MINUTES OF MARCH 23, 2011, BOARD MEETING
SUN ROOM, MEMORIAL UNION
IOWA STATE UNIVERSITY
AMES, IOWA

Board Members March 23, 2011
Bonnie Campbell Present
Robert Downer Present
Jack Evans Present
Michael Gartner Present
Ruth Harkin Present
Greta Johnson Present
Craig Lang Present
David Miles Present
Rose Vasquez Present

Staff Members
Andrea Anania, Brad Berg, Marcia Brunson, Tim Cook, Bob Donley, Tom Evans, Diana Gonzalez, Joe Murphy, Joan Racki, Keith Saunders, Patrice Sayre, Todd Stewart, Ilene Tuttle

Regents Institutions


UNI Ben Allen, Joel Anderson, Gloria Gibson, Tom Schellhardt

ISD Jeanne Prickett

IBSSS Patrick Clancy

The corresponding docket memorandum for each agenda item, an integral component of the minutes, is available on the Board of Regents website: [http://www.regents.iowa.gov/](http://www.regents.iowa.gov/). Copies of these memoranda can also be obtained from the Board Office by calling 515-281-3934.
Call to Order
President Miles called the Board of Regents telephonic meeting to order at 8:37 a.m. on March 23, 2011.

Roll Call:

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University of Iowa Hospitals and Clinics Committee
The University of Iowa Hospitals and Clinics Committee met at this time.
Regents Campbell, Gartner, and Harkin arrived.

Board Receipt of UIHC Committee Report
- MOVED by DOWNER, SECONDED by LANG, to receive the March 23, 2011, University of Iowa Hospitals and Clinics Committee report.

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MOTION APPROVED by ROLL CALL.

Audit/Compliance and Investment Committee
The Audit/Compliance and Investment Committee met at this time.

Board Receipt of Audit/Compliance and Investment Committee Report
- MOVED by EVANS, SECONDED by HARKIN, to receive the March 23, 2011, Audit/Compliance and Investment Committee report.

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MOTION APPROVED by ROLL CALL.

Board President Report
President Miles deferred the report.
CONSENT AGENDA

- Minutes of February 2-3, 2011, Board Meeting
- Conflict of Interest Vendors
- University of Iowa Equipment Purchase
  - This item was removed from the Consent Agenda and considered separately.
- Calendar Year 2010 Board Meeting Schedule
- Annual Report on Span of Control
  - This item was removed from the Consent Agenda and considered separately.
- Request to Terminate the Ph.D. Program in German at the University of Iowa
- Request to Remove Suspension of Admissions in the Master of Arts Program in German at the University of Iowa
- Request to award an Honorary Doctor of Science Degree at Iowa State University
- Request to award an Honorary Doctor of Humane Letters Degree at the University of Iowa
- Request to award an Honorary Doctor of Humane Letters Degree at the University of Iowa
- Anesthesia Nursing Programs Accreditation Report at the University of Iowa
- Annual Report on Campus Safety and Security
  - In response to President Pro Tem Evans, President Allen confirmed that UNI has mutual aid with Cedar Falls and Blackhawk County.
  - In response to President Miles, Vice President True elaborated on SUI statistics.
  - Regent Downer noted that ISU issued the most smoking citations, said he received complaints about smoking with respect to SUI, and requested that SUI and UNI reevaluate their policies and consider taking a more stringent approach to deter smoking.
- Proposed University Parking
  - In response to President Miles and Regent Johnson, Vice President True elaborated on the multi-year parking rate proposal.
- Approval of Academic and Administrative Fees for 2011-2012

➢MOVED by GARTNER, SECONDED by EVANS, to approve the CONSENT AGENDA, excluding the following agenda items: University of Iowa Equipment Purchase and Annual Report on Span of Control.

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CONSENT AGENDA – University of Iowa Equipment Purchase

➢MOVED by EVANS, SECONDED by HARKIN, to approve the University of Iowa Equipment Purchase.

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MOTION APPROVED by ROLL CALL.
CONSENT AGENDA – Annual Report on Span of Control
In response to Regent Gartner, State Relations Officer Keith Saunders reported on proposed legislation to remove the span of control for all of state government, except the Board of Regents.

MOVED by DOWNER, SECONDED by HARKIN, to approve the Annual Report on Span of Control subject to granting the Executive Director authority to: (1) make such modifications as he believes are necessary to make the report more responsive to the legislative intent; and (2) submit the report to meet the statutory requirement.

Aye x x x x x x x x x
Abstain

MOTION APPROVED by ROLL CALL.

Proposed 2011-2012 Tuition and Fees
Chief Business Officer Patrice Sayre provided a brief overview of the docket memorandum.

In response to Regent Gartner, Chief Business Officer Sayre explained that when the funding/spending plan was developed, inflation and the Higher Education Price Index (HEPI) were considered and assumptions were made that state appropriations would be flat funded or slightly less.

Regent Gartner noted that the proposed 5.0% tuition increase for in-state undergraduate students would produce $17.4 million and proposed that for every $7.0 million increase in state appropriations, the in-state undergraduate tuition increase could be reduced by 1.0%. He concluded that an additional $35 million in appropriations could result in no tuition increase. He said that in-state undergraduate tuition could increase even more than 5.0% should further appropriation cuts occur.

SUI Graduate and Professional Students (GPS) President Lyndsay Harshman, Northern Iowa Student Government President Joel Anderson, ISU Government of the Student Body President Luke Roling, and SUI Student Government President John Rigby commented on the proposed 2011-2012 tuition and fees.

In response to Regent Downer, SUI GPS President Harshman elaborated on the impact of tuition levels on employment decisions to stay in Iowa.

Regent Harkin said she heard the student leaders’ message to the Regents to keep tuition down. She said that the Regents need to work on communicating its needs to Iowa’s political leaders.

President Miles thanked the outgoing leaders for their hard work this past year.

Regent Gartner wants those who ultimately set appropriations to understand the hardship placed on parents and the positive way that students/families and universities win if more money is appropriated for in-state undergraduate students.

President Miles commented on the current appropriation proposals from the legislature and the Governor and stated that the Regents 5.0% proposed tuition increase is still asking the universities to do more with less.

President Geoffroy reminded the Board that students and parents need to know what tuition will be so decisions can be made on where students will attend and so the universities can package their financial aid offers, which are based on tuition rates. He said that the longer it takes to set tuition, the more it can negatively impact enrollment decisions.
Regent Harkin said Iowa’s salaries are not competitive with neighboring states and added that the Regents purpose is to educate students and make it possible for them to stay in Iowa and work. She noted that if the dynamics of funding did not change, each year we would be back talking tuition increases as the only answer to supporting the universities’ needs.

Regent Lang supported the 5.0% increase and said that parents need to appeal to the people they elect to make the Regents a funding priority. He requested that the Regents put a plan together next year in advance showing that the Regents institutions are a good investment of taxpayer dollars and funds have to be restored.

Regent Vasquez supported the 5.0% increase and agreed with Regent Lang with respect to the plan for next year.

President Miles said that the Board and the University Presidents have worked hard to protect affordability and access and that an unprecedented amount of money is available for financial aid.

Regent Johnson said that, as a student, no one wants to be in this position to have to support a tuition increase. She encouraged the universities to continue to look at financial literacy and make sure that students are informed about the financial implications.

MOVED by EVANS, SECONDED by DOWNER, to approve the proposed conditional tuition and mandatory fees for the 2011-2012 academic year as outlined in the docket memorandum, effective with the summer session 2011.

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MOTION APPROVED by ROLL CALL.
Report of University of Iowa Root Cause Analysis Related to Hospitalization of Football Players

President Sally Mason introduced the five-member committee charged with investigating the medical condition that resulted in the hospitalization of 13 University of Iowa football players in January 2011:

- N. William Hines, Professor of Law and Dean Emeritus, College of Law – Committee Chair;
- Dr. David R. Drake, Professor of Microbiology, College of Dentistry;
- Dr. Loreen Herwaldt, Professor of Internal Medicine and Epidemiology, Colleges of Medicine and Public Health;
- Dr. Kevin C. Kregel, Professor and Chair of Health and Human Physiology, College of Liberal Arts and Sciences; and
- Deborah Thoman, University Privacy Officer and Assistant Vice President for Compliance, UIHC.

Professor Hines and Dr. Kregel spoke on the committee’s findings and its recommendations.

In response to President Miles, Professor Hines offered insight on how interactions between training staff, coaches, and athletes might be improved going forward.

In response to Regent Gartner, Dr. Herwaldt said long-term medical consequences are not known and she had not seen any studies of a group where individuals all acquired Rhabdomyolysis at the same time.

In response to Regent Vasquez, Professor Hines discussed training schedules and the timing of heavy workout cycles.

Regent Downer hoped the report would be supplemented further and offered suggestions, noting that SUI has a world-class hospital with a large number of specialists in nearly every medical field. He said everyone needs to be attentive to the point at which others should be consulted. Dr. Herwaldt addressed Regent Downer’s concerns on cooperation and involvement of specialists and Professor Hines elaborated on the sports medicine institute.

At President Miles’ request, Athletics Director Gary Barta said his main focus is the immediate health of SUI’s student athletes. He commented on the report and said the recommendations were rational and SUI would pursue them, noting that awareness is the first step.

President Mason said she was pleased with the committee’s work so the University could: (1) understand what occurred; (2) ensure the health and safety of student athletes going forward; (3) make certain that an incident such as this does not occur again; and (4) disseminate this information beyond Iowa.

Professor Hines agreed to President Pro Tem Evans’ request to provide a written report to the Board in six months on how this report has been circulated and what feedback the University has received.

President Miles thanked the committee for their work on Rhabdomyolysis and hoped that athletes in Iowa and nationwide can benefit from the report.

➢ The Board received the report by GENERAL CONSENT.
Sale and Award of $11,830,000 Telecommunications Facilities Revenue Bonds, Series S.U.I. 2011

Policy and Operations Officer Joan Racki introduced Barry Fick from Springsted, Incorporated, the Board’s financial advisor.

Mr. Fick reported that: (1) seven bids were received; (2) the winning bid was submitted by a firm led by Morgan Keegan Company, Inc. with a dozen affiliated comanagers; and (3) the true interest cost was 3.92%.

- MOVED by HARKIN, SECONDED by LANG, to approve A Resolution providing for the sale, award and authorizing the issuance of Telecommunications Facilities Revenue Bonds, Series S.U.I. 2011, in the amount of $11,830,000 to defray costs of constructing, equipping, installing, and extending certain improvements to the Telecommunications System of The State University of Iowa, funding a debt service reserve fund, and paying the costs of issuance.

Regent  Campbell  Downer  Evans  Gartner  Harkin  Johnson  Lang  Miles  Vasquez
Aye  x  x  x  x  x  x  x  x  x
Nay

MOTION APPROVED by ROLL CALL.

Sale and Award of $5,120,000 Dormitory Revenue Refunding Bonds, Series S.U.I. 2011

Barry Fick reported that: (1) nine bids were received; (2) the winning bid was submitted by Hutchinson, Shockey, Erley & Co.; and (3) the true interest cost was 2.45%.

- MOVED by EVANS, SECONDED by HARKIN, to approve A Resolution providing for the sale and authorizing and providing for the issuance and securing the payment of $5,120,000 Dormitory Revenue Refunding Bonds, Series S.U.I. 2011, for the purpose of paying costs of currently refunding the $10,000,000 Dormitory Revenue Bonds, Series S.U.I. 1999 and paying costs of issuance.

Regent  Campbell  Downer  Evans  Gartner  Harkin  Johnson  Lang  Miles  Vasquez
Aye  x  x  x  x  x  x  x  x  x
Nay

MOTION APPROVED by ROLL CALL.

Ratification of Collective Bargaining Agreements

General Counsel Tom Evans provided an overview of the agreements.

- MOVED by GARTNER, SECONDED by HARKIN, to:
  - Ratify the tentative collective bargaining agreement with United Electrical, Radio and Machine Workers of America, Local 896 Campaign to Organize Graduate Students (COGS) for the graduate teaching and research assistants at the University of Iowa;
  - Ratify the tentative collective bargaining agreement with Service Employees International Union Local 199 (SEIU) for the tertiary health care employees at the University of Iowa Hospitals and Clinics; and
  - Ratify the collective bargaining agreement with the UNI-United Faculty for faculty at the University of Northern Iowa.

Regent  Campbell  Downer  Evans  Gartner  Harkin  Johnson  Lang  Miles  Vasquez
Aye  x  x  x  x  x  x  x  x  x
Nay

MOTION APPROVED by ROLL CALL.
Early Retirement Incentive Program  
Iowa Braille and Sight Saving School  
Superintendent Patrick Clancy provided an overview of the proposed early retirement incentive program.

- MOVED by GARTNER, SECONDED by DOWNER, to approve the Iowa Braille and Sight Saving School early retirement incentive program outlined below:

**Eligibility:**
- Iowa Braille School regular merit and professional and scientific employees (benefits eligible).
- Be at least fifty (50) years of age by June 30, 2011.
- Must have a minimum of 20 years of service at an Iowa Board of Regents Institution by June 30, 2011.

**Proposed Benefits:**
- Cash benefit equal to 25% of the employee’s FY 2011 budgeted salary.
- Payment of accrued vacation.
- Payment of accrued sick leave, not to exceed $2,000 in accordance with *Iowa Code* 70A.23 and AFSCME Collective Bargaining Agreement.
- Health and Dental insurance incentive – The school will contribute an amount equivalent to the amount contributed by the Employer for an active employee in the same plan and the same coverage level for five years. After eligibility for Medicare, the school will continue to contribute the incentive at the retiree health and dental insurance rates for the balance (if any) of the 5-year period.
- In the event of the death of the former employee, the school’s obligation to pay the cost of health and dental coverage will cease on the first day of the month following the date of death. The employee’s surviving spouse or dependent may elect to continue coverage as provided by law.

**Application requirements:**
- Iowa Braille School employees who meet the eligibility requirements must apply for the ERIP between March 28, 2011 and April 29, 2011. No applications will be accepted after April 29, 2011. The decision to request such a benefit is voluntary and initiated by the employee. Employees who elect to participate will be provided 7 days to revoke their election.

**Commencement of early retirement:**
- Employees must fully retire no later than June 30, 2011.

**Re-employment:**
- Re-employment into a benefits eligible position during the participation period is not permitted. Such employment may be permitted after the participation period.

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MOTION APPROVED by ROLL CALL.
Register of University of Iowa Capital Improvement Business Transactions
Vice President Doug True provided an overview of the proposed transactions.

In response to President Pro Tem Evans, Vice President True provided additional comments on the parking expansion.

- MOVED by DOWNER, SECONDED by LANG, to approve:
  - The following actions for the **Cardiovascular Intensive Care Unit Renovation and Expansion** project:
    - Acknowledge receipt of the University’s final submission of information to address the Board’s capital project evaluation criteria (see Attachment A in the memorandum);
    - Accept the Board Office recommendation that the project meets the necessary criteria for Board consideration; and
    - Approve the schematic design, project description and budget ($24,400,000), with the understanding that approval will constitute final Board approval and authorization to proceed with construction.
  - The project description and budget for the **Parking Lot and Ramps – Expansion of Commuter Lot 75** ($3,444,429) project.
  - Ratification of Executive Director approval of the revised project budget for the **Oakdale Renewable Energy Plant – Install Biomass Gasifier and Steam Generator** ($7,308,779) project.

Abandonment of a Portion of Hawkeye Drive and Hawkeye Court Apartments at the University of Iowa
Vice President Doug True provided an overview of the proposed transactions.

- MOVED by EVANS, SECONDED by DOWNER, to approve:
  - A Resolution directing the abandonment of portions of the Hawkeye Court and the Hawkeye Drive Apartment Complexes at the University of Iowa.
  - The project budget of $1,080,000 for the demolition of the eight structures containing 76 apartments in the Hawkeye Court Apartment Complex.

Regent  Campbell  Downer  Evans  Gartner  Harkin  Johnson  Lang  Miles  Vasquez
Aye  x  x  x
Absent  x  x

MOTION APPROVED by ROLL CALL.
Register of Iowa State University Capital Improvement Business Transactions
Vice President Madden provided an overview of the proposed transactions.

At Regent Downer’s request, President Miles amended the motion to state that approval by the Board would be subject to final review of the plans for storm water runoff and drainage.

At President Miles’ request, Vice President Madden elaborated on water flow runoff, timeline of the project as it relates to plans of the City of Ames to restructure Storm Street and Ash Avenue, and the opportunity to improve water flow in this area.

Athletics Director Jamie Pollard reported that ISU would provide maintenance for the facility and grounds.

➢ MOVED by DOWNER, SECONDED by HARKIN, to approve the following actions for the Cyclone Sports Complex project, a major capital project as defined by Board policy, subject to final review of the plans for storm water runoff and drainage:

• Acknowledge receipt of the University’s final submission of information to address the Board’s capital project evaluation criteria (see Attachment A in the memorandum);

• Accept the Board Office recommendation that the project meets the necessary criteria for Board consideration;

• Approve the schematic design, project description and budget ($12,961,940) and financing plan for the project, with the understanding that approval will constitute final Board approval and authorization to proceed with construction, subject to completing the necessary reviews and approvals by the City of Ames and the Iowa Department of Natural Resources; and

• Authorize the University to enter into a financing agreement for the project, subject to necessary approvals by the Board Office.

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MOTION APPROVED by ROLL CALL.

Gift of Real Estate and Amended Lease
Vice President True provided an overview of the proposed gift of real estate and amended lease.

➢ MOVED by HARKIN, SECONDED by CAMPBELL, to:

• Accept the gift of 14.33 acres of land from MGCSMS, LLC for the benefit of the University of Iowa; and

• Approve the amendment to the ground lease with the University of Iowa Research Park Corporation.

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MOTION APPROVED by ROLL CALL.
Iowa State University – Jack Trice Stadium Scoreboard and Sound System – Revised Purchase
Vice President Madden provided an overview of the proposed revised purchase.

- MOVED by EVANS, SECONDED by DOWNER, to approve Iowa State University’s request to increase from $4,000,000 to $5,000,000 the authorized purchase cost of a new video scoreboard and sound system from Daktronics, Inc. for Jack Trice Stadium.

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  MOTION APPROVED by ROLL CALL.

Institutional Agreements, Leases, and Easements
Policy and Operations Officer for Facilities Joan Racki provided an overview of the proposed leases.

- MOVED by HARKIN, SECONDED by CAMPBELL, to approve one amendment and one lease for the benefit of the University of Iowa.

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  MOTION APPROVED by ROLL CALL.

Legislative Update
State Relations Officer Keith Saunders briefed the Board on the education, economic development, and infrastructure appropriation bills. He reported that the three new Regents nominated by Governor Branstad are scheduled to be interviewed by the Senate Education Committee later today.

- The Board received the update by GENERAL CONSENT.

Iowa State University Flood/Storm Recovery
Vice President Madden provided an update on the recovery.

- The Board received the update by GENERAL CONSENT.

University of Iowa Update of Flood Recovery Status
Vice President True deferred the flood recovery update until the April Board meeting.

- The Board received the update by GENERAL CONSENT.

Residence System Governance Report
Policy and Operations Officer Brad Berg reported that the Board is asked to consider the universities’ preliminary FY 2012 residence system budgets and proposed room and board rates for the 2011-2012 academic year. He said the Board will be asked for approval at the April meeting.

In response to Regent Downer, Vice President True said that SUI is reviewing options related to housing that serve families as well as graduate and international students. SUI plans to update the Board at its April meeting.

- By GENERAL CONSENT, the Board:
  - Received the university residence systems five-year plans for FY 2012 through FY 2016;
  - Considered the universities’ preliminary FY 2012 residence system budgets, which are subject to further review and action when the Board approves the final FY 2012 institutional budgets; and
  - Considered the universities’ academic year 2011-2012 proposed rates for all residence halls, board options, and apartments as detailed in the tables in each university attachment.
Other
President Miles thanked UNI Provost Gloria Gibson for her service as Interim President of the University of Northern Iowa and welcomed back President Allen.

Closed Session
➢ MOVED by LANG, SECONDED by HARKIN, to enter into closed session pursuant to Iowa Code §21.5(1)(i) upon request of individuals whose performance is being considered. The individuals have requested that their performance be discussed by the Board in closed session.

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MOTION APPROVED by ROLL CALL.

President Miles reconvened the Board in open session at 4:45 p.m.

President Miles adjourned the meeting at 4:45 p.m.