



**RHODE ISLAND BOARD OF GOVERNORS FOR HIGHER EDUCATION**

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A regular meeting of the Board of Governors for Higher Education was held on Monday, March 23, 2009 at the University of Rhode Island, URI Foundation, Kingston, Rhode Island. Chair Frank Caprio declared a quorum present and called the meeting to order at 5:46 p.m.

**Present:** Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

**Absent:** Kathrin Belliveau and Michael Ryan

**1. ACCEPTANCE OF THE AGENDA**

On a motion duly made by Thomas Rockett and seconded by Brenda Dann-Messier it was

**VOTED:** THAT the Board of Governors for Higher Education accept the revised agenda for the meeting of March 23, 2009.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

**2. APPROVAL OF MINUTES**

On a motion duly made by Brandon Brown and seconded by Solomon A. Solomon it was

**VOTED:** THAT the Board of Governors for Higher Education approve the minutes of the February 9, 2009 meeting.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

**3. COMMUNICATIONS/ANNOUNCEMENTS**

None.

**4. REPORT OF THE CHAIR**

On behalf of the entire board, Chair Caprio expressed appreciation to President Carothers and the staff at the University for their hospitality this evening.

**5. OPEN FORUM**

Five individuals signed up for open forum.

Benjamin M. Sienko, a sophomore at the University of Rhode Island; Karen Cooper, President of Local 2012; Max Wright, a senior at the University and Becky Wright an employee of the Rhode Island Department of Education and also a URI parent spoke with respect to the Item 8b5 on the Agenda, the recommendation to eliminate tuition waivers for employees of the Rhode Island Department of Elementary & Secondary Education and of WSBE-TV Rhode Island PBS Channel 36 and their dependents.

Mr. Sienko introduced himself as a sophomore at the University of Rhode Island. He indicated his father is an employee of the Rhode Island Department of Education and a professor at Rhode Island College. He explained that during his father's recruitment, he was promised the benefit of a tuition waiver. Mr. Sienko explained that the tuition waiver influenced his decision on where he would attend college, adding that he had given up a few scholarship opportunities to attend URI. Mr. Sienko spoke of the opportunity cost as it relates to the tuition waivers. He indicated that he felt the tuition waiver that was granted to the employees of RIDE was not only a benefit for the employees but should be viewed as an investment in the future of all students who have been granted waivers and is an investment for the State of Rhode Island. He asked that the Board reconsider the elimination of the tuition waiver.

Karen Cooper, President of Local 2012, the professional union at the Rhode Island Department of Education, for which there are members at the Office of Higher Education, Channel 36 and the School for the Deaf urged the Board to reconsider the elimination of the tuition waives. In support of her request, Ms. Cooper reiterated the facts contained in Commissioner Warner's letter wherein he stated the cost associated with the tuition waiver amounts to \$131,000 (2.7%) of the total value. Ms. Cooper added that she prepared a cost analysis and found that with student fees, including room and board, the students that cost \$131,000 in tuition waivers generate about \$250,000 for the institutes of higher education in Rhode Island.

Max Wright, a URI student, expressed his gratitude for the tuition waiver. He echoed Ms. Cooper's comments regarding the cost of the waivers versus the revenue gained. He believes that keeping the waivers will have the students staying in Rhode Island – affecting our campus community and affecting the Rhode Island community.

Betsy Wright, Educational Administrator for the Rhode Island Department of Education also spoke on the elimination of the tuition waiver. Ms. Wright is a single parent with two children who have all benefited from the tuition waiver provision. Without the tuition waiver they

would not have been able to attain their educational dreams. Ms. Wright expressed how grateful she was for what the tuition waivers have done for her family and is hopeful the Board will rescind their position.

David Bedard, URI Student Senate, introduced himself as the next student body president at URI beginning Wednesday, March 25<sup>th</sup>, 2009.

### **ATHLETIC PRESENTATION BY DR. ROBERT CAROTHERS**

President Carothers made a brief presentation of URI's athletic program. He stated this had been an extraordinary year for the University, not only in the basketball program, but in the sailing team, track and field and as well as the baseball team. Dr. Carothers turned the presentation over to Thorr Bjorn, Athletic Director.

Mr. Bjorn thanked the Board for the opportunity to introduce the extraordinary students who represent the University every day. A short video highlighting the success of the basketball team was shown.

### **6. REPORT OF THE COMMISSIONER**

Commissioner Warner expressed his appreciation to President Carothers for his hospitality. He congratulated the outstanding athletes for the talents and skills. He likewise congratulated David Bedard on his appointment as the next student body president.

The Commissioner reviewed the 2010 budget as it has been proposed. Next year's budget contains a level of general revenue support that is about \$600,000 more than the general revenue than we have received for this fiscal year. This year's budget having been \$155 million compared to \$180 million the previous year.

He stated that OHE's request in the current service level budget was \$169 million for next year, the tuition and fee rates have been set at that level as a result. The Commissioner indicated that Rhode Island will qualify for \$165 million in federal stabilization funds that come through the US Department of Education. These funds are divided in two parts, one being \$135 million to be divided between K-12 and higher education. This amount is designed to help restore state spending to fiscal 2008 levels. Commissioner Warner indicated that in order to qualify for the money, the state would have to meet maintenance of effort provisions that use fiscal 2006 as the baseline. In our case, higher education received more funding in 2006 than in 2008 – not the best situation to be in regarding federal stimulus money. For the state to restore us to 2006 levels would take an annual appropriation for this year, next year and the year after of about \$24 million per year. The state has essentially stated they do not have the funds and will seek a waiver of the maintenance of effort provision.

Of this amount, \$30 million has been set aside for projects under the guidance of the Governor. The Governor has committed these funds to various categories of expenditures, including \$10 million for The Station fire settlement (the State's share) and \$20 million for other projects that the Governor has already determined as priorities.

He added that what is at stake for education is the \$135 million to be divided for fiscal 2009, 2010 and 2011. The Commissioner indicated that our allocation would be \$6.6 million for

fiscal 2009, \$7.8 million for each of the next two years. He informed the Board that given the level of support from the federal stimulus money, there will not be any level of relief in tuition.

The Commissioner added that we are going to continue to operate in a very highly constrained environment both with our revenue and our expenditures. We are likely to become more tuition driven as time goes on, if this trend continues to head in the same direction.

This sets the context for the tuition waivers for RIDE and Channel 36. Currently, our institutions also grant tuition waivers to each other, charging each other back for the value of the tuition waivers. The employee's home institution reimburses the institution where the individual, their spouse or child attends. The Commissioner suggested that the same principles be applied to RIDE and Channel 36, stating that if those entities are willing to reimburse the institutions for the cost, we will honor the reimbursement and develop a third party pay system.

Also on the agenda is a provision to grant instate tuition for veterans. This provision waives the one-year residency requirement. A veteran that qualifies for the new set of benefits under the law and moves to Rhode Island, will not be required to establish residency in Rhode Island for one year.

## 7. NEW BUSINESS

### a. **Approval of Revisions to the Board of Governors Personnel Policies 1.03-1.06**

Commissioner Warner indicated that this item reflects the change of structure that has been put in place with respect to the Personnel Review Committee. It has been practice for the Associate Commissioner of Finance and Management to chair the Personnel Review Committee. When Steve McAllister retired from that position, the position was vacant for some time. At that time, Commissioner Warner took over the leadership of the Personnel Review Committee which reviews the classifications of the employees but also gets into other human resource policy for the system. This proposal restructures it, keeping the Commissioner as the chair of the Personnel Review Committee, adds the System Human Resource Director and also retains the Associate Commissioner.

On a motion made by Solomon A. Solomon and seconded by Brenda Dann-Messier it was:

VOTED:

**(Item 7a)**

That the Board of Governors approve the revisions to the Board of Governors' Personnel Policies 1.03 – 1.06 as presented:

(Revisions to the Board of Governors' Personnel Policies 1.03-1.06 highlighted in bold text)

#### 1.03 Personnel Review Committee

The Personnel Review Committee shall consist of the **Commissioner as chair, the System Human Resource Director, and the administrative** Vice Presidents and the Associate Commissioner for Finance and Management. This committee shall meet, review various requests, and make recommendations to the Board of Governors regarding classifications, pay plan, Personnel Policy Manual, job descriptions and other personnel or pay plan-related matters under the auspices

of the Board of Governors. The Personnel Review Committee is the final authority for positions with Union representation. The **System Human Resource Director** is responsible for ensuring that the Board of Governors' Personnel Policies are administered uniformly throughout the system. In performing its function, the Personnel Review Committee shall recognize and maintain the unique nature and mission of each institution within the higher education system.

1.04 Job Description

No proposed changes.

1.05 Allocation to Class

Whenever new positions are authorized and established, the requesting institution and/or Office of Higher Education shall prepare job specifications, recommend a pay grade for the position that is within the Board of Governors' pay plan or collective bargaining agreement and forward the job description along with supporting documentation to the **Commissioner**, who will place this item on the agenda of the next Personnel Review Committee Meeting. In the event that immediate action is requested, the **Commissioner** may approve the allocation of the position. For informational purposes, a report will be made at the next Personnel Review Committee Meeting.

1.06 Reallocation

Whenever the duties and responsibilities of an existing position change substantially, that position may be reallocated to another classification and pay grade. The requesting institution and/or Office of Higher Education shall prepare job specifications, recommend a pay grade for the position that is within the Board of Governors' pay plan or collective bargaining agreement and forward the job description along with supporting documentation to the **Commissioner**, who will place this item on the agenda of the next Personnel Committee. If the position is upgraded, the incumbent, if any, shall be placed in the new class at a salary within the assigned pay range and shall receive a salary increase of not less than 7.5 percent provided the proposed new salary does not exceed the maximum of the new grade. When a filled position is downgraded, the incumbent shall be placed within the new range at his or her present salary or, if above the maximum of the new range, he or she shall be placed at the maximum. In the case of upgrade of a position that has an incumbent, no internal or external posting of the position is required. If the position has no incumbent, external and internal posting is required, and the filling of the position will follow the procedures that apply to new positions. In the event that immediate action is requested, the **Commissioner** may approve the reallocation of the position. For informational purposes, a report will be made at the next Personnel Review Committee Meeting.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

**8. BOG COMMITTEE REPORTS and RELATED CONSENT AGENDA**

**a. Academic and Student Affairs Committee**

**Item 8a1 *Approval of actions to be taken regarding system-wide outcomes assessment.***

In the absence of Assistant Commissioner Deborah Grossman-Garber, Governor Brenda Dann-Messier reported on The Academic and Student Affairs Committee.

The Academic and Student Affairs Committee met on March 6, 2009. Following approval of the ASAC minutes for February 2, 2009, Assistant Commissioner Grossman-Garber updated the committee on the presidential search at URI, on details of the federal stimulus package that are pertinent to higher education in Rhode Island, and on the motion to grant all military veterans instate tuition status.

Next, the committee heard a fine presentation from CCRI on assessment of students' critical thinking skills. The Committee then approved an action to be taken today by the Board regarding system wide outcomes assessment. This action appears as consent item 8.a.1 on today's agenda.

Assistant Commissioner Grossman-Garber updated the committee on the progress of the board's motion to review for possible elimination of 37 academic programs that have been triggered this year because of low-completion rates. She distributed a *History of Program Review since 2003*. To summarize, the Board has reviewed 108 academic programs since 2003.

- 53% of the programs have been eliminated or consolidated;
- 15% have been retained;
- 32% have been moved to undergo a focused review for consideration for potential elimination.

Finally, Assistant Commissioner Grossman-Garber reviewed with the committee a staff audit of academic programs at the three institutions that currently require greater than 120 credits for a bachelor's degree and 60 credits for an associate's degree. The ensuing discussion was used to prepare the committee for the forthcoming reports and recommendations for credit containment from the institutions.

On a motion made by Brenda Dann Messier and seconded by Brandon Brown it was:

VOTED:

**(Items 8a)** That the Board of Governors for Higher Education approves Items 8a1.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

**b. Finance Committee**

**Item 8b1 *Recommendation for approval of an exemption request from the University of Rhode Island's Conflict of Interest Management Committee (CIMC) regarding Anne De Groot, M.D. and Leonard Moise, Ph.D. in accordance with the terms of the Rhode Island Public Private Partnership Act.***

Associate Commissioner Susan LaPanne presented the finance committee report.

The University of Rhode Island's Conflict of Interest Management Committee (CIMC) has conducted a review of Anne De Groot, M.D. and Leonard Moise, Ph.D. The Committee has determined that it approves the requested exception under the terms of the proposed management plan.

Dr. De Groot is the principal investigator on a federal grant-funded research project that includes a proposed subcontract to EpiVax. EpiVax is a Rhode Island company whose Chief Executive Officer and majority shareholder is Dr. De Groot and which also employs Dr. Moise as a researcher.

The scope of work of the proposed subcontract can only be accomplished by EpiVax due to the company's unique technological expertise. The CIMC has agreed that, based on the documentation, EpiVax has been appropriately designated as a sole source for the work proposed. In addition, the CIMC has determined that EpiVax does not violate any of the five activities prohibited under the terms of the Rhode Island Public/Private Partnership Act.

The management plan as agreed to by the CIMC was attached to the Board mailing and is also available on the Board of Governors' website.

**Item 8b2 *Recommendation for acceptance of the Board of Governors Identity Theft Red Flags Program.***

Associate Commissioner LaPanne reported on the Identity Theft Red Flags Program.

The Federal Trade Commission published final rules implementing part of the Fair and Accurate Credit Transaction Act of 2003 (FACT Act) in November 2007. An institution of higher education that uses consumer credit reports or directly or indirectly holds "covered accounts" is required to implement an Identity Theft Red Flags Program.

These new regulations require compliance by May 1, 2009 and further require that the institution's governing board, or a subcommittee thereof, approve such a program.

A workgroup representing each has met on several occasions to formulate an Identity Theft Red Flags Program for the approval of the Board of Governors. It is believed that adopting one system-wide Red Flags Program, rather than one for each institution, will be more efficient and expedient as well as consistent with the Board's prior practice.

The program was attached to the Board mailing for review and is also available on the Board of Governors' website.

**Item 8b3      *Recommendation to grant any veteran of any branch of the American military service status as a Rhode Island resident for the purpose of paying tuition at any state college or university.***

Associate Commissioner LaPanne reported on the discussion and recommendation for the approval to grant any veteran of any branch of the American military service status as a Rhode Island resident for the purpose of paying tuition at any state college or university.

The education provisions of the new GI bill (officially known as the "Post 9/11 Veterans Education Assistance Act of 2008") are more generous than those of its predecessor, the Montgomery GI bill. They include education assistance equal to the in-state tuition rate at the most expensive public institution of higher education in the state (which would be URI in Rhode Island), a monthly housing allowance and a book stipend.

It is in Rhode Island's best interests to make the state a more attractive and welcoming place for veterans to pursue postsecondary education. It is also fitting that the state do what it can to honor the service of men and women who defend our freedom, protect our country, and assist our people in times of natural disaster or other great need.

Pursuant to the Board of Governors Policy on the revision of policies: "Proposals of policies and/or regulations will be developed through review and recommendation of the Commissioner of Higher Education with referral to the full Board of Governors for adoption. All proposals shall be first reviewed at a regular meeting of the Board and then considered for action at the next regular meeting of the Board. Only those policies and/or regulations so adopted and so recorded shall be regarded as official Board policy and mandates."

Therefore, the Facilities and Finance Committees I recommend that the Board considers the following amendment to the tuition policy for veterans:

e.      A veteran of any branch of the Armed Forces and/or veteran of any branch of a state's National Guard who has been on active duty for a minimum of 24 months shall be entitled to classification as a Rhode Island resident for the purpose of determining tuition and fees. A veteran of any branch of the Armed Forces and/or a veteran of any branch of a state's National Guard who is injured while on active duty and whose injury causes him/her to be on active duty for a period of less than 24 months shall be entitled to classification as a Rhode Island resident for the purpose of determining tuition and fees. Classification as a resident student is also transferable to the spouse and/or dependents of qualifying veterans.

This item will be placed on the agenda of the next Board of Governors' meeting currently scheduled for Monday, May 11<sup>th</sup>, for adoption.

**Item 8b4      *Acceptance of the Mid-Year Review for Fiscal 2009 Higher Education Budgets and Tables of Organization.***

Commissioner LaPanne reported that the Mid-Year review process provides the Board of Governors with the opportunity to review year-to-date activities and incorporate updated revenue data based upon new enrollment figures. In this mid-year review, we are incorporating

the changes recommended by the Governor in his Revised FY2009 State Budget recommendation that was released on January 7, 2009.

The Governor is recommending that the enacted FY 2009 general revenue budget for Higher Education is set at \$155.5 million (net of GO debt service of \$17.4M). This represents a net reduction of \$6.8M from the originally enacted budget from last June.

This reduction represents the following two adjustments:

|   |                    |
|---|--------------------|
| The allocation of personnel savings from the DOA budget | \$6,111,373        |
| Statewide allocations                                   | <u>733,673</u>     |
| Total   | <u>\$6,845,046</u> |

The reductions proposed by the governor also include a reduction in FTEs that are associated with the \$6.1M personnel adjustment.

The continuing decline in general revenue appropriation has yielded a significantly lower share of state support as a component of the unrestricted budgets at all three institutions over the past five years. General revenue support currently accounts for 31% of the total system wide unrestricted budget which is compared to 46% five year ago. It also compares with 18% of the total budget system wide (for all funds) and, again, compares to 28% five years ago.

The **University of Rhode Island** is requesting \$303.5 million in the unrestricted budget which represents a decrease of \$2.8 million. Enrollment has essentially remained the same as compared to the allocated budget. However, an increase in in-state students and decrease in out of state students has generated a \$3.3 million decrease in tuition revenue. The mid-year emergency surcharge passed by the Board last September has generated \$3.1 million in additional revenue. Revised general revenue support of \$62.9 million for FY 2009 has decreased by \$2.5 million from the enacted general revenue appropriation. General revenue support now accounts for 21% of the university's unrestricted budget (compared to 38% five years ago) and 11% of the university's total budget (compared to 20% five years ago).

At **Rhode Island College**, the unrestricted budget is \$100.1 million for the mid-year allocation. Although total enrollment numbers are down from the original FY 2009 allocation by 70 FTE, there is a projected increase of \$769,000 in tuition and fee revenue due to an increased enrollment in out-of-state and summer school students.

At the **Community College of Rhode Island**, the unrestricted budget is \$93.9 million. An increase in enrollment has generated additional revenues of approximately \$2.1 million along with a significant increase in student aid. The Governor's recommended supplemental budget reflects a reduction in state appropriations of approximately \$90,000 in addition to the \$2 million reduction from the original state appropriation enacted for FY 2009.

For the **Office of Higher Education**, the revised state appropriation as recommended by the Governor is reduced by \$100,000 primarily due to the distribution of personnel reduction savings enacted in the Department of Administration's budget and allocated in the governor's recommended FY 2009 Supplemental budget.

**Item 8b5      *Recommendation to eliminate tuition waivers for employees of the Rhode Island Department of Elementary & Secondary Education and of WSBE-TV Rhode Island PBS Channel 36 and their dependents.***

Associate Commission LaPanne reported on the discussion and recommendation for the elimination of tuition waivers for Rhode Island Department of Education and Channel 36.

The Board has provided tuition waivers to employees of the Rhode Island Department of Elementary and Secondary Education and to employees of WSBE-TV (Channel 36) and their dependents for many years. The practice dates back to the time when there was one board of education in Rhode Island which oversaw both elementary/secondary and higher education as well as WSBE-TV.

In 1981, higher education was separated from elementary and secondary education and the Rhode Island Board of Governors for Higher Education was established. The Board never moved to modify or eliminate the waiver benefit for either the Department of Elementary & Secondary Education or WSBE-TV.

As the Commissioner noted in his report, RIDE's Commissioner, Peter McWalters has sent a letter to the Board asking for the continuation of these tuition waivers as they provide significant educational opportunities to his staff. However, the provision of an employee benefit for RIDE or for Channel 36 employees should be one that is extended by agency management rather than by the Board of Governors.

On a motion made by Solomon A. Solomon and seconded by Brenda Dann-Messier it was:

VOTED:

**(Item 8b1)**      That                      the Board of Governors approves this exception regarding Anne De Groot, M.D. and Leonard Moise, Ph.D. in accordance with the terms of the Rhode Island Public Private Partnership Act.

Vote:                      10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS:                      Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS:                      0

and further,

**(Item 8b2)**      that                      the Board of Governors approves this Identity Theft Red Flags Program for system-wide implementation on or before May 1, 2009.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and further,

**(Item 8b3)** that the Board of Governors at its next regularly scheduled meeting will consider amending its tuition policy for veterans as stated in Item 8b3 above.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and further,

**(Item 8b4)** that the Board of Governors approve the Mid-Year Budget adjustments for Fiscal Year 2009 as presented in Item 8b4

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and,

**(Item 8b5)** that the Board of Governors eliminate all future waivers for employees of the Rhode Island Department of Elementary & Secondary Education and employees of WSBE-TV and their dependents, effective July 1, 2009. Any employees of RIDE or WSBE-TV or their dependents who are enrolled in a degree program prior to July 1, 2009 and who have not completed their program will be allowed to

continue under the tuition waiver through the completion of their degree.

Vote: 9 members voted in the affirmative, and 1 member voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: Robert Flanders, Jr.

### Facilities Committee

#### **Item 8c1      *Recommendation for Approval to Enter into a Facilities Lease Agreement between Rhode Island College and Cox Communications.***

Judge Caprio introduced Item 8c1 as the discussion and recommendation for approval to enter into a Facilities Lease Agreement between Rhode Island College and Cox Communications.

Rhode Island College wishes to enter into a facilities lease agreement with Cox Communications that will allow Cox to build and use conduit from Fruit Hill Avenue to the New Residence Hall. This conduit will be used to supply a connection from Cox Communications to Metro PCS for their cellular equipment located on the roof of the Residence Hall. This Metro PCS agreement was previously approved by the Board of Governors.

Rhode Island College will pay up to a maximum of \$1,000 for this service.

However, the College will benefit significantly from this contract, since it provides redundancy in providing telecom access via a public carrier. The price to the College to do so in the past has been prohibitive, even though the redundancy is desirable.

#### **Item 8c2      *Recommendation for approval to remove selected buildings on the Kingston and Narragansett Bay Campuses of the University of Rhode Island.***

Judge Caprio stated that during the spring 2009, the University would like to continue its campus construction process with the removal of some buildings on two of the University's campuses.

It is particularly urgent that the Biological Science Center, DeWolfe Anatomy Laboratory, Tyler Envision Laboratory Addition and Pell Marine Sciences buildings be demolished in the near future in order to facilitate the construction of the College of Pharmacy Building and to advance elements of the Master Plan for the Narragansett Bay Campus.

A list of the properties noted above with more specific information regarding the request for their timely demolition was attached to the packet mailed to Board members and is also posted on the Board of Governors' website.

**Item 8c3      *Recommendation for approval to enter into a License (Lease) Agreement between Rhode Island College and Omnipoint Communications for the placement of telecommunication antennae.***

Judge Caprio reported that Rhode Island College wishes to enter into a license (lease) agreement with Omnipoint Communications allowing the company to place several antennae on the roof of the new residence hall.

The attached agreement indicates that the license (lease) agreement is for an initial term of ten years with two five-year renewal options. There are three groupings of three antennae each to be placed on the roof of the new residence hall supporting local cell phone service. The rental income that Rhode Island College will receive from this agreement will be \$2,400 per month with an annual escalator of 3%.

**Item 8c4      *Recommendation for approval of Resolutions of the Board for 2008 Rhode Island Health and Education Building Corporation (RIHEBC) Bond Funded Projects.***

Judge Caprio indicated that the University would like to proceed with the financing arrangements for the approved \$11.2M North District Infrastructure and Program Support Project and the \$19.4M Fire Safety and Protection Auxiliary Enterprise Buildings project.

In September 2008, the RIHEBC Board accepted the Board of Governors/University's application for revenue bond financing and the project funding received preliminary approval at their meeting in October 2008. Because of the conditions in the public sector bond market at that time as well as the plan for initial debt service payments to begin in FY2010, the University is seeking final RIHEBC Board approval in March 2009 or shortly thereafter.

**Item 8c5      *Discussion and Recommendation for Approval of the feasibility study for the Rhode Island College Recreation Center renovation in order to continue the process toward financing and construction.***

Judge Caprio stated that Rhode Island College has completed a feasibility study for the renovation of its Recreation Center. The study included site visits and focus group meetings in order to gather sufficient information about both existing and desirable programmatic facilities.

The study culminated with a report detailing the findings and a proposed renovation plan. The cost of construction for this plan is estimated at \$9,970,700 for the building whose ending square footage will be 73,911 square feet. This project was included in the current Capital Improvement Plan as submitted to the State. In addition, it is anticipated that funding for this project would be via the issuance of a bond through the Rhode Island Health and Education Building Corporation.

At this time, Rhode Island College would like to seek permission from the Facilities and Finance & Management Committees and then the Board to pursue the next steps toward the completion of this project. Those steps would include the introduction of legislation pursuant to a Rhode Island Public Debt Management Act.

**Item 8c6 Approval of the appraisal and the purchase and sale agreement for the property at 362 Plains Road in Kingston, Rhode Island.**

Judge Caprio stated that The University of Rhode Island received permission to proceed with the negotiations regarding the purchase of property located at 362 Plains Road, Kingston, at the January 28, 2008 meeting of Board of Governors' with the provision that the purchase price would not exceed \$225,000.

With the significant fluctuations in the real estate market and as a result of the difficulties encountered in dealing with an estate whose beneficiaries are geographically dispersed, a current appraisal was contracted to offer guidance to both parties. The parties subsequently agreed on the appraised value as an acceptable price for this transaction. The negotiated price for this parcel is \$184,000.

The University has submitted a draft purchase and sale agreement and will complete all other requirements of the transaction following Board approval.

On a motion made by Robert Flanders, Jr. and seconded by Daniel Ryan it was:

VOTED:

**(Item 8c1)** that the Board of Governors approves this Facilities Lease Agreement between the Board of Governors/Rhode Island College and Cox Communications.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and further,

**(Item 8c2)** that the Board of Governors approves the removal of selected buildings on the Kingstown and Narragansett Bay campuses of the University of Rhode Island.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and further,

**(Item 8c3)** that the Board of Governors approves this License (Lease) Agreement between the Board of Governors/Rhode Island College and Omnipoint Communications.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and further,

**(Item 8c4)** that the Board of Governors approves the resolutions to approve the continuation of the revenue bond financing process for the North District Infrastructure and Program Support Project and for the Fire Safety and Protection Auxiliary Enterprise Buildings project as presented and set forth in Enclosure 8c4.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and further,

**(Item 8c5)** that the Board of Governors approves this feasibility study for the Rhode Island College Recreation Center renovation in order to continue the process toward financing and construction.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

**d. Government Relations Committee**

Governor Kenneth Aurecchia reported that the Government Relations Committee met on March 16, 2009 at the Community College of Rhode Island, Warwick, Rhode Island. The Committee heard brief updates on the 2009 and 2010 budgets and discussed several bills pending before the General Assembly. A summary sheet describing the bills discussed and the positions the committee took in support or in opposition of the bills was distributed.

**ADDITIONAL CONSENT AGENDA**

Chair Caprio introduced six consent items on the agenda:

- 9a** – Awarding of Degrees at the University of Rhode Island
- 9b** – Awarding of Degrees at Rhode Island College
- 9c** – Awarding of Degrees at the Community College of Rhode Island
- 9d** – Awarding of Tenure at Rhode Island College
- 9e** – Approval of a Non-Classified Position Reclassification at URI
- 9f** – Approval of a Naming Opportunity

On a motion made by Brenda Dann-Messier and seconded by Joseph Hagen, it was:

VOTED:

**(Item 9a)** That the Board of Governors for Higher Education approves the awarding of undergraduate degrees at the University of Rhode Island to the candidates who will have completed their requirements at the conclusion of the Spring 2009 semester and who will be approved by the faculty of the University of Rhode Island:

and further,

**(Item 9b)** That the Board of Governors for Higher Education approves the awarding undergraduate and advanced degrees to the candidates who will have completed their requirements at the conclusion of the Spring 2009 semester at Rhode Island College;

and further,

**(Item 9c)** That the Board of Governors for Higher Education approves the awarding of appropriate degrees, diplomas and certificates at the Community College of Rhode Island at commencement exercises on May 15, 2009 to the individuals in satisfactory compliance with the prerequisites as determined by the president of the Community College of Rhode Island.

and further,

**(Item 9d)** That the Board of Governors for Higher Education approve the awarding of tenure to:

Effective July 1, 2009 (Consequent to Promotion)

Karen Almeida, Physical Sciences (Chemistry)  
Andrea Del Vecchio, Physical Sciences (Physics)  
Patricia Favazza, Special Education  
Karen Hetzel, Nursing  
J. Kresten Jespersen, Library  
Marta Laupa, Psychology  
Cynthia Padula, Nursing  
Susan Patterson, Educational Studies  
Kerri Tunnicliffe, Health and Physical Education

Effective July 1, 2010 (Tenure Only)

Jennifer Cook, English and Secondary Education  
Paul Janaway, Henry Barnard School  
Jay MacCubbin, Henry Barnard School

and,

**(Item 9e)** That the Board of Governors for Higher Education approve the request of the Personnel Review Committee at the University of Rhode Island to reclassify the position of Assistant Director, Industrial Research and Technology Transfer, BOG, to Specialist, Technology Research, PSA.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

and,

**(Item 9f)** That the Board of Governors for Higher Education approve the following:

At the University of Rhode Island:

1. Establish a new classification, **Assistant Vice President, Research/Intellectual Property Management & Commercialization**, BOG grade 16 (\$59,801 - \$118,188)
2. Establish a new classification, **Assistant Vice President, Research Administration**, BOG Grade 18

(\$69,442-\$138,521)

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett, Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and Pierre LaPerriere

NAYS: 0

## 10. PRESIDENT'S REPORTS

### a. University of Rhode Island

President Carothers made one additional announcement:

On Thursday, March 26<sup>th</sup>, 2009, President Carothers will host an event at the request of Susan Carcieri. The Acting Surgeon General of the United States, Steven K. Galson, will visit the campus to speak on the call to action to end binge drinking. The Surgeon General will be in Rhode Island to talk to state leaders and stake holders about this important issue of underage drinking and ways to impress upon parents, youth and community leaders that underage drinking is a serious health issue. At the presentation, Professor Mark Wood, who has done extensive research on this subject will be doing a presentation entitled "A Party School in Recovery, Lesson Learned So Far." Everyone was invited to join the event on Thursday between 1-2pm at Green Hall, 2<sup>nd</sup> floor conference room.

### b. Rhode Island College

President Carriuolo spoke of the College's branding initiative. A notepad with the College's new logo was provided to the Board. President Carriuolo recognized the faculty, staff, students and alum who donated their time and expertise to make this happen.

The campus news letter "*What's News*" on line, after nearly 30 years. This will save the College over \$150,000 a year on printing and postage costs.

In terms of facilities and operations, Rhode Island's 2010 master planning RFP was issued on March 7<sup>th</sup>. This will be a ten year update for the college's campus master plan, the last one having taken place in 1999.

On May 7<sup>th</sup>, Rhode Island College Alumni Association will hold its annual awards dinner. On that evening we will honor this year's inductees into the alumni honor roll. Also on that evening, the Association confers six major awards, one of which is the Alumni Service Award. This award has been given annually since 1965. This year's award recipient is Solomon A. Solomon.

**c. Community College of Rhode Island**

President DiPasquale made some brief announcements to the Board:

- Higher Education Day at the State House, March 25<sup>th</sup>  
(Many CCRI programs will be featured, along with our musical Students who will be singing the National Anthem at the rise of The Senate)
- President DiPasquale presented to the Economic Policy Council. He distributed a document entitled "This is CCRI" – a document Highlighting the workforce development with the State of Rhode Island and their various plans to put workers back on the payroll of various companies.
- CCRI will be hosting their *all college week* which is highlighted by Community service and a variety of different settings throughout the State of Rhode Island

**11. UNFINISHED BUSINESS**

None.

**12. EXECUTIVE SESSION**

The Board of Governors did not enter into executive session.

**13. NEXT MEETINGS**

Monday, May 11, 2009, 5:00 p.m. at the Community College of Rhode Island, Board Room 4090, Warwick, Rhode Island.

Monday, June 29, 2009, 5:00 p.m., location t/b/a.

**14. ADJOURNMENT:**

On a motion duly made by Brandon Brown and seconded by Solomon A. Solomon it was

**VOTED:** THAT the Board of Governors for Higher Education adjourn.

Vote: 10 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Frank Caprio, Solomon A. Solomon, Kenneth Aurecchia, Brandon Brown, Robert Flanders, Jr., Thomas Rockett,

Daniel Ryan, Brenda Dann-Messier, Joseph Hagan and  
Pierre LaPerriere

NAYS: 0

The meeting was adjourned at 7:05 p.m.

***Respectfully submitted,***

***Kenneth Aurecchia, Secretary***