

Contact: Andrea Anania

**BOARD OF REGENTS, STATE OF IOWA
MAUCKER UNION, OLD CENTRAL BALLROOM, ROOMS A AND B
UNIVERSITY OF NORTHERN IOWA
CEDAR FALLS, IOWA**

MINUTES OF DECEMBER 10 - 11, 2008

Board Members

Bonnie Campbell	Absent
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

Regents Institutions

SUI Sally Mason, Mark Braun, Lee Carmen, Ken Fisher, Chuck Green, Katie Guckert, Travis Hiltrop, Ken Kates, Wallace Loh, Jean Robillard, Paul Rothman, Chet Rzonca, Doug True, Mark Warner, Ann Williamson

ISU Gregory Geoffroy, Laura Doering, Elizabeth Hoffman, Dave Holger, Roberta Johnson, Warren Madden, Kathryn Overberg, Dione Somerville, Jerry Stewart, John Thomson

UNI Benjamin Allen, Jon Buse, Leah Gutknecht, Kent Johnson, Jim Lubker, Joyce Morrow, Randy Pilkington, Tom Schellhardt, Daryl Smith, Jeff Weld, Betty Zan, David Zarifis

ISD Jeanne Prickett, Jim Heuer

IBSSS Patrick Clancy, Don Boddicker

Others

Kate Clifford, Schuster and Clifford, L.L.P.
Mike Dudkowski, Wilshire Consulting
Barry Fick, Springsted Incorporated
Saundra Schuster, Schuster and Clifford, L.L.P.,

The corresponding docket memorandum for each agenda item, an integral component of the minutes, is available on the Board of Regents website: www2.state.ia.us/regents.

Copies of these memoranda can also be obtained from the Board Office by calling 515-281-3934.

President Miles called the meeting to order at 4:18 p.m. on December 10, 2008.

Roll Call:

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Present		x	x	x	x	x	x	x	x
Absent	x								

Collective Bargaining Strategy Session

- MOVED by LANG, SECONDED by EVANS, to enter into closed session pursuant to Iowa Code section 20.17(3) to conduct a strategy meeting of a public employer for collective bargaining.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x	x	x	x	x	x
Absent	x								

MOTION APPROVED by ROLL CALL.

The Board convened in closed session at 4:19 p.m.

The Board reconvened in open session at 5:00 p.m.

Approval of 2009-2010 Tuition and Fees

Patrice Sayre provided a few highlights on the docket item.

In response to a question from Regent Gartner, Ms. Sayre clarified that the 4.2% increase is tuition only and not mandatory fees.

- MOVED by JOHNSON, SECONDED by EVANS, to approve the conditional tuition and related fees for the 2009-10 academic year, as outlined in the memorandum, effective with the summer session of 2009.

President Miles asked the University Presidents for their comments.

President Geoffroy supported the tuition proposals for resident and nonresident students and provided perspective on the 2.8% increase for nonresident students compared to the 4.2% increase for resident students.

He said: (1) nonresident students are extremely important to ISU and to the state of Iowa because they provide 51% of ISU's total tuition revenue and contribute to Iowa's economy; (2) given the steady decline of high school graduates, Iowa needs all the young people it can attract; and (3) the majority of ISU's nonresident students are from Minnesota and Illinois. Additionally, ISU will experience increased recruiting pressure because Minnesota decreased its out-of-state tuition by one third (from \$21,000 to \$14,000.)

President Geoffroy reported that ISU performs an elasticity study each year and the analysis predicts that, for every percentage point nonresident tuition is increased, the number of nonresident freshman recruited will decrease. He said that, while a 0% increase would maximize non-resident tuition revenue and the number of out-of-state students, it would be politically difficult given the proposed increase for resident students.

Regent Lang asked for examples of enhanced educational experiences for engineering and veterinary medicine students. President Geoffroy said this is the fourth and final year for the engineering differential tuition increase, which has benefited students by funding the hiring of additional faculty members. With respect to the veterinary medicine program, President Geoffroy said the increase is differential tuition for fourth-year students, who have a year-long clinical experience. These students have been paying the same amount as nine-month students; the differential corresponds to the extra three months. He noted that it is comparable to other veterinary medicine colleges.

Regent Lang asked if veterinary medicine clinical experiences are on campus. College of Veterinary Medicine Dean John Thomson said the experiences are both on- and off-campus and providing equipment and personnel, etc. is a 12-month need.

In response to Regent Lang's request for additional information, Dean Thomson explained that the proposed \$7,500 increase will provide funding for clinical faculty, equipment, and accreditation standards. He elaborated saying: (1) it is extremely competitive for academic institutions to attract and retain clinical faculty because the private sector is much more lucrative; (2) equipment allows maximum performance and provides training to students; and (3) accreditation standards have been imposed for clinical outcomes and documentation of clinical competency.

Regent Gartner asked if an elasticity study is performed for resident students. President Geoffroy said yes and it showed that enrollment is not sensitive to tuition rates.

President Allen: (1) supported the 4.2% increase; (2) reported that UNI has experienced declining out-of-state student applications; (3) said the 2.0% nonresident increase results in a larger dollar increase than the 4.2% resident increase; and (4) elaborated on UNI's unit cost of instruction in response to Regent Downer's concern with respect to undergraduates.

President Mason supported the tuition proposals, saying she understood the difficulties and challenges of the year ahead with respect to the universities and individuals trying to balance budgets and maintain costs. She reported that SUI remains committed to: (1) admitting all qualified Iowa applicants; (2) ensuring that no Iowa student chooses not to attend SUI solely due to cost; and (3) working with every Iowa student with unmet financial needs. She said the increases are essential in helping the universities maintain quality.

Regent Gartner said he intends to vote against the proposal. He said times are getting worse and it is increasingly difficult for families to afford to send their kids to college, adding that it is the responsibility of the Regents to try to provide Iowa students with an affordable education at the three state universities. He said the Regents enterprise is about a \$4.5 billion dollar system and estimated that the proposed resident increase would result in approximately \$15 to \$16 million. Regent Gartner felt that, in the greater scheme of things, it would be easier for the universities to sacrifice to find that money than it would be for parents who are being laid off, taking pay cuts, and facing uncertain futures to find or to borrow more money. He said this is the year to not raise resident undergraduate tuition and fees, but he would support the Presidents' proposals for nonresident and graduate students.

Regent Downer said he intends to vote against the proposal because it sends an unfavorable message to the citizens of Iowa, the Legislature, and others to increase nonresident tuition by a smaller percentage than resident tuition. He said there are a lot of investments that the people of Iowa make in the Regents institutions that are not figured into the unit cost of instruction.

Regent Harkin said she could not support the proposal, particularly for resident undergraduate tuition. She said when the Regents look at the economy, high unemployment rate, median family income, and high student debt, and consider that tuition and costs have increased by over 100% over the last ten years, she does not see how they can support the proposal in good conscience.

President Pro Tem Evans said he plans to support the recommendations with quality being a top reason for his support. He said Regents ask university leaders to deliver a product and to not accept their recommendation places an undue burden on them. He then asked the Presidents for comment.

President Geoffroy said that, while everyone is sensitive to the economic situation, it affects people differently. He thought the appropriate way to proceed is to approve the resident tuition increase and let institutional financial aid professionals work closely with individual students and families who have difficulties.

President Allen agreed with President Geoffroy in that each student needs to be treated individually and the financial aid set-aside generated by the increase generally provides additional capacity to help students.

President Mason agreed with Presidents Geoffroy and Allen.

President Miles asked Executive Director Donley to comment on what is happening around the country. Executive Director Donley reported that the National Council of State Legislatures estimates that cuts nationwide will be approximately \$100 billion. He said that: (1) New York is set to raise tuition at a minimum of 14%; (2) California cut \$460 million in the first round of cuts and plans to cap enrollment; (3) Arizona is contemplating double-digit increases in excess of 14%; (4) Florida will raise tuition by 15% next year and for the next five years; (5) Washington is considering a 20% increase; (6) Idaho is looking at a minimum of a 10% increase; and (7) Nevada will increase tuition by a minimum of 25%.

Executive Director Donley also reported that the President for the American Council on Education anticipates that almost every state in the union with a deficit will be looking at double-digit increases or capping or curtailing enrollment next year.

Regent Vasquez said she supports the tuition increases. She believes it is somewhat presumptive to assume everyone can't absorb the increase and noted the Presidents indicated that the institutions can work with those impacted. She said the increase is conservative, especially in light of current tough economic times, adding that an education is one of the biggest investments made.

Regent Johnson asked if a bigger increase will occur down the road if tuition is frozen now.

President Miles said: (1) no one knows the answer to that question; (2) it is always an issue when an increase is not made in a given year; and (3) the odds are increased that tuition may have to be increased at a higher level in subsequent years.

Regent Johnson reported that student governments support the increase for resident students.

Regent Downer said Regent Johnson made a good point. He thought a freeze was not appropriate and suggested a compromise including a resident increase that would be no higher percentage wise than the minimum percentage increase for nonresident undergraduate students.

Regent Lang said he was not in favor of the current proposal. He noted that UIHC talked about 200 ways they plan to save \$22 million and was not convinced the universities have found every way to save money, nor was he convinced they run on a full schedule. He said he: (1) didn't want to let parents off the hook because they should save for their kids early on and that is a bigger question than whether students can afford college today; (2) favors fees; (3) believes education is the best investment a person can make; and (4) Iowa is still relatively inexpensive. He was not convinced the proposed increase is the right amount and thought something more along the line of core inflation at 2.6% is more reasonable. He mentioned what students were told last year – to think about some sort of increase every year so that they do not experience a high increase at the end of their college career.

- MOVED by LANG, to amend the current proposal to increase undergraduate resident tuition by 2.6% and undergraduate nonresident tuition to 3.6%; everything else in the current proposal remains exactly the same.

Regent Gartner asked if the proposed amendment includes fees. Regent Lang clarified that the proposed amendment is for tuition only.

Regent Vasquez asked if the proposed amendment for nonresident students is for all three universities. Regent Lang said yes.

President Miles asked for a second to the motion.

MOTION FAILED for lack of a second.

Regent Lang reported that he planned to vote no on the current proposal.

STATEMENT FROM PRESIDENT MILES:

This is something that I think is an issue about which reasonable minds can disagree. I have the greatest respect for my fellow Regents in terms of their views, regardless of what they may be on the issue.

Personally, I recommend to this Board that we do approve it as it has come to us. I think it's multifaceted. There's a lot to it. First of all, I would remind you that, while the headline number we talk about is the 4.2% for undergraduate resident tuition, this is, in fact, a portfolio of price structure changes for all of our institutions, which is very complex and attempts to meet a number of different needs at the institutions, as well as look at market forces. And so if we simply say no to this entire proposal, then everything stays frozen exactly where it is until we come back and deal with it. The time to deal with it grows short. If, in fact, we do make any changes, any changes start the clock again, we go back to the student body leaders and could not actually adopt any increases other than the increases that have been proposed to us for another 30 days, so everyone is aware.

I would remind you that tuition and fees at all of our institutions are a bargain compared to nationally public universities, a bargain compared to our peers. I think we need to think about that starting point. We have extraordinary value. We have two AAU (Association of American Universities) institutions. We have a great teaching university. We have just tremendous value here and yet we have below median tuition and fees as it is.

The individuals that we entrust to manage our universities have given their wholehearted recommendation for these increases and I think they do not do so lightly. Our student body representatives have questioned some of the increases for out of state, but question them on the high side, not that they were too low, but rather that they were too high and have supported the in-state increases. And so we have heard from that constituency as well and I have confidence in that.

This Board has traditionally looked at the Higher Education Price Index (HEPI) and tried to stay within the range although at times, when funding has been short from the legislative appropriations, have gone over that. At this point, we are at the low end of HEPI and I would note --at least through numbers that we had as of September-- lower than the CPI (Consumer Price Index), lower than the broad inflation measure for the country for this year. So simply just to keep up with costs, whether you view that as keeping up with costs for higher education exclusively or more broadly, we would need the kind of increase that is being suggested.

As I look at this, we face an unprecedented degree of uncertainty as to what the future holds for the state of Iowa in terms of finances over the next year or two and also in terms of what our legislative appropriation might be. There is going to be a lot more information that is going to come along and I think we need to be in a position to be responsive to that.

In that kind of an uncertain situation, it seems to me that the prudent course is to try to stay in the middle, to not do a huge increase because it creates a burden that we certainly don't want to create or because it assumes that we won't have legislative support. Nor to say no increase; we will go to zero because we assume that either the economy is going to be so poor that no one can afford this investment or we assume that the legislature will be very generous to us. We don't know. And while we never know when we sit here and do this, I think the financial turmoil worldwide means that we can be less confident about any decision we would make. But, in that context, I would accept the recommendation of our institution heads, the support at least for the in-state from our students, and I would steer a middle course and say let's do a modest increase.

We will give support to those families and students who cannot afford that increase. We will give them our support. Again, I would remind the Board that, in June, I asked for four key priorities from this Board for this year – one of them to deal with student debt. We are tomorrow going to be looking at 15 recommendations to address student debt and to address affordability for our neediest students. That remains a priority.

And finally, just to remind you in aggregate, this is a powerful tool for the universities. As to each family, I do not diminish whatsoever the challenge to the families. But I would remind us all that we are talking about \$232 dollars. And I would tell you that at less than \$20 a month for each of our students, given the value that we provide, given the transformational opportunity that a university education affords, that that is a reasonable increase in this economic environment. Should conditions change, we can change. But, and I respect that no one wants to burden our students and families, but I think we are talking about \$232 on the sticker price, if you will. We are talking about much less for the neediest students. I think there is no reason to act prematurely to say that Iowans simply cannot afford this. If it turns out that they cannot, then I would be in favor of putting this back on the table. But, in the meantime, I would steer a middle course. And this, to me, seems to be a middle course.

Regent Lang said students can afford \$20 per month. He also said it might make a difference if classes were full five to six days a week and he has not been shown that is the case. He asked the Presidents to make an effort to fully utilize assets throughout the year. Once he sees that, he would feel better about the necessity of increases for everything, not just the proposed \$232.

President Miles responded, saying: (1) institution heads have not failed to deliver on what the Regents have asked of them; (2) if no increases are approved, the ability to generate additional revenue depends entirely on the legislature; (3) in the past when the legislature made a judgment that the state could not make the kind of investment that the Board thought was appropriate in a given year, a significant tuition increase occurred and nobody wants to do that in this economic environment; and (4) to approve no increase sets up the potential for a much more challenging discussion next year.

Regent Lang said he does not want to diminish what the universities and the Regents have done but is certain that, if they had their way, the universities would say there is a necessity for more. He said he understood moving ahead with the proposal at this time and felt that the economy is going to get worse.

President Pro Tem Evans said it is very important to support the leaders.

Regent Vasquez stated she does not know what the most efficient model is for maximizing resources, however, this is not isolated and tuition is always discussed. She said: (1) in the past, students have asked for no increases but have made more demands for campus amenities; and (2) students value amenities and are willing to pay for them because it is the lifestyle they want. She said that she keeps going back to the student support for the tuition increase.

President Miles said no business is perfectly efficient. He reported that data suggests the real cost of a public university education has barely moved over the last decade, adding the reason it has doubled in Iowa is because of the steady withdrawal of appropriation support. He said the cost is not because of wasteful spending at the universities, it is a reallocation of who pays for it.

Regent Gartner said there is no question that the Regents should support the Presidents on most issues, but the Board's real obligation is to the people of Iowa, particularly the parents. He noted that, while students support the proposal, it is really the parents that pay. With respect to inefficiency, Regent Gartner said there is no question that every organization is inefficient.

Regent Gartner calculated the amount of money would be close to \$15 million, less than one half of one percent of the total Regents budget. He said the Presidents say an increase would provide more money for financial aid and there is no question about that, but the costs would not offset it.

Regent Gartner said he respects the opinions of those that are for the raise but, because of the in-state situation, he intends to vote against the proposal.

➤ **MOVED by DOWNER, SECONDED by LANG, to decrease the resident undergraduate tuition at all three universities from 4.2% to 3.2%.**

President Miles clarified that the motion affects tuition only and does not affect fees.

Regent Downer said: (1) we are in unprecedented economic times; (2) if the resident undergraduate percentage is lowered across the board, it will be in the same ballpark as last year; and (3) this is the same percentage as approved for the current year when we were not facing difficult economic times.

President Miles asked about the 30-day notification process for changes to the proposals. President Geoffroy believed that if the proposed change is a decrease, it can be done at this meeting; however, if the amount is increased, approval must happen at another meeting.

President Miles suggested a friendly amendment to say there would be no change to undergraduate resident tuition and propose a 3.2% increase for student leaders to consider. The Board could then act at the next meeting.

In response to Regent Harkin, President Miles said the Board does not have to act today.

Regent Gartner asked if the Board is required to act at the December meeting. Tom Evans said that the timing was modified. The Board discussed timing and potential motions.

Tom Evans clarified the rule and suggested that the Board seek student leaders' input on the new proposal.

President Miles retracted the friendly amendment and clarified that Regent Downer's motion before the Board is to revise the increase for resident undergraduate tuition from 4.2% to 3.2%.

Regent Vasquez asked for the Presidents response on their view of the reduction.

President Geoffroy believed that 4.2% is the right figure, but felt that 3.2% is much better than no increase at all, given overall economic conditions and the outlook for state appropriations.

President Allen said the financial impact of moving from 4.2% to 3.2% would affect UNI more than the other institutions because 93% of UNI's students are in state. Although he preferred to see a 4.2% increase, he agreed with President Geoffroy that 3.2% is better than no increase.

President Mason echoed Presidents Geoffroy and Allen saying a 3.2% increase is better than no increase. She felt the proposed increase is rational, conservative, and reasonable considering the aftermath of the floods and the current economic crisis, and was disappointed that the Presidents did not receive more support.

President Miles asked the student leaders for their thoughts.

Iowa State University Government of the Student Body President Dan Fischer appreciated the opportunity for student leaders to voice their opinions. He said many good points were made and noted that the economic crisis is a big worry and affects people in different ways. He said, from a student perspective, student debt is the biggest concern and even a moderate tuition increase will affect students.

University of Iowa Student Government President Maison Bleam said he would not oppose lowering the increase to 3.2% and agreed with Regent Lang that the universities have not found every way to save money. He expressed concern about some fees he believed were out of control.

Northern Iowa Student Government President Pernel Cezar said he wasn't too sure that HEPI predicted the current financial crisis, and he was not opposed to annual tuition increases, noting the universities need financing to operate. He felt a 3.2% increase is better than no increase.

Regent Vasquez felt a 3.2% increase is not in the best interest of the universities in the long term and noted the dollar increase per month to students for a 4.2% increase would be approximately \$20 a month. She said she preferred not to support a 3.2% increase, but would if needed to get an increase.

In response to Regent Vasquez, President Miles clarified that the motion on the table proposes to decrease the resident undergraduate tuition at all three universities from 4.2% to 3.2%.

Regent Lang said he had not considered how the percentage of Iowa students affected UNI and will now vote no on the amendment.

President Miles clarified for Regent Johnson that if this vote fails, the Board will go back to the original motion.

(Regent Downer's Amended Motion as proposed earlier)

- MOVED by DOWNER, SECONDED by LANG, to decrease the resident undergraduate tuition at all three universities from 4.2% to 3.2%.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x							
Nay			x	x	x	x	x	x	x
Absent	x								

MOTION FAILED.

Regent Lang agreed with Regent Gartner that the Board is voting for the people of Iowa, adding that it does not mean that Board members do not support University leadership. He said he is willing to support the original proposal and asked for other indicators and more in-depth discussion next year.

(Original Motion as presented)

- MOVED by JOHNSON, SECONDED by EVANS, to approve the conditional tuition and related fees for the 2009-10 academic year, as outlined in the memorandum, effective with the summer session of 2009.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x			x	x	x	x
Nay				x	x				
Absent	x								

MOTION APPROVED by ROLL CALL.

President Miles thanked everyone. He said the Regents, regardless of their viewpoint, act in the best interest of Iowans as they see it, and thanked them for their willingness to express their views in a respectful manner on a challenging issue. He said the decision is difficult and no one wants to burden Iowa students and families.

President Miles adjourned the meeting at 6:25 p.m.

President Miles called the meeting to order at 8:35 a.m. on December 11, 2008.

Roll Call:

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Present		x	x	x	x	x	x	x	x
Absent	x								

Institutional Sexual Assault Policies

Saundra Schuster introduced Kate Clifford, her partner in Schuster and Clifford, L.L.P., (S&C) and provided highlights on the report the Board received, which included: (1) information on their professional backgrounds; (2) the process to develop the project; and (3) the Sexual Misconduct Guiding Principles (SMGP) approved by the Board at its October 2008 meeting.

Ms. Schuster reported the institutions committed a substantial amount of time and effort to the review process to ensure campus-wide input. She indicated that S&C: (1) developed the SMGP; (2) reviewed and conducted a legal audit on each institution’s existing policies related to student-to-student sexual misconduct; and (3) revised and created student sexual misconduct policies that were consistent with the SMGP, state and federal law, and higher education best practices.

Ms. Schuster said S&C intensely reviewed each institution’s existing policy and revised and created policies with common characteristics that reflect each institution’s culture, noting that each institutional policy provides a clearly-articulated, student-centered protocol with strong victim-support elements.

She reported that the policies and procedures provide students with access to confidential reporting sources and specific information on institutional resources which address safety, housing, and academic concerns. She said the policies strongly encourage institutional and law enforcement reporting and explain the importance of such reporting, and highlighted common elements from each policy.

Kate Clifford discussed four key implementation steps:

1. **Training:** She said policies are the first step, but they must have an effective implementation strategy that begins with training students, faculty, staff, law enforcement, and confidential advocates on institutional policies and procedures relating to student sexual misconduct. She explained that the intention of the student-centered policy is to: (1) provide students with resources and support assistance; and (2) explain to students that they can go to the institutions and law enforcement without having to file a formal complaint or file charges, which is very important to students.
2. **Web-based resource page:** She suggested each institution: (1) develop a web-based resource page that is well designed; student friendly; accessible to students, faculty, and staff; and has links to the sexual misconduct policy, Clery reporting, and a confidential resource office; (2) provide a “safety button” on the front page that immediately directs the user to the resource page, adding that it could be broadened to include evacuation warnings and other timely safety concerns on campus.
3. **Outreach:** She said it is important to reach both on-campus and off-campus students. To ensure maximum impact, campuses must be inundated with information so students, faculty, and staff understand that sexual assault policies are an institutional commitment. She further commented that it is critical to be committed and to continue implementing strategies to make a difference.
4. **Legal Policy Audit:** She said audits measure policy effectiveness, training, campaign outreach, and will show areas for improvement.

The Presidents and Superintendents reported on institutional efforts to improve policies and procedures for responding to student-to-student sexual misconduct:

President Allen said students, faculty, and staff have improved capacity to support student victims and assure a coordinated, comprehensive, and timely response, adding that reducing incidents of sexual misconduct provides all students with a safer environment. He introduced the Dean of Students, Jon Buse, who led the campus effort. Mr. Buse reported that UNI has or will: alter UNI's policy to meet the SMGP, revise the Student Conduct Code and the Sexual Harassment Policy, and improve and expand implementation efforts in communication and training.

President Allen thanked the Board for their leadership, as well as Jon Buse, Annette Lynch, and others at UNI who worked on this effort.

President Geoffroy said ISU put together a multi-disciplinary team that works together to address and deal with sexual misconduct issues through the University Critical Incident Response Team. He said the review process resulted in a better policy with a student-centered approach on sexual misconduct and introduced Associate Counsel Kathryn Overberg, and Dean of Students, Dione Somerville, who highlighted ISU's policy and implementation efforts.

Dean Somerville reported that ISU's policy was developed with and for students. She said the policy: (1) is the primary source for information for everyone; (2) designates one single point of contact in the Dean of Students Office to coordinate efforts regarding sexual assault; (3) defines confidentiality; (4) provides confidential resources; (5) addresses immediate actions and accommodations for victims and the University's position on retaliation; (6) addresses prohibited behavior and definitions of consent; (7) continues Clery Act compliance with all cases of sexual assault reported to police; and (8) includes a Good Samaritan clause whereby the University will forgive certain judicial charges for students who report sexual assaults.

Dean Somerville said ISU's next steps include: enhancing the student web site, coordinating changes to the Discrimination and Harassment Policy and the Student Disciplinary Regulations, and continuing training and education for the campus community. She said ISU believes its policy reflects national best practices and the SMGP approved by the Board.

President Geoffroy said he was pleased to have had the opportunity to make ISU's policies even better and noted that training will be critical to the policy's successful implementation.

President Mason reported SUI has made great progress and has had tremendous input. She said the policy is clear and will continue to be a work in progress. She introduced Senior Associate to the President Jonathan Carlson, who summarized the University's efforts.

Mr. Carlson reported that SUI's policy: (1) is legally compliant, reflects best practices, and is consistent with the SMGP; (2) promotes an effective institutional response to allegations of sexual misconduct and eliminates informal responses and investigations; (3) protects the interests and rights of all students involved; (4) ensures mechanisms exist to provide victims of misconduct with resources to address all of their needs and that people are aware of them; and (5) helps victims understand all of their options with respect to law enforcement and University investigations.

Mr. Carlson said implementation plans include getting information out to students, making sure faculty and staff understand the policy and know how to respond should a student approach them with a complaint, training, and revising the Code of Student Life.

President Mason said it was a pleasure to work with the other institutions and they learned a lot from each other. She also said that Ms. Schuster and Ms. Clifford were the right people to help in this process.

Superintendent Clancy reported that IBS and ISD developed a joint policy that would govern both institutions as well as state-wide services. He said the policy: (1) considers the 24-hour type of services offered and the nature of working with and serving minors; (2) incorporates the SMGP; (3) identifies the Superintendents Offices as the primary place for the reporting and the investigation process; and (4) states that there will be a victim advocate trained and available for sexual misconduct reporting, investigation, and victim support throughout the process.

He expressed concern about the policy meeting the SMGP standards of being the effective communication tool for the students that the special schools serve. He said the one-page resource page is a tool they will develop and that staff training is an essential ingredient of implementation.

Superintendent Prickett provided some additional observations to Superintendent Clancy's comments. She said: (1) the Special Schools will discipline for misconduct that would not be considered misconduct with consenting adults. It is misconduct when underage students live in a boarding school; (2) students are still under parental custody and parents will be brought in immediately; (3) stringent measures will be taken if a criminal act has occurred; (4) investigations will be in depth since some students have a lack of language skills and may misuse signs; (5) it is very important to provide for the safety of alleged victims and noted that the Special Schools have small dorms and program parameters. If it is believed that a criminal assault or something inappropriate has occurred, the School(s) will work with the local school district.

Regent Harkin thanked the institutions and the consultant. She (1) had hoped that the universities would have the same policy as opposed to three different ones; (2) expressed concern with SUI's policy and urged the University to strongly encourage law enforcement involvement; (3) felt that ISU's policy had the most clarity and was the easiest to use; (4) suggested joint training, adding that training should not differentiate between cultural differences on the campuses.

Ms. Schuster replied to Regent Harkin's concerns. She said: (1) the policies are mostly the same and adhere to the SMGP, but articulate in formats reflective of the particular institution; and (2) SUI's policy includes language that strongly encourages students to seek immediate assistance in the "hot box" at the top of their policy. Regent Harkin suggested changes to the narrative. Ms. Schuster agreed.

Ms. Clifford said she understood the need for policies that look the same. She commended the institutions for their collaboration and suggested that continued collaboration may eventually result in more stylistically consistent policies. Ms. Schuster said that S&C recommended language that included common terms and thought that joint training would be cost and time effective and convey common expectations for behavior and support.

President Mason clarified that SUI's policy states that students are strongly encouraged to work with authorities on issues of sexual misconduct.

Annette Lynch announced that there will be at least one joint training session.

Ms. Clifford suggested that key stakeholders at each institution develop common training mechanisms.

In response to Regent Gartner's concern about SUI's policy on reporting incidents, President Miles clarified that the concept of reporting to law enforcement agencies is in the policy, even though it is a little buried.

Regent Gartner asked about the frequency of Clery Act reporting. Ms. Clifford said Clery Act reporting is performed on an annual basis; however, an ongoing log containing what sexual assaults have occurred will be accessible. Regent Gartner requested that the Board receive quarterly Clery Act reports to get a sense of crime statistics. Hearing no objection from Board members, President Miles approved that request.

Regent Downer (1) said he understood that there are different reporting mechanisms, law enforcement communities, and university structures; however, he would like to see identical language and uniformity rather than the same content expressed differently, particularly in defining acts; (2) found ISU's policy demonstrably superior to the other two universities in terms of defining confidentiality rights for the alleged victim and for the accused, and UNI's policy superior to SU's; and (3) encouraged relatively uniform, clear, concise, and separately-identified definitions with regard to confidentiality. Ms. Schuster and Ms. Clifford agreed.

President Miles: (1) complemented S&C and the institutions for the terrific work done in a very short time frame; (2) said it is important to demonstrate to Iowans that this is a significant issue and that a formal and structured process be followed in each and every instance; (3) encouraged it be affirmatively stated to individuals under a great deal of stress whether or not conversations are confidential; (4) noted multiple contact phone numbers are given and asked for an explanation, adding that, while the richness of resources is wonderful, he wouldn't want an individual to have to think about which number to choose and expressed his preference for just one.

Ms. Clifford reported the goal was to provide a resource for the institution, law enforcement, and medical help. She said that, while one number seems easy, different resources were provided so students would feel comfortable seeking help, and gave examples of why students may not utilize just one number. Ms. Schuster said the "safety button" represents a comprehensive resource for all kinds of assistance, and the "hot box" and the interactive web page provide brief descriptions of the types of services available.

Regent Johnson asked if the same result happens no matter where an individual may call. Ms. Schuster said yes.

Regent Lang asked if all policies will indicate that reporting is strongly encouraged. President Miles said that is in the latest draft.

Regent Lang commended ISD and IBSSS for an excellent job, noting that they addressed hazing.

➤ MOVED by GARTNER, SECONDED by EVANS, to:

- ◆ Receive the oral reports from the presidents of the universities and the superintendents of the special schools and the consultant, Clifford & Schuster, L.L.P. regarding the review and legal audit and resulting modification of existing institutional student-to-student sexual assault policies which were reviewed by the consultant; and
- ◆ Approve the draft student-to-student sexual misconduct policies of the universities and the special schools.

Regent Downer suggested that the motion incorporate Board member comments indicating that the institutions move forward to refine and further develop their policies. President Miles accepted Regent Downer's suggestion as a friendly amendment.

President Pro Tem Evans asked S&C to further explain the audit function. Ms. Schuster suggested the institutions be audited for best practices with respect to implementation, clarity, and articulation to ensure that policies are working and are student-centered. She said the intent is to ensure that confusion about the process never happens again. Ms. Clifford said audits look at other pieces that touch sexual misconduct policies and address uniformity. President Pro Tem Evans asked Executive Director Donley to make a note to discuss this in one year.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x	x	x	x
Absent	x				x				

MOTION APPROVED by ROLL CALL.

President Miles thanked Sandra Schuster, Kate Clifford, and the institutions for their good work. He also thanked the Department of Justice for their assistance.

Consent Agenda

- ◆ Minutes of October 29, 2008, Board Meeting
- ◆ Institutional Personnel Transactions
Regent Gartner expressed objection to this item. He stated his specific concern was the establishment of the search committee for the new general counsel at the University of Iowa. He stated if it were a separate item, he would vote against it. He stated he did not believe this was the appropriate way to pick a general counsel. He felt the general counsel should be chosen by the President of the Board and the President of the University in consultation with the Attorney General, and it should not be an issue involving the rest of the administration or the faculty at the University. He indicated he had expressed his views privately to President Mason and to President Miles.
- ◆ Conflict of Interest Vendors
- ◆ University of Iowa Equipment Purchase
- ◆ Request to Establish New Center at the University of Iowa – The Fraternal Order of Eagles Diabetes Center
Regent Downer asked (1) if the gift of \$5 million/year from the Fraternal Order of Eagles will be sufficient to cover all of the costs of the proposed Center; and (2) how the Center will be funded after the fifth year. Dr. Robillard responded that the \$5 million/year gift from the Fraternal Order of Eagles will be sufficient to cover the costs of the Center. After the 5th year, the endowment established by the gift will cover continuing costs. Regent Downer asked if a portion of the \$5 million/year gift will be set aside as an endowment for future costs of the Center. Dr. Robillard responded affirmatively. President Mason also indicated that new faculty affiliated with the Center will write grants to support their research. Regent Lang asked if grants could be used to support administrative costs. President Mason responded affirmatively.
- ◆ Professional Development Assignments Requests for FY 2010
- ◆ Revision to Board Meeting Calendar for February 2009
- ◆ 2010 Meeting Dates

➤ MOVED by EVANS, SECONDED by DOWNER, to approve the Consent Agenda.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x	x	x	x
Absent	x				x				

MOTION APPROVED by ROLL CALL.

Board President Report

President Miles acknowledged the passing of Cindy Browne, the first Executive Director of Iowa Public Radio (IPR). He reported that during her tenure she successfully unified public radio stations and achieved several significant milestones, including: completion of a state-wide listening project to solicit ideas which helped IPR better serve Iowans and their communities; launch of a combined news and information service and a classical music broadcast; attraction of several grants; and arrangement of IPR and NPR to co-host a national democratic presidential debate.

President Miles offered the Board's personal condolences to her family.

Regent Gartner said that through careful planning, strategic thinking, and charming implementation, she accomplished things that no one else could.

President Miles acknowledged the five-member Board who has overseen IPR's development and leadership transition. He thanked Art Neu for serving as Chair and Steve Carignan for serving as Executive Director, and welcomed incoming Executive Director Mary Grace Herrington.

President Miles acknowledged and congratulated Owen Newlin for receiving the 2008 Order of the Knoll Cardinal and Gold Award, noting that Mr. Newlin was a member of the Board of Regents for twelve years, eight as President.

Statement from President Miles:

I commend members of this Board for the candid, thoughtful, and respectful dialog yesterday regarding the appropriate tuition and fees for the fall semester of 2009. I hope that Iowans will take three things away from that discussion and our ultimate decision:

- ◆ *Have no doubt that each and every Regent, the Board as a whole, and the institutional leadership of Iowa's public universities are committed solely to providing world-class, affordable, higher education to Iowans. In these uncertain financial times, we kept our tuition increase well below the double digit hikes being enacted in so many other states across the country. This at a time when state appropriations for Iowa's public universities remain very much in doubt. And what is all too often overlooked, the University of Iowa continues to struggle with tens of millions of dollars of unmet needs caused by last summer's devastating floods.*
- ◆ *The Board of Regents, the University of Northern Iowa, Iowa State University, and the University of Iowa are all committed to ensuring that every qualified Iowan can afford to attend our public universities. Later today, we will be acting on a series of recommendations intended to reduce student debt levels and to provide access to students from families of even the most modest financial means to our universities. I say this to Iowa families: If you want a world-class education for your child or yourself but your family is struggling financially, do not abandon your dream. Come to us and we will work together to make that dream a reality.*
- ◆ *Finally, you should know that Iowa's public universities put Iowa and Iowans first. When the Governor requested that our public universities find seven million dollars in the remaining six months of the current fiscal year in order to balance Iowa's state budget, we did not protest or complain, we simply went to work to find the dollars that were needed. This seven million dollars alone represents nearly 50% of the net tuition and fee increase for FY 2010 that was just adopted by the Board yesterday. So the first half of the tuition adjustments just approved will be required to bring the universities back to where we started this fiscal year. Still, it was the right thing to do for the state – and we did it.*

As we head into a new legislative session, the Iowa Board of Regents looks forward to working with all of our partners in education, in sharing whatever financial sacrifices might be needed, and developing creative solutions to provide the most cost effective and highest quality education for Iowans, in this, the education state.

- The Board received the report by GENERAL CONSENT.

Executive Director Report

Executive Director Bob Donley reported that the Board will hear an update later in the day on Access and Affordability, Communications, Sustainability, and Campus Safety and Security. He thanked the Presidents, institutional heads, and the Board Office staff for all of their hard work.

- The Board received the report by GENERAL CONSENT.

Institution Updates

The Presidents and Superintendents provided updates on activities at their institutions.

- The Board received the updates by GENERAL CONSENT.

Status Report on University of Iowa Approved Flood-Related Capital Projects

Vice President True outlined the University's cash flow concerns with respect to payment of flood recovery costs. Since the Federal Emergency Management Agency (FEMA) pays on a reimbursable basis, the University has been required to internally cash flow a significant portion of the incurred costs while waiting for reimbursement. He explained that since an immediate response to the flooding was critical for the University to remain operational, it could not hold up the recovery process to address cost issues. He reported that the University has incurred Phase 1 flood recovery costs to date totaling \$100 million, and FEMA and insurance have covered just over two-thirds of this amount.

To address this cash flow situation, which is expected to become more severe with the larger expenses associated with the flood mitigation (Phase 2) work to begin next year, Vice President True outlined the University's efforts to create a liquidity facility for the issuance of short-term revenue anticipation notes. This would provide the University with ready access to liquidity and allow it to confidently move forward with the additional flood recovery work. He stressed the need to ensure that cash flow concerns do not become a barrier to the University's full and rapid recovery. The University will work further with the Board Office regarding plans for the issuance of short-term revenue anticipation notes to fund the flood recovery projects.

Regent Gartner inquired about the extent of the liquidity problem the University is facing. Vice President True noted that FEMA operates on a reimbursement basis and there can be a six-month lag between when expenses are paid and the subsequent reimbursement. Thus far, the University has internally dealt with the cash flow issues. He stated that while there are costs associated with internally cash flowing recovery projects and issuing revenue anticipation notes, the University would be in a better position if it issued notes to prevent delays in the recovery process.

President Pro Tem Evans asked how the reimbursement risk could be characterized. Vice President True responded that once FEMA completes its assessment, the University is confident it will be compensated. The reimbursements are less certain prior to the FEMA assessment. Before the University engages in larger Phase 2 projects, it will inform the Board of the associated costs, risks, and the anticipated reimbursements.

Regent Downer asked how the payment relationship with FM Global (the University's insurance carrier) was working. Vice President True responded that the firm has been a great partner for years and has provided assistance in working with FEMA.

President Miles noted the importance of the University's periodic flood recovery reports to the Board to remind Iowans of the continued flood recovery efforts at the University and that all Iowans have a stake in the restoration of the University's facilities and infrastructure.

- The Board received the status report by GENERAL CONSENT.

Audit/Compliance and Investment Committee Report

The full Board took the following actions:

- MOVED by EVANS, SECONDED by GARTNER, to:
 - ◆ Receive the Investment and Cash Management Report as corrected; and
 - ◆ Remove from the Small Cap Core portfolio two fund managers, LSV and Artisan, and replace them with Delaware.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x		x	x
Absent	x				x				
Abstain							x		

MOTION APPROVED by ROLL CALL.

University of Iowa Hospitals and Clinics Trustees

UIHC Committee Chair Downer briefed the Board on the reports received at the December 10th UIHC Committee meeting, including a report from student leaders of *Dance Marathon*. He expressed the Board's appreciation for the great volunteer efforts by students to raise money for the Children's Hospital and interact with patients and their families to help make their stay more pleasant and less difficult.

- MOVED by DOWNER, SECONDED by EVANS, to receive the report.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x	x	x	x
Absent	x				x				

MOTION APPROVED by ROLL CALL.

Update on Campus Safety and Security

Marcia Brunson stated, in accordance with Board of Regents policy, the Board will receive a comprehensive written report on safety and security at the five institutions at the February meeting. Today, the directors of public safety at the three universities and the special school superintendents will provide the Board with oral updates addressing the areas of mass communication capabilities, threat assessment and management, physical security capabilities, training, use of force, student involvement relating to safety issues and implementation of the new state smoking law.

Charles Green, Assistant Vice President and Director, Public Safety at the University of Iowa, explained that the University utilizes several methods for mass communications – the Connect-ED System (HAWK ALERT), which includes e-mail, text messaging, and voice mail, and is used to notify the campus community of emergency situations.

Also available is the outdoor warning system, consisting of five towers on the main campus and one at Oakdale, used for severe weather warnings and which has public address capabilities. The University has established a multi-disciplinary Threat Assessment Team. He stated there were 126 digital cameras located throughout the campus. He reviewed the types of safety and security training presented at the University. Training for faculty, staff, and students includes rape aggression defense, personal safety, and alcohol and drug awareness. Certified officers qualify and train with firearms twice a year. He noted that state of Iowa standards require only annual qualification. He noted there was one firing of a weapon since the department was armed for the purpose of euthanizing an injured deer. He explained that students are involved in several aspects of campus safety – the Nite Ride program, the Citizens Police Academy, student guards, and student dispatchers. He noted no citations have been issued relative to the state smoking law, but officers have responded to 84 calls relating to smoking.

Jerry Stewart, Director of Public Safety, Iowa State University, explained the mass communication capabilities at ISU. These methods include ISU Alert which allows the issuing of emergency information via voice, text message, and e-mail. In addition, an emergency homepage has been developed to overwrite the ISU web page during a threat or crisis; and an outdoor warning system installed, consisting of five towers placed throughout the campus having siren and voice capability. He noted ISU has utilized a Threat Assessment and Management System since 1994. In the area of physical security, ISU uses comprehensive electronic security systems and is increasing its use of digital cameras. Police staff members presented numerous training programs throughout the year in areas such as workplace violence, campus safety, dealing with difficult people and threat assessment. Director Stewart explained the ISU Police Division has had long-standing mutual aid agreements with the Ames Police Department and the Story County Sheriff's Office. These agreements allow for an exchange of resources, and the departments work collaboratively during major events such as home football games and the Special Olympics. The departments all utilize the same radio system and dispatch and records management software. The ISU Police division use of force and weapons policies comply with the Commission on Accreditation for Law Enforcement Agencies and as with the University of Iowa officers, ISU officers exceed the annual requirement for weapons certification. He noted no officers have discharged a firearm for other than approved training programs since the Board approved the arming of certified officers. ISU involves students in safety-related issues in several ways – annual campus safety walks to identify hazardous areas, the eight-week Citizen Police Academy for students, faculty and staff, and the safety escort and motorist assist programs. In addition, the department employs approximately 85 students in various functions such as dispatch, security, parking enforcement and records management. Director Stewart stated ISU officers have issued two citations and approximately 40 warnings (mostly verbal) for smoking on the campus.

David Zarifis, Director of Public Safety at the University of Northern Iowa, stated the University utilizes Connect-ED and UNI Alert for purposes of mass communication. He noted UNI Alert was successfully utilized in March during an incident where a potential gunman was believed to be headed to the campus. Eight locations have been identified for outdoor voice notification speakers and installation of the system is underway. UNI initiated a Critical Assessment and Consultation Team to review student issues, and the UNI Counseling Center increased staffing by 2.5 positions to ensure compliance with accreditation standards. He stated the campus would continue to improve the physical security of buildings by adding electronic locks to the newly refurbished buildings. Gilchrist Hall houses the Incident Command and Operations Center and a phone center for emergency response. The department employs 15 students to patrol the inner campus, check buildings and provide escort services. The UNI Police meets on a regular basis with city and county law enforcement agencies. The department continues to provide rape aggression training.

President Allen, along with other University administrators and student leaders, walked the campus last fall to determine areas where lighting and safety concerns could be addressed. Director Zarifis stated, following the Parkersburg tornado and the Cedar Valley flooding, the University established a Red Cross shelter in the West Gym and also provided space on the campus for FEMA representatives. Assistance was also provided to the federal Small Business Administration and Homeland Security.

Superintendent Prickett stated ISD had been smoke free for years and there have been no complaints since the state law was enacted. In regard to campus security, she stated digital cameras have been installed in many of the buildings on campus and intruder alarms are located in other buildings. The School's crisis management plan has been updated and all staff has received training. She stated that, at the request of students, the speed limit on campus has been reduced and flashing lights have been installed at primary crosswalks.

Other safety measures implemented include additional lighting along walkways and building perimeters, and a photo ID badge system for all staff. She explained that the School has a stringent policy for background checks for staff and volunteers. She stated the private security firm the School retains has increased the frequency of nightly campus drive-throughs.

Superintendent Clancy stated the School does have public safety officers on campus, but maintains a good positive relationship with law enforcement in the Vinton community. He stated the School's safety and security policies were reviewed with AmeriCorps. In the past, the School has had cooperative relationships with the universities in the risk assessment area and would invite and appreciate such cooperation in the future. He noted the School has taken steps to guard against risk especially in areas of personnel ratio and supervision; personnel training, door security, and lock security protocol. He noted the interior alarm system is new in Old Main Building, but the exterior system is weak and should be enhanced. The School has a good history of a safe and secure climate. He stated he would like to enhance safety and security with more cameras and electronic locking systems. He stated there have been no complaints or citations relative to the implementation of the state ban on smoking. He also stated that the IBSSS campus was used as a shelter by the American Red Cross during the summer flooding.

President Miles asked if communities surrounding the institutions have communication systems for emergency notification.

Director Green said the public school system in Iowa City uses Connect-ED to respond to incidents involving their K-12 students, and parents are signed up to receive messages. He stated the University has elected to put certain emergency services on the Hawk Alert which would include the Iowa City and Coralville police departments and the Johnson County sheriff in the event of an emergency on the campus.

Director Stewart responded ISU has put Ames Police, the county sheriff and the DCI on the ISU system. He stated he represented ISU as a member of the Story County E911 Board which has discussed a reverse 911 system. Such systems are becoming more sophisticated; Connect-ED has an offshoot called Connect CTY which the city has explored.

Director Zarifis stated UNI had work groups within the Connect-ED system to provide information to some of the city departments and to state homeland security and others but not with the city or county as a whole.

Regent Downer asked Director Green about the interface between the University police department and the new joint communications facility that is being built among Johnson County, Iowa City, and Coralville.

Director Green responded that one of the University buildings may be used for tower space because of the height. The department will also be a back-up for a joint communications center in case the system goes down.

➤ The Board received the report by GENERAL CONSENT.

Access and Affordability – Part II – A Board of Regents Initiative

Diana Gonzalez; Mark Warner, Assistant Provost of Enrollment Services and Director of Financial Aid at SUJ; Roberta Johnson, Director of Student Financial Aid at ISU; and Joyce Morrow, Associate Director of Financial Aid at UNI provided a PowerPoint presentation.

Dr. Gonzalez reminded the Board that Access and Affordability – Part I described and explained how the three key components that affect access and affordability – cost of attendance, ability to pay, and financial aid resources – affect how students pay for their education. The team described the purpose of Part II: to summarize the key components related to student financial aid and to identify conclusions and recommendations relative to the challenges and issues that affect access and affordability, especially related to student debt for Iowa students.

President Pro Tem Evans asked if the team had looked at models of loan forgiveness programs in other states. Mr. Warner responded that the team did not look at specific models; however, the University of Iowa had information prepared by a faculty member outlining a loan forgiveness program.

Regent Downer asked if any of the proposals in the report have been included in the Regents enterprise legislative program. The Iowa Department of Economic Development might be interested in the loan forgiveness program as a way to enhance Iowa's workforce. Regent Downer further mentioned that the state grant funding program is deficient and there might be opportunities with the legislature.

President Miles asked the team for information about the impact on student debt if there were a reduction on the use of student debt and an increase in the use of PLUS loans. President Miles also asked if the changes in the Iowa Student Loan program are on a trajectory to fix the problem of intense marketing of private loans. Ms. Morrow responded affirmatively. However, she cautioned the Board that increases in unsubsidized federal loans may result in increased student debt.

President Miles indicated that approximately \$24 million/year would be needed to reduce average student debt by \$1,000. He also indicated that he will put together an informal working group to review the recommendations for the March 2009 Board of Regents meeting. Regent Gartner suggested that the timeframe be moved up so that it can coincide better with the 2009 legislative session. President Miles agreed and indicated that the proposals would be presented at the February 2009 Board of Regents meeting.

President Miles thanked the team for all of their efforts on this critical issue.

➤ The Board received the report by GENERAL CONSENT.

Resolution for the Sale and Issuance of \$33,750,000 Hospital Revenue Bonds, Series S.U.I. 2009

Joan Racki introduced Barry Fick from Springsted, Inc., the Board's financial advisor.

Mr. Fick reported that four bids were received; the winning bid was submitted by a group led by Wachovia Securities with a true interest rate of 5.88%.

Mr. Fick noted that this series of bonds is the last issuance under the General Assembly's 2002 authorization for the sale of up to \$100 million in bonds on behalf of UIHC. He reported that the overall interest rate for the entire series of bonds is below the original 2001 projection, which is a favorable outcome for the entire program.

Responding to Regent Gartner, Mr. Fick confirmed that these bonds are double tax exempt and are refundable as early as 2018 (call date) and maybe earlier as a refunding before the call date as interest rates return to a normal level. He said Springsted will watch for refunding opportunities.

In response to Regent Vasquez, Mr. Fick reported that there was strong interest in the bonds even though the bids were not as favorable as we would have liked; the rates were favorable compared to other similarly-rated entities.

Regent Gartner asked if the full faith of the University or the State of Iowa stand behind revenue bonds like these. Mr. Fick replied no.

- **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 \$33,750,000 Hospital Revenue Bonds, Series S.U.I. 2009, for the purpose of constructing, improving, remodeling, repairing, furnishing, and equipping inpatient and outpatient facilities and patient care facilities, and mechanical and other supporting facilities at the University of Iowa Hospitals and Clinics including, without limitation, the Ambulatory Surgery Center expansion and the Emergency Treatment Center expansion, on the campus of the State University of Iowa, funding a debt service reserve fund and paying the costs of issuing said Bonds.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x	x	x	x
Absent	x				x				

MOTION APPROVED by ROLL CALL.

Register of University of Iowa Capital Improvement Business Transactions

Vice President True provided an overview of the proposed capital improvements for the Old Music Building, Daum Hall, and the Cretzmeyer Track and Field Complex.

President Miles inquired if it made sense to reinvest in the Cretzmeyer Track and Field Complex due to the flooding which had occurred. Vice President True responded yes, as the complex is widely used for recreation and the University expects to receive a partial reimbursement of the costs from FEMA.

- **MOVED** by GARTNER, **SECONDED** by LANG, to approve the schematic design and project description and budget for the **Old Music Building – Renovate Facility** project (\$6,400,000), and the project description and budget for the **Daum Hall – Restroom Renovation – Phase 1** project (\$1,992,232), and to ratify the revised project budget for the **Cretzmeyer Track and Field Complex Renovation** project (\$2,400,464).

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x	x	x	x
Nay									
Absent	x				x				

MOTION APPROVED by ROLL CALL.

Proposed Lease of University Athletic Club Property

Vice President True provided an overview of the property to be purchased by the Facilities Corporation and proposed to be leased to the University.

Regent Gartner asked why the current owners want to sell the property, and if the facility and the land on which it is located have been appraised. Vice President True responded that the property was appraised and went through the same tests as if the University was directly buying it.

Regent Gartner then asked if the University would continue to operate the facility as a club. Vice President True responded that the University has an obligation to offer the same services to current members through next August; at that point, a determination, based on the needs of the University, would be made.

Regent Downer noted the property would have substantial value to a private developer as it is the only commercially zoned property in the City of University Heights.

Regent Lang asked when the appraisals were completed and if the facility was profitable for the current owners. Vice President True responded that the appraisals were completed in the fall and the Club was profitable.

Regent Lang asked if the University would consider buying the church property next to the Athletic Club. Vice President True responded that there currently is a pending sale for the church property.

- MOVED by EVANS, SECONDED by GARTNER, to authorize, for the benefit of the University of Iowa, a lease with the University of Iowa Facilities Corporation for property located at 1360 Melrose Avenue in University Heights, Iowa, to be acquired by the University of Iowa Facilities Corporation.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x	x	x	x
Nay									
Absent	x				x				

MOTION APPROVED by ROLL CALL.

Proposed Acceptance of Land Gift for Iowa State University

Vice President Madden provided an overview of the proposed land gift to be used by the University's English Department for its Creative Writing and Environment Program and other academic programs.

- MOVED by LANG, SECONDED by DOWNER, to authorize the acceptance, for the benefit of Iowa State University, of approximately 76 acres of land located in Boone County, Iowa, from Everett Casey, subject to approval of the final documents by the Board Office and Attorney General's Office.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x		x	x	x	x
Nay									
Absent	x				x				

MOTION APPROVED by ROLL CALL.

Board of Regents Communications Plan – Phase 1

- MOVED by EVANS, SECONDED by JOHNSON, to:
 - ◆ Approve the establishment of the Board of Regents Interinstitutional Communication Committee comprised of communication directors from the five Regent institutions, the Board's State Relations Officers, and representatives of the Board Office, as listed in Agenda Item 19;
 - ◆ Adopt Phase 1 of the Board of Regents Communication Plan as outlined in Agenda Item 19 for immediate implementation; and
 - ◆ Direct the Communication Committee to undertake periodic reviews and updates of the Communication Plan, at a minimum of once annually, for presentation to the Board, with the first series of updates based on the new Board Strategic Plan, which will result in Phase 2 of the Communication Plan.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x			x	x	x	x
Nay									
Absent	x			x	x				

MOTION APPROVED by ROLL CALL.

Private College Grow Iowa Values Fund (GIVF) Projects

Andy Baumert presented a proposal for allocation of \$160,000 of Grow Iowa Values Fund funding to two projects submitted by Drake University and Luther College.

- MOVED by DOWNER, SECONDED by EVANS, to approve \$60,000 for a proposal submitted by Drake University and \$100,000 for a proposal submitted by Luther College.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x			x	x	x	x
Nay									
Absent	x			x	x				

MOTION APPROVED by ROLL CALL.

Mathematics and Sciences Collaborative Study of Women and Minorities in STEM Programs

Diana Gonzalez introduced Dr. Jeff Weld, Director of the Iowa Mathematics and Science Education Partnership (IMSEP), who provided the leadership for conducting the collaborative study directed by HF 2679. Dr. Weld reviewed the recommendations included in the report.

President Miles asked President Geoffroy why the number of degrees awarded to women at ISU has declined every year since 2003. President Geoffroy responded that the decreases parallel the enrollment cycle. He suggested that the percentage of graduates who are women or minorities would be a better metric. Dr. Weld responded that the proportion of minority graduates is consistent with the representation of minorities in the population; however, the proportion of women graduates is not consistent with the representation of women in the enrollment.

Regent Downer indicated that the reference to Iowa Regent universities should be changed to Iowa public universities. Dr. Weld indicated that he would make the change.

- MOVED by DOWNER, SECONDED by LANG, to:
 - ◆ Approve the report; and
 - ◆ Direct the Board Office to submit the final report to the General Assembly by January 15, 2009.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x			x	x	x	x
Nay									
Absent	x			x	x				

MOTION APPROVED by ROLL CALL.

Update on Investigation of Expanding Price Laboratory School as a Research, Development, Demonstration, and Dissemination School

President Ben Allen provided an update on the response to SF 2307 which directed him and Department of Education Director Judy Jeffrey to establish a finance and funding committee and an implementation committee to develop detailed plans for expansion of the Price Laboratory School at the University of Northern Iowa as the State of Iowa research, development, demonstration, and dissemination (RDDD) school and to submit a report to the General Assembly by January 15, 2009.

The final report has not been prepared because the two committees have not completed their work. President Allen indicated that the Finance Committee needs to identify a funding stream which might include a per pupil allocation. The Committee might also propose the use of a School Infrastructure Local Option (SILO) tax for the school infrastructure. Regent Lang indicated that the use of a SILO tax for the RDDD School would require a code change. He suggested looking at other funding streams without a SILO tax.

President Miles asked how the governance structure would relate to the Board of Regents. President Allen responded that the governance of the School would remain essentially the same as it is with the Price Laboratory School – the Principal reports to the Dean of the College of Education, who reports to the Provost, who reports to the President, who reports to the Board of Regents.

Regent Lang asked President Miles if that would be an appropriate structure. President Miles responded affirmatively.

➤ MOVED by EVANS, SECONDED by LANG, to:

- ◆ Receive the update;
- ◆ Delegate authority to President Miles to approve the final report, and
- ◆ Direct the Board Office to submit the final report to the General Assembly by January 15, 2009.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x			x	x	x	x
Nay									
Absent	x			x	x				

MOTION APPROVED by ROLL CALL.

Liaison Advisory Committee on Transfer Students Report

Diana Gonzalez introduced Laura Doering, Associate Registrar and Director of Transfer Relations at Iowa State University. Ms. Doering serves as the chair of the Liaison Advisory Committee on Transfer Students during 2008-09. Ms. Doering explained that the report resulted from legislation in 2008, HF 2609, which directed the Department of Education to convene a liaison advisory committee on transfer students to study articulation and transferability issues, measures, and agreements. The advisory committee must submit a progress report to the General Assembly by January 15, 2009. The report includes a history of articulation between the Iowa community colleges and public universities, the number of statewide and institution-to-institution agreements in place currently, and the advisory committee's recommendations. Ms. Doering explained that there are eight statewide agreements and 1,016 individual agreements. There are more than 7,000 transfer students each year from the Iowa community colleges to the public universities. President Miles thanked the advisory committee for its efforts on articulation and transfer.

➤ MOVED by VASQUEZ, SECONDED by DOWNER to receive the report.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x			x	x	x	x
Nay									
Absent	x			x	x				

MOTION APPROVED by ROLL CALL.

Campus Sustainability – Part I – A Board of Regents Initiative

Patrice Sayre updated the Board on the Regents sustainability initiative and the Presidents and Superintendents updated the Board on their individual institutional efforts.

President Miles said all of the institutions are doing exciting work in terms of sustainability, and it is something that will be on the agenda for years to come.

In response to Regent Lang's question, President Miles clarified that a presentation on inter-institutional efforts will be presented to the Board in March. Regent Lang said that it is important to work together and not overlap efforts.

➤ The Board received the report by GENERAL CONSENT.

Comprehensive Human Resources Report

Marcia Brunson explained that the Comprehensive Human Resources Report includes the following annual governance reports: Fringe Benefits, Sick and Annual Leave Usage, Regent Merit System, Retirement, Faculty Resignations, Salary Report, Faculty Salary Comparisons and Employee Award Programs. The Faculty Resignations report was prepared by Diana Gonzalez.

President Pro Tem Evans asked why the cost of fringe benefits as a percent of salary was so much higher at the special schools. Marcia Brunson stated there were a couple of reasons: (1) the overall salaries are lower than those at the universities; and (2) the schools participate in the state health plans, which are more costly plans.

- The Board received the report by GENERAL CONSENT.

Annual Diversity Report

Marcia Brunson stated the annual diversity report was required by state statute, and upon approval by the Board, it would be submitted to the Iowa General Assembly.

President Pro Tem Evans asked for the reasons for the increase in costs at the University of Iowa and the University of Northern Iowa.

Marcia Brunson stated that the increase at the University of Iowa was due to reorganization when other areas were brought into the department. She asked Leah Gutknecht to respond for the reasons at UNI. Leah Gutknecht, Assistant to the President, Compliance and Equity Management, University of Northern Iowa, stated the budget for the department fluctuated from year to year due to investigations being outsourced during the year.

- MOVED by EVANS, SECONDED by JOHNSON, to:
 - ◆ Receive the annual reports on Affirmative Action, the Minority and Women Educators Enhancement Program and the Affirmative Action Cost Report; and
 - ◆ Approve the submission of these reports in accordance with Iowa Code §19B.5 and §262.93 to the Iowa General Assembly.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x			x	x	x	x
Nay									
Absent	x			x	x				

MOTION APPROVED by ROLL CALL.

2007-08 Distance Education Report

Diana Gonzalez explained that the distance education report is an annual governance report which summarizes the breadth of distance education activities provided by the universities. ISU Associate Provost Dave Holger indicated that the report provides a very good summary of distance education activities and described highlights of ISU's distance education activities. He indicated that a significant reorganization was made last year which now provides the same administrative structure for all credit courses, whether on-campus or off-campus. Non-credit courses still maintain a close connection to Extension and outreach. Furthermore, ISU has engaged in a number of collaborative efforts, including offering design courses in northwest Iowa, and participating in the Big 12 Nuclear Engineering Program Consortium. UNI Associate Director of Continuing Education Kent Johnson indicated that UNI provides distance education opportunities in 78 counties and 150 cities in Iowa. UNI has new programs in special education and early childhood education. SUI Dean of Continuing Education Chet Rzonca indicated that the university has spent more time monitoring the quality of distance education offerings and has increased marketing efforts. SUI uses a blended technology approach and has a mix of on- and off-campus students participating in distance education courses. SUI's unique program area is the health colleges.

President Pro Tem Evans said that he found the report fascinating and that he was not aware of the extensiveness of the distance education offerings. He encouraged the media to look closely at the report. He asked what was included in the personal awareness offerings. Dr. Holger responded that these are non-credit courses in the area of personal development. President Pro Tem Evans asked how the DVM/MPH degree would be used. Regent Lang replied that public health has a very important connection to agricultural issues. President Mason indicated that there is a strong relationship between public health and veterinary medicine. Dr. Holger indicated that diseases of animals can be related to human health issues. Regent Lang indicated that he also found the report fascinating and asked if distance education courses could be taken at any hour of the day. Dr. Rzonca replied that many courses are asynchronous and can be taken at any hour of the day. Regent Lang asked where distance education students would be tested. Dr. Holger replied that a student would either need to go to a specified location to be tested or be tested by a certified individual. Regent Lang indicated that the extensiveness of the distance education offerings leverages the value of the universities. He asked the universities if there have been discussions with telecommunication companies to customize the delivery of distance education offerings because telecommunication companies have more than 1000 miles of fiber. Dr. Holger replied that there is an ongoing review of new technologies.

President Miles asked why there has been a shift in the use of ICN. Dr. Rzonca replied that the web allows students to use computers at a convenient location rather than having to attend a class at a specified ICN location. He indicated that the web is better when using spreadsheets. Dr. Holger replied that the use of technologies is in response to the needs of the audience. Dr. Johnson replied that UNI uses the ICN in response to learner needs. Many of the distance education courses offered by UNI are geared to public school personnel; all public schools have ICN classrooms. He indicated that UNI also uses blended technologies.

President Miles indicated that Iowa is facing a number of challenges, including increasing the percentage of the population with baccalaureate degrees; improving the affordability of obtaining a degree; and responding to the needs of place-bound students. He asked about the potential to expand the Bachelor of Liberal Studies and the Bachelor of Applied Studies programs. Dr. Rzonca replied that the BAS is geared to part-time, older students and that it is likely to grow. Dr. Gonzalez indicated that the BAS program resulted from discussions between Iowa community colleges and the public universities about the need to offer a four-year completion program for graduates of associate of applied science programs in the community colleges. She indicated that the BAS program, which was developed by the University of Iowa, has no residence requirement. Dr. Holger indicated that the graduate certificate and graduate program will also experience growth. Regent Downer indicated that there is a need to communicate ideas regarding distance education that can be addressed in the new strategic plan being developed by the Board of Regents.

President Miles thanked the team for the report and for the work in distance education.

➤ The Board received the report by GENERAL CONSENT.

Faculty Presentation at the University of Northern Iowa – Early Developmental Education

Dr. Betty Zan described the goals and accomplishments of the Regents' Center for Early Developmental Education at UNI. The Center was established in 1988 as a statewide center to improve early childhood education (birth-8 years) in Iowa through research, program development, and dissemination of best practices. The Center has conducted summits on issues of importance to the early childhood community. It developed a post-baccalaureate endorsement program for elementary teachers to prepare them to teach in preschool classrooms. It has offered workshops in early childhood science education across the state. It also trains early childhood professionals in a promising new research-based instrument for evaluating the quality of preschool programs.

Dr. Zan described the importance of starting an emphasis early in mathematics and science and to combat phobias which began in the early years. Dr. Zan described the grants that she has received.

President Miles thanked Dr. Zan for the work being done in the area of early childhood education.

- The Board received the presentation by GENERAL CONSENT.

Highlighted Technology Transfer Presentation

University of Northern Iowa Director of Business and Community Services Randy Pilkington introduced Dr. Daryl Smith, who highlighted an economic development initiative. Dr. Smith reported on a program designed to develop optimal varieties of prairie plants as sources of biomass for electrical generation.

- The Board received the presentation by GENERAL CONSENT.

President Miles adjourned the meeting at 4:00 p.m.