

The State Board of Regents met on Wednesday, December 15, 1993, at Iowa State University, Ames, Iowa. The following were in attendance:

December 15

Members of State Board of Regents

Mr. Berenstein, President	All sessions
Mr. Collins	All session
Mr. Dorr	Excused at 1:15 p.m.
Ms. Furgerson	All sessions
Mrs. Hendricks	All sessions
Mrs. Johnson-Matthews	Excused
Mr. Newlin	All sessions
Mrs. Pellett	All sessions
Dr. Tyrrell	All sessions

Office of the State Board of Regents

Executive Director Richey	All sessions
Deputy Executive Director Barak	All sessions
Director Specter	All sessions
Associate Director Houseworth	All sessions
Associate Director Kominski	All sessions
Associate Director Racki	All sessions
Compliance Officer Maxwell	All sessions
Minutes Secretary Briggie	All sessions

State University of Iowa

President Rawlings	All sessions
Provost Nathan	All sessions
Vice President Manasse	All sessions
Vice President True	All sessions
Associate Vice President Small	All sessions
Director Mask	All sessions
Director Yanecek	All sessions
Counsel Stork	All sessions

Iowa State University

President Jischke	All sessions
Provost Kozak	All sessions
Vice President Crawford	
Vice President Madden	All sessions
Vice President Theilen	All sessions
Associate to the President Adams	All sessions
Treasurer Thompson	All sessions
Executive Assistant to President Mack	All sessions
Assistant to President Bradley	All sessions
Director Jensen	All sessions

University of Northern Iowa

President Curris	All sessions
Provost Marlin	All sessions
Vice President Conner	All sessions
Executive Asst. to President Stinchfield	All sessions
Director Chilcott	All sessions

Iowa School for the Deaf

Superintendent Johnson	All sessions
Director Minikus	All sessions
Interpreter Parkin	All sessions
Interpreter Green	All sessions

Iowa Braille and Sight Saving School

Superintendent Thurman	All sessions
Director Hauser	All sessions

GENERAL

The following business pertaining to general or miscellaneous business was transacted on Wednesday, December 15, 1993.

APPROVAL OF MINUTES OF BOARD MEETING, NOVEMBER 17, 1993. The Board Office recommended the Board approve the Minutes, as written.

President Berenstein asked for corrections, if any, to the Minutes.

ACTION: President Berenstein stated the Board approved the Minutes of its November 17, 1993, meeting, by general consent.

CONSENT ITEMS. The Board Office recommended the Board approve the consent docket, as presented.

MOTION: Regent Furgerson moved, seconded by Regent Hendricks, to approve the consent docket, as follows:

Approve the name change for the Alien and Hostile Environments Research Instrumentation Center to the Microanalytical Instrumentation Center at Iowa State University, effective immediately;

Receive the status report on the Board Office budget as of November 30, 1993;

Receive the Registers of Capital Improvement Business Transactions for the two special schools;

Approve the Iowa State University proposed calendars for the 1997-98 and 1998-99 academic years and the 1998 and 1999 summer sessions, as submitted; and

GENERAL
December 15, 1993

Refer the Iowa State University request for a unit name change from Continuing Education to Extended and Continuing Education to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation.

MOTION CARRIED UNANIMOUSLY.

INTERINSTITUTIONAL COMMITTEE ON EDUCATIONAL COORDINATION. (a) Name Change for Center. The Board Office recommended the Board approve the name change for the Alien and Hostile Environments Research Instrumentation Center to the Microanalytical Instrumentation Center at Iowa State University, effective immediately.

In an effort to better describe the purpose of this unit, Iowa State University officials requested that the name of the Alien and Hostile Environment Research Instrumentation Center be changed to the Microanalytical Instrumentation Center.

This change does not have any budgetary or mission change implications for this center.

The Interinstitutional Committee on Educational Coordination and the Board Office reviewed this request and recommended approval.

ACTION: This matter was approved by consent.

(b) Post Audit. The Board Office recommended the Board (1) receive the post-audit report for the B.A. and B.S. degrees in Mathematics at the University of Iowa and (2) approve the continuance of these degree programs.

University of Iowa officials prepared a post-audit report on the B.A. and B.S. degrees in Mathematics five years after initial approval by the Board of Regents, as required by Board policy. This program area was an alternative degree to the Mathematical Sciences degree previously offered.

No new costs were involved as a result of adopting this program. The program appears to have met its original objectives.

MOTION: Regent Hendricks moved to (1) receive the post-audit report for the B.A. and B.S. degrees in Mathematics at the University of Iowa and (2) approve the continuance of these degree programs. Regent Collins seconded the motion. MOTION CARRIED UNANIMOUSLY.

ACCREDITATION REPORTS. (a) College of Law, University of Iowa. The Board Office recommended the Board (1) receive the report on reaccreditation of the College of Law at the University of Iowa, (2) request that the College take steps necessary and appropriate to address the issue of success rates on the Iowa bar exam by minority students, and (3) review the concerns expressed to the Site Visit Team by women faculty members and address their concerns as deemed appropriate.

On November 10, 1993, the University of Iowa College of Law was notified by the Accreditation Committee of the American Bar Association that it will remain on the list of law schools approved for accreditation. A law school that is approved by the American Bar Association continues in that status unless its approval is withdrawn. The last notice of approval was received in December 1986.

The Site Visit Team repeatedly noted the high quality of the College of Law and the high regard in which they hold the College. The Accreditation Committee's Site Visit Team praised the Self Study prepared by the College of Law and noted the following strengths and concerns about the College of Law.:

Strengths

- o A strong financial base
- o An experienced and dedicated Dean
- o A student/faculty ratio of 16:1
- o A vital, innovative, and highly productive faculty
- o A law library that houses "one of the country's largest and strongest collections of research materials" and a building described as "one of the finest physical facilities in American legal education"
- o A sound and diversified academic program
- o A first-rate graduate program in international and comparative law that is "one of the best such programs in the United States"
- o A record of "phenomenal success" in attracting minority students, who typically comprise 22-25 percent of the College's student population.

The site evaluation team noted the following concerns:

- o Dissatisfaction of most of the female faculty members with the College's record in hiring of women and inequity in terms of salary and role in governance.

The university responded that to the extent these individual concerns [of female faculty] have merit, they will be dealt with on a case-by-case basis. It is hoped that by treating these deeply felt feelings with respect and giving them appropriate attention, the collegial environment can be improved in ways that will facilitate efforts to recruit additional women faculty.

- o For the Law Library to continue to achieve a collection of national distinction, it must have substantial additional acquisition funds and additional staff support in reference and computing areas.

The university responded that the budget of the Law Library is significantly less than it should be. Specific Law Library needs have been identified in the Law School Strategic Plan and in this Self Study document that remain unsatisfied only because of a lack of financial resources. There is, therefore, a pressing need to obtain more of those resources for the Law Library as soon as possible.

- o The team noted that although the College's externship guidelines "may not meet the requirements of Revised Interpretation 2 of Standard 306(c), . . . the actual practice of the school matches the latest interpretation very closely."

The President and Dean . . . report that the faculty, in May 1993, adopted new policy guidelines that conform to Revised Interpretation 2 of Standard 306(c).

President Berenstein stated, on behalf of the University of Iowa College of Law graduates on the Board of Regents, that he was delighted with the accreditation report.

Provost Nathan said he hoped the accreditation report made their "chests swell with pride" when they read it.

President Berenstein asked that Provost Nathan express the Board's appreciation to Dean Hines.

ACTION:

President Berenstein stated the Board, by general consent, (1) received the report on reaccreditation of the College of Law at the University of Iowa, (2) requested that the College take steps necessary and appropriate to address the issue of success rates on the Iowa bar exam by minority students, and (3) reviewed the concerns expressed to the Site Visit Team by women faculty members and address their concerns as deemed appropriate.

(b) Counseling Psychology, University of Iowa. The Board Office recommended the Board receive the report.

On August 18, 1993, the University of Iowa was notified by the Committee on Accreditation of the American Psychological Association that the doctoral program in Counseling Psychology at the University of Iowa had been reaccredited for five years. The Committee's decision was based on its review of the program's self-study report, the report of the evaluation team that visited the program on April 6-8, 1993, and the program's response to the site visit.

Particular strengths of the program noted by the Committee were:

- o An impressive record of faculty research and other accomplishments particularly for a relatively small number of faculty
- o Strong commitment of inclusion of issues of cultural diversity in all aspects of training
- o Extremely strong administrative support

The Committee recommended that further attention be given to:

- o Providing additional faculty support in relation to the number of students for appropriate mentoring and direction of research
- o Continuing efforts toward providing additional space for students
- o Maintaining adequate core faculty which appears to be relatively lean for the number of students presently in the program

President Berenstein congratulated the Psychology Department on its accreditation report.

MOTION: President Berenstein stated the Board received the report, by general consent.

REPORT ON MEETING OF THE IOWA COORDINATING COUNCIL FOR POST-HIGH SCHOOL EDUCATION. The Board Office recommended the Board receive the report.

The December meeting of the Iowa Coordinating Council for Post-High School Education took place at Grandview College in Des Moines on December 8. Below is a summary of the major activities at this meeting.

Report on Marketing

A year ago, the Coordinating Council approved a marketing committee plan that included as its first step a survey of the people of Iowa regarding

higher education. That survey was completed in an effort to provide an information awareness campaign regarding higher education in Iowa. At the December meeting, the Council heard a presentation regarding the use of the survey results for marketing purposes.

The committee proposed a two-phase program. The Coordinating Council approved Phase I, which would include development of a list of "talking points" to be addressed by presidents and other institutional representatives; development of op-ed pieces targeted to various print media markets with authors ranging from institutional presidents to students; development of a report highlighting partnerships as noted above.

The time frame for Phase I would be January-June 1994.

Articulation

The Articulation Committee gave a progress report on the items approved by the Council at its last meeting. This included a report on the Articulation Committee's last meeting. One of its major projects is going forward and concerns the development of a much needed brochure that addresses some of the common problems arising with articulation. This brochure would be distributed to potential transfer students and their counselors to provide helpful information regarding the transfer process.

Iowa Communications Network Recommendations

At the November meeting of the Coordinating Council, the Council established a committee representative of the various sectors of postsecondary education to develop recommendations with respect to the role of the Coordinating Council and the Iowa Communications Network. The committee presented the following recommendations:

- o Define Roles of Regional Telecommunication Councils (RTC) and Narrowcast Committee
- o Remind Institutions about the Iowa Coordinating Council for Post-High School Education's Policy on New Programs and New Program Locations
- o Establishment of an Inventory of Approved Programs
- o Involvement in Statutory Issues
- o Support Legislative Requests for Increased Capacity on the ICN

The Coordinating Council approved all five of the recommendations noted above and in addition approved the continuation of the ICN Committee to monitor and provide advice regarding matters concerning the Iowa Communications Network.

Approval of New Program Requests

The Coordinating Council approved a Master of Science Degree in Education at Drake University, a Bachelor of Arts Degree in Business Administration (Des Moines-AIB) at Graceland College, an Emergency Medical Technician-Paramedic Program at North Iowa Area Community College, and a Nursing Related Services at Western Iowa Tech Community College.

State Postsecondary Review Entity (SPRE)

It was reported that the Iowa Coordinating Council plan for implementing the State Postsecondary Review Entity (SPRE) activities and the related budget have received approval by the U. S. Department of Education. The third major item in addition to the plan and budget, a state agreement for implementing SPRE, had been approved by the Secretary earlier.

The regulations to be proposed by the U. S. Department of Education for the State Postsecondary Review Entities and for accrediting of higher education were supposed to be issued on November 19th and 30th respectively. However, the dates passed without issuance of the controversial regulations. The proposed regulations are actively under review by the Department based on comments and concerns raised by the Office of Management and Budget. The regulations are now expected to be released in mid-January. The regulations have the potential for considerable impact on the way in which accrediting organizations and institutions of higher education do business.

The first meeting of the Interstate Consortia working on the development of the three major requirements of SPRE--Standards of Review, Complaint Procedure, and Information Systems--will take place in December and the Iowa Coordinating Council for Post-High School Education committees working on each of these three items will begin work shortly after the first of the year.

President Jischke stated that the report provided by the Board Office was accurate and complete.

ACTION: President Berenstein stated the Board received the report, by general consent.

FACULTY PRODUCTIVITY AND EFFECTIVENESS. The Board Office recommended the Board (1) receive the annual report and (2) request that the University of Northern Iowa provide indicators in next year's report similar to those developed by the University of Iowa and Iowa State University, so that the Board can better measure progress in enhancing faculty effectiveness and productivity.

This is a progress report on the implementation of the Regent universities' plans to enhance faculty productivity and effectiveness, which were

originally approved by the Board of Regents in December 1992. It appears that each of the Board-approved plans is being appropriately implemented, however, some enhancement of these efforts may be desirable.

The University of Northern Iowa's plan was largely implemented in the fall 1992 semester and most of its goals had been accomplished or were in progress by the time of the plan's final approval in December 1992. University of Northern Iowa's plan was less extensive than the University of Iowa's and Iowa State University's, and was focused on improving research and service and on reducing barriers to effective use of faculty time.

University of Northern Iowa officials reported that 6 of the 7 strategies listed in its plan were complete and implementation of the remaining strategy was in progress. The strategies are:

1. Faculty will fully contribute their talents toward the university's mission. Status: Complete.
2. Reaffirm university-wide commitment to faculty accessibility to students. Status: Complete.
3. Reduce aggregate faculty time spent on committee work. Status: In process.
4. Reduce frequency of offering classes with low enrollments. Status: Complete.
5. Continue reviewing the scholarly and creative activity resulting from faculty research, fellowships, and faculty development leaves. Status: Complete.
6. Proportional responsibilities of summer appointments for research and service. Status: Complete.
7. Improve the effective use of graduate assistants. Status: Complete.

When compared with the other two Regent universities, University of Northern Iowa's plan lacks indicators to measure progress and verify results as originally requested by the Board.

The University of Northern Iowa appears to have substantially completed its approved plan for enhancing faculty productivity.

Iowa State University officials reported significant progress in implementing its Faculty Effectiveness Plan and anticipates accelerated progress over the next several years as new program initiatives yield increased results. The Iowa State University report contains useful data on

10 measures of faculty productivity and effectiveness that provide measures of progress toward 5 goals.

Iowa State University appears to be making good progress toward many of its goals and has already exceeded its goals in some areas. The 5 goals are:

1. High rates of student retention and graduation.
2. All faculty should be involved in undergraduate teaching.
3. Meet the needs of nontraditional students by expanding course offerings in the evenings, on weekends, and during the summer session at both the undergraduate and graduate level.
4. High quality and increasing productivity of research, scholarship, and creative activity.
5. Where appropriate, strong efforts in the application and transfer of technology to support the state's economic development.

The University of Iowa's plan had three principal objectives:

1. To increase the involvement of tenured and tenure-track faculty in undergraduate education
2. To augment incentives for excellent teaching
3. To ensure that faculty development programs fully contribute to the University's academic programs.

University of Iowa officials have developed a series of 63 indicators which will serve as a means of documenting the progress of the university and colleges in 5 general areas related to the enhancement of instruction:

1. Faculty-student contact.
2. Persistence and time to graduation.
3. Characteristics of incoming students.
4. Enhancement of teaching.
5. Outcomes assessment.

The development of the list of indicators is a major accomplishment. Regular, high quality reports on these indicators will provide a comprehensive picture of the university as it continues its efforts to enhance faculty effectiveness and productivity. Some of the indicators are

in need of further refinement and development and need to be carefully interpreted.

University of Iowa's colleges have increased the percentage of tenured and tenure-track faculty involved in their undergraduate courses. Many colleges have made strides toward providing better incentives for, and better recognition of, teaching innovation and excellence. Most of the colleges have now developed a process for evaluating faculty developmental leave assignment proposals that ensures the quality of those that receive approval.

President Berenstein stated that this docket item was a very important part of the meeting today. Faculty effectiveness is the essence of why they are here. With regard to faculty productivity, he said he was proud of how university officials had handled the matter and responded to the Board's request in their reports.

Provost Nathan stated that University of Iowa officials, too, were proud of faculty's productivity and effectiveness. What was presented at this meeting was an interim report. He said university officials will continue to work with deans and faculty to further enhance the effectiveness of faculty. He expressed pleasure and gratitude for the Board giving university officials the opportunity to develop their own framework for faculty effectiveness. The Regents' faith in the ability of institutional officials was now fully justified.

Provost Nathan introduced Professor Christopher Squier of the College of Dentistry, and Judith Aikin, Interim Dean of the College of Liberal Arts, to distinguish between the detailed 2-part, 41-page document.

Professor Squier discussed how the faculty went about the process of developing the indicators of instructional enhancement.

Interim Dean Aikin stated that because the College of Liberal Arts admits over 90 percent of the university's undergraduates, how well it does in providing courses will set the tone for the university as a whole. She then described several of the more notable accomplishments. There is a new emphasis on the teaching mission. The College of Liberal Arts has a revised classroom manual and provides a lengthy orientation for new faculty. A second notable accomplishment concerned quantity. The third and most important accomplishment was attitude.

Regent Tyrrell asked about the College of Liberal Arts' goals for the future and when the Regents would be provided with the second strategic plan. Interim Dean Aikin responded that after departmental responses they will draft the final report which she noted would look quite different from that first presented to the Board. She said the 5-year plan would be much more focused.

Regent Tyrrell encouraged university officials to continue their efforts. He wants the progress to be as impressive in future years as it was this year.

Regent Dorr asked if significant changes were being made to the strategic plan. Dean Aikin responded affirmatively, stating that of the plan's 10 goals they would be focusing on 4 goals, all having to do with excellence of instruction.

Regent Dorr asked if effective teaching detracts from research capabilities. Dean Aikin responded that effective teaching does not at all detract from research.

Professor Squire stated that one of the encouraging indicators of research activity is the record number of applications for external funding.

Regent Dorr asked if effective teaching enhances research. Professor Squire responded affirmatively, stating that it is a synergy; one goes with the other.

President Rawlings stated that it was important to underline that teaching and research sometimes are seen as not consonant with each other. A new Rhodes scholar at the University of Iowa was doing research with cutting edge faculty members. That experience enhanced the quality of his education. From the time he came to the university as a freshman he has experienced close interaction with faculty.

Regent Furgerson stated that one of the strong factors that will help improve retention is student-faculty contact. Students need to have faculty who are mentors.

Dean Aikin stated that university officials are very concerned about the constraints in which they find themselves of not having enough faculty to ensure every student has that experience that Regent Furgerson referred to. During the freshman year students most need the individualized attention of faculty members. One of the strategic goals is to have more faculty-taught classes at the freshman year. She emphasized that was crucial to bringing freshman and sophomore persistence numbers up.

President Berenstein stated that one of the issues raised that morning in a meeting with students was the intercoordination of research and teaching. The conversation taking place now was imperative to what they talked about with the students. They can't have one without the other. Budget requests take into consideration what is best for each element. They are working together and helping each other.

Professor Holger stated that Iowa State University's plan was developed with a lot of faculty input. They are continuing the evaluation of that plan.

He said progress has been made in statistical areas. They need to focus on organizational effectiveness activities and efforts that would underpin faculty effectiveness. He highlighted a few areas of progress. The Center for Teaching Excellence has begun a number of activities in the last 12-month period. Mentoring programs are being developed by faculty members. The Engineering College is sharing expertise with the University of Iowa. He said the long-term trends are good measures of what is going on. There is data on out-of-class and informal faculty contact with students. In the report university officials look at improving faculty effectiveness at the college and unit level. He said faculty are committed to being more effective and good stewards of resources. They are not done with these efforts. They will continue to change and improve.

Regent Hendricks referred to the Iowa State University measure target of increasing student credit hours to 210 per FTE faculty. She asked if that would assume a 3-credit hour class and 70 students per FTE.

Professor Holger responded that one way of having 210 student credit hours is 70 students in a 3 credit class. However, there were a lot of other ways that could happen. The 35/2 class model is more common than the 70. He noted that it ends up being an average over the institution because of the mix of class sizes that a particular student experiences. They look in more detail at the unit level.

Regent Hendricks asked if they anticipated increasing the credit hour measures in the future. Professor Holger responded that because faculty spent a great deal of effort on developing the targets last fall, there has not been a lot of discussion of reassessing those targets.

Provost Kozak stated that in developing the faculty effectiveness plan there had to be opportunities for faculty to develop professionally including mentoring programs and study in a second discipline. The university held its first faculty annual conference. The first conference was about the land grant institution and TQM opportunities. There is a new professorship in place called university professorship to recognize faculty who demonstrate excellence in all 3 areas.

Regent Tyrrell asked about Iowa State University's plans and goals for next year and what they hoped to accomplish. Provost Kozak responded that Iowa State University officials had made significant progress on 5 of the measures. They need to keep those moving forward and to pay attention to those not showing much improvement.

Regent Tyrrell asked about identification of problems with persistence and graduation rates. Provost Kozak referred the Regents to Dean Aikin's comment that persistence is tightly coupled to a student's first year's experience. Iowa State University will lose 20 percent of the students in the first year class. If they are going to tackle the problem of

persistence and retention they have to put their emphasis on the first year and put their very best faculty there. He said they have made progress in increasing the number of senior faculty in introductory courses.

President Berenstein noted that they would discuss student persistence in more detail under the upcoming docket item entitled, "Report on Persistence of Minority Students and Advising, Counseling and Retention Programs at Regent Universities".

Provost Marlin stated that University of Northern Iowa officials had essentially implemented its 7 point plan presented to the Board in July 1992. Strategies of the plan include that faculty members will fully contribute their talents to university's mission. Distinctiveness is the primacy of teaching at UNI. It is a high-quality teaching and student-centered campus. She said 9 credit hours per semester is the stated teaching load but 11.3 credit hours was the average this last semester. She said 96.8 percent of the faculty taught undergraduate courses. The vast majority of faculty are very effective. Most of the faculty did achieve their plans for improvement.

Provost Marlin said another strategy is to reaffirm the university-wide commitment to faculty accessibility for students. All faculty are required to be accessible to students. Faculty usually have office hours but increasingly electronic access to faculty better addresses the needs of students and is the preferred mode of interaction.

Provost Marlin said a third strategy is to reduce the aggregate faculty time spent on committee work. She said they have not made much progress in that area. They have tried to "kill" committees but committees haven't "died". Many of the recent university initiatives require additional faculty committee involvement. She noted that the Faculty Senate has eliminated one committee.

Provost Marlin said a fourth strategy is to reduce the frequency of class offerings with low enrollments. A fifth strategy is the establishment of a policy to assess faculty scholarly activities. A sixth strategy is that faculty with summer appointments for teaching will have appropriate commitments to research and service. A seventh strategy is to improve the effective use of graduate assistants.

Provost Marlin concluded by stating that University of Northern Iowa officials have implemented and will continue to make progress on faculty activity effectiveness. They have enhanced the productivity of individual faculty where appropriate. She then introduced the Chairwoman of the Faculty Senate, Dr. Barbara Lounsberry.

Dr. Lounsberry stated that when the public sees her in the classroom 9 hours/week, it has every right to call her to account. She said it is the

invisible work which makes the difference in her public performance. Lawyers are actually in the courtroom only a portion of their average work week. The remaining hours are spent in preparation for the courtroom. Doctors similarly are only in the operating room a short amount of time. The public does not think doctors and lawyers are shirkers of their responsibilities. She said the work of college professors is much less known.

Dr. Lounsberry stated that reading student papers is the center of her work. She placed portions of one student's paper before the Regents and discussed the lengthy comments she had made on the essay. It was a freshman's paper from an introduction to literature course. She said students have an opportunity to rework their papers and take her suggestions. She encourages and challenges students. Not every student will do another draft. She wished she could tell the Regents that the kind of response she gave that student's paper took 10 minutes but it really took 30 minutes. She spent 17-1/2 hours that week reading and writing to this class of students' writing. That is just one of the 3 classes she teaches.

Dr. Lounsberry stated that too often the public thinks that anyone can be a university professor. She said that not everyone can help a student become a better thinker or writer. Most do not have the interest or patience to do this job. Her colleagues and she do have that enthusiasm.

The Regents listen to University of Northern Iowa students Keith Saunders, a senior, and Beth Krueger, a junior, argue before them. Dr. Lounsberry said she feels pride in those students. They are exceptional students who have brought gifts to the educational setting. That is the level of quality that she is daily engaged in.

The Regents and members of the audience applauded Dr. Lounsberry.

Regent Hendricks stated that in case anyone thinks this is a new subject area of study, it is not. She said Dr. Barak found that faculty productivity came up before 1900. At one point the Board of Regents decided faculty had to teach 4 classes but if they were not involved in significant research faculty should teach 5 or 6 classes.

President Berenstein stated that the Board appreciated Dr. Lounsberry's enthusiasm. The Regents also take pride in their students.

Regent Tyrrell asked what the challenges were in the University of Northern Iowa's plans for next year. Provost Marlin responded that they are going to look at the entire framework particularly the teaching aspect. They want to maintain the level of teaching while increasing faculty scholarly activity which she noted would include mentoring.

Regent Newlin expressed his appreciation and congratulations to the Board of Regents and the 3 universities for initiating the effort to address faculty productivity. As President Berenstein stated at the beginning of this discussion, it really is at the heart of everything they are about. He was very impressed with the progress being made and anticipated would be made.

MOTION: Regent Furgerson moved to (1) receive the annual report and (2) request that the University of Northern Iowa provide indicators in next year's report similar to those developed by the University of Iowa and Iowa State University, so that the Board can better measure progress in enhancing faculty effectiveness and productivity. Regent Hendricks seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

POLICY ON NOTIFICATION OF STUDENTS ON CLASS CONTENT. The Board Office recommended the Board consider the policy approved by the University of Iowa Faculty Senate.

At the February 1993 meeting of the Board of Regents, the Board requested that each of the three universities develop a policy on notification of students regarding class content. In October, the Board received the policies from Iowa State University and the University of Northern Iowa. At that time, the faculty at the University of Iowa had not completed its deliberations on this request. In the absence of a policy at the University of Iowa, the Board of Regents adopted a policy of its own. This policy was to remain in effect until such time as the Board accepted a policy from the University of Iowa.

The development of the requested policy is complicated by the need to balance appropriately the rights of students with the necessities of academic freedom. Not only is academic freedom one of the most universally cherished concepts in American higher education, it is a bulwark in the structure of our entire democratic society.

It has been said that a society is as free as its institutions of learning. Where the pursuit of knowledge is inhibited, the progress of society itself is encumbered. It is incumbent on both those in academe and outside to maintain respect for these cherished principles while providing equally important safeguards for students' rights. Faculty, as the custodians of student welfare, have important obligations to present a range of concepts and ideas which help students gain an understanding of their respective fields of study and to do so without impinging on student rights.

The concern expressed by the Board is not what will be taught in the classroom, nor how it will be taught. These are overwhelmingly the

prerogatives of the faculty. The concern is that of providing appropriate advance notification.

20.292 Responsibilities to Students

(b) It is also the faculty member's responsibility to provide students and prospective students with adequate information about course content so they can make knowledgeable choices about whether to enroll. This information may be provided by course syllabi, lists of readings and other course materials, or other appropriate instructional aids. These informative materials, as appropriately supplemented by class discussion and announcements, should also be used to provide appropriate contexts for individual class sessions. Faculty should respect reasonable decisions by students not to attend a part or all of a particular class session; students remain responsible for learning class material and completion of course requirements.

(c) - (i) renumbered

The following proposed language was deleted by the Faculty Senate during its consideration of the policy.

[, especially when the faculty member expects or intends course materials to elicit strong emotional responses from students.]

President Rawlings stated that the Board had postponed discussion of the Faculty Senate's proposal from last month. He then thanked Professor Jerald Schnoor, University of Iowa Faculty Senate President, for the work he has done on this issue. He said Professor Schnoor represents the broad body of opinion of the faculty. Professor Schnoor has effectively and constructively worked with President Rawlings on this difficult issue.

Professor Schnoor said he was sorry they had not come to this stage better. He then stated that the Faculty Senate passed an excellent policy which was before the Board at this meeting. They were all trying to do what was best for the institution and the students. He said the lengthy discussions have sensitized faculty. The policy which was passed has several advantages. It is based on good teaching principles of placing materials in good context. The policy outlines the responsibilities of both faculty and students. The policy is not based on content of any particular type of material. The policy is broad based and requires course syllabi and that faculty excuse students for leaving the classroom. He stressed that these are significant policy decisions. Finally and most importantly, Professor Schnoor said the faculty passed this policy on themselves. Curriculum matters must be faculty based.

Professor Schnoor stated that keeping the Regents' policy was very dangerous. It was felt that the Regents' policy was used to discipline faculty. As with the Regents' policy, the faculty's policy requires notification of students and allows for excused absence. He said the alternate assignments for students should be worked out between faculty and student. He believes the new policy helps alleviate problems identified by faculty in the Regents' policy.

Professor Schnoor said he hoped they could move beyond this. The Regents asked faculty for a policy and they have delivered. He asked that the Regents give full consideration to the faculty's policy and that they approve it as they did the other 2 universities' policies. He concluded by emphasizing that they must have a policy that is approved by the faculty.

President Rawlings stated that Professor Schnoor made a very important point -- it is indeed the province of the faculty. He noted that several Regents were concerned that appropriate notice be provided to students prior to material being shown in class. Faculty agrees that is an important principle. He read the following language from the faculty's proposed policy:

This information may be provided by course syllabi, lists of readings and other course materials, or other appropriate instructional aids.

President Rawlings said it was his view that the language meets the Regents' test of providing appropriate advice to students before a class begins so students understand exactly what will go on in the class. He suggested the Regents take that sentence very seriously as it did meet their concerns.

Regent Tyrrell asked what the Faculty Senate felt would be appropriate if someone violates the policy or doesn't follow the guidelines?

Professor Schnoor responded that this policy would go into section 29.292 of the university's Operations Manual. This section is very important because it outlines what is expected of faculty. If there were a violation the administration already has in place how the case would proceed. The faculty member would be sanctioned. The sanction would depend on the course, what exactly happened and whether anything similar had happened previously.

President Rawlings stated that the faculty and university policy is lengthy and detailed. They would look at the specific instance involved although it would not be treated different than other violations.

MOTION: Regent Furgerson moved to accept the policy approved by the University of Iowa Faculty Senate. Regent Newlin seconded the motion,

and upon the roll being called, the following voted:
AYE: Furgerson, Newlin, Pellett.
NAY: Berenstein, Collins, Dorr, Hendricks, Tyrrell.
ABSENT: Johnson-Matthews.

THE MOTION WAS DEFEATED.

REPORT BY COUNCIL ON THE STATUS OF WOMEN ON SEXUAL HARASSMENT AT THE UNIVERSITY OF IOWA. The Board Office recommended the Board receive the report on sexual harassment at the University of Iowa.

The Council on the Status of Women at the University of Iowa, in consultation with several other groups on the campus, conducted a campus survey on sexual harassment. The purpose was to test the effectiveness of the university's Policy on Sexual Harassment and Consensual Relationships by (1) establishing a baseline on the incidence and prevalence of sexual harassment on campus, (2) defining the scope and nature of sexual harassment at the university, and (3) determining what additional strategies are needed to deal effectively with sexual harassment problems.

Summary of Report

The survey sample included 900 men and 2150 women who were randomly selected in stratified samples of faculty, staff, and student subgroups. A total of 1,235 individuals returned completed surveys for a response rate of 40.5 percent. The response rate of women was 45.3 percent, with female subgroup response rates varying from 39.7 percent for graduate/professional students to 63.3 percent for faculty. The response rate for men was 28.3 percent, with male subgroup responses varying from 17 percent for graduate/professional students to 43.3 percent for professional and scientific staff members.

The report indicated that 15 percent (17.2 percent of females and 6.3 percent of males, n=184) of respondents identified that they had been sexually harassed at the university within the last five years. However, in separate survey questions, 55 percent (55.7 percent of females and 50 percent of the males, n=683) of respondents reported that they had experienced one or more unwanted behaviors defined by the university's policy as constituting sexual harassment. Some of this discrepancy, according to the report, may be attributed to respondents who did not feel threatened by mild yet common forms of verbal sexual harassment, such as unsolicited comments of a sexual nature and generally explicit statements, jokes, or anecdotes. However, the report notes that this discrepancy is more problematic in view of the fact that 82 respondents who reported subtle pressure for sexual activity, 131 respondents who reported repeated incidents of unsolicited touching or hugging, and 10 respondents who

reported physical assault, all failed to identify themselves as having been sexually harassed.

The report indicated that sexual harassment at the university is under-reported and that this is a serious concern because of the reasons given for not reporting harassment. The report notes that 60 percent of sexually harassed respondents indicated that the fact that the harasser was in a position of power over them lends great weight to their reasons.

Respondents who stated that they did not report the harassment said that they fear that their complaints will not be taken seriously; that their harasser will retaliate; that they will be labeled a troublemaker; and that they will suffer retaliation from others including peers, supervisors, department heads, central administrators or teachers, according to the report.

The council's report made four recommendations to address the problems identified in the survey:

1. Increase and improve efforts to make all students, faculty, and staff aware of sexual harassment and educate them about the university's Sexual Harassment Policy including what behaviors constitute sexual harassment.
2. Acknowledge and address the role of power in sexual harassment.
3. Implement mechanisms to make the policy more "user-friendly," i.e., that will encourage sexual harassment victims to report violations of the policy and seek the university's assistance for remedy and for minimizing the potential damage to the victim.
4. Ensure that the university's Sexual Harassment Policy is enforced aggressively, fairly, and consistently; implement initiatives to demonstrate the University's commitment to creating an environment that will not tolerate sexual harassment; and make the university community aware of its efforts.

University's Response to the Report

In responding to the report, University of Iowa officials acknowledged the efforts of the Council on the Status of Women in conducting the Sexual Harassment Survey. The survey results provided useful information which will guide university officials as they seek to achieve and maintain an environment free of sexual harassment. The university's response goes on to raise questions concerning the validity of the findings/analysis provided by the Council on the Status of Women.

In analyzing the results of the survey, the university cautioned that the following information should be noted. The survey asked respondents about

their perceptions of sexual harassment. The survey, which had a forty percent response rate, did not define sexual harassment. It listed behaviors that the University of Iowa Policy on Sexual Harassment and Consensual Relationships identifies as examples of sexual harassment, but it failed to identify when such behaviors would constitute sexual harassment under the policy. Material which defines the circumstances under which behavior constitutes sexual harassment was not included in the questions contained in the survey. Respondents therefore did not have an adequate definition for reference as they responded. The university urged that this be kept in mind when considering the survey results.

The survey asked respondents two questions. The first question asked: "During the last five years of study/work at the University of Iowa, have you been sexually harassed by any other person associated with the University of Iowa." The report indicated that 15 percent (n=184 of 1,235) of the respondents answered "yes," that they believed they had been sexually harassed. The university noted that this percentage translates into approximately 37 cases per year which, although disturbing, is not surprising given the size of the University of Iowa. The 15 percent figure should be compared with the "30 percent rate for academic environments that is reported in the literature" as cited by the Council on the Status of Women on page 10 of the survey report. This comparison was not referenced in the widely distributed Executive Summary of the report.

The survey then asked those who responded "no" to the first question (thus indicating they did not believe they had been sexually harassed) to go on to question 3, which asked how frequently they had experienced unwanted behaviors, ranging from comments and jokes to physical assault over the last five years. Without defining under what circumstances the behaviors would be a violation of the policy, the survey mischaracterized all such behaviors as sexual harassment. Fifty-five percent (55 percent - n=683) of the respondents indicated that they had experienced unwanted behaviors which might constitute sexual harassment under the Policy, according to the university.

According to the university, the report then explains what it characterizes as a discrepancy between the number of people who reported experiencing sexual harassment (15 percent) and those experiencing unwanted behaviors (55 percent) by stating that "University constituents either do not know about the policy or do not have a clear understanding about what constitutes sexual harassment." (Executive Summary, p. 4, item 1.) On this basis, the report concludes that insufficient efforts have been made to communicate the policy to university constituents.

Despite these limitations in the survey, University of Iowa acknowledged that more needs to be done to address sexual harassment. It is also quite possible that some of the unwanted behavior was not considered by the respondents as harassment or would not in fact constitute sexual harassment

under the policy (i.e., an isolated inadvertent incident). The respondents appear to have indicated it was not by having answered "no" to that question earlier.

The university response indicated that the survey results provide useful information to assist the university in implementing the policy. The results indicated that more education is warranted. The new required training of DEOs is a step in the right direction, particularly since the survey report indicates that 57.9 percent of the 15 percent who said they were sexually harassed said that harasser was in a position of power over them. Several of the recommendations made by the Council on the Status of Women in the report are useful and were being given serious consideration by the university at this time.

Ellen Heywood, immediate past chair of the University of Iowa Council on the Status of Women, stated that there had been many highly-publicized sexual harassment cases nationwide in the recent past. The Council on the Status of Women conducted a campus-wide random survey of students, faculty and staff, both male and female. There were 1,235 responses to the survey. She summarized the results of the survey and concluded that the existence of a university policy addressing sexual harassment is not enough. She encouraged university officials to implement the recommendations of the report, as follows:

1. Increase and improve efforts to make all students, faculty, and staff aware of sexual harassment and educate them about the university's Sexual Harassment Policy including what behaviors constitute sexual harassment.
2. Acknowledge and address the role of power in sexual harassment.
3. Implement mechanisms to make the policy more "user-friendly," i.e., that will encourage sexual harassment victims to report violations of the Policy and seek the University's assistance for remedy and for minimizing the potential damage to the victim.
4. Ensure that the university's Sexual Harassment Policy is enforced aggressively, fairly, and consistently; implement initiatives to demonstrate the university's commitment to creating an environment that will not tolerate sexual harassment; and make the university community aware of its efforts.

Ms. Heywood suggested that education was preferable to litigation. She then noted that Jean Jew was also present at this meeting.

ACTION: President Berenstein stated the Board received the report on sexual harassment at the University of Iowa, by general consent.

ANNUAL REPORT ON AFFIRMATIVE ACTION. The Board Office recommended that the Board receive the affirmative action reports.

There was a net increase of 508 women and 116 minorities at Regent institutions during the program year. A lifting of the 1991 hiring freeze and an increase of staff nurses at the University of Iowa Hospitals and Clinics were contributing factors to the increase.

Women appointed to Executive/Administrative/Managerial positions increased by 7 at both Iowa State University and the University of Iowa. There was no change at the University of Northern Iowa.

Minorities appointed to Executive/Administrative/Managerial positions increased by 2 at Iowa State University and 1 at the University of Northern Iowa. There was a loss of 1 at the University of Iowa.

Women appointed to faculty tenure/tenure track positions increased by 19 at the University of Iowa, 12 at Iowa State University and 6 at the University of Northern Iowa.

Minorities appointed to faculty tenure/tenure track positions increased by 13 at Iowa State University, 11 at the University of Northern Iowa and 4 at the University of Iowa.

The following tables indicate the number of minority tenure/tenure track faculty at Regent universities for fiscal years 1992 and 1993.

University of Iowa

<u>Race/Ethnicity</u>	<u>FY92</u>	<u>%</u>	<u>FY93</u>	<u>%</u>	<u>Net Change</u>
African-American	32	2.0	32	1.9	0
Hispanic	27	1.7	31	1.9	+4
Asian/Pacific	118	7.4	118	7.2	0
American Indian	5	.3	5	.3	0
TOTAL	182	11.4	186	11.3	+4

Iowa State University

<u>Race/Ethnicity</u>	<u>FY92</u>	<u>%</u>	<u>FY93</u>	<u>%</u>	<u>Net Change</u>
African-American	18	1.4	18	1.4	0
Hispanic	13	1.0	15	1.2	+2
Asian/Pacific	86	6.9	95	7.4	+9
American Indian	2	.15	4	.3	+2
TOTAL	119	9.45	132	10.3	+13

University of Northern Iowa

<u>Race/Ethnicity</u>	<u>FY92</u>	<u>%</u>	<u>FY93</u>	<u>%</u>	<u>Net Change</u>
African-American	14	2.6	17	3.1	+4
Hispanic	11	2.0	11	2.0	0
Asian/Pacific	19	3.5	25	4.6	+6
American Indian	2	.4	3	.6	+1
TOTAL	46	8.6	56	10.3	+11

Regent institutions had an overall increase of 508 women and 116 minorities permanent full-time and part-time employees during the program year.

REGENT INSTITUTIONS - NET CHANGES FOR FISCAL YEAR 1993

<u>CATEGORY/SCHOOL</u>	<u>TOTAL</u>	<u>MEN</u>	<u>WOMEN</u>	<u>MINORITIES</u>
<u>Executive/Administrative/Managerial</u>				
University of Iowa	5	(2)	7	(1)
Iowa State University	8	1	7	2
University of Northern Iowa	3	3	0	1
Iowa School For The Deaf	4	1	0	0
Iowa Braille and Sight Saving School	0	0	0	0
	<u>20</u>	<u>3</u>	<u>14</u>	<u>2</u>
<u>Faculty-Tenured/Tenure Track</u>				
University of Iowa	46	27	19	4
Iowa State University	10	(2)	12	13
University of Northern Iowa	8	2	6	10
	<u>64</u>	<u>27</u>	<u>37</u>	<u>27</u>
<u>Faculty-Non-Tenure Track</u>				
University of Iowa	24	11	13	0
Iowa State University	(2)	(18)	16	(6)
University of Northern Iowa	(2)	(11)	9	5
Iowa School for the Deaf	2	0	2	(2)
Iowa Braille & Sight Saving School	2	0	2	0
	<u>24</u>	<u>(18)</u>	<u>42</u>	<u>(3)</u>
<u>Professional and Scientific</u>				
University of Iowa	294	95	199	23
Iowa State University	166	81	85	40
University of Northern Iowa	28	7	21	0
Iowa School for the Deaf	(2)	0	(2)	(1)
Iowa Braille & Sight Saving School	0	0	0	0
	<u>486</u>	<u>183</u>	<u>303</u>	<u>62</u>

REGENT INSTITUTIONS - NET CHANGES FOR FISCAL YEAR 1993

<u>CATEGORY/SCHOOL</u>	<u>TOTAL</u>	<u>MEN</u>	<u>WOMEN</u>	<u>MINORITIES</u>
<u>Secretarial/Clerical</u>				
University of Iowa	116	36	80	8
Iowa State University	11	5	6	4
University of Northern Iowa	0	0	0	3
Iowa School for the Deaf	0	0	0	0
Iowa Braille & Sight Saving School	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	127	41	86	15
<u>Technical/Paraprofessional</u>				
University of Iowa	48	23	25	6
Iowa State University	(2)	5	(7)	(3)
University of Northern Iowa	1	1	0	(1)
Iowa School for the Deaf	0	0	0	0
Iowa Braille & Sight Saving School	<u>(1)</u>	<u>0</u>	<u>(1)</u>	<u>0</u>
	46	29	17	2
<u>Skilled Crafts</u>				
University of Iowa	7	7	0	1
Iowa State University	(5)	(6)	1	0
University of Northern Iowa	0	0	0	1
Iowa School for the Deaf	0	(1)	1	0
Iowa Braille & Sight Saving School	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	2	0	2	2
<u>Service/Maintenance</u>				
University of Iowa	24	22	2	4
Iowa State University	(8)	(12)	4	3
University of Northern Iowa	5	3	2	0
Iowa School for the Deaf	(1)	0	(1)	0
Iowa Braille & Sight Saving School	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	20	13	7	7
<u>Total Net Change</u>				
University of Iowa	564	219	345	45
Iowa State University	178	54	124	53
University of Northern Iowa	43	5	38	19
Iowa School for the Deaf	(3)	(3)	0	(1)
Iowa Braille & Sight Saving School	<u>1</u>	<u>0</u>	<u>1</u>	<u>0</u>
	783	275	508	116

The Regent Affirmative Action Office reviewed 215 companies employing more than 50 people during the year to determine their compliance with Regent Equal Employment Opportunity Policies. Seventy-three (73) companies were found to be in compliance. The compliance status of 69 companies is

unsatisfactory. Additional information has been requested from 36 companies for further analysis.

The Regent Affirmative Action Office is working with representatives from the Departments of Management and Economic Development and the construction industry in order to increase the number of minorities and women in the construction industry.

Compliance Officer Maxwell stated that the report represents outstanding efforts by the Regent institutions to overcome historical practices which denied women and minorities.

Mr. Richey noted that progress will occur if current efforts continue.

Compliance Officer Maxwell stated that institutional officials captured the real intent of affirmative action at the Regent institutions this year. The goals in some areas have not been reached although affirmative action has taken place. He encouraged university officials to continue their efforts. He pointed out that the University of Iowa had been very successful in attracting outside funding for research which was a very important factor to the total number of persons appointed at the university.

Regent Furgerson referred to the following comment by the Board Office: "There was a net increase of 508 women and 116 minorities at Regent institutions during the program year. A lifting of the 1991 hiring freeze and an increase of staff nurses at the University of Iowa Hospitals and Clinics were contributing factors to the increase." She stated that nursing was an area where women had been over-utilized. She said she would be more interested in the number of males in nursing positions.

Compliance Officer Maxwell responded that the second sentence explains that the increase in women was mainly in the nursing profession.

President Berenstein stated that he wished they could say they had attained all the goals they had set for the Regent institutions; however, it is an ongoing process. He encouraged them to continue on in their affirmative action activities.

Regent Tyrrell asked what are the challenges they face for next year and how can they do better? Compliance Officer Maxwell responded that there needs to be more women and minorities in tenured faculty positions. The number of women tenured faculty has been almost flat in recent years. They need to move faster. Many women find that "the dream" has passed them by.

Regent Furgerson said they also need to have women and minorities equitably represented in decision-making positions.

ACTION: President Berenstein stated that the Board received the affirmative action reports, by general consent.

PRESENTATION BY IOWANS FOR WOI-TV.

Jack Shelley stated that Beverly Everett, who was to make this presentation, had some complications because of her husband's surgery and could not be present. He then thanked the Regents for allowing Iowans for WOI-TV to make this presentation. One of the messages they hoped to relay to the Regents was that they should feel under no compulsion to quickly complete the sale of the television station. He then introduced 3 prominent Iowa State University alumni who would each be making a presentation to the Regents: Don Payor, well-known attorney practicing in Ames, a University of Iowa College of Law graduate, would speak to the legal and tax aspects; Roger Rinderknecht, President of Firststar Ames, would discuss the investment of funds that might be generated by the sale of WOI-TV; and Joe Lyon, a dairy farmer from Toledo, Iowa.

Mr. Payor stated that he joined with Mr. Shelley in thanking the Regents for allowing the time and opportunity for their appearance. He then proceeded to addressing their concerns. He was there for only one reason -- to urge each of the Regents to vote to terminate the sale of WOI-TV to Capital Communications Company. They were not there as antagonists. He said they all want what is best for Iowa State University and the state of Iowa, which he said was the real question.

Mr. Payor first appeared before the Board of Regents almost 2 years ago when he resisted the possible sale of the station and asked that the Regents not proceed. He said he has appeared before the Regents on many subsequent occasions. Their two groups have been to the District Court and the Supreme Court. He was appearing before them today for what may well be the last time. The position of Iowans for WOI-TV has not changed. They feel strongly that WOI-TV should not be sold and that the retention of the station is critical for the future of Iowa State University's journalism program. He said the great majority of Iowa's citizens join with Iowans for WOI-TV today in pleading with the Regents to not proceed with the sale.

Mr. Payor asserted that the Regents can and must terminate the contract. He said it appeared that the value of the station may well have increased by \$5 million to \$7 million according to industry standards; therefore, the station is worth substantially more than what it was sold for at the time. The projected returns ending June 30, 1994, will be at least \$1 million. However, he said the money is not the crux of the issue. Once the station is gone it is gone forever. This is the final round. He asked that they leave WOI-TV where it is by terminating the contract. He discussed the terms of the contract concerning termination in relation to action or inaction by the Federal Communications Commission. He said there are no

sanctions for termination of the contract if commission approval is not obtained. He urged the Regents to use something that the contract gives them. He believes they can terminate the contract without liability. Carla Schemmel of the Hawkins and Norris law firm was in the audience. He said it was that firm's opinion that the contract allows the Regents to withdraw. The Supreme Court says the Board of Regents has absolute authority to sell or not sell.

Mr. Payor said he felt that the Regents were concerned about their legal standpoint. He acknowledged that the Regents must discuss this matter in detail with their attorneys. He asked that they not be swayed by the possibility of tort claims and that they not fail to consider termination. Their primary obligation is to the state of Iowa not to Capital Communications Corporation.

Mr. Payor suggested the Regents ask themselves as fiduciaries what is really best for Iowa State University and the state of Iowa, and who will lose the most if this sale goes through. Should they give WOI-TV a second chance? He then read an editorial that was in the Daily Tribune concerning the sale contract's clause that says if the sale is not completed by a certain time either party can walk away from the deal.

Regent Dorr presented the following to Mr. Payor: If Joe Lyon sold his farm to Mr. Payor's client, then Joe Lyon said it had been a family farm and he did not want to sell it, after all, would Joe Lyon have no moral obligation to the sale?

Mr. Payor answered no, adding that the scenario did not address the fact that the contract can be terminated. If they can terminate the contract then why should they not utilize it?

Regent Collins said he agreed the Regents should rely on their lawyers. He then questioned whether the Daily Tribune, since it is so clear on the terms of the contract, and Mr. Payor would be willing to indemnify the Iowa Board of Regents.

President Berenstein then interjected that Mr. Lombardo had handed him a copy of the decision by the Federal Communication Commission which came down that morning granting the transfer of the license to Capital Communications Corporation.

Mr. Rinderknecht discussed the investment of funds that might be generated by the sale of WOI-TV as well as why the station should not be sold. He said the sale would yield \$10.248 million of net proceeds to Iowa State University. He said conversion to high-definition television would have an impact on the station's value. The station could be worth from \$2 million to \$7 million more for a total value of as much as \$19 million. He discussed a conversation he had with an Iowa State University journalism alumnus. He said they cannot put value on an irreplaceable asset.

The sale amount does not count the educational value. He discussed the income tax liability to the university of the sale. He questioned whether they would be taking a step forward or backward in reaching Iowa State University's goal of becoming the best land grant university in the country.

Mr. Lyon asked that the Regents reconsider the sale of WOI-TV, that they forget all that has been said and done in the past in regard to the sale, and, as of this moment, make their decision on what is best for WOI-TV and the state of Iowa. He stated that he is President of the South Tama Board of Education. He said the school district has invested several thousand dollars in fiber optics. They are banking on the fiber optics network and programming to help their educational system. He sees WOI-TV with its technology and its affiliation with the university system as an integral part of fiber optics.

Mr. Lyon noted that farmers learned in the mid-1980s that selling a valuable asset that generates income to help meet living expenses is not very beneficial in the long run. With regard to private versus public ownership, he said that many years ago that issue was a factor in the closing down of the Dairy Industry Department as a dairy cited unfair competition. As a result, today the Iowa dairy industry looks to South Dakota or some other university for trained personnel to work in and manage dairy plants.

Mr. Lyon concluded by stating that this was a day the Regents could really make a difference. They could see that those at WOI-TV and the educational community in Iowa work together in outlining a mission for the station that truly meets the needs of all Iowans.

Mr. Shelley referred to the report on the action of the Federal Communications Commission which they had received that morning and said he needed to check as to whether the action represented final agency action. He felt there was a possibility the matter could be appealed and suggested the Regents not rush this matter. He noted that the Iowa State University Faculty Senate last night passed a resolution opposing the sale of the station as did the university student body.

President Berenstein stated that since the Regents were running ahead of schedule, spokespersons for both the faculty and students could make brief presentations.

Sandy McNabb, President of the Iowa State University Faculty Senate, stated that last night the Iowa State University Faculty Senate passed a resolution reaffirming its opposition to the sale of WOI-TV with only 2 dissenting votes. He then provided the Regents with copies of the resolution.

Dennis Klein, President of the Iowa State University Government of the Student Body, stated that one of the biggest problems in legal disputes like this is that matters of right and wrong get overlooked. He said the

citizens of Iowa want to keep WOI-TV at Iowa State University. The station is not losing money every year and it is providing opportunities for many students. He said he would like to ask more than anything else that the Regents forget what has been said in the past and focus on what is right and wrong and what the majority of people want. He asked, if they can reconsider and change their minds, that they do so.

Regent Collins stated that he was not on the Board of Regents at the time the sale took place. He did not even follow the newspaper articles concerning the matter. Therefore, he has nothing to defend. He cautioned that they not rush past the point of whether, as a Board, they have a legal or moral obligation to fulfill a contract. They have to be guided by their lawyers. With regard to the legal commitment, are they justified as a State agency to say they are not going to fulfill the contract if it is better financially now to not do so? They cannot decide arbitrarily which commitments they will and will not keep. In the long run it would be the worst thing for the institution and the State if this was a commitment that they did not complete. He said it is not a matter of finances. It is a matter of whether they have a legal or moral commitment to continue with the contract; otherwise, all these other things that have been brought up need considered.

Mr. Shelley again thanked the Regents for the time they allotted to this matter and said he feared that Iowa State University's ownership of WOI-TV was about to be "torpedoed" forever. He believes that Iowa State University is on the verge of greatness.

President Berenstein thanked all the Iowans who are against the sale of WOI-TV who participated that morning and said the Board appreciated the respect and dignity with which this matter was handled.

President Berenstein then recognized Ray Cole, Vice President and General Manager of KCAU-TV, Sioux City.

Mr. Cole stated that he did not know Neil Harl well but did know Jack Shelley. He acknowledged that Mr. Shelley was a major opponent of the sale of WOI-TV. He said it was important that they now move forward, having received the ruling of the Federal Communications Commission. He noted that three weeks ago today the Iowa Supreme Court spoke on the matter. That morning the Federal Communications Commission spoke on the matter, as well. He said it had been a lengthy, drawn-out closing process. He noted that not one of the meteorologists at his television station came through Iowa State University's meteorologic program. His station also has difficulty keeping even 4 to 5 interns in the station per semester.

Mr. Cole said this was a great opportunity for them to continue to work together. He noted that the Board of Regents is morally and contractually bound to honor the contract and that as an Iowan he expected it to do so.

He said he doubted there had been a more public transaction than the sale of this television station.

ACTION: President Berenstein stated the Board received the presentation by general consent.

REPORT ON MINORITY STUDENTS AND MINORITY AND WOMEN'S ENHANCEMENT PROGRAMS AT REGENT UNIVERSITIES. (a) Annual Report on College Bound Program and Iowa Minority Academic Grants for Economic Success (IMAGES). The Board Office recommended that the Board:

- (1) Receive the report on College-Bound and IMAGES programs for recruiting minority students to Regent universities.
- (2) Request the Regent universities to work closely with the twelve public school districts designated as desegregated districts and with the minority community in each of these districts.
- (3) Request that Regent universities continue to coordinate their efforts in bringing to the attention of minority students and their parents the College-Bound and IMAGES Programs.

There are three components to the College-Bound and IMAGES Program. Minority students are encouraged to:

1. remain in school;
2. attend colleges and universities in Iowa; and
3. be assured that a limited family income will not be a barrier for them to pursue a postsecondary education.

The budget allocated to the College-Bound and IMAGES Program in fiscal year 1994 totaled \$1,851,060.

	<u>IMAGES Program</u>	<u>College-Bound Program Costs</u>
University of Iowa	\$ 614,400	\$ 106,430
Iowa State University	614,400	106,430
University of Northern Iowa	<u>332,200</u>	<u>77,200</u>
Total	\$1,561,000	\$ 290,060

IMAGES grants to minority students are based on financial need.

University of Iowa

The university assisted 304 minority students with IMAGES grants in fiscal year 1994, an increase of 27 from fiscal year 1993.

The average IMAGES grant in fiscal year 1994 was \$2,237, an increase of \$31 from fiscal year 1993:

<u>1993</u>	<u>1994</u>	<u>Difference</u>
\$2,206	\$2,237	+ \$31

College-Bound Programs reached in excess of 600 minority students. Participation vouchers were awarded to 422 students. The majority of College-Bound Programs were campus-based.

Iowa State University

The university assisted 312 minority students with IMAGES grants in fiscal year 1994, an increase of 24 students from the previous fiscal year.

The average IMAGES grant in fiscal year 1994 was \$2,019, a decrease of \$198 from fiscal year 1993.

<u>1993</u>	<u>1994</u>	<u>Difference</u>
\$2,217	\$2,019	-\$198

College-Bound Programs reached 1,095 minority students. Participation vouchers were awarded to 771 students. The majority of programs were either campus-based or were held in Des Moines.

University of Northern Iowa

The University of Northern Iowa assisted 122 minority students with IMAGES grants in fiscal year 1994, an increase of 21 students from the previous year.

The average IMAGES grant in fiscal year 1994 was \$2,254 a decrease of \$468 dollars from fiscal year 1993.

College-Bound Programs reached 500 students. These students received 736 participation vouchers.

The strength of the University of Northern Iowa's College-Bound Program is its Minorities in Teaching Program.

Under the IMAGES program 738 minority students received financial assistance, an overall increase of 72 students from the previous year.

	SUI		ISU		UNI		TOTAL	
	1993	1994	1993	1994	1993	1994	1993	1994
African-American	73	82	81	88	55	60	209	230
Hispanics	61	54	51	71	20	22	132	147
Asians	134	159	143	141	19	32	296	332
American Indians	9	9	13	12	7	8	29	29
Total	277	304	288	312	101	122	666	738

	SUI		ISU		UNI		TOTAL	
	1993	1994	1993	1994	1993	1994	1993	1994
Freshmen	81	80	105	76	68	66	254	222
Sophomores	72	68	70	65	30	35	192	168
Juniors	66	64	57	65	3	16	126	145
Seniors	58	92	56	106	0	5	114	203
Total	277	304	288	312	101	122	666	738

	SUI		ISU		UNI		TOTAL	
	1993	1994	1993	1994	1993	1994	1993	1994
Resident	277	304	238	302	101	122	666	728
Non-Resident	0	0	50	10	0	0	50	10
Total	277	304	288	312	101	122	666	738

Provost Nathan introduced Benny Hawkins, Interim Director of Opportunity at Iowa, to address items (b) and (c), and Rusty Barcelo, Assistant Dean, Opportunity at Iowa, to address this issue.

Assistant Dean Barcelo thanked the Board of Regents for its commitment to issues of cultural diversity. She stated that the state's College-Bound program has definitely made a difference in their ability to address the issue. She has been involved with the program since its inception. In the first year 91 IMAGES grants were awarded; this year 304 grants were awarded. Institutional officials have developed strong community ties. University officials contact parents, community leaders, etc., regarding needs and concerns. Prior to admission, counselors contact the equity coordinators in Iowa high schools. She said all of the coordinators reported that they had met with more minority students than they ever had in the past. She then reported on the outcomes of a couple of the meetings. There is a need for Latinos to come together and identify their needs. A meeting was scheduled for April 9 in Iowa State University's Scheman Continuing Education Building to discuss the issues. She concluded by stating that the College-Bound Program was truly making a difference.

Vice President Theilen stated that he agreed with Ms. Barcelo that university officials were very pleased with the IMAGES program. The number of students utilizing the program has nearly doubled at Iowa State University. This year they have doubled the amount of seniors in the program. Retention went from 57 juniors last year to 106 seniors from in-state in this year's program. He hopes those numbers lead to greater

retention. One of the efforts at Iowa State University this year is to move more services to the college level, department level and faculty level. During the freshman year it is very important for the student to bond with an academic department. He said that will really be pushed this year. He concluded by stating that he was very pleased that the Women in Science program seems to be making headway.

Provost Kozak identified the following programs at Iowa State University specifically designed to enhance minority student persistence and retention:

- (1) Academic Support Orientation, including participation in summer, fall, and spring orientation programs;
- (2) Academic Progress Program, in which students are closely followed and receive individualized assistance according to their needs;
- (3) Academic Support Liaison has developed strong working relationships with undergraduate departments, graduate and professional programs, and other student services offices, which permits effective student identification and prompt help for students;
- (4) Preparatory Summer/Transitional Year Program involves identifying talented under-prepared students and placing them in the Preparatory Summer Program, which involves six to seven weeks of intensive course work in core academic skill areas and/or in the Transitional Year Program, which involves completion of a set of required courses with prescribed levels of performance;
- (5) New Dimensions in Learning Center, a federally-funded program for math and science tutoring; and,
- (6) Upward Bound, another federally-funded program for first generation and low-income high school students designed to prepare them for postsecondary education.

Provost Kozak said it appeared that 25 percent of Iowa State University's African American students are actually graduating. The university has developed a program by which each college will have a minority coordinator.

Regent Furgerson stated that the Commission on the Status of African Americans has established an education subcommittee. The subcommittee is planning a roundtable for African American parents and community members to talk about their responsibilities and how to assist students in staying in school and graduating. The subcommittee is looking at the pool of Iowa students available, the barriers keeping them from going to post-secondary education, and what they can do to be helpful in this process. They also have a tripartite with students, faculty and the community. She expects that some time this spring the roundtable should be taking place. She said

they desperately need the support of parents and the African American community to make this happen.

Provost Kozak stated that one of the critical determinants of African American student persistence is the number of African American faculty. He said minority students in general need role models. Iowa State University officials have just implemented a program by which next year 4 departments will hire new faculty members funded by the Provost's Office to expand the range of courses available for minority students. The intent is to give all minority students a sense of their own history.

President Curris introduced Juanita Wright, University of Northern Iowa's Minority Admissions Coordinator.

Ms. Wright presented highlights of the College-Bound Program at the University of Northern Iowa. She said the program consists of activities sponsored by the Minorities in Teaching program and the Office of Admissions. They are discussing the development of a Minorities in Teaching program in Tama and Muscatine by requests of those local school districts. She said College-Bound is responsible for encouraging students of color to apply early for admission to the University of Northern Iowa. There has been a steady increase in the number of students applying earlier and earlier. Another effort involves campus visitation programs. There is a need to create an ethnic student promoters organization. Another program helps students develop leadership skills and to become role models. Ms. Wright and her staff are working with equity coordinators on developing programs in the communities. She concluded by stating that the College-Bound Program is making a difference in the recruiting of minority students and in minority students' preparation for college entry.

Regent Furgerson noted that Ms. Wright did not mention UNICUE'S talent search program.

Ms. Wright stated that in the written report submitted to the Board Office was a listing of the activities they do through the UNICUE offices. They also work with talent search programs of other universities in the state.

ACTION:

President Berenstein stated the Board, by general consent, (1) received the report on College-Bound and IMAGES Programs for recruiting minority students to Regent universities, (2) requested the Regent universities to work closely with the twelve public school districts designated as desegregated districts and with the minority community in each of these districts, and (3) requested that Regent universities continue to coordinate their

efforts in bringing to the attention of minority students and their parents the College-Bound and IMAGES Programs.

(b) Report on Persistence of Minority Students and Advising, Counseling and Retention Programs at Regent Universities. The Board Office recommended the Board (1) receive the report and (2) reaffirm that increasing the retention and graduation of all students, especially African-American, Hispanic-American, and American Indian students, is a high priority goal of the Regent universities.

African-American and Hispanic-American graduation and persistence rates at the Regent universities are considerably lower than Asian/Pacific Islander-American and White, Non-Hispanic-American rates and remain a cause of concern.

The University of Iowa has higher graduation rates for minority students, especially African-American students, than the other Regent universities.

Average 6 year graduation rates at the University of Iowa for African-Americans (40 percent) and Hispanic-Americans (52 percent) are still well behind those of Asian/Pacific Islander-Americans (67 percent) and White, Non-Hispanic-American students (62 percent).

The average 6 year graduation rate for African-Americans at Iowa State University is only 23 percent, compared to 48 percent for Hispanics, 64 percent for Asian/Pacific Islanders, and 65 percent for White, Non-Hispanic students.

The average 6 year graduation rate for African-Americans at the University of Northern Iowa is only 24.5 percent compared to 62.1 percent for White, Non-Hispanic students.

There are insufficient numbers of American Indians at any of the Regent institutions to establish reliable graduation/persistence rates.

Twenty-five to thirty percent of African-American students leave Regent institutions within the first year, with another 12-17 percent leaving within the second year.

About 20 percent of Hispanic students leave the Regent institutions in the first year, and another 15 percent leave in the second year.

Asian/Pacific Islanders at the University of Iowa have by far the best overall persistence record of any group at any Regent university.

There have been too few Asian/Pacific Islanders and Hispanics at the University of Northern Iowa to establish reliable graduation rates.

MINORITY GRADUATION RATES AT OTHER COLLEGES AND UNIVERSITIES

The table below compares Regent minority group 6 year graduation rates for the entering class of 1986 with the average minority graduation rates for each Regent university's official comparison group, and the average minority group graduation rates at other NCAA Division I institutions whose enrollments for the specified minority group equaled or exceeded the percentage of that group in the general population (African-American, 12 percent; Hispanic-American, 9 percent; American Indian, .8 percent).

	African- American Grad. Rate	Hispanic- American Grad. Rate	American Indian Grad. Rate	White, Non-Hisp. Grad. Rate
University of Iowa	37%	47%	**	61%
Iowa State University	26%	43%	**	65%
University of Northern Iowa	36%	**	**	61%
Division I Historically Black Colleges & Univ.	31%	-	-	-
Other Division I Schools With Significant African- American Enrollment	28%	-	-	40%
Division I Schools With Significant Hispanic- American Enrollment	-	37%	-	41%
Division I Schools With Significant American Indian Enrollment	-	-	27%	51%
10 AAU Universities Comparable to SUI	43%	57%	**	69%
9 Land Grant Universities Comparable to ISU	44%	55%	**	65%
8 Comprehensive Public Univ. Comparable to UNI	31%	38%	**	52%

** Too few to calculate reliable graduation rates

The source of the above information is the National Collegiate Athletic Association (NCAA) which has published data only for NCAA Division I

institutions. The NCAA is the best source of comparable information on graduation rates at other institutions.

Many of the institutions cited in the table and report are, in many ways, *not comparable* to the Regent institutions and comparisons should be done cautiously.

Much of the variation in graduation rates among institutions can be explained by how selective the institution is in admitting students.

Research has consistently shown that highly selective institutions have the highest graduation/persistence rates because they admit only the best prepared students, including the best prepared minority students.

Even at highly selective institutions, African-American, Hispanic-American, and American Indian graduation rates will usually be significantly lower than White, Non-Hispanics and Asian-American rates.

Athletes, including African-American athletes, generally have as good or better graduation rates as non-athletes. At many institutions, including the Regent universities, a significantly larger proportion of African-Americans are athletes than is true for other ethnic groups. Because of this, the impact of African-American athletes' graduation rates on overall African-American graduation rates is much greater than for other ethnic groups.

Of the 298 Division I institutions:

- o Only 48 (16 percent), including 17 historically black colleges and universities, enroll African-Americans in proportions equal to or greater than their representation in the general population.
- o Only 18 (6 percent) enroll Hispanic-Americans in proportions equal to or greater than their representation in the general population.
- o Only 20 (7 percent) enroll American Indians in proportions equal to or greater than their representation in the general population.

ADVISING, COUNSELING, AND RETENTION PROGRAMS FOR MINORITY STUDENTS

The Regent universities have advising, counseling, and retention services and programs that are aimed specifically at minority students, as well as general services and programs for all students that minority students may utilize.

The Office of Special Support Services at the University of Iowa is a key part of the University's minority retention efforts and operates a number of programs aimed at retaining minority students.

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University of Iowa's African-American Cultural Center and Chicano/American Indian Cultural Center are places where students can meet to share experiences, find mutual academic and personal support, relax, and develop social programs in an atmosphere that emphasizes their cultural heritage.

Iowa State University's Office of Minority Student Affairs works closely with all units of the university to increase the number of minority students in every area of study.

Iowa State University's minority retention efforts include Black and Hispanic Cultural/Resource Centers, Minority Liaison Officers, a Minorities in Engineering program, a Minority Student Athletic Assistance program, and a minority mentoring program.

The Faculty Senate at the University of Northern Iowa is seeking to identify faculty to serve as mentors for minority students.

The University of Northern Iowa's College of Education runs a Minorities in Teaching program and the College of Business has a Financial Aid for Deserving Students program that is aimed specifically at minority students.

Students often lack insight into their own problems, are unsure of what kinds of assistance they need, and don't know where assistance can be obtained.

Academic advising can play a key role in dealing with student uncertainty and confusion by acting as a "gateway" to the network of other, more specialized services available to students. The universities' academic advising reports reviewed in October were not clear as to how effectively the Regent academic advising systems were functioning as "gateways" to the other services available to students.

Director Hawkins referred to the University of Iowa's efforts in addressing retention and persistence. In the fall, University of Iowa officials held meetings with students to get their perspective on campus environment, their needs, etc. Surveys are an on-going activity in this effort. Faculty-student social gatherings allow students to get to know faculty better. Students have also been asked to give the names of their favorite professors. He assured the Regents that their efforts are ongoing.

Regent Collins asked if university officials were recruiting outside of Iowa. Director Hawkins responded affirmatively, noting, however, that there was more concentration on in-state minority students this year. IMAGES funds are only offered to in-state students.

Regent Furgerson told Regent Collins that the Board of Regents had been concerned about the low number of minority in-state students being recruited

to Iowa's Regent universities; therefore, university officials were addressing that concern.

Provost Nathan discussed another effort being made on behalf of women in science, engineering and math. He said the University of Iowa joined other Big 10 universities to work with young women before they reach decision points in their lives. It is being done to enhance the number of women who choose to enter those careers. His office, in conjunction with the Vice President for Research, are working hard to promote science, engineering and math careers for women.

Director Hawkins stated that the University of Iowa had experienced record enrollment of Native Americans.

President Berenstein asked if those individuals were primarily Iowans? Director Hawkins responded that there was a mixture of in-state and out-of-state students.

President Curris stated that the University of Northern Iowa's minority faculty had increased to 9.4 percent of total faculty this year. He said he was very pleased and that they were on their way to building the campus climate for minority students. The Minority and Women Educators' Enhancement Program had been instrumental in achieving that success. With regard to retention of minority students, he stated that while some figures were encouraging, overall minority retention was not a very pleasant "picture" particularly with regard to African American students. He noted that even historically black colleges nationally have experienced problems retaining African American students. There is no simple answer. He said he did not mean to detract from the enormous efforts that have taken place. The problem is beyond university officials and the Regents.

President Curris noted that a major national retention study project was being undertaken to improve participation, retention and graduation of students who are typically under-represented in higher education. The University of Northern Iowa has applied to be one of the 36 institutions that will participate in that study. The study will look at what colleges that have been successful in those areas are doing that is working.

ACTION:

President Berenstein stated the Board (1) received the report and (2) reaffirmed that increasing the retention and graduation of all students, especially African-American, Hispanic-American, and American Indian students, is a high priority goal of the Regent universities, by general consent.

(c) Minority and Women Educators' Enhancement Programs. The Board Office recommended that the Board receive the report on Minority and Women Educators' Enhancement Programs.

Regent universities are appropriated monies annually to recruit and support minority and women faculty. The appropriation is part of the base budget for each university. Each university receives the following amount:

University of Iowa	-	\$80,000
Iowa State University	-	\$80,000
University of No. Iowa	-	\$40,000

The University of Iowa combines its appropriated dollars with funds from the Office of the Provost to assist collegiate efforts in recruiting minority faculty.

The University of Iowa has committed \$293,995 to support five faculty positions in fiscal year 1994.

Iowa State University combines its appropriated dollars with funding from the Offices of the President and Provost to support the hiring of under-represented faculty. Iowa State University has allotted \$182,000 to academic departments to support seven faculty hires for the 1993-94 academic year.

The University of Northern Iowa has used its appropriated monies to recruit and hire a minority faculty member for the Political Science Department. The University of Northern Iowa has used the balance of the funds to support an existing academic/administrative position.

ACTION: President Berenstein stated that the Board received the report on Minority and Women Educators' Enhancement Programs, by general consent.

ANNUAL REPORT ON FACULTY TENURE. The Board Office recommended the Board receive the annual report on faculty tenure.

This annual governance report on faculty tenure provides the Board with critical information on the status of tenure at the Regent universities and indicates that with a few exceptions the tenure policies are working well, according to nationally recommended guidelines.

Tenure is an arrangement under which faculty appointments are continued after successful completion of a probationary status until retirement, subject to dismissal for adequate cause or financial exigency.

An area of concern is the relatively stagnant percentage of women tenured at all three institutions. The percentage of total tenured faculty comprised by women ranges from 15 percent at the University of Iowa, to 17 percent at Iowa State University, to 25 percent at the University of Northern Iowa.

Listed below is total faculty, the number of faculty with tenure plus those on tenure-track, the number of faculty with tenure, and the proportion of tenured faculty to those on tenure track and tenured in 1993-94:

Total Faculty	Not on Tenure Track	Tenured Faculty Plus Faculty on Tenure Track	Tenured Faculty	% Tenured to Total Tenured & on Tenure Track	% of Total Faculty Tenured
SUI - 3,508*	1,725	1,783	1,292	72%	37%*
ISU - 1,762	305	1,457	1,191	82%	68%
UNI - 830	226	604	407	67%	49%

* When non-tenure track faculty in the health colleges are removed from the calculation, 56 percent of total SUI faculty is tenured.

The percentage of male total faculty with tenure is 48 percent at University of Iowa, 76 percent at Iowa State University, and 61 percent at University of Northern Iowa. The percentage of female total faculty with tenure is 16 percent at University of Iowa, 44 percent at Iowa State University, and 31 percent at the University of Northern Iowa.

The percentage of total faculty who are tenured minority faculty remained between 3 and 4 percent at the universities.

The number of minority faculty increased from 319 to 327 at the University of Iowa; from 159 to 168 at Iowa State University, and from 70 to 88 at University of Northern Iowa.

Provost Nathan stated that the percent of tenured faculty at the University of Iowa is lower than national averages, giving the university greater flexibility. University officials have added tenured faculty in liberal arts and medicine. He was especially pleased that the University of Iowa increased from 182 to 199 the number of women with tenure in a single year. The effort to bring more women into tenured positions will continue. The core of the university is its tenured faculty. He was also pleased to note that over the last decade the number of women faculty has increased from 12 percent to 35 percent. The downside was that they had not been able to make similar gains in terms of minority faculty.

Provost Marlin stated that during the current academic year the University of Northern Iowa has added 14 new tenure and tenure-track faculty positions compared to last year. The increase reflects the utilization of enrollment growth money and the university's strategic goal of converting untenured faculty positions into tenure-track positions. She said the percentage of women faculty on tenure track increased from 32.7 percent to 34.1 percent.

Provost Kozak stated that one of the advantages of Iowa State University is its terrific flexibility in the number of tenured and tenure-track faculty positions. Other institutions find themselves fortunate if the percent of tenured positions is as low as 80 percent. He said there is a lot of potential for program development in areas that need be stressed. Women faculty entering tenure ranks is at 12 percent and for minorities it is 9.9 percent. University officials are paying a lot of attention to tenure rates of minority faculty. University officials will have a 1/2-day workshop for department executive officers on mentoring minority faculty. He hopes the experience will be helpful to administrative officers at Iowa State University.

Regent Hendricks referred to information in the docket memorandum which she thought was misleading--a comparison over the past 10 years of the percentage of total faculty members with tenure and the total number of women in the population who have tenure at each university. She indicated that a comparison of the number of women on tenure track should be included so that an assumption can be made about whether the situation is better or worse.

With regard to the number of women on tenure track in 1993-94, she found no figures for the University of Iowa, the percent at Iowa State University is 21 and at the University of Northern Iowa, 34 percent. (Note: the University of Iowa percentage is 21.)

President Rawlings said there were a lot of numbers in the report. The distinction is all women in the pool, those on tenure track and those not on tenure track. He said he agreed that the discrepancy in percentages is very misleading. The University of Iowa has a very large number of non tenure-track faculty in clinical fields such as the health sciences. Those numbers skew some of the percentages.

Regent Hendricks said it was misleading to say the percent of total increased from 12 percent to 35 percent because a lot of those faculty are clinical. They should either include them or not include them but not mix them up.

Provost Nathan stated that some of the comparisons across the 3 universities are absolutely appropriate and others are not appropriate. He said there are 470 non tenure-track clinical supervisors in the School of Nursing. Those faculty carry a very important burden of supervision of nursing

students and play an important role in the teaching of nursing. He re-emphasized the most important gain in adding 17 women to the ranks of tenure faculty.

President Berenstein said the purpose of these reports is to see where they are going. They have made progress but they still have a long way to go.

President Jischke referred back to the affirmative action report. Where Iowa State University has opportunities to make changes, the changes have been dramatic. Of 177 new positions, all but one were minorities or women across the total employment of the university.

ACTION: President Berenstein stated the Board received the annual report on faculty tenure, by general consent.

LEGISLATIVE PROGRAM. The Board Office recommended the Board receive the report.

The development of legislative issues for the Board of Regents is underway. Additional suggestions for inclusion in the Board's legislative program were requested at this meeting.

The program will be presented for Board approval in January 1994, after Board Office consultation with the legislative liaisons.

Several issues are under consideration including: Iowa Communications Network (ICN), capital facility and infrastructure issues, FY 1995 operating budget requests, South Africa investing, privatization, centralized collections, and health care reform.

The Governor's hearing on the Board's budget request took place December 8, 1993. Seven members of the Board attended presentations by the Board president and institutional executive officers on the FY 1995 appropriations request.

The Governor's FY 1995 appropriations recommendations will be reviewed in January 1994.

ACTION: President Berenstein stated the Board received the report, by general consent.

REPORT OF THE BANKING COMMITTEE. The Board Office recommended the Board adopt reports on current Banking Committee items.

Regent Hendricks stated that the Banking Committee discussed the sale of \$5,295,000 (estimated) Academic Building Revenue Refunding Bonds, Series

I.S.U. 1994, as well as the anticipated sale of Iowa State University Recreation Facility Refunding bonds.

MOTION: Regent Hendricks moved to approve a Resolution authorizing the Executive Director to fix the date or dates for the sale of up to \$13,560,000 Recreational Facility Revenue Refunding Bonds, Series I.S.U. 1994. Regent Tyrrell seconded the motion, and upon the roll being called, the following voted:
Hendricks, AYE: Berenstein, Collins, Furgerson, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

MOTION: Regent Hendricks moved to approve amendments changing bond payment dates for University of Iowa Utility System Revenue Bonds, Series 1989 and 1993, and Human Biology Research Facility Project Bonds, Series 1985A and 1985B. Regent Collins seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

Regent Hendricks stated the Banking Committee discussed the State Auditor's reports on conflict of interest concerns at Iowa State University and faculty paid leave programs at all three universities.

The Board Office recommendations regarding the faculty paid leave program were modified by the Banking Committee, which she identified. Officials of each university agreed to review their policies relative to those of peer group institutions. Quarterly investment and cash management reports were reviewed for each of the five institutions. She said the Banking Committee deferred action to defease Maucker Union bonds and was notified of Executive Director approval of lease purchase financing.

Regent Hendricks stated the Banking Committee reviewed eight bond funds/bonded systems audits for Iowa State University and 4 for the University of Northern Iowa. Three University of Iowa internal audits were

reviewed with the university Internal Auditor. She then said formal action needed to be taken by the Board of Regents to allow the Executive Director to sign brokerage service agreements.

MOTION: Regent Hendricks moved to authorize the Executive Director to sign certificates authorizing the University of Iowa, Iowa state University and the University of Northern Iowa to use the approved brokers to provide general brokerage services to the universities. Regent Collins seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

MOTION: Regent Hendricks moved to terminate the existing Iowa School for the Deaf account at Firststar Bank. Regent Tyrrell seconded the motion, and upon the roll being called, the following voted:
AYE: Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.
ABSTAIN: Berenstein, Collins.

MOTION CARRIED UNANIMOUSLY.

MOTION: Regent Hendricks moved to approve the banking relationship between Hawkeye Bank of Council Bluffs and the Iowa School for the Deaf. Regent Furgerson seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

ACTION: President Berenstein stated the Board received the report of the Banking Committee, by general consent.

FEES AND MISCELLANEOUS CHARGES AND PROPOSED PART-TIME TUITION RATES. The Board Office recommended the Board (1) approve the proposed part-time tuition rates for the three Regent universities, effective Summer 1994, as presented; (2) receive report on proposed 1994-95 miscellaneous fees and charges as presented and to be presented to the Board for approval at its

January 1994 meeting; and (3) recommend that the Board not approve the proposed Account Review Fee and Additional Billing Statement Fee proposed by Iowa State University.

Each year the Board reviews and approves part-time tuition rates which are based on full-time tuition rate increases recommended earlier. At the same time universities submit proposals for a number of miscellaneous fees that are largely dependent on individual student choices and circumstances.

Part-time tuition rates based on full-time tuition rates already established may be approved by the Board without the waiting period. Miscellaneous fees require a thirty-day notice and waiting period before Board approval.

Miscellaneous fees are distinguished from

- a) Regent-wide mandatory fees such as the computer and health service fees approved at the same time as full-time tuition and
- b) fees which pay for student activities recommended by representatives of the students and approved by the Board in May.

In January 1991 the Board requested greater uniformity in fees and titles for various services at the three Regent universities. Many changes in fees effected in 1993-94 were designed to bring about greater consistency among the three universities.

The Board Office recommended that requested part-time tuition rate increases be approved since they are in accord with full-time increases approved in October.

A number of miscellaneous fees are tuition-related and proposed increases in these fees are generally in accord with approved increases in full-time tuition rates.

The Board Office recommended approval of proposed miscellaneous fees as presented except for an Account Review Fee of \$10 per hour and an Additional Billing Statement Fee of \$5. Initiation of these fees would be inconsistent with practices at the other two universities and may constitute an undue burden for some students and parents.

University of Iowa

University officials proposed initiation of the following new fees:

1. A deferred administrative billing fee of \$15 per year for students who elect to pay their tuition, mandatory fees, and room and board charges in installments.

2. A fee of \$5 for students who request that their CLEP scores be sent to other institutions.
 - o For dental students University of Iowa officials proposed a \$400 increase (6.1 percent) to \$7000 for its three-year instrument management fee and a \$50 increase (5.6 percent) per year in its laboratory supplies fee.
 - o Dental fee increases are designed to cover increased costs.
 - o Other requested non tuition-related increases are 1) a rise in the Student Resume Fee from \$16 to \$20 to cover an increase in vendor costs to the Business and Liberal Arts Placement Office, 2) an increase from \$2 to \$3 in the charge for providing additional transcripts, and 3) an increase from \$15 to \$16 in the monthly fee for basic entertainment service on the Campus Video System.
 - o All other University of Iowa proposed fee increases were tuition-related.

Iowa State University

Iowa State University officials proposed a new account review fee of \$10 per hour and a new fee for additional billing statements of \$5.

These fees will cover the costs involved in researching and duplicating information already provided and will be waived if the work is occasioned by a) an administrative error or omission by the university or b) circumstances beyond the control of the individual making the request.

Iowa State University officials requested an increase from \$10 to \$15 in its deferred administrative billing fee and an increase from \$2 to \$3 in the price charged for additional transcripts.

All other proposed fee increases were tuition-related.

University of Northern Iowa

For 1994-95 University of Northern Iowa officials proposed increases in music fees for private lessons to bring its charges in accord with those at the other two Regent universities.

The University of Northern Iowa will no longer conduct summer session at the Price Laboratory Summer School and thus proposed to eliminate this fee.

University officials proposed to eliminate the Writing Competency Exam fee because of a lack of a demand for this examination over the last several years.

All other proposed fee increases were tuition-related.

Mr. Richey stated the Board Office declined to recommend that the Board approve the proposed account review fee and additional billing statement fee proposed by Iowa State University. The Board Office felt those were ordinary items of business.

MOTION: Regent Furgerson moved to approve the Board Office recommendation. Regent Hendricks seconded the motion.

Regent Hendricks referred to the University of Iowa's proposed deferred administrative billing fee of \$15/year and Iowa State University's request to increase its billing fee from \$10 to \$15. She questioned why the Board Office recommended approving the University of Iowa's request and denying the request of Iowa State University.

Mr. Richey responded that one was a deferred billing and one was a duplicate bill.

Vice President Madden stated the Iowa State University fee deals with mainly foreign students who need an approved document from the university to show Immigration officials. Students are all given a billing each semester and are responsible for keeping track of it. It is particularly troublesome for university employees when they have to go back into prior years' records for students.

President Berenstein asked if charging an extra \$15 has to come to the Board of Regents because it is classified as a fee. Mr. Richey responded that was correct.

President Berenstein stated that the motion was to adopt the Board Office recommendation.

Regent Hendricks stated that she did not agree with the Board Office recommendation that the Board not approve the proposed account review fee and additional billing statement fee proposed by Iowa State University. She would like for the Board Office to reconsider its recommendation regarding those fees.

WITHDRAWAL OF MOTION: The maker and seconder withdrew the motion on the floor.

ACTION: President Berenstein stated the Board received the report and directed the Board Office to talk with Iowa State University officials about the proposed account review

fee and additional billing statement fee,
by general consent.

APPROVAL OF DWIGHT D. EISENHOWER GRANTS. The Board Office recommended the Board approve the recommended Dwight D. Eisenhower Science and Mathematics grants for Federal fiscal year 1993 with the understanding that the final grant amounts will be negotiated so that expenditures are within the amount of funds available and that all grants conform to Federal regulations.

The Board Office administers the Dwight D. Eisenhower Science and Mathematics grants for institutions of higher education for the state of Iowa.

An advisory panel consisting of math/science personnel from the Regent universities, community colleges, and independent colleges, along with representatives from the Iowa Department of Education and the elementary/secondary schools is responsible for reviewing the proposals and making recommendations for funding.

This year 6 grant proposals were received and 5 were recommended for funding.

Five hundred eighty-one thousand five hundred twenty-eight dollars (\$581,528) is available for funding and it is anticipated that all this funding will be expended on the recommended projects.

This year's recommended projects included projects at the University of Iowa, Iowa State University, the University of Northern Iowa and Luther College.

Director Barak stated that 5 of the 6 proposals were recommended to be funded at a total amount of \$581,528. The sixth proposal did not meet Federal guidelines.

MOTION:

Regent Furgerson moved to approve the recommended Dwight D. Eisenhower Science and Mathematics grants for Federal fiscal year 1993 with the understanding that the final grant amounts will be negotiated so that expenditures are within the amount of funds available and that all grants conform to Federal regulations. Regent Collins seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

AFFILIATED ORGANIZATIONS REPORTS. The Board Office recommended the Board receive reports on the following affiliated organizations:

- (a) SUI Facilities Corporation
- (b) SUI Foundation
- (c) ISU Research Foundation
- (d) ISU Foundation
- (e) ISU Memorial Union
- (f) UNI Foundation

There are 16 organizations which extend the outreach of the universities and enrich campus experiences. Six were presented and reviewed this month.

Reports of four organizations have previously been presented to the Board and the remaining six reports will be docketed in February.

Affiliated organizations comprise a wide variety of special activities and interests, such as channeling contributions, obtaining patents, serving as an educational and service unit for alumni and friends and advancing knowledge in the field of testing.

The annual reports and financial information of the organizations presented in this report are on file at the Board Office.

UNIVERSITY OF IOWA ORGANIZATIONS

The *SUI Facilities Corporation* was incorporated in 1967 as a supporting organization of the University of Iowa Foundation to assist in maintaining, developing, increasing and extending the facilities and services of the university. The constructing and leasing to the university of the Human Biology Research Facility is an example of Facilities Corporation assistance.

The Corporation is governed by a Board of Directors elected by the Board of Directors of the Foundation.

An independent audit for the fiscal year ended June 30, 1993, found that the Facilities Corporation complied in all material respects. For the year ended June 30, 1993, revenue exceeded expenses by \$95,073.

A \$50,000 transfer was made to the Foundation.

Equity on June 30, 1993 was \$890,287 compared to equity on June 30, 1992 of \$845,214.

The *SUI Foundation* was organized in 1956 to solicit, receive and administer gifts for the sole benefit of research and education at the University of Iowa.

More than 43,000 contributors gave and pledged \$52.8 million in 1992, which brings giving and commitments to over \$484 million in the Foundation's 37 years.

An independent audit for the fiscal year ended June 30, 1993, found that the Foundation complied in all material respects. For the year ended June 30, 1993, Restricted Funds revenue (current and endowment) exceeded expenses by \$31.3 million.

For the year ended June 30, 1993, General Fund revenues (current and endowment) exceeded expenses by \$3.4 million.

Total Restricted and General Fund equity was \$223.2 million on June 30, 1993, which represented an increase from the \$188.4 million equity on June 30, 1992.

IOWA STATE UNIVERSITY ORGANIZATIONS

The *ISU Research Foundation* is a nonprofit corporation organized in 1938 to provide a way of obtaining and promoting patents, copyrights, and trademarks developed by faculty, staff, and students at the university.

The legal ownership and management of Iowa State University's intellectual property is the function of the ISU Research Foundation.

Income from patent royalties increased from \$6.7 million in 1992 to \$11.6 million in 1993.

The Foundation has been vigorously pursuing licensing of companies manufacturing machines using FAX technology covered by a Foundation patent.

An independent audit for the fiscal year ended June 30, 1993 found that the Research Foundation complied in all material respects. For the fiscal year ended June 30, 1993, revenue exceeded expenditures by \$4.1 million.

The June 30, 1993 fund balance of \$6.1 million represents a significant increase over the June 30, 1992 fund balance of \$2.0 million.

The purpose of the *ISU Foundation* is to aid the university by generating private financial support for programs and projects for which public tax funds are not available. In FY 1993, an all-time high 41,971 contributors made gifts and commitments to the Foundation totaling \$51 million.

An independent audit for the fiscal year ended June 30, 1993, found that the Foundation complied in all material respects.

For the year ended June 30, 1993, current fund (restricted and unrestricted) revenues exceeded expenses by \$8.6 million, of which \$3.9 million is attributable to a change in the method of accounting for bonds and notes, common stock and farm properties.

The June 30, 1993, combined fund balance (current, endowment, and annuity funds) of \$105.5 million represents a significant increase over the June 30, 1992, fund balance of \$86.9 million.

The *ISU Memorial Union*, incorporated in 1922 as one of the first 100 unions in the U.S., functions as a "University Community Center."

In FY 1993, approximately 8,200 rooms were scheduled for meetings, various events and activities serving 350,000 patrons.

An independent audit for the fiscal year ended June 30, 1993 found that the Memorial Union complied in all material respects.

For the year ended June 30, 1993, the operating fund balance decreased slightly from \$1,855,220 to \$1,843,666. For the year ended June 30, 1993, the capital fund balance increased slightly from \$4.9 million to \$5.1 million.

Total fund balances (operating, capital and endowment) on June 30, 1993, were \$7.0 million compared to the June 30, 1992 total fund balances of \$6.8 million.

UNIVERSITY OF NORTHERN IOWA ORGANIZATION

The *UNI Foundation* was formed in 1959 to assist the university in projects which are vital to its growth and development, but are most appropriately financed from private funds.

As of November 1, 1993, the Foundation had received over \$22 million in its first major campaign for private dollars in 20 years and the first comprehensive campaign in the history of the university to raise \$25 million.

An independent audit for the fiscal year ended June 30, 1993, found that the Foundation complied in all material respects.

For the fiscal year ended June 30, 1993, revenue exceed expenses by \$3.3 million. The June 30, 1993, fund balance of \$19.1 million represented a 20.8 percent increase over the June 30, 1992, fund balance of \$15.8 million.

ACTION: President Berenstein stated the Board received reports on affiliated organizations, by general consent.

BOARD OFFICE PERSONNEL TRANSACTIONS. The Board Office reported that it had no personnel transactions for this month.

VENDOR WITH POTENTIAL CONFLICT OF INTEREST. The Board Office recommended the Board approve the request of the University of Iowa to add the name of Robert W. Lewis II to the list of approved vendors with a potential conflict of interest.

Robert W. Lewis II is owner of LDI Video Productions and wishes to bid on projects to provide videotaping, post production, duplication, and editing services to the University of Iowa.

Mr. Lewis is the Physician Assistant in the Burn Treatment Center of the University Hospital and Clinics.

Mr. Lewis states that his area of job responsibility is confined to patients of the Burn Treatment Center, and he would have no influence on the purchase of his video services nor would he solicit business from the university. He states that the services provided by LDI Video Productions will cause no conflict with his university job.

MOTION: Regent Hendricks moved to approve the request of the University of Iowa to add the name of Robert W. Lewis II to the list of approved vendors with a potential conflict of interest. Regent Collins seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

STATUS REPORT ON BOARD OFFICE BUDGET FOR FISCAL YEAR 1994. The Board Office recommended the Board receive the report.

The Board Office reported that no significant changes had been made in projections for the Board Office budget for fiscal year 1994 since the report to the Board in November.

ACTION: This report was received by consent.

BOARD MEETINGS SCHEDULE. The Board Office recommended the Board approve the Board Meetings Schedule.

January 19, 1994	Telephonic	
February 16-17	University of Iowa	Iowa City
March 16-17	To Be Determined	Sioux City
April 20-21	Iowa Braille and Sight Saving School	Vinton

GENERAL
December 15, 1993

<u>May 18-19</u>	University of Northern Iowa	Cedar Falls
<u>June 14-15</u>	University of Iowa	Iowa City
<u>July 20-21</u>	Iowa State University	Ames
<u>September 20-21</u>	University of Northern Iowa	Cedar Falls
<u>October 19-20</u>	University of Iowa	Iowa City
<u>November 16-17</u>	Iowa State University	Ames
<u>December 14-15</u>	To Be Determined	Des Moines
<u>January 18, 1995</u>	Telephonic	
<u>February 15-16</u>	University of Northern Iowa	Cedar Falls
<u>March 15-16</u>	Iowa State University	Ames
<u>April 19-20</u>	Iowa School for the Deaf	Council Bluffs
<u>May 17-18</u>	University of Iowa	Iowa City
<u>June 21-22</u>	University of Northern Iowa	Cedar Falls

The June and September 1994 meetings were moved ahead one day to Tuesday and Wednesday during these months. The proposed meeting dates and locations for the first six months of 1995 were added to the schedule.

Mr. Richey referred to the discussion of the Board last month concerning upcoming meetings. The Board Office accommodated the requested changes in June and September by moving the meetings to one day earlier. They were not able to change the date by a full week to allow Regents Tyrrell and Hendricks to attend because Board members indicated that to do so would present significant problems.

ACTION: President Berenstein stated the Board approved the Board Meetings Schedule, by general consent.

President Berenstein then asked Board members and institutional officials if there were additional general or miscellaneous items for discussion. There were none.

STATE UNIVERSITY OF IOWA

The following business pertaining to the State University of Iowa was transacted on Wednesday, December 15, 1993.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board ratify personnel transactions, as follows:

Register of Personnel Changes for October and November 1993.

MOTION: Regent Collins moved to ratify personnel transactions, as presented. Regent Furgerson seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

ORGANIZATIONAL STRUCTURE OF THE OFFICE OF THE VICE PRESIDENT FOR HEALTH SCIENCES. The Board Office recommended that the Board receive a report on the proposed organizational structure for the Office of the Vice President for Health Sciences.

In November President Berenstein appointed a subcommittee to meet with Vice President Manasse to get more information about a proposed organization for his office. The proposed organization included the establishment of three new positions, an Associate Vice President for Clinical Affairs, an Associate Vice President for Health Professions Education, and an Assistant Vice President for Finance and Resource Planning.

The subcommittee has met and received additional information provided by the university. The proposal is under study and may be ready for consideration by the Board at this meeting.

University officials submitted a revised organizational chart and a revised proposed budget which were provided to the Regents. The net cost for operation of the Office of the Vice President for Health Sciences is projected to be \$97,188 for FY 1995.

The subcommittee discussed procedures for notification of the Board regarding transfers of funds between units under the Office of the Vice President for Health Sciences.

President Rawlings reviewed the follow-up report with the Regents. He emphasized that the positions were staff positions not line positions.

President Berenstein stated those were still moneys that are spent but they are just reallocated.

MOTION: Regent Hendricks moved to approve the proposed organizational structure for the Office of the Vice President for Health Sciences. Regent Furgerson seconded the motion. MOTION CARRIED UNANIMOUSLY.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office recommended the Board approve the university's capital register.

PROJECT DESCRIPTIONS AND BUDGETS

University officials submitted three new projects for approval by the Board.

Phillips Hall Remodeling \$1,421,000

Preliminary Budget

Construction	\$ 1,137,000
Design, Inspection and Administration	
Architect/Engineering Services	86,350
Consultants	84,150
Contingencies	<u>113,500</u>
TOTAL	<u>\$ 1,421,000</u>

Source of Funds: FY 1994 and 1995 Building	
Renewal Funds	\$ 788,000
Treasurer's Temporary	
Investments	<u>633,000</u>
TOTAL	<u>\$ 1,421,000</u>

Phillips Hall will be vacated by the College of Business Administration upon completion of the John Pappajohn Business Administration Building in December 1993 and January 1994. Phillips Hall will be reassigned to the College of Liberal Arts language programs, which provide substantial undergraduate instruction.

Phillips Hall, an important component of the institution's space inventory, is prominently located in the center of the campus. The building contains 88,000 gross square feet of space and includes a large number of classrooms and a major auditorium. Phillips Hall serves large numbers of students as well as the general public.

Although Phillips Hall is in generally good condition it has undergone no major improvements since its construction in 1965. Some upgrading of the facility is required prior to occupancy by the College of Liberal Arts.

University Hospitals and Clinics--South Wing and Radiation
Oncology Chiller Replacement \$687,000

Source of Funds: University Hospitals Building Usage Funds

Preliminary Budget

Construction	\$ 550,000
Contingency	55,000
Architectural/Engineering Support	55,000
Planning and Supervision	<u>27,000</u>
 TOTAL	 <u>\$ 687,000</u>

University officials requested approval of a project description and budget for the replacement of three 20-year-old chillers located in lower level equipment rooms of the South Wing and Radiation Oncology Center. The existing chillers have experienced extensive interior corrosion which cannot be economically repaired. Work includes demolition of the existing chillers and installation of the new chiller system, including plumbing, electrical, and control systems.

University Hospitals and Clinics--Replace East Carver
Pavilion Roof \$500,000

Source of Funds: University Hospitals Building Usage Funds

Preliminary Budget

Construction	\$ 400,000
Contingency	40,000
Architectural/Engineering Support	40,000
Planning and Supervision	<u>20,000</u>
 TOTAL	 <u>\$ 500,000</u>

University officials requested approval of a project description and budget for installation of a modified bituminous roofing system to replace the existing polyvinylchloride single-ply membrane and rock ballast roof on the inpatient bed tower of the Carver Pavilion. The present roof, which is over 15 years old, supports equipment and helicopter landing pads which are accessed on a daily basis. The high activity level has added to the normal deterioration of the roof membrane. The roof no longer provides a water-tight enclosure which has resulted in numerous leaks and water damage to the eighth floor Patient and Visitor Activities Center.

* * * * *

University officials reported three new projects with budgets of less than \$250,000. The titles, source of funds and estimated budgets for the projects were listed in the register prepared by the university.

* * * * *

ARCHITECT/ENGINEER AGREEMENTS

North Capitol Improvements Project--Completion Phase \$23,100
Herbert Lewis Kruse Blunck, Des Moines, Iowa

University officials requested approval of an agreement with Herbert Lewis Kruse Blunck to provide design services for this project. The agreement provides for a fixed fee of \$23,100.

University Hospitals and Clinics--Urodynamics Suite Development \$8,500
and Urology Clinic Remodeling
Design Engineers, Cedar Rapids, Iowa

University officials requested approval to enter into an agreement with Design Engineers for design of the mechanical and electrical systems. The agreement provides for a fixed fee of \$8,500.

Kinnick Stadium--Press Box Fourth Floor Addition
RDG Bussard Dikis, Des Moines, Iowa

University officials requested approval to enter into an agreement with RDG Bussard Dikis to provide design services for construction of a fourth floor addition to the Kinnick Stadium press box.

The press box currently consists of three floors. The proposed project will construct 12 to 14 spectator boxes on the roof of the existing press box. The boxes will be assigned to individuals and corporations who provide major financial support to the University of Iowa athletic programs. The project is a part of the Athletic Department's broadly-based development and sponsorship initiative which is vital to the long-term financial health of the men's and women's athletic programs.

RDG Bussard Dikis was selected by the university to design the project because of the assistance it provided with the feasibility study. The firm was selected to undertake the feasibility study because of its successful record with several major University of Iowa projects, including the Field House Remodeling and the Field House Addition. The firm has also completed design for a similar facility at the University of Missouri and the new assembly facility at Drake University.

University officials will return to the Board for approval of the negotiated agreement.

Domestic Water Distribution Upgrade--West Campus \$34,017
Shive-Hattery Engineers and Architects, Iowa City, Iowa

University officials requested approval of the negotiated agreement in the amount of \$34,017, including reimbursables.

Amendments:

Main Power Plant Capacity Improvements Amendment #3 \$1,000
Stanley Consultants, Muscatine, Iowa Amendment #4 \$23,800

University officials requested approval of Amendments No. 3 and No. 4 to the agreement with Stanley Consultants.

Amendment No. 3 in the amount of \$1,000 will provide structural re-design of the feedwater building base slab and will add reinforcing steel required to recover lost construction time due to flood waters.

Amendment No. 4 in the amount of \$23,800 will provide commissioning, start-up and training for instruments and controls, and the preparation of final drawings after completion of construction.

Amendments No. 3 and 4 will not result in an increase in the total project budget.

University Hospitals and Clinics--Development of a Surgical Intensive Care Unit in the John Pappa, John Pavilion Amendment #5 \$20,802
Hansen Lind Meyer, Iowa City, Iowa

University officials requested approval of Amendment No. 5 to the agreement with Hansen Lind Meyer. The amendment is necessary for additional design services for five alternates which were awarded as part of the construction contract for this project. The expanded services include design of hyperbaric chamber rooms, mechanical and electrical support for the hyperbaric chamber, and egress corridors.

Amendment No. 5 will not result in an increase in the total project budget.

General Hospital Elevator Replacement--Phase I Amendment #1 \$7,635
Shive-Hattery Engineers and Architects, Iowa City, Iowa

University officials requested approval of Amendment No. 1 to the agreement with Hansen Lind Meyer. The amendment for expanded design services is necessary for studies to develop alternatives to elevator smoke gaskets and

hoistway pressurization design which have been mandated by the State Fire Marshal's Office. The amendment will also provide for bid document re-issue and construction administration.

Amendment No. 1 will not result in an increase in the total project budget.

CONSTRUCTION CONTRACTS

University Hospitals and Clinics--Medical Records Office and Record Storage Consolidation--Phase 5 of Consolidated Material Distribution System \$439,840

Award to: McComas-Lacina Construction Company, Inc., Iowa City, Iowa
(5 bids received)

University Hospitals and Clinics--General Hospital Elevator Replacement--Phase I

Reject All Bids

Two bids were received for this project on August 31, 1993. The low bid in the amount of \$589,000 exceeded the engineering estimate of \$470,940 by approximately 25 percent. On October 21, 1993, the Executive Director authorized the university to reject all bids and re-bid the project at a future date.

ACCEPTANCE OF COMPLETED CONSTRUCTION CONTRACTS

University Hospitals and Clinics--Mechanical Head End Equipment Installation
Selzer-Werderitsch Construction Company, Inc., Iowa City, Iowa

University Hospitals and Clinics--Main Entrance Site Development and Road Reconfiguration
McComas-Lacina Construction Company, Inc., Iowa City, Iowa

University Hospitals and Clinics--Electrical Head End Equipment Installation
Merit Electric, Ltd., Iowa City, Iowa

MOTION: Regent Furgerson moved to approve the university's capital register, as presented. Regent Collins seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF LEASE. The Board Office recommended the Board approve the following lease:

With Central Park Medical Association, Inc., Davenport, Iowa, for an amendment to the existing agreement for space located in the Bettendorf Medical Plaza, Bettendorf, Iowa, to include an additional 131 square

feet of space at an additional cost of \$153 per month, for a total of 1,416 square feet at the rate of \$1,653 per month, effective upon Board approval through the remainder of the lease period, August 31, 1996.

MOTION: Regent Furgerson moved to approve the leases, as presented. Regent Newlin seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

CAMPUS VIDEO SERVICE RATES. The Board Office recommended that the Board give preliminary consideration to increasing the Campus Video Service Fee at the University of Iowa.

The Campus Video System (CVS) provides entertainment television service to University of Iowa residence halls and family housing.

University officials recommended that the monthly fee for basic entertainment services on the CVS be set at \$16 for FY 1995. The proposed increase is \$1/month (6.7 percent). CVS rates were last increased in FY 1993.

Cable service is optional. No fee is charged residents if the service is not purchased.

The proposed increase is to meet an anticipated 5 percent increase in programming fees from TCI of Eastern Iowa, and to permit purchase of additional equipment.

This fee requires a thirty-day notice and waiting period before Board approval. Requested approval of the fee will be included in next month's general docket on miscellaneous fees and charges.

ACTION: President Berenstein stated that the Board gave preliminary consideration to increasing the Campus Video Service Fee at the University of Iowa, by general consent.

STUDENT BILLING SYSTEM CHANGE. The Board Office recommended the Board (1) approve the establishment of revised student billing procedures and (2) give preliminary consideration to initiation of a \$15 deferred billing administrative fee at the University of Iowa.

The University of Iowa is developing a new scholarship accounting system, named Financial Resources system (FIRE), which will be operational by the summer of 1994.

Currently the University charges for tuition, room and board, and mandatory fees in three installments per semester. No service fee is currently charged for installment billing.

The FIRE system is being designed to provide for full compliance with the federal government's student aid authorization and disbursement requirements. Federal regulations require that the entire financial aid sum be credited to the account of the student at the beginning of the semester. As a result, the university's practice of having only a portion of the semester's cost of attendance due at the beginning of the semester must be revised.

With the FIRE system, student financial aid funds will be credited automatically to student accounts to pay full semester tuition, room and board, and other mandatory fees. Residual amounts will then be refunded to the student by the Business Office.

University officials requested authorization to change its charging system to require full payment for tuition, room and board, and mandatory fees at the beginning of each semester (September 1 and February 1) for all students beginning Summer 1994. In addition, there would be an option available to students not receiving aid to have these charges billed in three installments per semester as is currently done.

University officials proposed a \$15 deferred billing administrative fee to be assessed to the student for each semester that this option is exercised.

This fee requires a thirty-day notice and waiting period before Board approval. Requested approval of the fee will be included in next month's general docket on miscellaneous fees and charges.

Graduate students holding teaching and research assistantships will be held harmless from the proposed policy change.

This proposal is consistent with current practice at both Iowa State University and the University of Northern Iowa.

MOTION:

Regent Furgerson moved to (1) approve the establishment of revised student billing procedures and (2) give preliminary consideration to initiation of a \$15 deferred billing administrative fee at the University of Iowa. Regent Newlin seconded the motion. MOTION CARRIED UNANIMOUSLY.

STUDY OF ALTERNATIVES FOR DELIVERY OF PRINTING SERVICES. The Board Office recommended the Board adopt the recommendations in the report, summarized as follows:

- (a) Continue the current mix of in-house production and outsourcing of printing services. Continue to monitor the mix and adjust it when costs, quality and timeliness of services can be improved.
- (b) Relocate the printing service to the Thomas and Betts building in Iowa City, which is available for the university to purchase at \$1.4 million.
- (c) Support the State Printing Division Office's pending proposal before the General Assembly to raise the bid threshold to \$5,000 from \$2,000 to reduce service delays.
- (d) Implement a more equitable method of distributing administrative and customer service cost which includes an allocation to outsourced printing orders.

The University of Iowa last formally reviewed its printing operation in FY 1989. The current study was requested by the Board in September 1993.

The Printing Services function suffered extensive damage and loss of service as a result of repeated flooding events in 1990 and 1993.

Future flooding potential and the expected loss of reasonably priced commercial insurance created the need to evaluate alternatives for providing efficient and effective printing services to the university community.

The university established a broad-based Study Committee with representatives of various customer departments, Business Office, Human Resources, and General Counsel. The firm of Deloitte & Touche was retained to provide guidance and oversight throughout the course of the study.

Written commentary from university customer departments was solicited.

Input was provided from outside service providers including commercial printing companies in Iowa City, Cedar Rapids, and Davenport as well as Printing Industries of the Midlands. A survey of universities including those from the Big 10 and Big 8 was conducted.

The most critical factors are cost, quality and timeliness of service to the customers.

Alternatives evaluated included:

1. Remaining in the current facility;

2. Purchasing the Thomas and Betts building in Iowa City;
3. Constructing a new building within the designated University Service Park; and
4. Outsourcing all printing production (complete privatizing).

University departments demand cost-effective, high-quality printing services to support strategic planning goals.

Printing Services processed nearly 11,000 printing orders in fiscal year 1993 at an annual cost of approximately \$5.3 million.

University General Funds, expended through university departments, directly funded approximately \$1.2 million (22 percent) of these total printing orders. Approximately \$1.6 million (30 percent) of this total cost was outsourced (725 orders).

Production costs for printing orders which were competitively bid during the period when the flooded Printing Services was not operating were compared to actual in-house costs for identical orders produced in-house at an earlier date.

In-house production cost for these orders was found to be approximately 4.1 percent less than the outsources cost for these competitively bid orders.

Privatizing the entire printing operation would result in the elimination of approximately 33 positions.

The Study Committee concluded that the university is best served by continuing the current mix of in-house production and outsourced procurement.

The existing Graphic Services Building is considered unusable due to potential additional flood losses and related insurance difficulties.

Regardless of whether or not a change in the mix of in-house vs. outsourced orders is made, the service must be relocated to a safer, more functional location.

The Committee recommended purchasing an existing building in the Iowa City area for relocating the Printing Department.

The study shows that from a cost perspective alone, maintaining the current mix of in-house vs. outsourced orders in the proposed Thomas and Betts building is the best alternative. Cost advantages of this option are supported by advantages of closer quality control and greater timeliness and service response for the customer.

The Iowa Administrative Code requires that items which cost \$2,000 or more be procured by competitive bidding through the State Printing Division Office. The State Printing Division Office has a proposal pending before the legislature which would raise the minimum bid threshold to \$5,000 from \$2,000.

Implementation of this change would permit the university to bid more jobs directly rather than through the State Printing Division Office, and thereby reduce service turnaround time for customers.

John DeVries, President of DeVries Communications in Des Moines, stated that he is also a member of the Printing Industries of the Midlands. Neither of Mr. DeVries' plants operates on a daily basis in the Iowa City area; therefore, he said he was appearing without any personal benefit. Mr. DeVries currently serves as chairman of the Iowa Association of Business and Industry which has 1,850 members across the state which provide an estimated 400,000 jobs to Iowa's economy. The association has constantly supported efforts for the privatization of government services.

Mr. DeVries stated that printing is the fourth largest manufacturing employer in the state, employing almost 11,000 Iowans. He said the state of Iowa has targeted the printing industry as one of the 8 targeted industries for growth in the state's economic development strategic plan. Since 1990, total printing employment in the state has grown by over 9 percent and total output has increased over 21 percent. He said many businesses and institutions are finding that after a true cost analysis, it is cost prohibitive to maintain in-plant operations.

Iowa printers have been unsuccessful in getting the public sector to make greater utilization of the private sector in meeting printing needs. Printing Industries of the Midlands asked in September that a fair and objective study be performed before the University of Iowa proceeded with replacing the printing department's facility which was damaged by the summer flood. It believes there has not been a fair and objective study. Mr. DeVries said he felt the printing department spent two months trying to justify its current operations instead of determining what should be done. He asked for a fair, impartial study.

Mr. DeVries said Printing Industries of the Midlands had concluded that the University of Iowa study was invalid for many reasons. First, the individual consultants in the study had no actual experience in the printing industry. The consultants did not independently audit the printing department data to determine its accuracy and validity. He said there are many industry organizations such as Printing Industries of America and the Graphic Arts Technical Foundation that can do those types of services besides a public accounting firm. Second, the copy centers, which are part of the Printing Department and represent \$1 million of the payroll budget of the printing department, were not included in the study. He said the

methodology was misleading because it examines a cost comparison of jobs during the 3 months that the printing department was closed down due to flood and compared jobs which were outsourced over a year previous.

A fourth reason cited by Mr. DeVries was that the study did not look at the storage and capital costs in maintaining inventory and equipment. Printing Industries of the Midlands raised concerns in letters to the university business office on November 1, November 11 and December 6, 1993, and those concerns had yet to be addressed. He said the study considered a 70 percent dollar volume in-house versus the 30 percent dollar volume outsourced and no other alternatives were considered.

Printing Industries of the Midlands disagrees with the university's interpretation of the code and rules regarding competitive bidding issues. Mr. DeVries said the university has established the practice that 1) it does not have to procure printing from outside printers because it is excluded from bidding laws, and 2) if it chooses it may but does not have to bid anything \$2,000 or more. There are no formalized standards or guidelines to determine when a project should be bid to local printers. There were a number of inconsistencies revealed in the study which Mr. DeVries commented on. He questioned the need for four 36-inch presses when the university says it is a low-volume printer. He said the employment of a full-time color copier paid \$36,768 to run a \$74,000 color copier to perform only 388 jobs a year seems inconsistent with a well-run organization. The number of customer service representatives required for total outsourcing was exaggerated. He said all administrative payroll expenses did not appear to be accounted for. In their customer list, printing services is the second largest user and, therefore, he asked what costs were included in those figures. Printing Industries questioned \$1.4 million in additions in machinery and equipment by the printing department in 1988.

Mr. DeVries requested that the Regents ask University of Iowa officials to take a second look at the recommendation to purchase or lease an existing building. He said the Regents should request that the university rework this study. An independent auditor should verify the allocation between copying services and printing services. Actual machine cost rates should be computed, including labor and overhead allocations in normal business practices, in order to cost the printing jobs in-house. He said the university should request bids on printing jobs and using the new cost data should then compare them to bids that are received from local printers. Guidelines should be developed to determine when a job should be performed in-house and when it should be sent to area printers. He said additional policies should be implemented to direct allocation of work performed by copy services versus duplicator operations. The operation of the 36-inch presses should be reviewed in light of the university's own acknowledgement it is a small, quick turnaround printer. An evaluation of the economics of scale of this operation should be conducted and made a part of this study.

Also, inventory purchasing practices need to be examined to include the type of products being purchased.

Mr. DeVries stated that Printing Industries of the Midlands was opposed to the government competing with business. They believe that a study could be completed in 60 days. They stand ready to assist the Board of Regents and the University of Iowa in this study. Working together, he said, they can determine the optimum mix of in-plant versus outsource printing, assist in developing standards for proper job production, assess equipment and staffing needs, and identify the service capability of commercial printers.

President Berenstein discussed the possibility of postponing Board discussion on this matter due to the scheduling of the WOI-TV discussion. It was agreed that this matter would be again taken up immediately following lunch.

Regent Dorr stated that he was leaving the meeting at 1:00 p.m. and would like to make a few comments concerning this matter. He said he thinks that Printing Industries made a very effective attempt to try to work with the institutions and resolve this matter in a manner that is effective for both groups. His sense was that the University of Iowa spent too much justifying maintaining the status quo instead of actually studying the matter. He hoped that Printing Industries would be willing to be assistive regarding another study although he did not know to what extent. It was his suspicion that if they would do a more effective audit-type study the Board could more fairly suggest to the public that they had not violated their trust. The private sector supports the institutions. To suggest the private sector is not competent to perform certain services is really a "slap in the face". He feels this is a public trust issue. He would vote in favor of turning down the university's proposal and to pursue another study.

Regent Hendricks stated that she hoped the Printing Industries representatives would be present to hear the response of the university. She said they could not have intelligent discussions until the Regents had heard both presentations. She did not want the six individuals who were there representing the private sector to walk away saying the Regents didn't listen to them when university officials had yet to be heard. She then stated that printing is not secondary to the educational mission; it is integral to the educational mission.

After lunch, the following took place:

Vice President True stated that he had discussions over the last couple of weeks with several of the Regents so some of his presentation may be redundant. He said printing services at the University of Iowa operates in accordance with the law. Due to the summer flooding a number of facilities were adversely affected. University officials requested authorization to look at replacement facilities for printing services and to study

alternatives. If they do not have a need for a facility they would not need to relocate.

Vice President True then provided the Regents with some information about the University of Iowa's printing services. He said the printing department budget last year was \$7.4 million. Approximately \$1.6 million in printing was done outside the university. Included in the \$7.4 million was \$2.1 million for decentralized printing services. There are copy centers all over the university to serve users campus-wide. The printing services processes approximately 11,000 annual printing orders. He said 30 percent of the dollar volume of printing is done outside the university. Printing services is a self-supporting activity. Departments and units that use and depend upon its services pay the bills for those services. Those costs are fully loaded in the rate system. Over the last several years printing services has been downsized in a number of areas. There are now 8 fewer full-time positions and 5 fewer part-time positions since fiscal year 1991.

The study of printing services was organized by Vice President True for the purpose of getting the most objective information. He named a committee consisting mostly of users. In addition, he felt it was essential to get outside assistance and, therefore, engaged Deloitte and Touche to help with the study. One person on the committee was George Hollins. He said Mr. Hollins was the single most important person in helping the university get through the floods this summer.

Vice President True directed the committee members to consult with area printers. Committee members were asked to read and absorb the comments of Printing Industries of the Midlands. He also kept the Board Office closely informed and advised as the committee worked through its task. He emphasized the degree of neutrality used by the committee. Approximately 2 to 2-1/2 weeks ago the draft report was submitted to Vice President True. The final report has been issued and was before the Regents. He said there was a great deal of material in the report.

Vice President True summarized the conclusions of the committee, as follows: Users are satisfied with the mix of services being provided by university printing services. The university community indicated a preference that the administration and monitoring of printing services should be performed by Printing Department Customer Service personnel. He said the comments were based on jobs done this summer during the period in which the printing services was unable to continue to provide the level of in-plant production that it had historically done. This was tested and evaluated. The committee was challenged by Deloitte & Touche to make sure they were comparing comparably in making those judgements.

A third conclusion was that the best option was that printing services should be located into existing space for \$21/foot. Vice President True quoted from the appendix in the report from Deloitte and Touche which stated

their representatives had performed the following activities: 1) Assisted in developing a detailed work plan for conducting the analysis. 2) Conducted periodic reviews of analysis activities performed and compiled by university personnel. 3) Evaluated the results of the analysis and determined that analyses were properly supported. 4) Assessed the objectivity of the analysis to determine that all activities were performed in a fair and consistent manner. 5) Assisted in the presentation of the analysis to the Board of Regents. Deloitte & Touche representatives indicated they challenged the reasonableness of the methodologies utilized and determined that all alternatives were objectively assessed and the final report appeared to be well founded and supported.

Vice President True presented the following as his own personal observations. With regard to the work of printing services this summer, he said the personnel did an extraordinary task getting the university through that difficult period. People came together during catastrophe. The printing service has a level of support that is unprecedented at the university. There must be active and continuous involvement by senior management of the university including himself in the printing services. The Office of Information Technology has to be part of the judgments made. Periodic testing of assumptions must take place particularly before any expansion of services is considered. There is a need for more formal guidelines on branch points within the system. With regard to the suggestion by Mr. DeVries for an advisory committee, Vice President True said they need to optimize the mix of in-plant and outsourced production. There was no question in his mind that there is a certain mix that it should be. They need to look at fixed and variable costs and they need to be aware of the capabilities out in the business community.

Vice President True stated that the University of Iowa must have in-plant printing capacity and it also depends on the commercial printers. They must move the printing service now. University of Iowa officials must be open minded and flexible to change. He said it was highly reasonable for the Regents to ask him back here a year from now to discuss what has been done and how they have made changes to improve printing services.

Regent Collins asked if user departments in the university are allowed to go out and bid printing jobs. Vice President True responded that user departments have to work with the printing department. As a result, they take a part in drafting that decision. They do not provide competitive bids whereby the jobs come in and quotes are provided by the university's printing services and outside printers.

Regent Collins questioned whether to do so would get the best price for the department. Wouldn't that give them a true picture? Vice President True said he asked that question of the committee. One of the largest inhibitors is that it costs \$64 per bid to seek outside bids.

Regent Collins said he did not mean competitive bidding in that sense. Vice President True said he suspected that a lot of informal competitive bidding takes place now.

Regent Newlin asked, if the Board were to approve the recommendations of the committee's report, was Vice President True agreeable to Mr. DeVries' suggestion to develop guidelines for when to go out for bids, etc.? Vice President True said that was correct. Mr. DeVries was right and it needs to be done.

Regent Newlin asked if Vice President True was in concert with the suggestion of Mr. DeVries to conduct another study with an independent auditor to validate costs. Vice President True responded that university representatives have spent a lot of time with consultants during the last couple of months. They may from time to time need special expertise. Many good issues were brought out by Mr. DeVries. One of the things the new facility provides for is that it will allow them to expand the warehouse for printing services without great difficulty, both for the finished product and raw materials.

Regent Newlin stated that Mr. DeVries made some very specific suggestions. Did Vice President True accept most if not all of their suggestions? Vice President True said there were a number of items about which Mr. DeVries was right. There are other things they need to look at, with their help, concerning whether the practices of the university can be improved. The printing services needed to be looked at over time continuously and there may be a need for an advisory committee.

Regent Collins said this dialogue was very good and could be germane if they were not poised to act for the university to build a building. He personally was uncomfortable about whether they really looked at whether university printing services should be downsized. Once they take this step, to approve the university's recommendations, they might be able to fine tune printing services but they will never have this chance again to make a dramatic decision. He felt he did not have enough information on which to base a decision.

President Berenstein stated that Deloitte & Touche's report was a two-page letter with six pages of boilerplate telling how good they are. It looked to him like they took the university committee's report, looked it over and made an analysis of what they did. Were the consultants in on the development of the study?

Vice President True responded that Deloitte & Touche representatives were frequently on the campus over the last several months. They advised, consulted and verified from the very beginning.

President Berenstein asked whether the consultants did an independent analysis of the numbers or whether they relied on the university's numbers. Vice President True said the consultants were present if he cared to address that question to them.

President Berenstein said the question of whether Deloitte and Touche did an independent analysis of the numbers was one point he wanted to make. Secondly, if Vice President True likes the idea of the advisory committee, shouldn't they establish the advisory committee before committing to this new project? It would be a good idea to talk to Mr. DeVries and the advisory committee first to decide if they are doing the right thing to begin with rather than go back and "band aid" what they did. A third point was the commitment of a lot of money for a new location. He said he had no problem with that as long as that was part of the analysis and they were not wanting to proceed because otherwise they are going to lose the building. President Berenstein said he would rather lose the building and have to start all over if, in fact, the process itself was flawed. If university officials don't convince him, he is going to vote "no". He said he did not believe in having studies just for the sake of having studies; however, Vice President True said it would be a good idea to get the input of the private printers. Shouldn't they get their input before making a decision to go forward?

Regent Tyrrell noted that university officials identified the new building as a multi-purpose building. He asked how much of a base operation would they establish compared to what they have now.

Vice President True responded that printing services would occupy 34,000 square feet initially in the new building. The building provides the flexibility for accommodating many services. The flexibility that's permitted in the new building would allow them to rethink on margin any of these questions. For instance, 34,000 square feet would be allocated to printing services in the new building. He said they should still buy the building if there's 25,000 square feet used for printing services. It isn't an issue where a few thousand square feet one way or another are the determining factors. There is ample flexibility in the decision to buy that building so the printing services of the University of Iowa can be fine tuned over time, up and down, based on circumstances, based on user needs and the capacity of commercial businesses available to university officials.

Vice President True said the value of the advisory committee and the value of the dialogue with commercial printers is not a benefit that occurs just this month. It would go on long term as technology changes and needs change. That was the important part of the dialogue to him. He stressed that they have an opportunity to move into a space that is flexible, that permits latitude over time to make the printing operation function optimally to serve the University of Iowa.

Regent Tyrrell asked how much investment in equipment, inventory, etc. were university officials going to put in the building now. Should there be consultation with the advisory group about how much investment they should put in that building besides the building itself?

Vice President True responded that the only investment would be what they have now. There would be no capacity changes and they will not buy any equipment without dialogue with the commercial printers. They will take what they have and move it there.

Regent Tyrrell asked if any equipment was damaged by the flood. Vice President True responded that some equipment was damaged but it was repaired immediately.

Director Borg spoke in support of the university's recommendation. He stated that the study before the Regents indicated that University of Iowa Hospitals and Clinics is a major user of the university printing service. University printing services offers the product they want at a price they can afford. Hospital officials value highly the services that department offers.

President Berenstein asked if anyone else in the room wanted to be heard on this matter.

Jim Ketchum, owner of Cornerstone Press in Cedar Rapids, suggested the Regents approve the building purchase. Maybe the space allocated for printing services needs to be 20,000 feet rather than 34,000; however, commercial printers realize there needs to be a print shop at the University of Iowa. They need to look at the ratio of how much is done in house and the issue of the 36-inch presses. He was very encouraged by the possibility of the establishment of an advisory board.

President Berenstein asked for Mr. Ketchum's opinion on the Regents going ahead at this point. Mr. Ketchum said the Printing Industries board knows that something needs to be done and they don't want the matter studied and studied. If university officials can prove later that 36,000 square feet of space is needed for its printing services, then that is acceptable.

President Berenstein asked if Mr. Ketchum was comfortable with having the advisory committee in place after the fact rather than now. Mr. Ketchum said no, they need the advisory committee to meet soon. If they plan for 36,000 square feet, they will only be able to make minor adjustments.

President Berenstein asked Mr. Ketchum if he was comfortable with going ahead with the university's proposal and then having an advisory committee meet. Mr. Ketchum responded that the advisory committee needs to be put in place before they move forward.

MOTION:

Regent Newlin moved to a) Continue the current mix of in-house production and outsourcing of printing services. Continue to monitor the mix and adjust it when costs, quality and timeliness of services can be improved. b) Relocate the printing service to the Thomas and Betts building in Iowa City, which is available for the university to purchase at \$1.4 million. c) Support the State Printing Division Office's pending proposal before the General Assembly to raise the bid threshold to \$5,000 from \$2,000 to reduce service delays. d) Implement a more equitable method of distributing administrative and customer service cost which includes an allocation to outsourced printing orders. e) Establish an advisory committee as quickly as possible. f) Develop the guidelines Mr. DeVries outlined in terms of when a job should be performed in-house and when it should be outsourced. g) Actual costs are to be validated as proposed by Mr. DeVries. Regent Tyrrell seconded the motion.

Regent Hendricks said she believed that if the Board establishes the broad parameters the university should have the administrative authority to move forward.

(Regent Dorr was connected via telephone at this point in the meeting, approximately 2:15 p.m.)

The Regents discussed the wording of the motion.

Regent Dorr stated that he would vote in opposition to the motion.

VOTE ON THE MOTION:

Upon the roll being called, the following voted:

AYE: Furgerson, Hendricks, Newlin, Pellett, Tyrrell.

NAY: Berenstein, Collins, Dorr.

ABSENT: Johnson-Matthews.

MOTION CARRIED.

Regent Newlin asked if there was anything relative to President Berenstein's specific reason for voting against the motion that could be incorporated as

they move forward. President Berenstein responded that he was uncomfortable because he did not fully understand all the issues. He said this was not a "gut" issue for him, there was just too much material for him to discern.

(Regent Dorr withdrew from the meeting at this time.)

PROPERTY ACQUISITION. The Board Office recommended the Board authorize the University of Iowa to purchase property located at 2222 Old Highway 218 South, Iowa City, Iowa, subject to the approval of the Executive Council of Iowa.

University of Iowa officials sought to purchase property located at 2222 Old Highway 218 South, Iowa City, Iowa. The property consists of approximately 9.1 acres of land on which is sited a 67,281 gross square foot industrial building. The building was used for electronics manufacturing by the Thomas & Betts Corporation until approximately 18 months ago.

The university has need for space for support service functions and warehouse type storage. The highest priority for support service space is the need to relocate University Printing Service from its present location in Coralville. The Printing Service space needs of approximately 34,000 gross square feet could be accommodated in approximately one-half of the Thomas & Betts building.

The university's central laundry is in need of additional space. The laundry could be accommodated in approximately one-half of the building proposed to be purchased.

Some of the university's warehousing space needs could be provided in the Thomas & Betts building.

The purchase price is \$1,400,000, and was based on two appraisals of \$1,300,000 and \$1,500,000. The proposed sources of funds for the purchase were:

Printing Department Improvement Fund	\$ 400,000
Flood Insurance Proceeds	300,000
Other User Department Funds	<u>700,000</u>
Total	\$1,400,000

Approval of the Executive Council is required for the purchase.

MOTION:

Regent Newlin moved to authorize the University of Iowa to purchase property located at 2222 Old Highway 218 South, Iowa City, Iowa, subject to the approval of the Executive Council of Iowa. Regent Tyrrell seconded the motion, and upon the roll

being called, the following voted:
AYE: Collins, Furgerson, Hendricks, Newlin,
Pellett, Tyrrell.
NAY: Berenstein.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED.

IOWA STATEWIDE ORGAN AND TISSUE PROCUREMENT ORGANIZATION. The Board Office recommended the Board approve the transfer of authority for the Iowa State Organ and Tissue Procurement Organization to a newly organized independent not-for-profit corporation and the dissolution of the existing Regent entity.

An entity created by the three organ transplanting hospitals in Iowa under the aegis of the Board of Regents will be replaced by a similar not-for-profit organization. The new organization will perform the same functions as the original, namely to provide policies, procedures for organ transplant and tissue procurement, registration and distribution.

The action requested was to transfer authority from the Board of Regents to the new organization.

William Hesson stated that this matter was before the Board of Regents in September. Since that time, all three hospitals that are parties to the agreement have approved the reorganization.

Regent Hendricks asked if the reorganization would in any way affect doctors' ability to perform transplants. Mr. Hesson responded that at this time there are only the 3 hospitals in the state that perform organ transplants. He noted that only the organ procurement organization will move; the tissue bank will not be affected.

MOTION:

Regent Collins moved to approve the transfer of authority for the Iowa State Organ and Tissue Procurement Organization to a newly organized independent not-for-profit corporation and the dissolution of the existing Regent entity. Regent Tyrrell seconded the motion. MOTION CARRIED UNANIMOUSLY.

VA HOSPITAL AGREEMENT. The Board Office recommended the Board receive the university's report.

The Iowa City Veteran's Administration (V.A.) Medical Center and the several Health Sciences Colleges of the University of Iowa have had an affiliation since 1969. This affiliation includes education, research and patient care

services. A number of faculty members from the College of Medicine have specific patient care responsibilities at the V.A. Hospital.

The university and the Veterans Administration wish to expand and enhance the teaching, research and patient care services relationship.

The university has entered into preliminary discussions with the V.A. Medical Center Administration regarding a joint venture which would construct a research building on the grounds of the Iowa City Veterans' Administration Medical Center.

The university plans, subject to Board procedures, to move forward with these discussions and negotiations so that it might secure more research space for its Health Science College faculty who work collaboratively at the V.A. Medical Center.

As of this date the proposal included:

Facility - Two-story structure of approximately 13,200 gross square feet, yielding about 10,000 net square feet of laboratory and conference space, of which the University of Iowa would occupy approximately one-half.

Estimated Cost - \$2.4 million total.

Funding Sources - Approximately 50 percent each from the V.A. and the university.

University Sources - To be cost-shared among the general university and the user health sciences colleges.

Ownership of Facility - Iowa City V.A. Medical Center.

Use Rights - University would negotiate a use right of at least 20 years under a contractual agreement at a cost of \$1 per year.

Operation and Maintenance Expenses - Responsibility of the V.A.

Prior to commitment of funds, university officials will address and provide the following:

A copy of the proposed agreement.

Project description and budget, including:

- o The percentage and type of space to be used by university researchers.
- o Manner of funding future capital projects within the building.

- o Impact that construction of this facility will have on the scope of the proposed bio-medical research facility, which is included in the Board's five-year capital priority plan.
- o Funding sources and amounts.
- o Refined, detailed information on the size (gross and net square feet).

Vice President True stated that Vice President Manasse and he will be in the forefront on this effort. The project would meet the Board Office qualifications.

ACTION: President Berenstein stated the Board received the university's report, by general consent.

AMENDMENTS CHANGING BOND PAYMENT DATES FOR UTILITY SYSTEM REVENUE BONDS, SERIES 1989 AND 1993, AND HUMAN BIOLOGY RESEARCH FACILITY PROJECT BONDS, SERIES 1985A AND 1985B. The Board Office recommended the Board approve amendments changing bond payment dates for University of Iowa Utility System Revenue Bonds, Series 1989 and 1993, and Human Biology Research Facility Project Bonds, Series 1985A and 1985B,

The bond resolutions for the University of Iowa Utility System Revenue Bonds, Series 1989 and 1993, and Human Biology Research Facility Project Bonds, Series 1985A and 1985B (SUI), differ from other bond issues in that bondholders receive interest checks on these issues one or two days later than on other University of Iowa bond issues.

The University of Iowa and Board Office recommended amendment of the language of the bond resolutions to change the date the check is mailed from the interest payment date to one day prior to the interest payment date in order to be consistent with the language for other bond issues.

These amendments were recommended for the following reasons:

- o The change will allow for consistency in the treatment of bondholders on various bonds issued by the University of Iowa and the University of Iowa Facilities Corporation.
- o The action is consistent with efforts to be responsive to bondholder concerns in ways which are legally and economically feasible.
- o This step will eliminate the confusion that has arisen for bondholders with multiple series of University of Iowa bonds.

Bond counsel was prepared to issue a written opinion to the effect that these amendments would not adversely impact the bondholders.

The economic impact of these amendments is estimated to be \$457.

Vice President True stated that this matter was discussed at the Banking Committee meeting. The request was being made in the best interest of the university's bondholders.

ACTION: The motion on this matter can be found under the Banking Committee portion of these Minutes, page 502.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to the University of Iowa. There were none.

IOWA STATE UNIVERSITY

The following business pertaining to Iowa State University was transacted on Wednesday, December 15, 1993.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve personnel transactions, as follows:

Register of Personnel Changes for November 1993 including one request for early retirement and two for phased retirement.

Provided for the Board's information was the termination effective December 3, 1993, of DR. LOWELL F. CHRISTY who served as Director of Federal Relations since July 29, 1993, for violating university travel reimbursement policy by submitting fraudulent claims in the amount of \$947.61.

President Jischke provided the Regents with a supplemental item for the Register of Personnel Transactions, as follows:

Appointment of DR. CAROL M. BRADLEY as Assistant to the President and Director of Governmental Relations effective December 17, 1993. In view of the added responsibilities, Dr. Bradley's salary would be increased ten percent, from \$83,650 to \$92,000.

President Jischke stated that Iowa State University officials requested to reorganize the Offices of Federal and State Relations effective December 17, 1993. These offices have been separate units with the directors of each reporting to President Jischke. President Jischke plans to combine these two offices into an Office of Governmental Relations and appoint a Director of Governmental Relations. Under the reorganization, total staffing of the Office of Governmental Relations will be reduced by one position from the total that now exists in the Office of Federal Relations and the Office of State Relations. Under this reorganization, he said they expect to reduce expenditures and accomplish a number of advantages. There is widespread campus support for the reorganization and Dr. Bradley's appointment. The university is very fortunate to have Dr. Bradley. She is very talented.

MOTION:

Regent Collins moved to approve the university's personnel transactions, as presented. Regent Furgerson seconded the motion. MOTION CARRIED UNANIMOUSLY.

ACCEPTANCE OF CHANGE IN CALENDAR. The Board Office recommended the Board approve the proposed calendars for the 1997-98 and 1998-99 academic years and the 1998 and 1999 summer sessions as submitted by Iowa State University.

The most significant change from the current calendar is the scheduling of two summer sessions instead of one as in the present schedule.

Two eight week summer sessions will have start dates of May 18 and June 15 respectively; currently one eight week summer session starts on June 12.

The June 15 session will accommodate courses with high enrollments of entering high school students and public school teachers.

Both fall and spring semesters will have 74 days of instruction plus a five day final exam period compared with 74 days in the fall and 73 days in the spring semesters currently and a five day exam period in each.

Holidays are scheduled to be consistent with collective bargaining agreements.

Fall commencement will fall no later than December 20 and spring commencement no later than May 9.

No spring recess is scheduled for VEISHEA which will occur on the third weekend before spring commencement as approved by the Board in January, 1993; previously, VEISHEA was held on the second weekend before commencement.

ACTION: This matter was referred by consent.

APPROVE NAME CHANGE. The Board Office recommended the Board refer the university's request for a unit name change from Iowa State University Continuing Education to Iowa State University Extended and Continuing Education to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation.

Iowa State University officials believe this new name will better serve the purposes and public understanding of this unit.

The request will be referred to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation.

ACTION: This matter was referred by consent.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office recommended the Board approve the Register of Capital Improvement Business Transactions for Iowa State University.

PROJECT DESCRIPTIONS AND BUDGETS

University officials presented a revised budget on the following project.

<u>1993 Institutional Roads Projects--</u>	Original Budget	<u>\$260,000</u>
<u>Mortenson Road Paving</u>	Revised Budget	<u>\$300,000</u>

Source of Funds: 1993 and 1995 Institutional
Roads Funds

University officials requested approval of a revised project budget in the amount of \$300,000, an increase of \$40,000.

The Mortenson Road paving project is currently in preliminary design with construction anticipated to begin in the spring of 1994. The scope of the work has been refined and revised to include curb, gutter and storm sewer work at the east end of the project, at an additional cost of \$40,000.

The increase in the project budget was not anticipated as part of the 1994-1999 Institutional Roads Program approved by the Board in July 1993. University officials proposed to fund the additional expense from 1995 Institutional Roads funds, and will adjust its 1995 Institutional Roads program to reflect the addition of \$40,000 to the Mortenson Road project.

* * * * *

University officials reported three new projects with budgets of less than \$250,000. The titles, source of funds and estimated budgets for the projects were listed in the register prepared by the university.

Included for the Board's information was the following project description and budget. The project budget was approved by the university in accordance with Board procedures.

<u>Study of Flood Damage Mitigation Measures</u>	<u>\$110,000</u>
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Source of Funds: Federal Emergency Management Agency (FEMA)
Grants or Iowa State Center, Recreation/
Athletic Facility, Residence Department,
Utilities Operating Funds

Preliminary Budget

Design Services	\$ 101,811
Construction Administration	1,018
University Services	4,000
Project Reserve	<u>3,171</u>
TOTAL	<u>\$ 110,000</u>

This project will examine flood mitigation options at university facilities damaged by the flood of July 1993 in an effort to reduce the loss to the facilities and damage repair costs should a similar flood recur.

The study will investigate protective measures at the Maple-Willow-Larch Complex, the Iowa State Center, Recreation/Athletic Facility, University Village, and the Olsen Building. Cost/benefit ratios for various feasible scenarios will be investigated, and emergency action plans for the facilities will be updated. Short- and long-range mitigation measures will be reviewed with priority given to those short-range measures which may be implemented before the next season of potentially heavy rainfall.

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ARCHITECT/ENGINEER AGREEMENTS

Residence Department Facilities Water and Wind Damage 1993 \$37,500
Rietz Engineering Consultants, Ames, Iowa
(Engineering Services)

University officials requested approval to enter into an agreement with Rietz Engineering Consultants to provide design services for the removal and replacement of the walk-in coolers and freezers at the Maple-Willow Larch Commons kitchen, which were damaged during the July 1993 flood.

The agreement provides for a fee of \$37,500, including reimbursables.

Study of Flood Damage Mitigation Measures \$101,811
Snyder and Associates, Ankeny, Iowa
(Engineering Services)

University officials requested approval to enter into an agreement with Snyder and Associates to provide professional services for the study of flood mitigation options for university facilities damaged by the July 1993 flood.

The agreement with Snyder and Associates provides for a fee of \$101,811, including reimbursables.

CONSTRUCTION CONTRACTS

Applied Science Center--Office Building--Phase I \$37,700
Award to: Peterson Contractors, Inc., Reinbeck, Iowa
(2 bids received)

Gilman Hall Renovation--Phase 3, Room 2272 Improvements \$46,000
Award to: Manning-Seivert Mechanical Contractors, Inc., Granger, Iowa
(4 bids received)

Veterinary Medicine--Remodel Large Animal Housing Facilities \$596,600
Award to: Harold Pike Construction Company, Inc., Ames, Iowa
(5 bids received)

Hilton Coliseum--Addition for Title IX Compliance--Phase 1 \$79,878
Award to: R. H. Grabau Construction, Inc., Boone, Iowa
(5 bids received)

MOTION: Regent Furgerson moved to approve the Iowa State University capital register, as presented. Regent Pellett seconded the motion. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF LEASES. The Board Office recommended the Board approve the following leases:

With Prototype Engineering, Inc., for the renewal of its lease for 110 square feet of business incubator space in the Iowa State Innovation System at the rate of \$183 per month for the period commencing November 1, 1993, through October 31, 1994, and \$215 per month for the period commencing November 1, 1994, through October 31, 1995; and

With the Iowa State University Research Park Corporation for the renewal of the university's lease for 8,143 square feet of space located at the Iowa State University Research Park at the rate of \$6,785.83 per month (fixed rate of \$10 per square foot) plus utility and operating costs estimated at \$3 per square foot, for a five-year period commencing January 1, 1994, through December 31, 1998.

With regard to the Prototype Engineering, Inc., lease, Director Specter noted that the renewal period was November 1, 1993. University officials were again advised of the importance of timely submission of leases prior to their effective dates.

MOTION: Regent Furgerson moved to approve the leases, as presented. Regent Newlin seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

PROGRESS REPORT ON THE NATIONAL SWINE RESEARCH CENTER. The Board Office recommended the Board receive the progress report on the National Swine Research Center project at Iowa State University.

University officials provided a progress report on the design of the National Swine Research Center, which will be constructed by the United States Department of Agriculture Research Service.

The project consists of two facilities, a laboratory/office building to be located on the Iowa State University campus, and a field research station to be located on farmland southwest of Ames.

The project architects, Brooks Borg and Skiles, made a brief presentation on the exterior design of the laboratory/office building. The design has been refined in coordination with the university.

Vice President Madden stated that this project was last presented to the Board of Regents in 1991. He discussed the two phases of the project which are both on-campus and off-campus. He then introduced Phil Pash and Tim Van Cleave of Brooks Borg and Skiles.

Mr. Pash stated that their client is the USDA and the Iowa Pork Producers Association.

Mr. Van Cleave stated that he is the design architect. He discussed the different views of the building with the Regents.

Regent Newlin asked how many hogs are within 200 miles of Ames, noting that was the reason the center was located here. President Jischke responded that there were approximately 35 million hogs within 200 miles of Ames.

Regent Pellett stated that the livestock industry in Iowa has been waiting a long time for this project and that it was nice to see it moving along.

ACTION: President Berenstein stated the Board received the progress report on the National Swine Research Center project at Iowa State University, by general consent.

SALE OF UP TO \$5,295,000 ACADEMIC BUILDING REVENUE REFUNDING BONDS, SERIES ISU 1994. The Board Office recommended the Board, subject to the receipt of acceptable bids:

- (1) Adopt A Resolution providing for the sale and award of \$5,295,000 (estimated) Academic Building Revenue Refunding Bonds, Series I.S.U. 1994, and approving and authorizing the agreement of such sale and award.
- (2) Adopt A Resolution authorizing and providing for the issuance and securing the payment of \$5,295,000 (estimated) Academic Building Revenue Bonds, Series I.S.U. 1994, for the purpose of refunding the \$5,000,000 Academic Building Revenue Bonds, Series I.S.U. 1987A, presently

outstanding in the principal amount of \$4,800,000, heretofore issued by the Board to defray costs of buildings and facilities on the campus of Iowa State University.

- (3) Adopt A Resolution authorizing the execution of an Escrow Agreement to provide for the payment of Academic Building Revenue Bonds, Series I.S.U. 1987A.

The receipt and opening of the bids took place at 11:30 a.m. on Wednesday, December 15, 1993. The award was scheduled for 1:30 p.m.

Mr. Luther Anderson of Springsted, Inc., reported on the substance of the bids and made recommendations for award of the bonds.

The proposed action authorizes the sale of \$5,295,000 (estimated) in Academic Building Revenue Refunding Bonds for Iowa State University. The proceeds from the sale of these bonds will be used for the purpose of refunding Academic Building Revenue Bonds, Series I.S.U. 1987A, presently outstanding in the principal amount of \$4,800,000.

The interest savings as a result of the refunding is currently estimated to be \$480,000 on a present value basis.

The issue amount will be variable up to the acceptance of the winning bid, because the amount of the bond proceeds required to fund the escrow account for the 1987A bonds will be dependent on the actual yield on the new bonds and available investment yields.

Bond Specifics:

Average Maturity: 11.66 Years

Bonds Dated: January 1, 1994

Interest Due: January 1 and July 1 commencing July 1, 1994

Optional Call: Bonds maturing on or after July 1, 2005 are callable commencing July 1, 2004, and any date thereafter at par

Denomination: \$5,000 and integral multiples thereof

The refunding provides an opportunity to restructure the principal payments in later years to reduce tuition replacement needed in earlier years.

Total debt service savings in the first two fiscal years from the refunding were estimated to be:

	<u>Total</u>	<u>Principal Restructuring</u>	<u>Interest</u>
FY 94	\$169,000	\$135,000	\$ 34,000
FY 95	\$113,900	\$ 85,000	\$ 28,900
	\$282,900	\$220,000	\$ 62,900

Mr. Anderson stated that 4 bids were opened at 11:30 a.m. for \$5.295 million advance refunding of a bond issue originally sold in 1987. This was being done to save money on interest. The receipt of 4 bids was a new high in the 7 years he has been serving the Board of Regents. The bids received were as follows: Merrill Lynch & Company bid an interest cost of \$2,939,604.55 for a true interest rate of 4.7615 percent. A syndicate led by Piper Jaffray, Inc., bid a net interest cost of \$2,795,092.50 for a true interest rate of 4.5250 percent. George K. Baum & Company bid a net interest cost of \$2,771,287.50 for a true interest rate of 4.4835 percent. A syndicate led by Dain Bosworth Inc., bid a net interest cost of \$2,847,295 for a true interest rate of 4.6184 percent.

Mr. Anderson stated that the George K. Baum & Company bid of 4.4835 percent was the most attractive bid. He said this was an advanced refunding, therefore, they retained the right to adjust the principal amount based on the results of the bids. The issue amount was adjusted upward to \$5,315,000. In terms of the end result of the refunding, he said the present value savings preliminary estimate was \$660,000. He then recommended that the Board accept the bid of George K. Baum & Company.

MOTION:

Regent Hendricks moved to accept the bid of George K. Baum & Company. Regent Furgerson seconded the motion, and upon the roll being called, the following voted:
 AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
 NAY: None.
 ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

MOTION:

Regent Hendricks moved to Adopt A Resolution providing for the sale and award of \$5,295,000 (estimated) Academic Building Revenue Refunding Bonds, Series I.S.U. 1994, and approving and authorizing the agreement of such sale and award. Regent Tyrrell seconded the motion, and upon the roll being called, the following voted:
 AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.

NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

MOTION: Regent Hendricks moved to Adopt A Resolution authorizing and providing for the issuance and securing the payment of \$5,295,000 (estimated) Academic Building Revenue Bonds, Series I.S.U. 1994, for the purpose of refunding the \$5,000,000 Academic Building Revenue Bonds, Series I.S.U. 1987A, presently outstanding in the principal amount of \$4,800,000, heretofore issued by the Board to defray costs of buildings and facilities on the campus of Iowa State University. Regent Tyrrell seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

MOTION: Regent Hendricks moved to Adopt A Resolution authorizing the execution of an Escrow Agreement to provide for the payment of Academic Building Revenue Bonds, Series I.S.U. 1987A. Regent Tyrrell seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

President Berenstein thanked Mr. Anderson for another very good job.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to Iowa State University. There were none.

UNIVERSITY OF NORTHERN IOWA

The following business pertaining to the University of Northern Iowa was transacted on Wednesday, December 15, 1993.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve the university's personnel transactions, as follows:

Register of Personnel Changes for November 1993.

MOTION: Regent Collins moved to ratify the university's personnel transactions, as presented. Regent Furgerson seconded the motion. MOTION CARRIED UNANIMOUSLY.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office recommended the Board approve the Register of Capital Improvement Business Transactions.

PROJECT DESCRIPTIONS AND BUDGETS

University officials reported one new project with a budget of less than \$250,000. The title, source of funds and estimated budget for the project was listed in the register prepared by the university.

* * * * *

ARCHITECT/ENGINEER AGREEMENTS

Wellness/Recreation Center \$1,052,000
RDG Bussard Dikis, Des Moines, Iowa

University officials recommended the selection of RDG Bussard Dikis, Des Moines, Iowa, to provide design services for the project. The firm was selected based on its successful history with other projects at the university and its expertise in designing buildings of this type. University officials believe the negotiated agreement is reasonable and comparable for a project of this nature.

The agreement provides for a fee of \$1,052,000, including reimbursables.

Amendments:

<u>Center for Energy and Environmental Education</u> Wells Woodburn O'Neil, Des Moines, Iowa	<u>\$123.51</u>
<u>Electrical Distribution Systems Improvements</u> Design Engineers, Cedar Rapids, Iowa	<u>\$781.43</u>
<u>Residence Facility</u> Herbert Lewis Kruse Blunck, Des Moines, Iowa	<u>\$4,193.00</u>
ACCEPTANCE OF COMPLETED CONSTRUCTION CONTRACTS	
<u>Commons Renovation--Phase I--Asbestos Abatement</u> Advanced Technologies Corporation, Cedar Falls, Iowa	<u>\$24,500.00</u>
<u>1993 Institutional Roads--Dakota Street, University Avenue</u> <u>Pedestrian Underpass and Hudson Road Pedestrian Overpass</u> Youngblut Contracting, Inc., Washburn, Iowa	<u>\$253,072.60</u>

MOTION: Regent Furgerson moved to approve the university's capital register, as presented. Regent Pellett seconded the motion. MOTION CARRIED UNANIMOUSLY.

PROPERTY PURCHASE. The Board Office recommended the Board authorize the University of Northern Iowa to purchase property located at 1809 West 27th Street, Cedar Falls, Iowa, subject to approval of the Executive Council of Iowa.

University of Northern Iowa officials sought to purchase property located at 1809 West 27th Street in Cedar Falls from Mr. P. S. Erickson. The property consists of 2.8 acres of land, with a 2,265 square foot single family dwelling, located south of the UNI-Dome.

University officials proposed to purchase the property for future development of the university. The specific use has yet to be determined.

University officials are not aware of any environmental hazards on the property.

Two appraisals were reviewed and the purchase price for the property was established at \$225,750, which is within Board policy.

Funds for the purchase are available from Treasurer's Temporary Investments.

Approval of the Executive Council is required for the purchase.

Vice President Conner stated that University of Northern Iowa officials had been working on acquiring this piece of property for 8 years. The property

is in the heart of a major area of campus. They were able to achieve favorable terms. He highly recommended the Board approve the property purchase.

MOTION:

Regent Collins moved to authorize the University of Northern Iowa to purchase property located at 1809 West 27th Street, Cedar Falls, Iowa, subject to approval of the Executive Council of Iowa. Regent Furgerson seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to the University of Northern Iowa. There were none.

IOWA SCHOOL FOR THE DEAF

The following business pertaining to Iowa School for the Deaf was transacted on Wednesday, December 15, 1993.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve the personnel transactions, as follows:

Register of Personnel Changes for November 1993.

MOTION: Regent Collins moved to approve the personnel transactions, as presented. Regent Furgerson seconded the motion. MOTION CARRIED UNANIMOUSLY.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office stated that Iowa School for the Deaf officials reported no transactions on its Capital Register.

APPROVAL OF IOWA WESTERN COMMUNITY COLLEGE COOPERATIVE WORK EXPERIENCE AGREEMENT. The Board Office recommended the Board approve the agreement between Iowa Western Community College and Iowa School for the Deaf for cooperative work experience.

Iowa School for the Deaf officials and Iowa Western Community College requested approval of a cooperative work experience agreement. This agreement concerns the placement of students in a field practice setting for the child development programs at the Iowa School for the Deaf.

The agreement was reviewed by the Attorney General's Office and appropriate changes were made to reflect the concerns of the Attorney General's Office.

This agreement will assist the school in providing appropriate instructional activities for students.

MOTION: Regent Hendricks moved to approve the agreement between Iowa Western Community College and Iowa School for the Deaf for cooperative work experience. Regent Furgerson seconded the motion. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF BANKING RELATIONSHIP. The Board Office recommended the Board approve establishment of a checking account at Hawkeye Bank of Council Bluffs and termination of an existing account at Firststar Bank.

Iowa School for the Deaf officials were dissatisfied with the quality of service and lack of responsiveness at Firststar Bank, where it has maintained its short-term operating funds. Prior to leaving Iowa School for the Deaf at the end of July 1993, the then-business manager established a checking account with Hawkeye Bank of Council Bluffs.

The establishment of this account was done with Superintendent Johnson's approval after assurance from the business manager that Board procedures had been followed. Hawkeye Bank President Cover has written a letter which indicates that the former business manager similarly represented to Hawkeye Bank officials that the account was established in accordance with Board policy.

Establishment of this account was in violation of Board policy, since Board approval was neither sought nor granted.

In September 1993, \$50,000 was initially deposited into the Hawkeye Bank account and was automatically moved into the IMG Liquid Assets Fund, Inc., a higher-yielding asset fund than a standard FDIC-insured account. Investment of ISD funds in the IMG Liquid Assets Fund, Inc., is not permitted under the Board's investment policy.

The average daily balance in the account since inception is \$65,393. The account balance as of December 9, 1993, was \$39,462.66.

IMG Liquid Assets Fund, Inc., is an open-end investment fund utilized by a number of public agencies; however, it does not meet the Board's investment policy criteria.

On November 30, 1993, this new banking relationship was brought to the attention of the Board Office by Iowa State University's internal auditor. The morning after the Board Office became aware of the banking relationship, at the direction of Iowa School for the Deaf and the Board Office, Hawkeye Bank transferred the account balance into a FDIC-insured account, where the funds now reside.

ACTION: This matter was approved under the Banking Committee portion of these Minutes, page 503.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to the Iowa School for the Deaf. There were none.

IOWA BRAILLE AND SIGHT SAVING SCHOOL

The following business pertaining to Iowa Braille and Sight Saving School was transacted on Wednesday, December 15, 1993.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve personnel transactions, as follows:

Register of Personnel Changes for October 23 to November 20, 1993.

MOTION: Regent Collins moved to approve personnel transactions, as presented. Regent Furgerson seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office stated that Iowa Braille and Sight Saving School officials reported no transactions on its Capital Register.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to Iowa Braille and Sight Saving School. There were none.

EXECUTIVE SESSION. President Berenstein requested the Board enter into closed session pursuant to Code of Iowa section 21.5(1)(c) to discuss a matter with counsel which is either in litigation or where litigation is imminent.

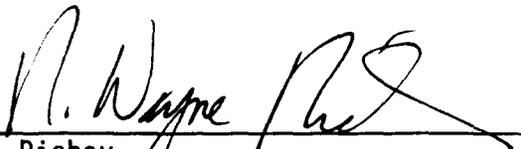
MOTION: Regent Furgerson moved to enter into closed session. Regent Tyrrell seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: Dorr, Johnson-Matthews.

MOTION CARRIED UNANIMOUSLY.

The Board having voted at least two-thirds majority resolved to meet in closed session beginning at 3:53 p.m. on Wednesday, December 15, 1993, and arose therefrom at 5:12 p.m.

IOWA BRAILLE AND SIGHT SAVING SCHOOL
December 15, 1993

ADJOURNMENT. The meeting of the State Board of Regents adjourned at 5:12 p.m., on Wednesday, December 15, 1993.



R. Wayne Richey
Executive Director