

## Board of Trustees January 14, 2013 Minutes

Board of Trustees

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## Minutes

**The University of Toledo  
54<sup>th</sup> Meeting of the Board of Trustees  
Monday, January 14, 2013  
Driscoll Alumni Center Schmakel Room  
1:00 p.m.**

The fifty-fourth meeting of The University of Toledo Board of Trustees was held on Monday, January 14, 2013, on the Main Campus in the Schmakel Room, Driscoll Alumni Center. Chair William C. Koester called the meeting to order at 1:00 p.m. Ms. Joan Stasa, Secretary to the Board, recorded the minutes.

### CALL TO ORDER

The following Board of Trustee members were in attendance:

Joshua R. Beekman, Student Trustee

Susan E. Gilmore

S. Amjad Hussain

William C. Koester

Susan Palmer

John J. Perez

Sharon Speyer

John S. Szuch

Gary P. Thieman

Joseph H. Zerbey, IV

### ATTENDANCE

The following Board of Trustee members were absent:

Brittney M. Brown, Student Trustee

Linda N. Mansour

A quorum of the Board was constituted.

The following individuals were also in attendance:

Jamie Barlowe, Dean College of Languages, Literature and Social Sciences

John Barrett, Associate Professor

Victor Brigner, University Facilities and Biomed Technology Officer

Lauri Cooper, Associate VP/Sr. Legal Counsel

Cameron Cruickshank, Interim Vice Provost for Enrollment

David Cutri, Director Internal Audit and Chief Compliance Officer

David Dabney, CFO and VP Finance

Debra Davis, Dean College of Visual and Performing Arts

Michael Dowd, Associate Professor/Chair of the Economics Department

Marcie Ferguson, Assistant to VP Special Projects, Office of Administration

Danielle Gamble, Independent Collegian News Editor

Timothy Gaspar, Dean College of Nursing

Jeffrey Gold, Chancellor and Executive VP Biosciences and Health Affairs/  
Dean of the College of Medicine and Life Sciences  
Thomas Gutteridge, Sr. Vice Provost and Dean for Academic Administration  
D'Naie Jacobs, Director Institutional and Strategic Initiatives  
Lloyd Jacobs, University President  
Rashmi Jha, Assistant Professor College of Engineering  
Dan Klett, University Architect  
Patricia Komuniecki, Vice Provost Graduate Affairs/Dean College of Graduate  
Studies  
Steven LeBlanc, Executive Associate Dean for Academic Affairs College of  
Engineering  
Brenda Lee, President UT Foundation  
Chuck Lehnert, VP Administration  
Heather Lorenz, Senior Industrial Hygienist Safety and Health  
Lindsay Mahaney, Independent Collegian Reporter  
Jeff Newton, Public Safety Officer/Chief of Police  
Michael O'Brien, VP and Director of Athletics  
Peter Papadimos, VP and General Counsel  
Kaye Patten Wallace, VP for the Student Experience  
Penny Poplin Gosetti, Professor/Vice Provost Assessment, Strategic Planning  
Nolan Rosenkrans, *Blade* Staff Writer  
Linda Rouillard, Associate Professor  
Scott Scarborough, Provost and Executive VP Academic Affairs  
Joan Stasa, Secretary to the Board of Trustees  
Dan Steinbock, Dean College of Law  
Jon Strunk, Senior Director University Communications  
Margaret Traband, Vice Provost Faculty Affairs  
Rodney Theis, Deputy Chief of Police  
James Trempe, Professor and VP for Research  
Mike Valigosky, Director Environmental Health and Radiation Safety  
Kathy Vasquez, Associate VP Government Relations  
Gerald Zelenock, Chairperson Department of Surgery UTMC

Chair Koester requested a motion to waive the reading of the minutes from the November 19, 2012 Board meeting and accept them as written. A motion was received from Trustee Gilmore and seconded by Trustee Palmer. The meeting minutes were approved by the Board members present.

**APPROVAL OF  
MEETING  
MINUTES**

Chair Koester requested a motion to approve the Consent Agenda items as listed on the agenda. A motion for approval of all Consent Agenda items was received by Trustee Hussain, seconded by Trustee Palmer, and approved by the Board members.

**APPROVAL OF  
CONSENT  
AGENDA**

Trustee Koester remarked about last weekend's Men's and Women's basketball games and the terrific job both teams did to win their games.

**CHAIRMAN'S  
REPORT**

Mr. Koester invited Dr. Jeffrey Gold to briefly provide the Trustees with the details of Press Ganey’s recognition of UTMC as a 2012 recipient of a Success Story Award. Dr. Gold reviewed information from the Press Ganey website wherein they invite clients to submit the story of their quality improvement initiatives to be considered for this award. Press Ganey’s panel of experts thoroughly reviews every entry to ultimately select winners whose stories illustrate superior performance. Award recipients do more than collect data – they demonstrate leadership, implement organizational change, improve performance on clinical or process measures, expand market share or increase patient satisfaction or employee and physician partnership. Their innovative efforts lead not only to improved scores, but to improved delivery and quality of care. The Trustees applauded Dr. Gold’s announcement.

Mention was made of the grand opening earlier today of the second UTMC Family Physicians Primary Care Clinic. The new Clinic is located at Fallen Timbers in Maumee. The first Clinic was opened last year and is located at the corner of Sylvania Avenue and Talmadge Road in Toledo.

Dr. Jacobs introduced Dr. Rashmi Jha from UT’s Electrical Engineering and Computer Science Department who recently was notified that, for the second year in a row, she won the prestigious National Science Foundation CAREER Award. Her project titled “CAREER: Novel Nanoelectronic Reconfigurable Synaptic Memory Devices” will be funded at a level of \$400,000 between January 15 2013 and December 31, 2017. Dr. Jha was invited to provide the Trustees with information about what the project involves. The Trustees recognized Dr. Jha with a round of applause.

Dr. Jacobs announced that over the last few weeks the University lost several members of our UT family.

- Beth Eisler, a much beloved and admired Professor in the College of Law passed away after a relatively short illness. Last Saturday, a memorial service in her memory took place in the Richard and Jane McQuade Law Auditorium on campus.
- Josiah Galat, Student in the College of Engineering, was involved in an incident in the International House on campus.
- Yujun Zeng, Student in the College of Language, Literature and Social Sciences, passed away unexpectedly.
- Amie Litzinger, Student in the College of Medicine, passed away after complications from surgery at the Mayo Clinic.

Dr. Jacobs commented that this is a sad time for the University and there is a tremendous sense of loss over the institution. Board Chair Koester asked for a moment of silence in their memory.

Dr. Scott Scarborough provided the Board with an update on progress toward the achievement of the UT Strategic Plan: *Directions 2011* “Goal 1 - Undergraduate Education” and reviewed this Goal with the Board.

## **PRESIDENT’S REPORT**

## **UT STRATEGIC PLAN: PROGRESS UPDATE**

Retention rates were reviewed in several areas and Dr. Scarborough stated that the data implies the following should be done:

- Attract more well-prepared students.
- Do a better job teaching and supporting under-prepared students.
- Focus our resources on student success programs that work.
- Do all of the above in a financially sustainable manner.

“Imagine 2017” the Main Campus five-year Strategic Plan was introduced by Dr. Scarborough. He discussed plans and organizational changes in the following areas:

- Strengthen the UT Brand by Enlarging the Honors College
- Re-creation of University College
- Core Student Success Programs
- New Structure for the Judith Herb College of Education, Health Science and Human Service
- Interdisciplinary Schools
- Creation of XNET World Campus
- Creating THE University of Experiential Learning
- Funding Issues and Suggested Solutions

Dr. Scarborough outlined the strategic priorities of “Imagine 2017” as follows:

- Academic Quality
- Student Experience
- Teamwork and Empowerment
- Student Success and Learning Assessment
- Distinction and Reputation
- Efficiency, Focus, and Innovation
- Problem Solving for Our Community

Much data was introduced about enrollment and Dr. Scarborough stated that the data implies the following should be done:

- Strengthen UT’s academic reputation.
- Take action to make the campus feel safer to prospective students and their parents.
- Effectively administer the scholarship and financial aid program.
- The campus must be beautiful and the campus visit must deliver a “WOW” experience.
- Take action to change the perception of UT’s commitment to undergraduate teaching.

Committee Chair Zerbey requested Mr. Chuck Lehnert present the Personnel Action Reports for January 14. After discussion and presentation of the report, Mr. Zerbey requested a motion to approve the Personnel Action Reports. A motion was received by Trustee Hussain, seconded by Trustee Perez and the Personnel Action Reports were approved by the Board.

**ACADEMIC  
AND STUDENT  
AFFAIRS  
COMMITTEE**

Mr. Lehnert distributed a copy of the UT Holiday Schedule for FY 2014, 2015 and 2016 for the Trustees information.

Trustee Thieman, Chair of the Clinical Affairs Committee, presented the Committee report by requesting the Board's acceptance of the November and December 2012 Committee meetings' minutes. A motion was provided by Trustee Gilmore, seconded by Trustee Hussain and approved by the Board.

Dr. Jeffrey Gold presented an update on UTMC quality and safety programs with a focus on the relationships of the following four accrediting bodies.

- Centers for Medicare & Medicaid Services – CMS
- United Network for Organ Sharing – UNOS
- Ohio Department of Health – ODH
- The Joint Commission

Since the kidney incident in August of 2012, the Board's Clinical Affairs Committee has been looking at and reviewing lists of rosters that indicate separate events or sets of events running through the end of last week. These lists show all that has been done to reach the completed plan of correction. Dr. Gold shared with the Trustees recent events that transpired over the last month. He reported that on December 11, 2012 the Living Related Donor Transplant Program was reopened at UTMC. The Trustees were shown a copy of a letter Dr. Jacobs received last week from CMS regarding the unannounced visit from the ODH on December 20, 2012, which stated that the revisit survey revealed the UTMC Transplant Center is now in compliance with Medicare Conditions of Participation. Likely future notices and events related to this incident were outlined for the Trustees, as well as a list of information about creating and sustaining a culture of quality and safety: lessons learned. Dr. Gold took the opportunity to once more extend special thanks to the countless number of individuals who worked so hard to meet complex survey needs.

Dr. Gold also provided information about the Liaison Committee on Medical Education (LCME) history, structure and importance. A College of Medicine full survey timeline was displayed showing the 24-month preparation cycle beginning in April 2011 to the October 2013 LCME accreditation decision. The COM student survey timeline was reviewed with the Trustees. Dr. Gold reported that the LCME standards involve the following areas:

- Institutional Setting
- Educational Program for the M.D. Degree
- Medical Students
- Faculty
- Education Resources

During the preparation of the status report, risks and opportunities were identified and addressed during the process. Dr. Gold showed graphs that looked at outside benchmark data about the College of Medicine trends from

**CLINICAL  
AFFAIRS  
COMMITTEE**

2006 up to 2013 in the areas of academic personnel and programs; Student Affairs personnel and programs; and, academic and service facilities. A status report with risks was reviewed in the areas of faculty and student comparisons, and revenue including current challenges involving the risks identified.

External Affairs Committee Chair Dr. Amjad Hussain did not have a report.

**EXTERNAL  
AFFAIRS  
COMMITTEE**

Finance and Audit Committee Chair Ms. Susan Palmer requested Mr. Dave Dabney bring the Board up to date on the FY 2013 budget shortfall and FY 2014 budget formulation group. Mr. Dabney discussed the following:

**FINANCE  
AND AUDIT  
COMMITTEE**

- Administrative areas reduction of \$1 million for FY 2013; \$3 million for FY 2014
- The Provost and Chancellor are developing criteria for their areas with discussions finishing this week
- All open positions eliminated will reduce FY 2014 by \$10 million
- President Jacobs established the Redesign Coordinating Group to review all requests to fill open positions
- Targeted reductions of \$10 million for FY 2013 and \$36 million for FY 2014

These moves will result in some significant redesigning that will take place at UT and help achieve financial goals for FY 2013 and FY 2014.

Mr. Dabney also discussed the following areas regarding State Share of Instruction (SSI):

- The Ohio Education Funding Commission submitted a plan to the Governor in November 2012.
- UT's SSI is estimated to be \$2.5 million less in FY 2014; \$1.2 million less in FY 2015 based on 2012 data.
- Delay applying the same formula for Main and Regional Campuses to the second year: 1) does not make sense, and 2) negatively impacts UT in the first year of the biennium.
- UT and others who offer lower costs of attendance were not recognized despite that being one of the Governor's goals.
- It is hoped that the Governor or Legislature will correct these.

A copy of the 2012 Annual Security and Fire Safety Report for 2011 was distributed to the Trustees prior to the meeting. Mr. Chuck Lehnert reviewed the Mission and Vision statement, as well as the organization, for the Office of Public Safety, which is supervised by the UT Division of Administration. The overview of the Office of Public Safety states that the departments of Police, Health Science Security, Environmental Health and Radiation Safety, and Public Safety Services were brought together in the spring of 2012 as a coordinated approach to making UT a safer environment to learn, work, live and heal.

Programs and services available in the following areas were discussed:

- The UT Police Department
- Incident Action Plan
- Public Safety Support Services
- A.L.I.C.E. Program (Alert Lockdown Inform Counter Evacuate)
- Emergency Communications
- Code Blue Phones
- Night Watch
- Closed Circuit TV Security
- Student Behavior Review Committee
- Anti-Bullying Task Force
- International Student and Scholar Services Partnership
- Team Policing Unit 618
- Clery Report – Campus Safety and Security Statistics
- Environmental Health and Radiation Safety
- Emergency Preparedness

Trusteeship and Governance Committee Chair Ms. Sharon Speyer asked Dr. Jacobs and Mr. Koester to update the Board on the status of revisions to the University Mission and Vision statements. At the Board of Trustees’ Retreat on October 1, 2012, an item of discussion included small revisions to these two statements. Since that time, the revisions initiated by the Trustees were circulated for review and comment to a broader group of constituents. The revisions as presented at today’s meeting have the Trustees’ endorsement. Mr. Koester requested a motion for acceptance of the changes, which was received by Trustee Zerbey and seconded by Trustee Gilmore. Since the changes are relatively minor, Dr. Jacobs proposed not changing current brochures, signage or other documents. As new materials are printed, changes should be made at that time.

Ms. Speyer invited Mr. John Barrett to provide the Board with the criteria and process for review of constitutions, bylaws and rules. Mr. Barrett reviewed the following charge: *For the President to form a committee to establish criteria for Board approval of all University Constitutions, Bylaws and Rules and develop a process for the inventory, review and recommended approval of said documents.*

Criteria for Review:

- 1) Review current constitutions, bylaws and rules of all bodies for conflicts with University Council.
- 2) Ensure constitutions state “Nothing in this [document] shall conflict with the University Council Constitution as approved by the Board of Trustees of the University. In the event of a conflict, the University Council Constitution shall prevail.”
- 3) Constitutions shall include the principle that all authority of the body has been delegated from the Board through the President.

**TRUSTEESHIP  
AND  
GOVERNANCE  
COMMITTEE**



- 4) Matters needing additional attention or clarification will be brought forward to the President to determine the appropriate course of action.

Scope: Review Constitutions, Bylaws and Rules of all organizations and bodies within the University. Exceptions include:

- Student organizations other than Student Government, Graduate Student Association, and Medical Student Council
- Administrative Policies
- Employee groups covered by collection bargaining agreements

Process:

- Senior Leadership will be contacted for a list of groups under their supervision; groups will be contacted to obtain the documents
- Each document will be triple reviewed
- Any potential conflicts between governing documents and the University Council Constitution will be flagged
- Conflicts shall be sent to the constituent body for revision
- Changes will be reviewed by the committee
- Amended documents of each body will be sent to the Board through the President for review and approval

A proposed timeline was also provided to the Trustees.

Trustee Speyer thanked Mr. Barrett and the Committee members for putting this information together. She stated that there has been a lot of discussion about this task and this is a big step in getting it accomplished. The Board members indicated their agreement with the process and proposed direction of review.

There being no further business before the Board, Trustee Koester adjourned the meeting at 3:10 p.m.

**ADJOURNMENT**