

**Contact: Andrea Anania**

**BOARD OF REGENTS, STATE OF IOWA  
MEMORIAL UNION, SUN ROOM  
IOWA STATE UNIVERSITY  
AMES, IOWA**

**MINUTES OF OCTOBER 29, 2008**

**Board Members**

Bonnie Campbell	Present
Robert Downer	Present
Jack Evans	Present
Michael Gartner	Present
Ruth Harkin	Present
Greta Johnson	Present
Craig Lang	Absent
David Miles	Present
Rose Vasquez	Present

**Staff Members**

Andrea Anania, Andy Baumert, Brad Berg, Marcia Brunson, Aimee Clayton, Tim Cook, 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, Gary Barta, Maison Bleam, Mark Braun, Jordan Cohen, Ken Fisher, Ken Kates, Wallace Loh, Michael Ridge, Jr., Jean Robillard, Paul Rothman, Bridget Szeluga, Doug True

ISU Gregory Geoffroy, David Acker, Emily Eggleston, Daniel Fischer, Leslie Freehill, Tom Hill, Elizabeth Hoffman, Warren Madden, Ted Okiishi, Max Rothschild, John Smith

UNI Benjamin Allen, Pernell Cezar, Terry Hogan, Jim Lubker, Randy Pilkington, Tom Schellhardt

ISD Jeanne Prickett, Jim Heuer

IBSSS Patrick Clancy, Don Boddicker

**Others**

Ed Bittle, Ahlers & Cooney, P.C.  
Barry Fick, Springsted Incorporated

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](http://www2.state.ia.us/regents).

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

President Miles welcomed new Regent Greta Johnson, an Iowa State University political science major from LeMars, Iowa.

**University of Iowa Hospitals and Clinics Committee**

- The Board received the report by GENERAL CONSENT.

**Audit/Compliance and Investment Committee**

- MOVED by GARTNER, SECONDED by CAMPBELL, to:
  - ◆ Accept the Internal Audit Report and the Revised Format for Internal Reports
  - ◆ Approve the Fund Manager evaluation report
  - ◆ Approve the new Bond Audit Format
  - ◆ Approve the revision of Banking and Broker Relationships

MOTION APPROVED UNANIMOUSLY.

**President Miles called the meeting to order at 10:25 a.m. on October 29, 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		

**Consent Agenda**

- ◆ Minutes of September 17-18, 2008, Board Meeting
- ◆ Minutes of September 25, 2008, Board Meeting
- ◆ Institutional Personnel Transactions
- ◆ Conflict of Interest Vendors
- ◆ University of Iowa Equipment Purchase
- ◆ Request for a Program Name Change at the University of Iowa – Biomedical Ethics and Medical Humanities Program to Bioethics and Humanities Program
- ◆ Request to Award an Honorary Doctor of Science Degree at Iowa State University
- ◆ Request to Establish a New Center at Iowa State University – Biobased Industry Center
- ◆ Request to Establish a New Institute at the University of Northern Iowa – Iowa Mathematics and Science Education Institute
- ◆ Fall 2008 Enrollment Report

President Pro Tem Evans asked why the number of transfer students is down by 12% or 500 students, especially for colleges outside Iowa. Dr. Gonzalez said she received an update yesterday that one of the institutions had excluded numbers that had been included in the past, and, in fact, the numbers are basically the same. President Geoffroy indicated that ISU's transfer numbers are up.

Regent Gartner asked about how the Fall 2008 enrollment at the special schools compared to the prior year. Superintendent Prickett said IBSSS has five additional students on campus and off-campus numbers are down slightly but stable overall in the 105 to 110 range.

Superintendent Clancy said ISD's numbers are slightly down on campus from a year ago and the School is looking into reporting procedures.

- 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	x
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

### **Board President Report**

President Miles congratulated and welcomed Greta Johnson to the Board of Regents. He reported that she is an ISU political science major and is actively involved in several ISU programs including the: Carrie Chapman Catt Center for Women and Politics, Summer Orientation Program, President's Leadership Class, Alpha Gamma Delta Sorority, Government of the Student Body, ISU Student Foundation Committee, and ISU Wind Ensemble.

President Miles noted that the agenda includes discussion on the fiscal year 2010 tuition and fees. He thanked the universities' administration and student leadership as well as the Board Office for all of their hard work and said it is very important to all Iowans and students who attend the Regents universities.

President Miles announced that it is his intention to accomplish all normal business in one day so that the process of reviewing and revising the Board's strategic plan can begin tomorrow.

- The Board received the report by GENERAL CONSENT.

### **Executive Director Report**

Executive Director Bob Donley said that the institutions and the Board Office are making progress on the Board's September directive to develop policies and procedures in the area of sexual assault. He reported that: (1) representatives from the institutions attended an all-day discussion facilitated by two advisors recommended by the U.S. Department of Justice Office on Violence Against Women; (2) he asked that an update be presented at the December meeting on campus safety and security measures; and (3) UNI Associate Professor Dr. Annette Lynch, who is handling the technical assistance grant, would give a progress report later in the day. He thanked the Presidents, Superintendents, and Administrators for their efforts and participation during the last several weeks.

Executive Director Donley congratulated Mark Braun on his new position as Chief of Staff at the University of Iowa, and added that Keith Saunders would take on Mark's former duties and Joe Murphy would take on Keith's former duties.

Executive Director Donley announced that President Miles will appear before the Legislative Oversight Committee at 10:00 a.m. on December 15<sup>th</sup> to give a progress update on the Regents policies and procedures dealing with sexual harassment and sexual assault.

- 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.

### **Flood-Related Approvals for the University of Iowa**

Vice President Doug True presented the University of Iowa's status report on capital projects for flood recovery. These projects resulted from the Flood Recovery Authorizations approved by the Board at its meeting on July 2, 2008, which granted to the University temporary, emergency-based approvals, and allowed for the prequalification-based solicitation of bidders for proceeding with flood recovery projects. Vice President True indicated that these Board approvals were critical to reopening some buildings prior to the start of the fall semester, and to beginning the restoration of the University Power Plant. He reported great results from the contractors who were pre-qualified to work on the immediate flood restoration projects, and their significant contributions to the University's timely recovery.

Regent Downer asked why the actual contract amounts were consistently below the authorization amounts. Vice President True explained there are other components in the project budgets in addition to the prime contractor award. For example, engineering services are included in the project budget but not in the prime contractor award. President Miles asked if the actual project expenditures for these projects ever exceeded the project budgets. Vice President True responded he did not believe the budget was exceeded for any of these projects.

- **MOVED** by HARKIN, **SECONDED** by DOWNER, to receive the report on University of Iowa actions undertaken pursuant to the Flood Recovery Authorizations approved by the Board of Regents at its July 2, 2008 meeting, and to rescind the capital project process temporary changes related to Sections 9.13 and 9.14 of the Board's *Policy Manual* granted to the University of Iowa on July 2, 2008.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Collective Bargaining Strategy Session**

- **MOVED** by EVANS, **SECONDED** by HARKIN, 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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

The Board convened in closed session at 11:10 a.m.

The Board reconvened in open session at 12:00 p.m.

**Assault Policy Update – Approval of Overarching Policy Statement**

Dr. Annette Lynch appeared before the Board. She provided an update on the Board of Regents U.S. Department of Justice (DOJ) grant for the comprehensive review of the sexual assault policies and procedures at the Regents institutions.

Dr. Lynch reported that the DOJ Office of Violence Against Women (OVAW) consultants, Sandra Schuster and Kate Clifford, have national expertise on sexual assault policies and procedures and that Iowa has the opportunity to become a national model with a systems-wide process.

She thanked the Board of Regents, Executive Director Donley, and President Allen for their assistance and support. She also thanked institutional personnel for their responsiveness.

Dr. Lynch said that Schuster and Clifford's first charge was to develop a set of sexual misconduct guiding principles to assist with a comprehensive review of policies and procedures. She reported that Schuster and Clifford: (1) held meetings with key stakeholders, campus and community advocates, general counsel, administration, judicial affairs, staff, faculty, and students; (2) interacted directly with the individual campuses and the community agencies serving them, which allowed concerns and issues to be voiced; (3) said they would provide written follow-up recommendations to each campus and the OVAW; (4) planned to draft a response to the Stolar Partnership's 10 recommendations and compare them to what are considered national best practices; and (5) would finalize and submit draft policies prior to the next Board meeting.

The task at this point, Dr. Lynch said, is to take what was learned from the Stolar Partnership's investigation into a broader effort of applying national best practice expertise to the construction of model sexual misconduct policies; Iowa is being watched as a model for other states.

President Miles clarified that the policies should cover both the three universities and the two special schools and said that he appreciated her work.

Regent Campbell thanked Dr. Lynch for all of the hard work being done on a short timeline, saying that she knows it will result in exactly what we want and need.

- MOVED by HARKIN, SECONDED by EVANS, to adopt the following guiding principles clarifying that there are three universities and two special schools; and give authority to the President to edit so that it conforms to the institutions governed by it:

**IOWA BOARD OF REGENTS SEXUAL MISCONDUCT GUIDING PRINCIPLES**

Pursuant to the Iowa Board of Regents Resolution passed on September 25, 2008, the following *Guidelines* were established to assist the University of Iowa, Iowa State and University of Northern Iowa, Iowa Braille and Sight Saving School, and Iowa School for the Deaf, with the comprehensive review of their policies and procedures dealing with sexual assault and related issues. The Board of Regents *Guidelines* are intended to ensure that all five institutions' sexual misconduct policies are consistent with the best practices in higher education. The *Guidelines* set forth policy and legal compliance elements which result in proactive campus sexual misconduct policies and create effective sexual assault risk management practices.

Policy Compliance Elements: Creation of a proactive sexual misconduct policy requires the following elements to be addressed:

- ◆ Policy statements must begin with an institutional statement of mission and values. The statement of intent must include the institution's position regarding all forms of sexual misconduct, including sexual harassment, and sexual assault
- ◆ Establish physical jurisdictional limits for policy
- ◆ Identify specifically to whom the policy applies; student policies should be distinct from employee policies

- ♦ Provide coordinated victim services utilizing campus and/or community-based resources, which address reporting options for victims, including reporting to law enforcement, initiating civil action, as well as providing physical and emotional support. Include a statement of victim's rights, which must include the following:
  - ♦ Information on reporting to law enforcement that clearly informs the victim of this option
  - ♦ An opportunity to participate in campus discipline hearings
  - ♦ The right to be accompanied by an advisor during the investigation and hearing
  - ♦ The right to provide a victim's impact statement if the accused is found in violation
  - ♦ The right to know the outcome of the hearing, including determination and sanction imposed
  - ♦ Policy must clearly identify the intersection of sexual misconduct policies with other policies such as drug and alcohol, and hazing policies
  - ♦ Clearly articulate prohibited conduct and include unambiguous definitions of behaviors
  - ♦ Provide a timeline for reporting incidents of sexual misconduct
  - ♦ Designate a primary institutional employee or an office to coordinate all sexual misconduct, including specific contact information
  - ♦ Ensure staff are properly trained on Title IX regulations where the student is the complainant
  - ♦ Provide a detailed explanation of institutional sexual misconduct policy procedures, investigation processes, reporting requirements, and a time frame for the investigation process
  - ♦ Identify and articulate the adjudication process, including time frame and the manner in which the hearing is to be conducted
  - ♦ Provide clear statement regarding confidentiality and limits on sharing and release of information
  - ♦ Identify the institution's authority to take immediate action, which may include the following:
    - ♦ Imposing interim suspension
    - ♦ Modifying academic schedule of victim
    - ♦ Modifying housing arrangements for victim
    - ♦ Providing resources for medical and/or psychological support
  - ♦ Specifically state the prohibition of retaliation for filing a complaint in good faith, or participating in an investigation or inquiry to a complaint
  - ♦ Determine and set forth appeal framework, if any
  - ♦ Set forth policy dissemination standards
  - ♦ Set forth training protocol
  - ♦ Describe the sanctions for violations and specific definitions of each sanction

Legal Compliance Elements: Creation of effective sexual assault risk management policies requires adherence to applicable state and federal laws:

- ♦ Title IX, 20 U.S.C. §§ 1681 – 1688, 34 C.F.R. Part 106
- ♦ Jeanne Clery Campus Crime and Security Act, 20 U.S.C. 1092(f) §§
- ♦ Family Educational Rights and Privacy Act “FERPA”, 34 C.F.R. Part 99
- ♦ Iowa Open Records Act, Iowa Code Section 22
- ♦ United States Department of Education, Office of Civil Rights Revised Sexual Harassment Guidance: Harassment of Student by School Employees, Other Students, or Third Parties, January 2001.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Proposed 2009-2010 Tuition and Fees**

Patrice Sayre provided a brief overview on the proposed FY 2010 tuition and fees and said the proposed increase for undergraduate resident tuition is 4.2%. She stated that the Higher Education Price Index (HEPI) range is 4.2% to 5.6%, with the median being 4.9%.

President Miles asked what period the HEPI projection is for and when that projection was made. Ms. Sayre said the projection is for FY 2010 (July 1, 2009 to June 30, 2010) and the Board Office received it in August. President Miles asked if the FY 2010 projection is updated as time passes. Ms. Sayre said no.

Regent Harkin asked to what extent the Regents are tied to HEPI. Ms. Sayre said Board Policy indicates that HEPI is to be used as a guideline. Regent Gartner said, when negotiating appropriations years ago, the Regents made a commitment to the Iowa Legislature that tuition increases would remain roughly at the HEPI median or below. He did not know how long the commitment was to last and said it applied only to resident undergraduate students; it did not apply to non-resident or graduate students. In response to a question from President Miles, Regent Downer explained reallocation and said it was his impression that the Board of Regents is bound to the commitment until it acts to rescind it.

President Miles said it seemed like an open-ended, multi-year commitment upon the part of the Board of Regents without the same from the legislature. Regent Downer thought it was for a four-year period beginning with FY 2006. Regent Gartner clarified that we are in the final year and it would no longer apply in the future.

President Geoffroy said a key part of why the policy was adopted was due to very difficult budget reductions that resulted in several years of high percentage increases in tuition. He said the rationale was to give some predictability and smoother percentage tuition increases over time.

President Miles said he thought the double-digit increases occurred in the context of reduced state support and now it is a guide, not a binding requirement. Regent Downer said it had to do with the timing of setting tuition relative to when the appropriations were made.

President Geoffroy discussed ISU's tuition proposals.

Regent Gartner asked what ISU's increase is in gross revenues from resident undergraduate tuition and fees. President Geoffroy said it is almost \$17 million and then later corrected that amount to \$5.7 million.

Vice President Warren Madden said ISU is proposing a \$52.8 million recreation facility project. He elaborated on the phased-in fees that will be necessary to finance the project and the recreation enterprise that will be responsible for managing all campus recreation buildings.

President Miles asked if the proposal had changed in terms of scope and direction or fees. Vice President Madden said the fee portion had not changed, but the plan for what will go into the facility had been revised.

President Pro Tem Evans noted that ISU is the second lowest in its peer group for out-of-state tuition. He said if the increase is 4.2% for in-state students, 2.8% for out-of-state students seemed inconsistent and said the increase could possibly be higher. President Geoffroy said it could be higher, but ISU is increasingly dependent on recruiting out-of-state students; he felt it was important to not price those students out of the market. He noted that, for comparative purposes, ISU is also at the bottom end for resident tuition.

President Miles asked if HEPI is all inclusive in its price to attend a university, specifically if it includes the cost of room and board and fees or if it is just tuition. President Geoffroy compared it to the Consumer Price Index, saying it measures a basket of goods that is needed to operate a university.

President Miles asked if it is the cost of delivering services or the price for the student to attend. Vice President Madden said it is the cost of operating an institution, reflecting the prices the institution pays for goods and services in a market. President Miles clarified it is not intended to reflect direct tuition or fees. President Geoffroy and Vice President Madden agreed.

President Miles said he strongly feels that adding significant fees in later years should be avoided, wherever possible, because students and their families have already budgeted. He noted that the institutions have worked hard to avoid them whenever they could. Commenting on the substantial \$7,500 increase for Veterinary Medicine, President Miles said ISU has prepared students for years. He said working to avoid fees in later years and preparing potential students when it had to happen were two important factors that helped him support the increase; however, he struggles with the idea of imposing fees late in students' academic careers. Provost Hoffman confirmed that students were informed of the additional amount at the time they were admitted.

President Allen discussed UNI's tuition proposals.

Regent Gartner asked what UNI's increase is in gross revenues from resident undergraduate tuition and fees. President Allen said UNI's estimate is based upon its projected student enrollment and is about \$2 million.

President Mason discussed SUI's tuition proposals.

In response to Regent Gartner's question on gross revenues from resident undergraduate tuition and fees, President Mason said it is \$11.2 million.

Regent Vasquez asked President Mason to elaborate on out-of-state tuition. President Mason said SUI is committed to increasing awards to out-of-state students; it will be increased to \$4,000 from \$3,000 per year. Regent Vasquez noted that SUI will increase tuition as well as scholarships and wondered if students would just prefer a lower cost. President Mason said this is for selected, highly-qualified students and not for every student. She said SUI is still at the lower end of peer groups for resident and non-resident tuition. In response to Regent Vasquez's further questions, President Mason and Provost Loh discussed SUI's modeling, elasticity limit, financial aid awards, and enrollment.

Regent Gartner noted that the economy is terrible with no sign of getting better and asked what impact the University expects if tuition is increased by 4.2%. President Mason said that, normally, applications and admissions go up because students tend to decide it is time to get higher education.

Regent Gartner asked if SUI has considered increasing its financial aid for resident students. President Mason said yes.

Regent Gartner asked if SUI has a philosophy to find a way for academically eligible, in-state students to go to the University. President Mason said things are in place to help, such as the Iowa Promise Scholarships.

Regent Harkin asked if SUI is phasing out the undergraduate nursing program. President Mason said no and Provost Loh elaborated on the undergraduate and Master of Nursing programs.

Regent Downer asked if nurses enter as freshman. Provost Loh said there are only a few that are admitted as freshman. The nursing program believes that professional training as a nurse should be built upon a liberal arts foundation so they require liberal arts courses before they admit them.

Regent Downer asked why the level dollar increase for in-state and out-of-state students. Dean of Medicine, Paul Rothman, said that it was proposed from market forces; SUI is at the 99<sup>th</sup> percentile for non-resident tuition, and SUI thought the same amount for everyone would be fair. Regent Downer was not aware the Regents were at that level of tuition on any of its programs, saying we generally are closer to the bottom than the top. Dr. Rothman clarified, except for non-resident medical school.

Regent Gartner asked about applications. Dr. Paul Rothman said applications are a bit up this year.

President Miles asked if the proportion for student financial aid set-aside changed from year to year. Vice President True said SUI averages about 20%; President Allen said UNI is around 18%; and Provost Hoffman said ISU is around 21%.

President Miles asked President Mason if the scholarship dollars deriving from 7.6% for non-residents are merit based. President Mason said largely, yes.

Regent Gartner asked if students and families expect a 4-5% increase in tuition and fees each year or if they are surprised. President Mason said she thinks they are not surprised because there is enough of a pattern, but would be surprised if it went up significantly over the cost of living. She noted that HEPI is different than the Consumer Price Index (CPI). Regent Gartner noted that HEPI is always greater than the CPI. President Mason said parents seem to grasp that it will go up in some consistent way.

President Miles noted that the resident tuition for all three universities is not identical, but nearly so and asked if it is a requirement or a preference. Regent Gartner said the Regents passed a policy three years ago allowing differential tuition both among and within the universities.

President of the University of Iowa Student Government (UISG) Maison Bleam thanked the Board of Regents for allowing the students for the opportunity to address them and for its willingness to listen to students. On behalf of all three universities and all students, he expressed gratitude to Joe Murphy for his willingness to explain and support student ideas. He said Mr. Murphy is a great example of a Student Relations Officer.

Mr. Blead expressed approval of the increase on behalf of all three student governments, noting it was difficult for the student leadership at each institution to balance increasing individual financial stresses while balancing commitment to quality education.

Mr. Blead said UISG: (1) supports the resident increase of 4.2%; (2) hesitates to support the non-resident increase of 7.6%; (3) supports the differential tuition increase for the College of Nursing; (4) supports the mandatory fees increase in the arts and cultural events fee and its movement to a mandatory fee; (5) supports conditions placed on the proposal by student leadership; (6) does not support the increase in the student services fee; and (6) expresses complacency with all other fees.

Mr. Blead said UISG: (1) understands the cost associated with maintaining the current quality of education, but prefers the Board waive its policy that indexes its increases based on HEPI; (2) encourages SUI and the Board to closely monitor and scrutinize expenditures to ensure students are receiving the highest quality of education without overburdening their ability to afford it; (3) is encouraged that the Board has instituted a resident increase at the lowest possible rate, which signals to students that the Board understands the dilemma during a time of hardship; (4) asks the Board to use this policy when considering an increase for non-resident tuition; and (5) recommends more student input and insight.

Mr. Blead thanked Provost Loh; Vice President True; and Interim Vice President for Student Services and Dean of Students, Dr. Tom Rocklin, for their time and effort to ensure students understood the process and the reasoning for the tuition increase. He encouraged the Board and institutional leadership to continue to pursue its comprehensive overview on student debt, noting student commitment to help resolve this crisis. He also expressed gratitude to the Board for their voluntary service and commitment to the future of education in the state of Iowa.

President of Northern Iowa Student Government Pernel Cezar said UNI supports the following increases: (1) 4.2% for in-state tuition; (2) 2.0% for out-of-state tuition; (3) three-year phase in of differential tuition for the College of Business Administration; and (4) 3.3% increase in mandatory fees. He thanked UNI administration and students for focusing on maintaining accessibility and affordability and the Board for its consideration.

ISU Government of the Student Body President Daniel Fischer discussed student debt at ISU and said the 4.2% increase for in-state students and 2.8% for out-of-state students represents a gracious compromise between students and the University.

Representing the Executive Council of Graduate and Professional Students (ECGPS), Michael Ridge Jr. said ECGPS: (1) supports the graduate tuition increase of 5.6% for resident and non-resident students because of the priorities outlined by SUI President Mason and Provost Loh, specifically for sustainability and diversity initiatives; and (2) supports the arts and cultural events fee. He reported that other specific fees affect graduate students differently and are noncontroversial.

President Miles and Regent Gartner clarified that the Regents will vote on tuition and fees at its December meeting.

Bridget Szeluga outlined a proposal to centralize funding for the Pomerantz Career Center and relieve the Tippie College of Business from being the only college that subsidizes programming.

Regent Johnson asked if the discussion on student debt included both in-state and out-of-state tuition. President Miles clarified it was for both. Regent Gartner further clarified it was for only those students that graduate with debt.

President Miles said he appreciated the hard work and participation of the student leaders.

➤ The Board received the report by GENERAL CONSENT.

**Register of University of Iowa Capital Improvement Business Transactions**

The Dean of the Carver College of Medicine, Paul Rothman, provided an overview of the interdisciplinary research and study that will occur at the **Institute for Biomedical Discovery**. Vice President True indicated Governor Culver supported the Board’s request to move ahead with the Institute two years ago. Regent Downer asked if consideration was given to making the site a quadrangle with the other buildings. Vice President True said the original master plan was designed to allow for an open courtyard that would provide access for fire/emergency vehicles if necessary.

Vice President True expressed the vitality of the hospitals and clinics having a secure **Data Center**. The Data Center, to be located in Oakdale, is well-above flood levels and would also be protected from possible tornadoes. President Pro Tem Evans inquired whether or not the data center could be expanded. Vice President True responded that 37,000 additional square feet could be added without interruptions to current operations. President Miles asked if the flood changed the order of priority for the project. Vice President True responded that the project was a very high priority even before the flood. President Miles inquired if tunnels would be utilized for the project. Vice President True said tunnels will not be used and the Data Center will be secure in every possible way.

Athletic Director Gary Barta explained that the facility improvements to be studied under the proposed **Football Operations Facility** project are needed to ensure that the University’s football program remains competitive. He further indicated that the project cost, which could exceed \$20 million depending on the project scope, would be funded by private contributions. The University will return to the Board at a future date with a report on the study results, facility recommendations, and cost estimates.

Vice President True said the **Electrical Generation Upgrade** for the Oakdale Campus is needed for use by the Hygienic Laboratory and to support the Data Center.

- MOVED by EVANS, SECONDED by HARKIN, to authorize permission to proceed with project planning for the **Football Operations Facility** project, including the consultant selection process, and the **Daum Hall – Restroom Renovation – Phase 1** project, including the selection of Rohrbach Associates, Iowa City, Iowa, to provide design services; approve the schematic designs and project descriptions and budgets for the **Iowa Institute for Biomedical Discovery** (\$122,500,000), **Data Center** (\$33,628,000), and **University Hospitals and Clinics – Institute for Clinical and Translational Science** (\$9,120,000) projects; and ratify the revised project budget for the **Oakdale Campus – Electrical Generation Upgrade** project (\$7,898,000).

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**University of Iowa Proposed Property Purchase**

Vice President True indicated the proposed property purchase is surrounded by University property and will be placed in the tenant pool for faculty and staff that need rental properties. President Pro Tem Evans inquired how the Facilities Corporation acquired the property. Vice President True responded the Facilities Corporation assists the University in quickly obtaining property and understands its subsequent purchase by the University requires Board approval.

- **MOVED** by CAMPBELL, **SECONDED** by EVANS, to approve the purchase of property located at 4 Oak Park Court, Iowa City, Iowa, at the purchase price of \$300,000, from 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	x
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Register of Iowa State University Capital Improvement Business Transactions**

Vice President Madden explained that **Morrill Road** is a central campus street that is beyond repair and needs to be reconstructed. Additional improvements, such as reconfigured parking spaces and building access for service vehicles, are also part of the project. Vice President Madden said the project will be funded from Institutional Road funds. Regent Gartner asked if the road was rebuilt when Morrill Hall was renovated. Vice President Madden responded the road was closed off during the Morrill Hall renovation.

Vice President Madden outlined **Phase 2** of the **Jack Trice Stadium Improvement Project**. Phase 2 would replace and expand the concession area and restrooms on the east concourse. The financial pro forma has been independently verified as reasonable and fiscally sound. President Miles inquired about the debt financing for the project. Vice President Madden said a combination of all athletic revenue streams will be pledged toward the debt service of the project.

- **MOVED** by GARTNER, **SECONDED** by HARKIN, to authorize permission to proceed with project planning and the project description and budget (\$2,010,240) for the **Institutional Roads 2008 – Morrill Road Reconstruction** project and to approve the schematic design and project description and budget (\$11,500,000) for the **Jack Trice Stadium 2006 – Phase 2 – East Concourse** project, as outlined in the agenda item.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Iowa State University Recreation Facilities Expansion and Renovation Project**

Vice President Madden outlined details of the project to improve the University's recreational facilities and explained that the University's planning process has included efforts to engage the University community, particularly students. Student representatives expressed their satisfaction with the high level of student involvement in the project planning committee, and the committee's efforts to bring together all participants to address the need for improved campus recreation facilities. The plan also creates a new recreational enterprise that will place all recreational facilities under one organizational structure.

The project would be funded by proceeds from the sale of two series of 25-year maturity revenue bonds, with funding for annual debt service to come from revenues of the Recreation Services Enterprise. The University's student fee proposal for the 2009-2010 year was to increase recreation-related fees by an inflationary amount of \$2.40 and add a \$40 academic year fee. This fee is scheduled for Board approval at the December 2008 meeting.

- **MOVED** by JOHNSON, **SECONDED** by EVANS, to approve the program statement and the financing plan for the **Recreation Facilities Expansion and Renovation** project, with an anticipated project budget of \$52,800,000, and adoption of a Resolution authorizing the Executive Director to fix the date(s) for the sale of up to \$54,000,000 Recreation Facilities Revenue Bonds, Series I.S.U.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**University of Northern Iowa Proposed Property Purchase**

Vice President Schellhardt provided an overview of the proposed property purchase to be used by the University as a tenant property.

- **MOVED** by DOWNER, **SECONDED** by GARTNER, to approve the purchase of property located at 3308 Hudson Road, Cedar Falls, Iowa, at the purchase price of \$685,000, from Robert and Myrna Bremner, subject to approval of the final documents by the Attorney General's Office and Board Office personnel.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Resolution for the Sale and Issuance of \$25,000,000 Academic Building Revenue Bonds, Series I.S.U. 2008A**

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

Mr. Fick reported that five bids were received; the winning bid was submitted by a group led by Wachovia Securities with a true interest rate of 5.2289%. He said the University received a credit rating upgrade from Standard & Poor’s to a AA minus level, adding that the Standard & Poor’s report noted the improved rating is based on a consistently strong operating performance by ISU through various state funding and enrollment cycles, as well as historically strong financial support from a AAA-rated state and solid progress on the University’s capital campaign.

In response to Regent Gartner’s questions, Mr. Fick said the coupons ranged from 4.875% to 5.25% out to 2030 and the bonds are double tax exempt.

In response to a question from Regent Vasquez, Mr. Fick said he had projected the bids would come in somewhere between 5.25% and 5.5% on average and they came in at 5.23%.

President Pro Tem Evans asked about the last Regents bond sale to put perspective on what has happened in the market. Mr. Fick said the last Regents bond sale had a true interest cost of approximately 4.7%. He said the market has changed significantly since then, noting that interest rates, in general, have gone up by roughly 1%. However, the rates on Regents bonds have gone up by less relative to the market; Regents bonds showed consistent, strong, and improved performance.

- MOVED by GARTNER, SECONDED by HARKIN, to approve A Resolution providing for the sale and authorizing and providing for the issuance and securing the payment of \$25,000,000 Academic Building Revenue Bonds, Series I.S.U. 2008A, for the purpose of paying a portion of the costs of constructing, improving, remodeling, repairing, and equipping the Chemistry Building (Hach Hall) facilities on the campus of Iowa State University of Science and Technology, funding a reserve fund, and paying the costs of issuance.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Preliminary Resolution for the Sale of Hospital Revenue Bonds, Series S.U.I. 2008**

Joan Racki reported that the Hospital Revenue Bond sale in September was postponed. She said the plan is to reschedule the sale for December and Board action on a new preliminary resolution is needed.

- MOVED by DOWNER, SECONDED by CAMPBELL, to adopt A Resolution authorizing the Executive Director to fix the date or dates for the sale of up to \$33,850,000 Hospital Revenue Bonds, Series S.U.I. 2008.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

President Pro Tem Evans asked if an offering has to be done in conjunction with a Board meeting. Ed Bittle, Bond Counsel from Ahlers and Cooney, said it would require the Board to have a telephonic Board meeting to approve the purchase agreement once the bonds are sold. In response to President Miles’ question, Mr. Bittle clarified that the approval would need to be the same day bids were opened.

**Proposed Bond Issuance Schedule for Calendar Year 2009**

Joan Racki presented the proposed bond issuance schedule for calendar year 2009 as developed by the universities and the Board Office.

- MOVED by HARKIN, SECONDED by CAMPBELL, to establish a schedule for the issuance of bonds for calendar year 2009 as detailed in the memorandum and adopt a resolution authorizing the Executive Director to fix the date or dates for the sale of Academic Building Revenue Bonds, refunding bonds, and other sales as may be authorized as a component of a Board approved financing plan for an identified capital project.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Institutional Agreements, Leases and Easements**

- MOVED by EVANS, SECONDED by CAMPBELL, to approve an easement for Iowa State University as summarized in the agenda item, and to receive information on a proposed lease for the benefit of Iowa Public Radio.

<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
Nay									
Absent							x		

MOTION APPROVED by ROLL CALL.

**Comprehensive Fiscal Report for FY 2008**

President Miles asked Mr. Berg to comment on the purpose of the report and what he thought the Board should take from it. Mr. Berg said FY 2008 was a very good year enterprise wide due to the spike in enrollment coupled with the outstanding support from the state legislature.

Regent Gartner commented that it shows the massiveness of the Regents enterprise and President Pro Tem Evans said it was a thorough report.

- The BOARD received the report by GENERAL CONSENT.

**2008 Economic Development and Technology Transfer Report**

Andy Baumert, Board of Regents State Relations Officer; Jordan Cohen, SUI Vice President for Research Administration; Randy Pilkington, UNI Director of Business and Community Services; and Ted Okiishi, ISU Interim Vice Provost for Research and Economic Development, presented the annual economic development and technology transfer report. The Board directed the full report be sent to the Governor, the General Assembly, and the Iowa Department of Economic Development.

**Highlighted Technology Transfer Presentation**

Dr. Max Rothschild, C.F. Curtiss Distinguished Professor of Animal Science, M.E. Ensminger Endowed Chair, and Director of the Center for Integrated Animal Genomics (CIAG) at ISU, presented the Regents information on the economic impact of the Center. Dr. Rothschild reported CIAG researchers have made 81 intellectual property disclosures, had received 41 patents, had 32 patent applications pending, and had been involved in several startup companies.

**Faculty Presentation at Iowa State University – “Global Engagement of Undergraduate Students”**

Professor David Acker described the success of the College of Agriculture and Life Sciences expanding the number of undergraduate students participating in global experiences. Between 1965 and 1995, approximately 40 students participated in a study abroad experience each year. Since then, approximately one-fourth of the graduating class now participates in a study abroad experience. This has resulted in a rank of #2 for ISU among similar institutions.

The goal of the College is to double the number of students participating in a study abroad experience. To accomplish this goal, the College is raising funds for scholarships. Two undergraduate students, Leslie Freehill and Emily Eggleston, shared their experiences. Ms. Eggleston spent one semester in Dublin and participated in a service learning program in Uganda. Ms. Freehill studied in Ghana and spent five months with a host family in Brazil where she studied culture development and social justice and learned Portuguese. Both students belong to an organization called the International Association of Students in Agricultural and Related Sciences, which has allowed them to travel to Guatemala (Eggleston) and Belarus (Freehill).

Professor Acker reminded the Board that the College had recently received approval for a new undergraduate program, Global Resource Systems, which will prepare students for leadership positions in international organizations.

President Pro Tem Evans expressed his thanks for a great presentation and asked the students if they were considering joining the Peace Corps. The students responded affirmatively.

Regent Vasquez asked Ms. Freehill if she had an opportunity to practice Portuguese and Ms. Freehill responded that she looked for opportunities to do so.

President Miles expressed this thanks for the presentation.

➤ The Board received the report by GENERAL CONSENT.

President Miles acknowledged the passing of former Regent June Murphy earlier this month. He reported that she participated in many volunteer and community service activities and was most proud of her work on the Board of Regents; she served from 1981 – 1987. He said her specific interests while serving on the Board included ensuring high-quality institutions, low tuition, the fair treatment of students, and selecting strong institutional leaders, noting that some of those themes continue through the years. On behalf of the Board, President Miles thanked her for her service and expressed condolences to her family.

**President Miles adjourned the meeting at 4:50 p.m.**