

**ARIZONA BOARD OF REGENTS
ARIZONA STATE UNIVERSITY
MEMORIAL UNION
Thursday and Friday, December 4 - 5, 2008
(Amended Agenda 12/3/2008 – posted 9:00 a.m.)**

THURSDAY, December 4, 2008

9:00 a.m. **CALL TO ORDER, GREETINGS, AND ANNOUNCEMENTS FROM THE BOARD PRESIDENT**

9:10 a.m. **ADOPTION OF ALL CONSENT ACTION ITEMS AND ACCEPTANCE OF ALL CONSENT INFORMATION ITEMS **APPROVED****

All items on the agenda that are underlined and marked with an asterisk (*) are consent matters and will be considered by a single motion with no discussion. All other items will be considered individually.

***Minutes**

<u>A. September 25-26, 2008</u>	<u>Regular Board Meeting</u>
<u>B. August 14-15, 2008</u>	<u>Executive Session Meeting</u>

9:20 a.m. **CALL TO THE AUDIENCE**

Per Board Policy 1-114, time has been set aside for Call to the Audience, an opportunity for people to express their views or concerns to the entire Board in a public setting.

The Board shall not recognize any person wishing to comment on or make a presentation concerning a proposed policy or rule for which a designated time to receive oral public comment, other than at the Call to the Audience, has been established.

9:40 a.m. **ACADEMIC AFFAIRS COMMITTEE (Chair: Regent DeConcini)**

1. 2008 Student Financial Aid Report and Consideration of Proposed Design for Centennial Scholars Program

- A. The Board is asked to review and accept the FY 2008 Student Financial Aid Report. The Academic Affairs Committee reviewed this item at its November 20, 2008 meeting and recommends Board approval. **(Accepted)**
- B. The Board is asked to endorse the establishment of the Centennial Scholars Program. The Academic Affairs Committee reviewed this item at its November 20, 2008 meeting and recommends Board approval. **(Endorsed)**

10:30 a.m. RESOURCES COMMITTEE (Chair: Regent Calderón)**2. Setting Base Tuition and Mandatory Fees for the 2009-2010 Academic Year (Approved)**

The Board is asked to set resident and nonresident base tuition rates and mandatory fees for the 2009-2010 academic year.

3. Differential Tuition, Special Program Fees, Special Class Fees, and Other Fees for the 2009-2010 Academic Year (Approved)

The Board is asked to consider the universities' requests for differential tuition, special program fees, special class fees, and other fees for the 2009-2010 academic year. These additional charges to students are added to base tuition and mandatory fees.

4. The University of Arizona College of Medicine Resident Tuition for 2009-2010 Academic Year (Approved)

The Board is asked to set resident tuition for the University of Arizona College of Medicine for the 2009-2010 academic year.

12:00 p.m. RECESS**1:30 p.m. REPORT FROM THE PRESIDENT OF ARIZONA STATE UNIVERSITY****1:45 p.m. ACADEMIC AFFAIRS COMMITTEE (continued)****5. Report from the Academic Affairs Committee**

The Board will receive an update from Regent DeConcini on the November 20, 2008 meeting of the Academic Affairs Committee.

6. 2007-2008 High School Report Card

The Board is asked to review the annual report on the academic performance of Arizona's 2006-2007 high school graduates enrolled in the universities in 2007-2008. The Academic Affairs Committee reviewed this item at its November 20, 2008 meeting.

7. 2008 Fall Enrollment Report

The Board is asked to review the 2008 Fall Enrollment Report of headcount and full-time equivalent enrollments for the Arizona University System. The Academic Affairs Committee reviewed this item at its November 20, 2008 meeting.

8. **Proposed New ABOR Policy 1-118, “Tribal Consultation” (Second Reading) (Approved)**

The Board is asked to approve the proposed ABOR Policy 1-118 to provide for the adoption of tribal consultation policies at each university and to provide for annual reporting to the Board on activities undertaken pursuant to these policies. The Academic Affairs Committee reviewed this item at its September 24, 2008 meeting and recommends Board approval.

9. ***2007-2008 Progress Report on Articulation and Transfer for Arizona Postsecondary Education (Approved)**

The Board is asked to review and approve the submission of the 2007-2008 Progress Report on Articulation and Transfer for Arizona Postsecondary Education to the Joint Legislative Budget Committee. The Academic Affairs Committee reviewed this item at its November 20, 2008 meeting and recommends Board approval.

10. ***Proposed New ABOR Policy 2-409, “Course Materials” (Second Reading) (Approved)**

The Board is asked to approve the proposed ABOR Policy 2-409 to provide for the adoption of policies at each university that require publishers of postsecondary course materials to disclose to faculty members and staff written information on course materials offerings, prices, copyright dates and substantive content differences between editions.

11. ***2010-2011 Academic Calendar Approval (Approved)**

The Board is asked to approve the 2010-2011 Academic Calendars. The Academic Affairs Committee reviewed this item at its November 20, 2008 meeting and recommends Board approval.

2:15 p.m. **STRATEGIC PLANNING, BUDGET AND FINANCE COMMITTEE** (Chair: Regent Bulla)

12. **Board and University Five-Year Strategic Plans (Approved)**

The Board is asked to approve the Board and university FY 2010-2014 Five-Year Strategic Plans.

3:00 p.m. HUMAN RESOURCES COMMITTEE (Chair: Regent Bulla)

13. **Approval of Appointment of Senior Vice President and General Counsel (ASU) (Approved)**

Arizona State University requests approval of the appointment of José Cárdenas to the position of Senior Vice President and General Counsel. The Human Resources Committee reviewed this item at its November 12, 2008 meeting and recommends Board approval.

14. ***Approval of Multiple-year Employment Contract for Head Softball Coach (UA) (Approved)**

The University of Arizona requests approval of a Multiple-year Employment Contract for Michael Candrea as Head Coach of its Softball Team, for the period January 1, 2009 through June 30, 2013. The Human Resources Committee reviewed this item at its November 12, 2008 meeting and recommends Board approval.

15. ***Proposed Revisions to ABOR Policy 6-103, "Salary Adjustments for Administrators who Return to Faculty Positions," and ABOR Policy 6-206, "Salaries" (Second Reading) (Approved)**

The Board is asked to approve the proposed changes to ABOR Policy 6-103 and ABOR Policy 2-206 to conform the Board policy to current practice. The Human Resources Committee reviewed this item at its November 12, 2008 meeting and recommends Board approval.

16. ***Proposed Revisions to ABOR Policy 6-912, "Access to or Disclosure of Personnel Records or Information" (Second Reading) (Approved)**

The Board is asked to approve the proposed changes to Policy 6-912, which are proposed to implement changes in state statute that will require the universities and the Board to permit access to certain records of employee disciplinary actions under the Arizona public records law.

17. ***Proposed Revisions to ABOR Policy 6-603, "Optional Tax Shelter 403(b) Program" (Second Reading) (Approved)**

The Board is asked to approve the proposed changes to Policy 6-603. The revisions are proposed to implement changes required by the Internal Revenue Service (IRS).

18. *First Restatement of the Cash Balance Pension Plan (Approved)

The Board is asked to approve the First Restatement of the Cash Balance Pension Plan to fulfill Internal Revenue Code requirements. The Human Resources Committee reviewed this item at its November 12, 2008 meeting and recommends Board approval.

19. *Fourth Amendment and Restatement of the Optional Retirement Plan (Approved)

The Board is asked to approve the Fourth Amendment and Restatement of the Optional Retirement Plan to fulfill Internal Revenue Code requirements. The Human Resources Committee reviewed this item at its November 12, 2008 meeting and recommends Board approval.

3:10 p.m. AUDIT COMMITTEE (Chair: Regent Mariucci)

20. Report from the Audit Committee

The Board will receive an update on the November 18, 2008 meeting.

3:20 p.m. CAPITAL COMMITTEE (Chair: Regent Calderon)

21. Issuance of SPEED Revenue Bonds for Financing of SPEED Projects (NAU) (Approved)

Northern Arizona University requests authority to sell SPEED Revenue Bonds (1) not to exceed \$64.14 million for paying the costs associated with five building renewal projects; (2) not to exceed \$675,000 to pay costs of issuance; (3) payments to a bond insurer or other credit enhancer and (4) payment pursuant to any related interest rate swap or lock agreements. Regents may authorize Board Counsel to take or authorize legal action necessary to the issuance of the bonds. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

22. Issuance of SPEED Revenue Bonds for Financing of SPEED Projects (UA) (Approved)

The University of Arizona requests authority to sell SPEED Revenue Bonds (1) not to exceed \$68 million for paying the costs associated with ten building renewal projects; (2) not to exceed \$625,000 to pay costs of issuance; (3) payments to a bond insurer or other credit enhancer; and (4) payments pursuant to any related interest rate swap or lock agreements. Regents may authorize Board Counsel to take or authorize legal action necessary to the issuance of the bonds. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

23. Issuance of SPEED Revenue Bonds for Financing of SPEED Projects (ASU) (Approved)

Arizona State University requests authority to sell SPEED Revenue Bonds (1) not to exceed \$33.6 million for paying the costs associated with five building renewal projects; (2) not to exceed \$450,000 to pay costs of issuance; (3) payments to a bond insurer or other credit enhancer; and (4) payments pursuant to any related interest rate swap or lock agreements. Regents may authorize Board Counsel to take or authorize legal action necessary to the issuance of the bonds. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

24. Issuance of System Revenue Bonds for the Financing of Three Previously Approved Capital Projects (ASU) (Approved)

Arizona State University requests authority to sell System Revenue Bonds in amounts not to exceed \$40 million for project costs and \$500,000 for issuance costs. The bond proceeds will provide: (i) \$13 million for the Memorial Union Renovations; (ii) \$10 million for Academic Renovations and Deferred Maintenance; and (iii) \$17 million as bridge financing for the Indoor Basketball Practice Facility, known as the Weatherup Center, including the acquisition of Athletes' Performance Institute facility. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

25. SPEED Deferred Maintenance and Building Renewal Projects Phase 1b: Combined Project Implementation Approval and Project Approval (ASU) (Approved)

Arizona State University requests Combined Project Implementation Approval and Project Approval for SPEED Deferred Maintenance and Building Renewal Bundle Phase 1a projects totaling \$59.5 million, including the ability to shift funding among projects as project scopes are further developed. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

26. SPEED Psychology and Geography Program Expansion: Combined Project Implementation Approval and Project Approval, Including Scope and Budget Increases (ASU) (Approved)

Arizona State University request Combined Project Implementation Approval and Project Approval, including scope and budget increases for the Psychology and Geography Program Expansion. The projects will renovate 57,100 square feet in five buildings at an estimated cost of \$28.7 million to be financed with SPEED revenue bonds. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

27. **Science and Technology Park Master Land Use Plan Revisions (UA)**
(Approved)

The University of Arizona requests Board approval of revisions to the UA Science and Technology Park Master Land Use Plan which include: (1) a change in the legal description of the southwest boundary of the Davis-Monthan approach/departure corridor, (2) a change in use of a portion of the land owned by KB Home from residential to commercial development and, and (3) designation of three areas for business development. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

28. *** Polytechnic Campus Central Plant Facility: Reaffirmation of Previous Approval for Privatized Financing (ASU) (Approved)**

Arizona State University requests reaffirmation of (i) previous authority to enter into a Ground Lease Agreement and an Energy Services Agreement with Polytechnic Campus Energy Center, LLC (now known as Arizona State University Energy Center, LLC), relating to the Polytechnic Campus Central Plant Facility, and (ii) approval of a Leasehold Deed of Trust, the purposes of the LLC and the issuance by the LLC of tax-exempt revenue bonds not to exceed \$18.5 million to finance the Facility. The Board originally approved these actions in March 2007. The Capital Committee reviewed this item at its November 19, 2008 meeting and recommends Board approval.

4:30 p.m. RECESS

FRIDAY, December 5, 2008

9:30 a.m. RESOURCES (Continued)

29. **Center for the Future of Arizona's Beat the Odds Institute**

Dr. Lattie Coor, Dr. Sybil Francis, and Dr. Marjorie Kaplan will update the Board on the work of the Center for the Future of Arizona's Beat the Odds Institute. This project has been awarded TRIF Regents Innovation Fund support during the three-year period FY 2007-FY 2009.

30. ***FY 2008 University Technology Transfer Reports**

The Board is asked to review the universities' Technology Transfer Reports, highlighting activities and performance for the fiscal year ending June 30, 2008.

31. ***Appointment and Reappointments to University Medical Center Corporation (UMCC) Board of Directors (Approved)**

University Medical Center Corporation requests approval of the appointment to its Board of Directors of Dr. William M. Crist, Vice President for Health Affairs, the University of Arizona, as an ex-officio member; and the reappointments of Esther N. Capin, Edmund L. Jenkins, N. Philip Strause, III, and Douglas J. Wall, each for an additional four-year term.

32. ***College of Medicine Institutional Statement of Commitment for Graduate Medical Education (UA) (Approved)**

The University of Arizona requests Board approval of the College of Medicine Institutional Statement of Commitment for Graduate Medical Education as required by the Accreditation Council for Graduate Medical Education.

33. ***New and Continuation Awards (ASU) (Approved)**

Arizona State University requests Board approval for new and continuation awards.

34. ***Continuation Award (NAU) (Approved)**

Northern Arizona University requests Board approval for a continuation award.

35. ***Research Contract with the National Institutes of Health (UA) (Approved)**

The University of Arizona requests Board approval to enter into a contract with the National Institute of Child Health and Human Development.

36. ***Approval of Various Disclosures of Substantial Interest (UA) (Approved)**

The University of Arizona requests Board approval of various disclosures of substantial interest.

10:00 a.m. REPORT ON P-20 COUNCIL RETREAT

Regent Calderón will provide a report on the November 13, 2008 P-20 Council Retreat.

10:10 a.m. TECHNOLOGY OVERSIGHT COMMITTEE (Chair: Regent DeConcini)

37. Report from the Technology Oversight Committee

The Board will receive a report from Regent DeConcini on the December 2, 2008 Technology Oversight Committee meeting.

10:20 a.m. AD HOC PRODUCTIVITY COMMITTEE (Chair: Regent DuVal)

38. Report from the Ad Hoc Productivity Committee and Presentation by President Crow

The Board will receive a report from Regent DuVal on the November 19, 2008, meeting of the Ad Hoc Productivity Committee. President Crow will make a presentation on productivity.

10:50 a.m. PUBLIC AWARENESS COMMITTEE (Chair: Regent DuVal)

39. Solutions Through Higher Education

The Board will receive an update on Solutions Through Higher Education.

11:00 a.m. REPORT FROM THE LEGISLATIVE AFFAIRS COMMITTEE (Co-chairs: Regent McLendon and Regent DuVal)

40. Legislative Update

The Board will receive a legislative update.

11:10 a.m. REPORT FROM THE ARIZONA FACULTIES COUNCIL

11:20 a.m. INQUIRIES, REQUESTS, REPORTS, AND COMMENTS FROM REGENTS AND MEMBERS OF THE COUNCIL OF PRESIDENTS

11:30 a.m. ADJOURN

PLEASE NOTE: This agenda may be amended at any time prior to 24 hours before the Board meeting. Estimated starting times for the agenda items are indicated; however, discussions may commence, or action may be taken, before or after the suggested times. Any item on the agenda may be considered at any time out of order at the discretion of the President of the Board. During the meeting, the Board may convene in Executive Session to receive legal advice regarding any item on the agenda.

Meeting Schedule for 2008-2009

January 22 and 23, 2009
April 30, 2009

UA
video

March 12 and 13, 2009
June 18 and 19, 2009

ASU
NAU

Meeting Schedule for 2009-2010

August 6 and 7, 2009
December 3 and 4, 2009
March 11 and 12, 2010

ASU
UA
UA

September 24 and 25, 2009
January 28 and 29, 2010
June 10 and 11, 2010

NAU
ASU
NAU

Meeting Schedule for 2010-2011

August 5 and 5, 2010
December 9 and 10, 2010
April 7 and 8, 2011

ASU
UA
UA

September 23 and 24, 2010
February 17 and 18, 2011
June 16 and 17, 2011

NAU
ASU
NAU

Meeting Schedule for 2011-2012

August 4 and 5, 2011
December 1 and 2, 2011
April 5 and 6, 2012

ASU
UA
UA

September 22 and 23, 2011
February 16 and 17, 2012
June 14 and 15, 2012

NAU
ASU
NAU