MINUTES OF JUNE 9, 2010

Board Members
Bonnie Campbell Via phone
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, Andy Baumert, Brad Berg, Marcia Brunson, Bob Donley, Sheila Doyle, Tom Evans, Diana Gonzalez, Joe Murphy, Joan Racki, Keith Saunders, Patrice Sayre, Todd Stewart, Ilene Tuttle

Regent Institutions

ISU Elizabeth Hoffman, Roberta Johnson, Warren Madden, Mary Rankin

UNI Ben Allen, Gloria Gibson, Joyce Morrow, Eric O’Brien, Tom Schellhardt

ISD Jeanne Prickett, Jim Heuer

IBSSS Patrick Clancy, Don Boddicker, Sara Larkin

Others
Mike Dudkowski, Wilshire Consulting
Jordan Esbrook, Iowa Attorney General’s Office
Barry Fick, Springsted Incorporated
Jeffrey Peterzalek, Iowa Attorney General’s Office

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/.

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 meeting to order at 9:05 a.m. on June 9, 2010.

Roll Call:
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*via phone

CLOSED SESSION

MOVED by LANG, SECONDED by EVANS, to enter into closed session pursuant to:

- Iowa Code §21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation and where litigation is imminent and its disclosure would likely prejudice or disadvantage the Board’s position in that litigation; and
- Iowa Code §21.5(1)(j) to discuss the purchase of particular real estate where the premature disclosure could reasonably be expected to increase the price the institution would have to pay for that property.

The minutes and tape recording of the closed session solely related to the real estate purchase discussion will be available for public examination when the transaction discussed is complete.

MOTION APPROVED by ROLL CALL.

Regents Gartner and Harkin arrived and participated in the closed sessions.

University of Iowa Hospitals and Clinics Committee
The University of Iowa Hospitals and Clinics Committee met at this time.

Board Receipt of Committee Report

MOVED by DOWNER, SECONDED by GARTNER, to:

- Receive the University of Iowa Hospitals and Clinics Committee report; and
- Approve the conceptual drawings for the Iowa River Landing Project.

MOTION APPROVED by ROLL CALL.

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

Board Receipt of Committee Report

MOVED by EVANS, SECONDED by LANG, to:

- Receive the Audit/Compliance and Investment Committee report; and
- Approve the Modification of Brokerage Firms and Financial Institutions.

MOTION APPROVED by ROLL CALL.
CONSENT AGENDA

- Minutes of April 28-29, Board Meeting
- Appointments
- Conflict of Interest Vendors
- University of Iowa Equipment Purchases
- Adoption of Amendment to the Iowa Administrative Code
- Approval of Non-Tuition-Related Miscellaneous Fees for 2010 – 2011
- Revision to the Board of Regents Policy Manual – Chapter 7
- Request for Name Change at the University of Iowa – Department of Integrative Physiology and Bachelor of Science in Integrated Physiology to Department of Health and Human Physiology and Bachelor of Science in Health and Human Physiology
- Request for a Name Change at the University of Iowa – Bachelor of Arts Program in Health and Human Physiology
- Request to Terminate Department of Health and Sport Studies at the University of Iowa
- Request for a Name Change at the University of Iowa – Bachelor of Arts Program in Health and Sport Studies to the Bachelor of Arts Program in Sport Studies
- Request for Name Change at the University of Iowa – Department of Counseling, Rehabilitation and Student Development to Department of Rehabilitation and Counselor Education
- Request for a Name Change at Iowa State University – Master of Landscape Architecture II Program to Master of Science Program in Landscape Architecture
- Request for a Program Name Change at Iowa State University – Master of Architecture II Program and Master of Science in Architectural Science to Master of Science Program in Architecture
- Request for a New Program at Iowa State University – Master of Landscape Architecture Program
- Request to Award an Honorary Doctor of Science Degree at Iowa State University
- Legislative Interim Study Committee Appointments
- Iowa School for the Deaf – FY 2010 Budget Ceiling Adjustment
- Request to Eliminate an Administrative Unit at the University of Northern Iowa
- Report of Crime Statistics at the Universities for the Quarter Ending March 31, 2010
  - Regent Gartner requested that future reports include comparison numbers.
- Interagency Cooperation Plan

MOVED by EVANS, SECONDED by GARTNER, to approve the CONSENT AGENDA, with the exception of the University of Iowa Equipment Purchases item, which was removed and voted on separately.

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

MOTION APPROVED by ROLL CALL.
At President Pro Tem Evans’ request, UIHC Senior Associate Director Dr. John Staley described the McKesson Pharmacy Medication Robot and Automated Dispensing Cabinets.

- **MOVED** by EVANS, **SECONDED** by HARKIN, to approve the University of Iowa Equipment Purchases item.

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MOTION APPROVED by ROLL CALL.

**Progress Report of the Legislative Study Committee on Residential Services on the Campus of the Iowa Braille and Sight Saving School**

Superintendent Patrick Clancy reminded the Board that the legislature asked for a report by August 31st on the statewide system for vision services – residential services and facilities utilization. He said the committee, which was approved by the Board at its April meeting, will present recommendations for the Board’s consideration at its August meeting.

- The Board received the report by GENERAL CONSENT.

**FY 2011 Budgets – Universities, Special Schools, Iowa Public Radio, Board Office**

Presidents Mason and Allen, Provost Hoffman, Superintendents Clancy and Prickett, and Executive Director Donley recapped their respective FY 2011 budgets.

In response to questions from President Pro Tem Evans, President Mason commented on freshman enrollment for fall 2010 and Superintendent Prickett elaborated on Nebraska funds and ISD tuition.

In response to Regent Gartner, President Miles confirmed that the 10% paycut for the Executive Director is restored in FY 2011 and Executive Director Donley confirmed that the TIAA-CREF contribution is 10% for all Board Office employees.

President Miles thanked the institutional heads for continuing to work through challenging circumstances and congratulated them for setting priorities and making difficult choices. He also thanked the universities for dedicating additional money to student financial aid, bringing the entire FY 2011 financial set aside up to 22% of gross tuition revenue.

President Miles reported that he had discussions with the Presidents of ISU and UNI and the proposed numbers in the docket memorandum for Iowa Public Radio are amended as follows: ISU’s support for WOI is increased from $250,000 to $340,000 and UNI’s support for KUNI is increased from $361,840 to $406,910. SUI support for KSUI remained at $434,000 as shown in the docket item.

Regent Gartner said he will vote in favor of the budgets, but strongly opposed the policy of varying contributions to TIAA-CREF. Regents Downer and Harkin concurred with Regent Gartner and would like to see uniform contributions to TIAA-CREF in the future. President Miles respected their reservations and noted that the varying amounts were a consequence of adjusting to the difficult financial circumstances and crafting packages that worked for individual campuses.

President Miles requested that Executive Director Donley prepare an analysis on the degree of consistency that the Board should require across the campuses on a range of benefits, not just retirement contributions.
Board of Regents Agenda Item 6a

MOVED by Downer, SECONDED by Evans, to:

- Approve the:
  - Regent institutional budgets as presented in the docket memorandum;
  - Iowa Public Radio budget amended from the docket memorandum as follows:
    - ISU support for WOI – from $250,000 to $340,000
    - UNI support for KUNI – from $361,840 to $406,910
  - Board Office operating budget as shown in the docket memorandum;
  - Distribution of the operating appropriations to the regional study centers as follows:
    - Quad Cities Graduate Study Center $134,665
    - Southwest Iowa Regents Resource Center $90,766
    - Tri-State Graduate Study Center $69,110
  - Direct the Board Office to work with University Presidents and Iowa Public Radio to present the Board with a five-year funding plan for Iowa Public Radio in advance of the FY 2012 budget discussion.

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 Issuance of Revenue Bonds

Policy and Operations Officer Joan Racki introduced Barry Fick from Springsted Incorporated, the Board’s financial advisor. Mr. Fick provided an overview on Moody’s Investor Services new Global Rating Recalibration Scale, which brings municipal credit ratings in line with corporate ratings. As a result, credit ratings for all three universities were adjusted to a higher level: SUI – AA1 from AA2; ISU – AA2 from AA3; and UNI – A1 from A2.

Sale and Award of $25,000,000 Utility System Revenue Bonds, Series S.U.I. 2010

Barry Fick reported that: (1) six bids were received; (2) the winning bid was submitted by a group led by Wells Fargo Advisors; and (3) the true interest cost was 3.8778%.

MOVED by Evans, SECONDED by Downer, to approve A Resolution providing for the sale and authorizing and providing for the issuance and securing the payment of $25,000,000 Utility System Revenue Bonds, Series S.U.I. 2010, for the purpose of approving and authorizing the agreement of such sale and award, and authorizing and approving the execution and delivery of the Fifteenth Supplemental Indenture, Tax Exemption Certificate, and Continuing Disclosure Certificate.

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.
University of Iowa Facilities Corporation Revenue Refunding Bonds (Roy J. and Lucille A. Carver Biomedical Research Building), Series 2010

Barry Fick reported that: (1) one bid was received from Robert W. Baird Incorporated; and (2) the true interest cost was 3.699%.

- MOVED by GARTNER, SECONDED by HARKIN, to approve A Resolution Authorizing and Approving the Execution and Delivery of the 2010 Amendments to Lease, the Second Supplemental Indenture, the Bond Purchase Agreement, the Tax Exemption Certificate and the Continuing Disclosure Certificate, Authorizing and Providing for the Issuance of University of Iowa Facilities Corporation (Roy J. and Lucille A. Carver Biomedical Research Building Project) in an amount of $7,350,000 Revenue Refunding Bonds, Series 2010, Providing for the Payment Thereof and Directing the Issuer to Accomplish Said Refunding.

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MOTION APPROVED by ROLL CALL.

Reimbursement Resolution, University of Iowa Hospitals and Clinics Projects

Joan Racki reported that UIHC anticipates the sale of revenue bonds for the Iowa River Landing Ambulatory Care Clinic Facility and the proposed resolution allows the hospital to be reimbursed from the bond proceeds for the costs incurred before the bonds are sold.

- MOVED by EVANS, SECONDED by GARTNER, to adopt A Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the University of Iowa Hospitals and Clinics for certain original expenditures paid in connection with the University of Iowa Hospitals and Clinics improvement projects.

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MOTION APPROVED by ROLL CALL.

FY 2011 Salary Policies

Marcia Brunson provided a brief overview on the recommended salary policies.

- MOVED by LANG, SECONDED by EVANS, to approve, effective July 1, 2010:
  - Nonorganized professional and scientific salary policies and pay matrices -- University of Iowa, Iowa State University, University of Northern Iowa, Iowa School for the Deaf, Iowa Braille and Sight Saving School, and the Board Office;
  - Faculty salary policies -- University of Iowa, Iowa State University, Iowa School for the Deaf and Iowa Braille and Sight Saving School;
  - Increase in the employer contribution to the defined contribution retirement plan from 8% to 9% at the University of Northern Iowa;
  - Faculty extracurricular pay schedules – Iowa School for the Deaf and Iowa Braille and Sight Saving School; and
  - Nonorganized Regent Merit System salary policies and pay matrices.

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MOTION APPROVED by ROLL CALL.
FY 2011 Annual Capital Plans
Joan Racki provided a brief overview on the proposed plans.

Regent Gartner asked that a future meeting include discussion of treasurer’s temporary funds, including the exact size of each, where they come from, and how they can be used. Ms. Racki said that can be done at the August Board meeting.

In response to President Pro Tem Evans, Vice President Madden explained the East Campus Auditorium project and Vice President Schellhardt discussed the Bartlett Hall Renovation / Baker Hall Demolition project.

- MOVED by HARKIN, SECONDED by JOHNSON, to receive the:
  - Report on anticipated institutional FY 2011 new capital improvement projects with the understanding that the proposed projects are subject to further review, availability of funding, and specific project approval consistent with Board policy.
  - Status report on previously approved projects with budgets exceeding $1 million.

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MOTION APPROVED by ROLL CALL.

Register of Iowa State University Capital Improvement Business Transactions
Vice President Warren Madden described the project.

- MOVED by EVANS, SECONDED by HARKIN, to approve the project description and budget ($2,850,000) for the Willow Hall-Fire Suppression System Installation and Exterior Improvements project.

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MOTION APPROVED by ROLL CALL.

Register of University of Northern Iowa Capital Improvement Business Transactions
Vice President Tom Schellhardt described the need for the revised budget.

- MOVED by DOWNER, SECONDED by EVANS, to approve the revised project budget ($14,806,039) for the Multimodal Transportation Center project.

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MOTION APPROVED by ROLL CALL.
Institutional Agreements, Leases and Easements

MOVED by EVANS, SECONDED by DOWNER, to approve one lease and one easement for the benefit of the University of Iowa, subject to approval of the final documents by the Board Office and Attorney General’s Office.

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MOTION APPROVED by ROLL CALL.

University of Iowa Flood Recovery

Vice President True updated the Board on flood recovery.

At President Pro Tem Evans’ request, Vice President True elaborated on the status of improvements to Dubuque Street and the Park Street Bridge.

MOVED by GARTNER, SECONDED by EVANS, to:

- Approve the following actions for **Voxman Music Building / Clapp Recital Hall Replacement – Construct New Facility** project:
  - Acknowledge receipt of the University’s initial submission of information to address the Board’s capital project evaluation criteria (as included in the agenda item);
  - Accept the Board Office recommendation that the project meets the necessary criteria for Board consideration;
  - Authorize the University to negotiate the terms of purchase by the Board of Regents of approximately 4½ floors in a 12 story mixed use condominium project to be constructed by a private developer, said space to be built to the University’s specifications for School of Music functions; and
  - Authorize permission to proceed with project planning, including the consultant selection process, for the construction of the recital facilities on the southwest corner of Burlington and Clinton Street in downtown Iowa City to replace Clapp Recital Hall.

- Receive the report on overall flood recovery status by building and overall financial status report.

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MOTION APPROVED by ROLL CALL.
Register of University of Iowa Capital Improvement Business Transactions

Vice President True provided an overview on the proposed transactions.

Interim Vice President for Student Services Tom Rocklin discussed freshman enrollment as it relates to academics and housing.

At President Miles’ request, Interim Vice President for Student Services Rocklin expressed his thoughts on building a dormitory on the west side versus the east side of the river and Vice President True elaborated on fund sources.

- **MOVED** by DOWNER, **SECONDED** by LANG, to approve:
  - The following actions for the **Iowa Memorial Union – Remodel/Enhancement/Deferred Maintenance** project, the **Proton Beam Therapy System Installation in Center of Excellence in Image-Guided Radiation Therapy** project, and the **Cardiovascular Intensive Care Unit Renovation and Expansion** project, major capital projects as defined by Board policy.
  - Acknowledge receipt of the University’s initial submission of information to address the Board’s capital project evaluation criteria (as included in the agenda item);
  - Accept the Board Office recommendation that the projects meet the necessary criteria for Board consideration; and
  - Authorize permission to proceed with project planning, including the selection of Rohrbach Associates for the Iowa Memorial Union – Remodel/Enhancement/Deferred Maintenance project and Heery International for the Cardiovascular Intensive Care Unit Renovation and Expansion project, and the consultant selection process for other identified projects.
  - Receive an oral report on the University’s short and long term plans to address student housing needs and authorize permission to proceed with project planning, including the consultant selection process, for the **University Housing – Construct New Residence Hall** project, a major capital improvement, which meets the necessary criteria for Board consideration (as included in the agenda item).
  - Authorize permission to proceed with project planning, including the consultant selection process, for the **Parking Ramps & Lots – Expansion of Commuter Lot 75** project.
  - Approve schematic designs and project descriptions and budgets for the **Clinical Cancer Center and Infusion Therapy Suite** project ($12,225,000) and the **AirCare Hangar Replacement** project ($1,995,000).

Regent

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MOTION APPROVED by ROLL CALL.
Project Labor Agreements
Aimee Clayton explained project labor agreements (PLAs) and described when they may or may not be beneficial for construction projects.

President Miles felt it premature to mandate or reject the use of PLAs without real life experience. He recommended testing the use of a project labor agreement on the Iowa River Landing Project (IRLP) and offered the following motion:

- **MOVED by MILES, SECONDED by VASQUEZ, to direct the University of Iowa Hospitals and Clinics and the construction manager for the Iowa River Landing project to seek to negotiate a mutually acceptable project labor agreement for the construction of Iowa River Landing. Such agreement is to be drafted for presentation and recommendation to the Board of Regents for its approval at the August 5, 2010, Board meeting.**

President Miles clarified that the motion does not require the institutions to use PLAs and said that the final say on whether to approve such agreements remains with the Board, which will always place the interest of Iowans first.

Regent Lang said he will not support the motion because he believes the current process is not broken and PLAs may drive Iowa contractors and builders away.

President Pro Tem Evans agreed with Regent Lang, said he would not support the motion, and thought that anything the Regents do that may diminish the number of bidders would not be appropriate.

Regent Downer said he would not support the motion. It seemed to him that the terms of a PLA on a particular project should be laid out prior to the time it is presented to the Board for approval. He was concerned the Board would not see the terms prior to presentation for approval, and there may be provisions he would regard as unacceptable.

ROLL CALL on above MOTION:

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MOTION APPROVED by ROLL CALL.

Campus Sustainability Annual Report
Patrice Sayre provided a brief overview on the docket memorandum and introduced sustainability coordinators Liz Christiansen (SUI), Mary Rankin (ISU), and Eric O’Brien (UNI). Each gave a presentation on campus activities.

As part of the Regents’ sustainability efforts, Regent Lang would like to see carbon credits analyzed.

President Miles said the report was well put together, reflects the tremendous work on all of the campuses, and said he was proud of the institutions in terms of their work on sustainability efforts.

- **MOVED by EVANS, SECONDED by GARTNER, to receive the annual report on the Campus Sustainability Plan and approve the modifications proposed for the Plan.**

ROLL CALL on MOTION:

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MOTION APPROVED by ROLL CALL.
Annual Student Financial Aid Report
Diana Gonzalez provided a brief review on the docket memorandum and introduced financial aid directors Mark Warner (SUI), Roberta Johnson (ISU), and Joyce Morrow (UNI).

Financial Aid Director Johnson addressed President Miles’ question on the new federal regulation on year-round Pell-grant funding. Mr. Warner added his thoughts on how year-round funding may aid with student retention and timely graduation.

➢ The Board received the Annual Student Financial Aid report by GENERAL CONSENT.

University Strategic Plan Progress Reports
SUI and UNI Presidents Mason and Allen and ISU Provost Hoffman gave presentations to the Board on their strategic plan progress.

At President Pro Tem Evans’ request, President Mason elaborated on SUI’s first-year retention rate; at Regent Gartner’s request, President Allen elaborated on UNI’s tenure-track employees; and at President Miles’ request, President Allen discussed faculty salaries as compared to peers, as well as financial aid.

➢ The Board received the reports by GENERAL CONSENT.

Update of Discussion of Post-Tenure Review Policies
Diana Gonzalez reported that the Provosts have begun their review on post-tenure policies and a comprehensive analysis will be presented to the Board at its September meeting.

➢ The Board received the update by GENERAL CONSENT.

Faculty Presentation at the Iowa Braille and Sight Saving School
“STEM for Students with Visual Impairments”
Ms. Sara Larkin highlighted efforts to increase opportunities, awareness, and access to STEM (science, technology, engineering, mathematics) course curricula for Iowa students with visual impairments.

➢ The Board received the presentation by GENERAL CONSENT.

President Miles thanked the Iowa Braille and Sight Saving School for hosting and adjourned the meeting at 4:05 p.m.