

Minutes

**The University of Toledo
56th Meeting of the Board of Trustees
Monday, May 13, 2013
Driscoll Alumni Center Schmakel Room
1:00 p.m.**

The fifty-sixth meeting of The University of Toledo Board of Trustees was held on Monday, May 13, 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 Language, Literature and Social Sciences
John Barrett, Vice Provost/Associate Professor
Karen Bjorkman, Dean College of Natural Sciences and Mathematics
Lawrence Burns, VP External Affairs
Cameron Cruickshank, Interim Vice Provost for Enrollment
Meghan Cunningham, Media Relations Specialist
David Cutri, Director Internal Audit and Chief Compliance Officer
David Dabney, CFO and VP Finance
Deb Davis, Dean College of Communications and the Arts
Stan Edwards, Director Counseling Center
Marcie Ferguson, Assistant to VP Administration Special Projects
Tim Gaspar, Dean College of Nursing

Jeffrey Gold, Chancellor and Executive VP Biosciences and Health Affairs/
Dean of the College of Medicine and Life Sciences
Tom Gutteridge, Interim Dean College of Social Justice and Human Service
Lloyd Jacobs, University President
Joe Klep, Director Labor/Employee Relations
Patricia Komuniecki, Vice Provost Graduate Affairs/Dean College of Graduate
Studies
Brenda Lee, President UT Foundation
Chuck Lehnert, VP Administration
Nagi Naganathan, Dean College of Engineering
Jeff Newton, UT Chief of Police/Director of Public Safety
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, Interim Dean Judith Herb College of Education
Linda Rouillard, Associate Professor/Faculty Senate President
Scott Scarborough, Provost and Executive VP Academic Affairs
Matt Schroeder, VP Real Estate and Business Development
Vern Snyder, VP Institutional Advancement
Angela Spoerl, Clinical Social Worker
Joan Stasa, Secretary to the Board of Trustees
Jon Strunk, Sr. Director University Communications
Dan Steinbock, Dean College of Law
Tom Troy, Reporter for *The Blade*
Kevin West, Sr. Human Resources Officer

Chair Koester requested a motion to waive the reading of the minutes from the March 11, 2013 Board meeting and accept them as written. A motion was received from Trustee Palmer and seconded by Trustee Hussain. The meeting minutes were approved by the Board members present.

**APPROVAL OF
MEETING
MINUTES**

Chair Koester requested that a vote be taken separately for items a) and c) on the Consent Agenda; therefore, he first requested a motion for approval of items b), d) and e). The motion was received from Trustee Hussain, seconded by Trustee Gilmore, and approved by the Board members.

**APPROVAL OF
CONSENT
AGENDA**

For Consent Agenda item a) Personnel Action Reports for April 9, 2013, Trustee Koester requested a motion for approval. The motion was received by Trustee Szuch, seconded by Trustee Hussain, and approved by the Board members with the exception of Trustee Sharon Speyer who abstained from voting.

For Consent Agenda item c) Resolution No. 13-04-05: "Creation of a Center for Visual Literacy with the Toledo Museum of Art," Chair Koester requested a motion for approval. The motion was received by Trustee Speyer, seconded by Trustee Thieman and approved by the Board members with the exception of Trustee Susan Palmer who abstained from voting.

Chairman of the Board Koester expressed his thanks to Dr. Michael Dowd for his service as Faculty representative on the Board of Trustees' Academic and Student Affairs Committee for FY13. Mr. Koester reported that he appreciated working with Dr. Dowd and acknowledged his contributions as a member of the Committee.

Mr. Koester also reported that UTMC recently celebrated the opening of the Garner-McMaster Parkinson Center and new Medical Pavilion. A ribbon-cutting ceremony was held April 26 in the Medical Pavilion, which houses the new Parkinson Center as well as several relocated outpatient clinics.

President Jacobs stated he was out of the country during the April 9 Academic and Student Affairs Committee meeting where item Consent Agenda item f) 2013-2014 Promotion and Tenure Recommendations, was presented. He wanted the Trustees to know that this is the fourth year he interviewed all of the tenure candidates. Dr. Jacobs spoke in support of all the candidates indicating that they are an outstanding group of individuals and not one person gave him pause for consideration. They all have great credentials and a deep commitment to the teachings and Mission of the institution.

Dr. Jacobs announced that for the first time the UT College of Business and Innovation has been ranked 116 in BusinessWeek's Top Undergraduate Business School ranking for 2013. There are a total of 1,654 schools in the United States offering business programs. In a March 21 email from Dr. Tom Sharkey, Interim Dean COBI, to Dr. Jacobs, he indicated that during the ranking process, seven new College of Businesses were invited to participate this year and UT was one of the seven. Bloomberg BusinessWeek uses a methodology that includes nine measures of student satisfaction, post-graduation outcomes, and academic quality.

A March 29, 2013 letter to Ms. Carolyn Baumgartner, Director of UT Financial Aid, from the Vice Chancellor of Finance and Data Management at the University System of Ohio Board of Regents, was discussed by Dr. Jacobs. He reported that according to 100 recently audited UT financial aid records for the 2012 fiscal year, there were "0" errors (or a 0.0% overall error rate). Materials reviewed included the student's application, transcript, class schedule and statement of account. The letter commended the Financial Aid staff for excellent record keeping and reporting. Dr. Jacobs and the Trustees echoed those commendations.

Dean Karen Bjorkman was invited to inform the Trustees of some exciting astronomy news. Dr. Bjorkman reported that astronomers have found clusters of the youngest stars ever seen. These results come from the Herschel Orion Protostar Survey (HOPS), led by the University of Toledo. This discovery gives scientists new information into the earliest and least understood phases of star formation.

CHAIRMAN'S REPORT

PRESIDENT'S REPORT

Dr. Jacobs reported that the UT Pershing Rifles Drill Team recently won the National PR Drill Competition in Jacksonville, Florida. The team took first place overall of the 22 teams participating including first place in the Platoon and Squad Exhibition, second place in the Platoon and Squad Regulation Drill, and third place in the Color Guard – UT was the only school to place in every category. The Trustees and President Jacobs commended the PR Drill Team for their hard work and dedication in achieving this competition.

Dr. Jacobs reported that at the April 11 Technology Transfer Officers Council meeting in Columbus there was a presentation about a proposed new approach to commercialization of research at Ohio universities. There was another discussion about the collection of technology transfer metrics. Mr. Stephen Snider, AVP Technology Transfer at UT, provided several members of OBOR with a copy of a report comparing six prestigious research institutions with UT in several areas. Of the nine areas shown, UT was shown either first or second in six categories. Dr. Jacobs recognized the UT Technology Transfer area for their excellence.

It was announced by Dr. Jacobs that Dr. Blair Grubb, UT Professor in the Department of Medicine, was featured in the February 28, 2013 issue of *Rare Disease Day USA - Research Hall of Fame* for his researcher studies of Syncope and Autonomic Disorders. The Hall of Fame includes researches at universities, teaching hospitals, NIH and companies whose dedication and commitment have advanced knowledge of specific rare diseases and, in some cases, led to important new treatments for patients.

The 2013 publication of *UT Discovers – Focus on Health* was distributed to the Board members at the meeting. A few of the topics this publication focuses on includes discoveries that contribute to knowledge about cancer cell movement and death, fatigue, headache and stroke, pediatric drugs, drug abuse, diabetes treatment, cell function, and ethics to name a few topics. Dr. Jacobs commented that UT scholars continue to do marvelous, cutting-edge research.

Dr. Kaye Patten Wallace was invited to update the Board on the progress of *Directions 2011* Goal 4 – Learning Environment: *We will be distinguished for our learner-centered environment and for our relevant programs in a vibrant, safe, and healthy environment that enhance the engagement of our UT community with our stakeholders.* She reviewed six sub goals, but today's presentation focused on Sub-Goal 5 – Provide a full spectrum of innovative services to promote recruitment, retention, graduation, and career success.

Dr. Patten Wallace spoke of the improvements and enhancements to the Office for the Student Experience, for a distinguished learner-centered environment, which will include:

- Student Experience Steering Body comprises seven Action Teams focused on continuous improvement in key service areas
- Rocket Rapid Response – Online and Face to Face
- iCARE University/Service Excellence Training

**UT STRATEGIC
PLAN:
PROGRESS
UPDATE**

Improvements in advising are needed in several colleges. A three-level advising model that will include success coaches in portal colleges, professional advisors in academic colleges, and faculty advisors was explained to the Committee. Each student will be admitted to a portal college and assigned a success coach. This model has been tried and proven successful at other institutions. Enhancements will include First Year Experience, Student Decision Support System (e-Advising), and Clear Degree Maps. A single point of contact schematic was displayed and explained about the new coaching process.

Dr. Patten Wallace informed the Committee about experiential learning in the following areas:

- Intern in Ohio
- Community Work Study
- Service Learning
- Study Abroad

Re-engineering programs and services for the University Counseling Center related to Sexual Assault Education and Prevention (SAEP), and Alcohol and Drug Education (ATOD), were reviewed including identification of professional staffing and sexual assault advocates. Dr. Kaye Patten Wallace stated that there will be no diminishment or degradation of services in these areas. Several key partnerships and on-going programs in these areas were also discussed in detail by Dr. Patten Wallace. She reported that these programs will be maintained and monitored, are very important and will continue. Realignment of this education and services to the Counseling Center will provide even more strength in these areas.

Committee Chair Zerbey requested Mr. Chuck Lehnert present the Personnel Action Reports for May 13. After discussion and presentation of the reports, Mr. Koester requested a motion to approve the Personnel Action Reports. A motion was received by Trustee Gilmore, seconded by Trustee Thieman and the Personnel Action Reports were approved by the Board.

Dr. Jeffrey Gold was invited to provide the Trustees with an update about UT Health Sciences Program Accreditation. Dr. Gold reviewed the definition of accreditation and displayed logos for several accrediting bodies. He provided input on UTMC status regarding the following accrediting bodies:

- Council of Education in Public Health (CePH)
- United Network of Organ Sharing (UNOS)
- College of American Pathologists (CAP)
- Joint Commission – Primary Stroke Survey
- American Association of Blood Banks (AABB)
- Accreditation Council of Graduate Medical Education (ACGME)
- Liaison Committee on Medical Education (LCME)

**ACADEMIC
AND STUDENT
AFFAIRS
COMMITTEE**

A detailed schedule for the LCME visit was reviewed with the Trustees: LCME Survey Team Draft Report due in June 2013 and accreditation final decision due in October 2013. Dr. Gold thanked the hundreds of people involved in these site visit preparation committees.

Dr. Scott Scarborough provided a progress report about *Imagine 2017*. He discussed the status of ten identified problem areas and solutions to each.

- 1) Problem: Brand
Solution: Enhance Honors College
- 2) Problem: Undergraduate degree
Solution: Experiential learning
- 3) Problem: For-profits and MOOCS
Solution: UTXnet World Campus
- 4) Problem: International education
Solution: University Teaching Center
- 5) Problem: Under-prepared students
Solution: YouCollege and the portal system
- 6) Problem: Declining Enrollments
Solution: Academic Advising
- 7) Problem: Faculty mix and career paths
Solution: Professors of Practice
- 8) Problem: Funding and financial model
Solution: \$36 million stepwise process
- 9) Problem: Academic structures
Solution: New colleges and partnerships
- 10) Problem: Morale
Solution: University Council

Dr. Scarborough stated that they have been in the implementation stage with these ten problems/solutions for about 4-1/2 months now.

Trustee Thieman, Chair of the Clinical Affairs Committee, reported that a March 29, 2013 letter received from UHC stated that UTMC has been selected as an organization that has made measureable improvements in UHC Defined Surgical Site Infections. In this letter UHC requested permission to share this information with CMS and asked that UTMC provide them with details about how this improvement was accomplished.

Mr. Thieman finished the Committee report by requesting the Board's acceptance of the March and April Committee meetings' minutes. A motion was provided by Trustee Zerbey, and seconded by Trustee Gilmore and approved by the Board.

Trustee Koester added that UTMC celebrated the opening of the Gardner-McMaster Parkinson Center and the Medical Pavilion on April 26. A ribbon cutting ceremony was held in the Medial Pavilion, which will house the new Parkinson Center and several relocated outpatient clinics. These relocated clinics will better serve patients and their families, as well as employees.

**CLINICAL
AFFAIRS
COMMITTEE**

External Affairs Committee Chair Dr. Amjad Hussain requested Mr. Vern Snyder provide the Board with the first of a series of reports about the Capital Campaign: *A University Rising*. As of today's date, campaign progress is \$41,200,005.67. The following four challenges to success were reviewed in detail by Mr. Snyder:

- My Grads . . . My Prospects . . . My Donors
- Campaigning is a zero sum game
- The Dean is critical but not always first
- Annual vs. Perpetual

It was suggested that the Board's role would be to make a gift if they are able and there is interest. Mr. Snyder highlighted the Trustees as "point persons" in support of the campaign and, when logical, to participate in identifying high potential prospects. Mr. Snyder also stated that the Trustees are welcome to participate as team members in gift solicitation. He thanked Trustee John Szuch for his assistance with campaign advising.

Mr. Snyder thanked the organizing committee for the Annual Donor Recognition event held on May 9. Specifically, he called out Ms. Jeanne Coates, Events Coordinator in the Office of Special Events, for the excellent job she did in making the event so successful. He also thanked the efforts of Aramark Catering for the great work they did in preparing the menu for the event.

Mr. Chuck Lehnert was invited to present information about the FY 2012 Facilities Measurement, Benchmark and Analysis Report prepared by Sightlines, LLC. This report was a comprehensive review of UT's physical facilities and was commissioned by the Vice President Administration. Peer review by Sightlines looks at technical complexity, age of space, deferred maintenance, capital spending, operating budget and impression scores. Mr. Lehnert reviewed a vocabulary for measurement: the return on physical assets. Three comparison groups were used in the report: Composite Peer Institutions, Ohio System Peer Institutions, and Hospital/Medical Peer Institutions. Information presented included the following:

- Campus Technical Rating
- Analysis of Older Space on Campus
- Project Spending – 8 Year Average
- Defining Stewardship Investment Targets
- Capital Expenditures as a Percentage of Annual Depreciation
- Capital Investment Over Time
- Project Spending Over Time
- Asset Reinvestment Backlog
- Facilities Operating Budget
- Daily Service Compared to Peers
- Planned Maintenance Compared to Peers
- Campus Impression
- Campus Operations Overview
- Energy Cost and Consumption
- Energy Consumption vs. Peers

Areas of Analysis:

- I. Space Profile shows HSC's tech rating and age profile continue to create more demand for staff, budget, and capital.
- II. Capital Profile shows the past three years have added strength to the overall capital profile, but UT is still falling short of targets.
- III. Operations and Service shows that although the HSC operating budget has increased annually, both campuses are still below peer levels. UT continues to have lean operations with high inspection scores.

Mr. Dabney provided an update on the status of the FY14 Budget Formulation. He reported that they are behind on the process but intend to stay on track for the remainder of the budget process. For the non-clinical enterprise, plans are to be cash flow positive as opposed to having a breakeven operating margin. Mr. Dabney reported that the Provost and Chancellor have achieved \$8 million in reductions.

The budget process involves balancing stability and sustainability. UT has included non-cash charges, such as depreciation and amortization, in its operating expenses. This has allowed the university to budget for capital maintenance projects, both for physical plant and IT infrastructure. In addition, UT has built financial strength over the past years and intends to stay financially strong.

In the interest of addressing immediate student needs, it has been determined that deferring maintenance in the short-term, to allow for a glide path back to a breakeven operating margin is the appropriate route. This will delay some projects. There are two practical results. First, UT will not have as much for capital maintenance. Second, this will have to be done again since this appears to require a multi-year process.

The hospital is striving to achieve a 3% operating margin. Dr. Gold reported that the clinical enterprise has spent a good deal of time looking at its budget, has closed a big gap that reflects ongoing changes.

President Jacobs stated that these changes are going to take time and it may take 2-3 years to get there. A handout was distributed to the Committee and meeting attendees with excerpts taken from *The Relevant University: Toledo* radio talk show on May 6, which was hosted by Mr. Larry Burns. The show featured Dr. Jacobs discussing UT's projected budget shortfall. The full interview can be heard by visiting <http://utole.do/trubudget>.

Nominating Committee Chair Szuch reported that at the March 11 Board meeting Chairman of the Board Koester announced he selected Trustees Mansour, Perez and Szuch as members of this Committee. Shortly after that meeting, Trustee Mansour indicated she would not be able to participate. Mr. Szuch reported that a Nominating Committee meeting was held on May 5 to discuss recommendations for Board officers for FY 2014. After Committee discussion, the recommended candidates were Trustee Joe Zerbey as Chair and Trustee

**FINANCE
AND AUDIT
COMMITTEE**

**NOMINATING
COMMITTEE**

Sharon Speyer as Vice Chair. The Committee also recommended that Ms. Joan Stasa continue in her role as Secretary to the Board. Mr. Szuch thanked the Board members for their candor and participation in the selection process. Chair Koester asked if there were any further nominations and, upon receiving none, asked for a motion to close nominations -- a motion was received by Trustee Gilmore and seconded by Trustee Thieman. Mr. Koester then requested a motion for approval of Board Officers for FY 2014, which was received by Trustee Gilmore, seconded by Trustee Hussain and approved by the Board. Board Chair Koester congratulated the new officers.

Committee Chair Speyer stated that the Trusteeship and Governance Committee did not have a report.

Mr. Koester requested a motion to enter Executive Session to discuss union negotiations. A motion was received by Trustee Perez and seconded by Trustee Szuch. A roll call vote of the Trustees was taken by the Board secretary: Ms. Gilmore, yes; Dr. Hussain, yes; Mr. Koester, yes; Ms. Palmer, yes; Mr. Perez, yes; Ms. Speyer, yes; Mr. Szuch, yes; Mr. Thieman, yes; and Mr. Zerbey, yes. After discussions, the Board voted to exit Executive Session.

Resolution No. 13-05-06: "Ratification of the Collective Bargaining Agreement Between The University of Toledo and The University of Toledo Police Patrolman's Association" was presented to the Board for their consideration. The resolution requested the Board of Trustees to ratify the UTPPA Collective Bargaining Agreement to run May 12, 2013 through December 31, 2015. The UTPPA ratified the agreement on May 12 by a 28-1 vote. After discussion, Chairman Koester requested a motion for approval. The motion was received from Trustee Gilmore, seconded by Trustee Palmer and approved by all Trustees present. Mr. Koester thanked Mr. Jeff Newton and all others involved with negotiations for their hard work and dedication in reaching an agreement.

With no further business before the Board, Trustee Koester adjourned the meeting at 2:40 p.m.

**TRUSTEESHIP
AND
GOVERNANCE
COMMITTEE**

**EXECUTIVE
SESSION**

**OTHER
BUSINESS**

ADJOURNMENT