



RHODE ISLAND BOARD OF GOVERNORS FOR HIGHER EDUCATION

A regular meeting of the Rhode Island Board of Governors for Higher Education was held on Monday, August 17, 2009, at the University of Rhode Island Coastal Institute, Narragansett, Rhode Island. Chair Frank Caprio declared a quorum present and called the meeting to order at 4:07 p.m.

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

Absent: Kathrin Belliveau, Kenneth Aurecchia and Brandon Brown

1. ACCEPTANCE OF THE AGENDA

On a motion duly made by Daniel Ryan and seconded by Solomon A. Solomon it was

VOTED: That the Board of Governors for Higher Education accept the agenda for the meeting of August 17, 2009.

Vote: 9 members voted in the affirmative and 0 members voted in the negative as follows:

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

NAYS: 0

2. APPROVAL OF MINUTES

On a motion duly made by Pierre LaPerriere and seconded by Thomas Rockett it was

VOTED: That the Board of Governors for Higher Education approve the minutes of the June 29, 2009 meeting subject to the following amendment:

The Report of the Chair is hereby amended to read: Chair Caprio congratulated Brenda Dann-Messier on her "nomination" by the President of the United States as Assistant Secretary of Education.

Vote: 9 members voted in the affirmative, and 0 members voted in the negative as follows:

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

NAYS: 0

3. COMMUNICATIONS/ANNOUNCEMENTS

None.

4. REPORT OF THE CHAIR

Chair Caprio presented Governor Brenda Dann-Messier with a plaque in appreciation of her dedication to the Board of Governors as she moves on with her nomination by the President of the United States as Assistant Secretary of Education. On behalf of the Board of Governors, he expressed his gratitude for all her dedication and hard work in her efforts to make higher education affordable and accessible for all Rhode Islanders.

Governor Brenda Dann-Messier thanked Chair Caprio for the opportunity to have served on the Board of Governors. She acknowledged the efforts of all the individuals at the institutions who make the work of the Board beneficial and rewarding. Governor Dann-Messier thanked everyone for their good wishes and support.

5. OPEN FORUM

None

6. REPORT OF THE COMMISSIONER

Interim Commissioner Maurano reported on the passage of the 2010 budget. He stated that approximately \$58 million in unallocated cuts had been tucked into the Department of Administration budget, a number that has now grown closer to \$70 million. He added that his concern is that any further cut to higher education could severely impact and adversely affect the ability of higher education to collect on the \$135 million of federal fiscal stabilization stimulus money due the State.

He noted that the Governor's Office would announce this week a plan on how to deal with the \$70 million in cuts, but that it is likely that either shutdown or furlough days would be an element of that plan. The Governor's office has been made aware that the Higher Education system cannot shut down. The Governor understands that Higher Education cannot shut down when classes are in session, but questions arose as to the ability to shut down when classes are not in session. Due to ongoing research at the institutions, along with grant deadlines and applications that are worked on primarily when classes are not in session, to special programs, and our union contracts which do not call for shut down or furlough days, shutting down when classes are not in session is problematic. In lieu of shut down or furlough days, the Office of

Higher Education has asked for the flexibility to save the amount of money the State was hoping

to get from the shut downs in some other form. This is estimated at \$3.5 to \$4.5 million dollars. Chair Caprio has met with the Governor personally to make that request and we are hopeful that higher education will not have to participate in the shut down or furlough days and that the Office of Higher Education will be afforded the flexibility to try to achieve the budget savings in some other manner.

7. NEW BUSINESS

a. Adoption of Revised Resolution Regarding the University's Facility Clearance

Provost Donald DeHayes advised that at the June 29, 2009 meeting, the Board of Governors for Higher Education adopted the Resolution Delegating Authority over User Agency Contracts to the Managerial Group at the University. The Managerial Group that was appointed included President Dooley and former Commissioner Warner as well as four additional university leaders. President Dooley and Interim Commissioner Maurano have not yet completed their security clearance. Provost DeHayes requests President Dooley and Interim Commissioner Maurano be temporarily removed from the list until their clearance is completed.

On a motion moved by Brenda Dann-Messier and seconded by Thomas Rockett, it was

VOTED: That the Board of Governors for Higher Education adopt the following Amended Resolution which delegates authority over user agency contracts to a managerial team at the University of Rhode Island:

AMENDED
RESOLUTION DELEGATING AUTHORITY OVER USER
AGENCY CONTRACTS TO THE MANAGERIAL GROUP
AT THE UNIVERSITY OF RHODE ISLAND

WHEREAS, it has been brought to the attention of the Board of Governors for Higher Education of the State of Rhode Island with its principal office and place of business at The Shepard Building, 80 Washington Street, Suite 450, Providence, Rhode Island 02903 that in connection with a facility security clearance, the chief executive officer of the University of Rhode Island, those other officers or officials, who are specifically and properly designated by action of the Board of Governors in accordance with the institution's requirements, as the managerial group having the authority and responsibility for the negotiation, execution and administration of user agency contracts and all members of the Board of Governors are required by the Department of Defense unless the board has seen fit to delegate all of its duties and responsibilities pertaining to the protection of classified information to a managerial group comprised of officers or officials of the University, and if because of this delegation the board will not be in a position to affect adversely the performance of classified contracts; and

WHEREAS, other officers or governors who shall not require access to classified information in the conduct of the University's business and who do not occupy positions that would enable them to affect adversely the University's policies or practices in performance of classified contracts, are not required to be cleared, provided the Board of Governors by formal action affirms and makes a matter of record in the organization's minutes of that executive body, that

RESOLVED: Such officers, other than those required to be cleared and all governors

shall not require, shall not have, and can be effectively excluded from, access to all classified information in the possession of the University and do not occupy positions that would enable them to affect adversely the University's policies or practices in the performance of classified contracts or programs for the user agencies: Dr. David M. Dooley, President, University of Rhode Island, Kenneth Aurecchia, Kathrin Belliveau, Brandon F. Brown, Brenda Dann-Messier, Robert Flanders, Jr., Joseph Hagan, Pierre LaPerriere, Thomas Rockett, Daniel Ryan, Michael Ryan, Solomon A. Solomon, Steven Maurano, Acting Commissioner.

FURTHER RESOLVED: That Donald H. DeHayes, Provost and Vice President for Academic Affairs, Robert A. Weygand, Vice President for Administration, Peter Alfonso, Vice President for Research and Economic Development, and Dr. Thomas J. Kim, Director, URI/NUWC Student Service Center, are hereby specifically designated as the managerial group, having the authority and responsibility for the negotiation, execution and administration of user agency contracts, and delegated all of the duties and responsibilities of the Board of Governors pertaining to the protection of classified information.

FURTHER RESOLVED: That this Amended Resolution amends and replaces the Resolution adopted at a regular meeting of the Board of Governors of said institution held on June 29, 2009.

Vote: 9 members voted in the affirmative, and 0 members voted in the negative as follows:

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

NAYS: 0

8. COMMITTEE REPORTS

a. Academic and Student Affairs

Governor Brenda Dann-Messier reported that the Academic and Student Affairs Committee met earlier on this day. There were three consent agenda items from the meeting:

1. Approval of URI's Accelerated B.S.-M.S. Degree Programs in Engineering

The committee recommends for approval URI's proposal for accelerated 5-year B.S.-M.S. degree programs in the College of Engineering. URI will retain all requirements for the B.S. and M.S. degrees, but students will have an opportunity in their senior year to begin to accelerate towards the M.S. degree and finish both degrees in five years. The programs presented for approval are:

1. Electrical, Computer and Biomedical Engineering,
2. Chemical Engineering,
3. Civil and Environmental Engineering,
4. Mechanical Engineering and Applied Mechanics, and

5. Industrial Systems Engineering.

2. Approval of URI's Proposal for Consolidation of Music Degree in Offerings

The committee recommends for approval URI's proposal for consolidation of music degree offerings. At the June 2009 meeting, the Board conceptually approved consolidation of the department's offerings as part of the ongoing efforts to increase efficiency across the system. Today, the details of that consolidation are formally proposed. The URI Department of Music currently offers three Bachelor of Music degrees: Bachelor of Music Composition, Bachelor of Music Education, and Bachelor of Music in Music Performance. URI proposes to consolidate the three B.M. degree offerings into one degree, the Bachelor of Music with three curricular options: music composition, music education, and music performance.

3. Notice of Change for the Department Merger of Mechanical, Industrial, and Systems Engineering at URI

This is a notice of change to be acknowledged by the Board with no further action required.

4. Approval of RIC's Proposal for a B.S. Degree in Radiologic Technology

Brenda Dann-Messier reported that the Committee also recommends for approval RIC's proposal to offer a new B.S. degree in Radiologic Technology. The degree program will be offered in partnership with the Rhode Island Hospital School of Diagnostic Imaging. Students will spend the first two years of the program at RIC taking general education and cognate courses. After completion of the required courses and passage of an entrance exam, students will apply for acceptance to the two-year clinical placement at the School of Diagnostic Imaging. The program is slated to begin in September 2010.

On a motion moved by Pierre LaPerriere and seconded by Solomon A. Solomon, it was

VOTED: (Item 8a1) (Item 8a2) (Item 8a3) (Item 8a4)	That	the Board of Governors for Higher Education approves items 8a1, 8a2, 8a3 and 8a4
	Vote:	9 members voted in the affirmative, and 0 members voted in the negative as follows:
	YEAS:	Frank Caprio, Michael Ryan, Brenda Dann-Messier, Joseph Hagan, Daniel Ryan, Solomon A. Solomon, Robert Flanders, Jr., Pierre LaPerriere, and Thomas Rockett

NAYS: 0

a. Finance Committee

1. Approval of FY 2011-2015 Capital Improvement Plan

Governor Mike Ryan reported on the Executive Summary report for the Board of Governors' FY 2011 – FY 2015 Capital Improvement Plan. This plan combines the Capital Improvement Programs for the University of Rhode Island, Rhode Island College, and the Community College of Rhode Island. The Board's Capital Improvement Plan lists both continuing projects and new projects.

In summary, Governor Ryan indicated that there are 63 projects included in this five-year plan totaling \$1.1 billion. Of that amount, \$790.3 million is at the University, \$183.1 million is at the College and \$117.5 million is at the Community College.

These capital projects are expected to be financed by a variety of debt instruments as well as other financing sources. The five year capital improvement plan recommends the following funding sources:

	<i>in millions</i>
General Obligation Bonds	\$ 332.1
RIHEBC Bonds	\$ 144.0
RI Capital Funds	\$ 467.1
Other Debt	\$ 118.3
Private Funds	<u>\$ 29.4</u>
Total	\$1,090.9

Associate Commissioner Susan LaPanne reported that the University has requested \$790.3 million to support forty-four projects. Of those forty-four, thirteen are new requests. The new requests total \$200.6 million. There are nine projects requested in this current year that are continuing projects that were requested in last year's capital improvement plans but were not recommended by the Governor for his fiscal 2010 budget. These requests are being submitted once again.

Rhode Island College has requested \$183.1 million to support eleven projects. Of those eleven projects, there are three new requests that total \$63.1 million. Continuing projects at the College total \$120 million.

The Community College is requesting eight projects for a total of \$117.5 million. Of the eight, two are new requests totalling \$18 million. Continuing projects at the Community College comprise a total of the remaining \$99.5 million. Commissioner LaPanne informed the Board that the Federal Fiscal Stabilization Funds that were legislated by the Rhode Island State Legislature to be used exclusively for fire safety are included in this Capital Improvement Plan.

On a motion moved by Daniel Ryan and seconded by Brenda Dann-Messier it was

VOTED:

(Item 8b1) That the Board of Governors for Higher Education approve the FY 2001-2015 Capital Improvement Plan as presented

Vote: 9 members voted in the affirmative, and 0 members voted in the negative as follows:

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

NAYS: 0

b. Facilities Committee

Chair Caprio reported that the Facilities Committee met on August 12, 2009. The following are two items that the Facilities Committee is recommending for approval of the Board:

1. Recommendation for approval of the lease of Professional Office Space in Milwaukee, Wisconsin for the University-National Laboratory System

Chair Caprio stated that the University of Rhode Island's Coastal Resources Center was recently selected to be the host institution for the University-National Laboratory System, which is funded by the National Science Foundation (NSF). The system consists of an association of oceanographic institutions and laboratories for the coordination and support of the national research fleet and other oceanographic facilities.

The NSF proposal was awarded on May 1, 2009 and provides for the payment of an office and related expenditures for the Executive Secretary. Dr. Jonathan C. Alberts has been selected to serve as the Executive Secretary and will work from Milwaukee in an office that is the subject of this lease. The term of the lease runs from August 1, 2009 to July 31, 2010 and the property is located in Room #308 of the Marian Center Building on 3195 South Superior Street. The monthly rental for these premises is \$130.00 and is reimbursed by the NSF.

The final form of the lease agreement will be subject to final review and acceptance by the Board's general counsel prior to execution by the chairman. The sublease agreement will also be subject to the review and approval of the State Properties Committee.

2. Recommendation for approval of Amendment Two to the building lease agreement with Rhode Island Beta Alumni Corporation of Sigma Phi Epsilon

Chair Caprio advised that in 1999, the Board of Governors/University of Rhode Island entered into a building lease agreement with the Rhode Island Beta Alumni Corporation of Sigma Phi Epsilon for the use of the fraternity house at 17 Fraternity Circle. The initial term of the lease was for seven years, which was extended for an additional three years by Amendment One.

Amendment Two extends the lease for an additional three year period ending on June 30th, 2011 and increases the annual lease amount from the current \$104,000 to \$112,550 to cover the additional cost of the State Fire Marshall mandated updates. Housing fees collected by the University from students opting into this popular residence cover the cost of this lease.

On a motion moved by Joseph Hagan and seconded by Michael Ryan it was

VOTED:

(Item 8c1) That the Board of Governors for Higher Education approves the lease agreement of professional office Space in Milwaukee, Wisconsin in response to the requirements of the University-National Laboratory System and funded by the National Science Foundation (NSF), subject to review and approval by legal counsel and approval of the State Properties Committee.

and

(Item 8c2) That the Board of Governors for Higher Education approves Amendment Two of the building lease agreement between the Board of Governors/University of Rhode Island and the Rhode Island Beta Alumni Corporation of Sigma Phi Epsilon, subject to review by the Board's General Counsel and approval of the State Properties Committee.

Vote: 9 members voted in the affirmative, and 0 members voted in the negative as follows:

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

NAYS: 0

9. ADDITIONAL CONSENT AGENDA

None.

10. UNFINISHED BUSINESS

None.

11. PRESIDENTS' REPORTS

a. Community College of Rhode Island

President DiPasquale did not present a report at this time.

b. University of Rhode Island

President Dooley distributed URI's Honors Program flyer on "Demystifying India" being held September 15th through December 8th, 2009 on the URI Kingston Campus. These series of events are free and open to the public.

c. Rhode Island College

President Carriuolo welcomed everyone to RIC's opening coffee hour on August 26th at 8:00 a.m. at the Donovan Dining Center.

12. EXECUTIVE SESSION

Chair Caprio indicated that he would entertain a motion to enter into executive session to discuss an update on pending litigation and collective bargaining, pursuant to R.I.G.L. §42-46-5(a)(2).

On a motion duly made by Brenda Dann Messier and seconded by Daniel Ryan it was

VOTED: That the Board of Governors for Higher Education convene in Executive session pursuant to R.I.G.L. §42-46-5(a)(2) for the reasons set forth above.

Vote: 9 members voted in the affirmative, and 0 members voted in the negative as follows:

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

NAYS: 0

After a short break, the Board convened in Executive Session at 4:36 p.m.

All non-Board members in the audience were excused with the exception of Ronald Cavallaro, General Counsel for the Board; Anne Marie Coleman, Director of Labor Relations; Louis Saccoccio, General Counsel for the University, University of Rhode Island President David M. Dooley, Rhode Island College President Nancy Carriuolo; Community College of Rhode Island President Ray Di Pasquale; Steven Maurano, Interim Commissioner, Susan LaPanne, Associate Commissioner for Finance & Management and Deborah Grossman-Garber, Associate Commissioner for Planning and Policy.

The Board reconvened in open session at 4:42 p.m.

On a motion duly made by Daniel Ryan and seconded by Solomon A. Solomon, it was

VOTED:	That	the Board of Governors for Higher Education seal the minutes of the executive session held this evening.
	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, Brenda Dann-Messier, Pierre LaPerriere, Daniel Ryan and Joseph Hagan
	NAYS:	0

13. NEXT MEETINGS

Monday, September 28, 2009, 4:30 p.m. at Community College of Rhode Island, Board Room 4090, Warwick, Rhode Island.

Monday, October 26, 2009, 5:00 p.m. at Rhode Island College, Alger Hall, Providence, Rhode Island.

14. ADJOURNMENT:

On a motion duly made by Pierre LaPerriere and seconded by Brenda Dann-Messier it was

VOTED: That the Board of Governors for Higher Education adjourn.

Vote: 9 members voted in the affirmative, and 0 members voted in the negative as follows:

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

NAYS: 0

The meeting was adjourned at 4:43 p.m.

Respectfully submitted,

Kenneth Aurecchia, Secretary