search for the head of the Department of Neurology is currently underway.

Donna Katen-Bahensky gave a brief update on Lean Sigma activities, volume indicators, accounts receivable, case mix index, comparative financial results, and the FY 2006 institutional scorecard.

IowaCare Update
Donna Katen-Bahensky discussed enrollment numbers in the new IowaCare program.

President Gartner adjourned the meeting at 4:07 p.m. on February 2, 2006.