

**UNIVERSITY OF MINNESOTA  
BOARD OF REGENTS**

**MINUTES**

**BOARD OF REGENTS MEETINGS**

**AND**

**COMMITTEE MEETINGS**

**February 10-11, 2011**

**Office of the Board of Regents  
600 McNamara Alumni Center**

**UNIVERSITY OF MINNESOTA  
BOARD OF REGENTS**

**Minutes of the Board of Regents Meetings  
and Committee Meetings**

**February 10-11, 2011**

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**UNIVERSITY OF MINNESOTA**

**BOARD OF REGENTS**

**Audit Committee**

**February 10, 2011**

A meeting of the Audit Committee of the Board of Regents was held on Thursday, February 10, 2011 at 8:15 a.m. in the East Committee Room, 600 McNamara Alumni Center.

Regents present: Steven Hunter, presiding; Richard Beeson, Linda Cohen, John Frobenius, Maureen Ramirez, and Patricia Simmons.

Staff present: Chancellor Charles Casey; Senior Vice President and Provost E. Thomas Sullivan; Vice Presidents Steve Cawley, and Richard Pfitzenreuter; Executive Director Ann Cieslak, and Associate Vice Presidents Gail Klatt, Stuart Mason, Sharon Reich Paulsen, and Michael Volna.

Student Representatives present: Matt McGeachy and Matt Privratsky.

**EXTERNAL AUDITOR'S REVIEW OF COMPLETED AUDIT WORK  
& LETTERS TO MANAGEMENT**

Associate Vice President Michael Volna introduced Kirsten Vosen and Tom Roos from Deloitte & Touche LLP (Deloitte) to review audit work completed by the firm and its letters to management for FY 2010.

Vosen and Roos discussed the audit of federal programs completed by Deloitte, which covered more than \$1 billion in University federal expenditures and approximately \$83 million in American Recovery and Reinvestment Act (ARRA) funds. Deloitte staff selected major award programs to be tested and developed its testing methodology in accordance with federal Office of Management and Budget (OMB) guidelines as well as requirements contained in ARRA. Sample sizes were higher than in past audits based on new guidance issued by the American Institute of Certified Public Accountants. Deloitte found no significant deficiencies or material weaknesses in the University's federal programs and no compliance issues related to OMB Circular A-133.

Deloitte staff reported that there are a series of factors that have reduced the University of Minnesota's audit risk. These include high-quality staff in key offices that have oversight responsibility, successful tracking and compliance over ARRA funds, use of the Enterprise Financial System (EFS) to automate student financial aid and cash management processes, and a strong internal audit function with experienced professionals.

Vosen and Roos noted that the University should create a periodic cash reimbursement draw review process to ensure compliance with cash management guidelines and continue to look for ways to broaden the use of EFS. Given the state's current budget deficit, they also suggested close monitoring of state appropriation funding levels since those funds are often used to match federal awards.

In the management letter regarding the audit, Vosen and Roos noted no significant deficiencies or material weaknesses requiring formal communication to the Audit Committee. Deloitte staff also noted completion of audits of Weisman Art Museum, Department of Concerts and Lectures, Minnesota Job Skills Partnership program, and a compliance audit related to Minnesota Office of Higher Education (MOHE) program requirements, as well as agreed-upon procedures reports related to student fees and participation in the National Collegiate Athletic Association (NCAA).

In response to questions from Regents Beeson and Frobenius, Roos stated that Deloitte did not find any issues with the accuracy of data generated by the EFS system and suggested that greater use of the system presented an opportunity for increased efficiency. Vosen added that Deloitte was not able to comment on the EFS interface for users.

In response to a question from Regent Simmons, Roos explained that ARRA audit protocols will be in place until the funds have been exhausted. Volna concurred, but added that the federal government may seek to extend some of the ARRA reporting requirements to other federal programs.

#### **THE IMPACT OF SARBANES-OXLEY AFTER SIX YEARS: WHAT IS WORKING?**

Kirsten Vosen and Katie Knudtson from Deloitte & Touche LLP (Deloitte) shared lessons learned from their experiences in working with organizations subject to the Sarbanes-Oxley Act of 2002 (SOX). Although SOX does not apply to the University of Minnesota as a matter of law, the Audit Committee adopted a number of SOX provisions as best practices.

Vosen and Knudtson explained that when SOX was first enacted there was concern in the private sector about the requirements it imposed. Now that the law has been in place for six years, there are several unexpected benefits that have emerged. SOX has helped strengthen internal controls and enhanced the involvement of senior leaders in audit and finance functions. It has also helped organizations better align their resources with business priorities and key areas of risk. SOX has also improved efficiency by revealing areas where non-standardized processes created duplication of effort.

Regent Ramirez stated that the Board should continue to think about how University priorities are articulated so that resources can be properly aligned. Regent Frobenius added that significant progress has been made on setting priorities as part of the strategic positioning effort, but that additional attention will be required as transitions in senior leadership take place.

In response to a question from Regent Beeson, Vosen explained that the external auditor can weigh in on ideas aimed at improving efficiency, but that evaluation of options requires more analysis than the audit provides. Senior Vice President and Provost Sullivan added that, among its peer institutions, the University of Minnesota is one of the most decentralized in terms of culture and practices. As a result,

standardization of processes across the enterprise requires thorough discussion and consultation before being implemented.

#### **INTERNAL AUDIT UPDATE**

Associate Vice President Klatt presented the Internal Audit Update, as detailed in the docket and on file in the Board Office. Since the last update to the Audit Committee in October 2010, 43 percent of outstanding recommendations rated as "essential" were implemented by University departments, a percentage exceeding the expected implementation rate of 40 percent. Six audit reports containing 10 recommendations rated as "essential" were issued in the last four months.

#### **INFORMATION ITEMS**

Associate Vice President Klatt referred the committee to the information items contained in the docket materials, which included:

- Report of engagements with external auditing firms that do not require prior approval of the Board.

The meeting adjourned at 9:30 a.m.



**ANN D. CIESLAK**  
**Executive Director and**  
**Corporate Secretary**

**UNIVERSITY OF MINNESOTA**

**BOARD OF REGENTS**

**Finance & Operations Committee**

**February 10, 2011**

A meeting of the Finance & Operations Committee of the Board of Regents was held on Thursday, February 10, 2011 at 9:45 a.m. in the East Committee Room, 600 McNamara Alumni Center.

Regents present: John Frobenius, presiding; Clyde Allen, Richard Beeson, Venora Hung, Steven Hunter, and Patricia Simmons.

Staff present: Chancellor Stephen Lehmkuhle; Senior Vice President and Provost Thomas Sullivan; Vice Presidents Steve Cawley and Richard Pfitzenreuter; General Counsel Mark Rotenberg; Executive Director Ann Cieslak; and Associate Vice Presidents Stuart Mason, Sharon Reich Paulsen, and Michael Volna.

Student Representatives present: Matt Privratsky and Chantal Wilson.

**UNIVERSITY ENDOWMENT POLICIES UPDATE**

Vice President Pfitzenreuter introduced Associate Vice President Mason to provide an update on potential revisions to University investment policies, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office. Mason explained that the University's Investment Advisory Committee (IAC) had recently engaged in discussions about the proper roles played by the IAC, the Board of Regents, the Office of Investments and Budget, and external consultants in making decisions regarding the University endowment. He specifically noted that the following three areas of reserved Board authority were discussed by the IAC:

- Approval of new managers;
- Selecting the distribution rate; and
- Directing the allocation of assets among different investment classes.

Mason observed that the IAC demonstrated support for Board authority in selecting the distribution rate, but expressed some concern over whether the other reserved Board authorities were appropriate given the financial expertise of the Board and the complexity of making investment decisions. He reported that no specific recommendations have come from the IAC and that further study of the issue is in process.

Regent Frobenius commended the IAC for bringing this matter to the Board's attention. He expressed support for further examination of the reserved Board authorities, but stressed that the manner in which investment decisions and performance are reported to the Board must be maintained. Frobenius requested the issue return to the Committee for further discussion at a future meeting and urged the administration to review information related to peer group comparisons and higher education best practices in the area of governing board authority for investment decisions.

### **ISSUES RELATED TO: ANNUAL CAPITAL FINANCING AND DEBT MANAGEMENT REPORT**

Vice President Pfutzenreuter introduced Carole Fleck, Director of Debt Management, to present the Annual Capital Financing and Debt Management Report, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office. Fleck explained that the report would provide information on the University's capital structure, credit markets, University credit ratings, and key financial indicators. She highlighted the following:

- The University has over \$943 million in outstanding long-term debt as of June 30, 2010 with an average interest rate of 3.67 percent.
- The University currently has credit ratings of Aa1 by Moody's Investors Service and AA by Standard and Poor's, which is in the excellent category for both agencies.
- The projected balance of University supported debt on June 30, 2011 is \$888 million.

Fleck provided an institutional debt analysis as compared to the University's peer group. She observed that the University exceeds the public institution "Aa1" median in such financial ratios as total resources to comprehensive debt, expendable resources to comprehensive debt, debt service as a percentage of operations, and expendable resources to operations. In addition, Fleck noted that the University has the second least amount of direct debt per student among the University's peer group.

In response to a question from Regent Beeson, Pfutzenreuter observed that a tuition freeze or cap imposed by the State Legislature would not be viewed favorably by the rating agencies and could jeopardize future debt issuances. In response to a question from Regent Simmons, Fleck explained that expendable resources to comprehensive debt is an important ratio because it refers only to University resources that are accessible for debt service.

### **ISSUES RELATED TO: UNIVERSITY BUDGET MODEL**

Vice President Pfutzenreuter explained that the presentation would provide an update on the University budget model, which was first implemented for FY2007, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office. Pfutzenreuter introduced Julie Tonneson, University Budget Director, to make the presentation. Tonneson explained that the University's budget is built around an earned income-full cost model, which implies that all revenues and costs are directly attributed to each academic unit.

Tonneson summarized the cost allocation process and reported that costs are compiled in the following ways:

- direct consumption costs in areas such as utilities and leases;
- cost-driver based allocation in areas such as facilities, technology, and libraries; and
- common good based allocations for central administrative units such as the Office of the General Counsel and the Department of Audits.

Tonneson reported that a budget model advisory group provides ongoing oversight to the process. She noted several areas in which the budget model has been updated since initial implementation, including separation of the undergraduate cost pool into student services and student aid, and movement of chilled water from a pooled charge on the Twin Cities campus to a direct consumption cost.

In response to a question from Regent Hung, Tonneson explained that the common good cost for the coordinate campuses is allocated on a sliding scale and all non-systemwide costs are removed. In response to a question from Regent Beeson, Tonneson reported that the University provides a great level of detail to units in explaining the common good cost allocation. She acknowledged that although there are some ongoing concerns about the budget model, most University administrators express support for the model and believe it to be a fair system.

#### **UNIVERSITY STUDENT FEES REFORM UPDATE**

Vice President Pfutzenreuter introduced a presentation to summarize a recent comprehensive study of all fees charged to students, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office. He observed that there are potential changes resulting from the study that could be included in the FY2012 operating budget. Pfutzenreuter introduced Senior Vice President and Provost Sullivan and Julie Tonneson, University Budget Director, to present the results of the study.

Tonneson explained that the study focused solely on administrative fees for financial and administrative services, course fees for such areas as transportation and consumable materials, and academic fees at the college or campus level for special equipment, supplies, and services. She observed that non-instructional student service fees, which are primarily directed to student associations, were not included in the study. Tonneson reported that the focus of the study was to seek simplification of fees, maintain consistency in fee assessment, and evaluate how fee information is communicated to parents and students.

Tonneson reported the following recommendations resulting from the study:

- eliminate the distinction between technology fees and collegiate fees with a new category of collegiate/campus fees;
- clarify the collegiate/campus fee definition;
- standardize the collegiate/campus fee structure to clarify who can be charged by each unit and where different levels of fee might be applied;
- create a new fee subcategory for educational materials that will be owned by the student; and

- require comprehensive academic fee review to be included in the budget process for each college or campus.

Pfutzenreuter explained that the proposed definition of the collegiate/campus fee would provide great latitude to colleges and campuses in determining the fee amount and that the fee could vary dramatically between units. A lengthy discussion ensued regarding the proposed change to the collegiate/campus fee. In response to a question from Student Representative Wilson, Tonneson reported that the administration is sensitive to the issue of students being swayed from choosing certain academic paths because of high fees. Sullivan added that although market demand will play a role in the fee assessment process, there is a concern about the effects of increasing fees dramatically in some colleges.

Several Regents requested a more thorough discussion of the collegiate/campus fee proposal. Regent Simmons observed that this approach would be a philosophical departure from the standardized undergraduate tuition structure currently in place on the Twin Cities campus and that further examination is required. Regent Frobenius urged the administration to provide the Board with an opportunity to discuss the issue prior to full consideration of the FY2012 operating budget.

#### **ANNUAL INSURANCE AND RISK MANAGEMENT REPORT**

Due to time constraints, the Annual Insurance and Risk Management Report was moved to a future committee meeting.

#### **CONSENT REPORT**

Vice President Pfutzenreuter presented the Consent Report, which included the following:

##### **Purchase of Goods and Services \$1,000,000 and Over:**

- To Oracle America, Inc., for an estimated \$2,638,000 to purchase an Exadata database appliance, including installation services and one year maintenance and support for all components, for the Office of Information Technology.

The committee voted unanimously to recommend approval of the Consent Report.

#### **INFORMATION ITEMS**

Vice President Pfutzenreuter referred committee members to the Information Items, including:

- Annual Report on Central Reserves;
- Quarterly Investment Advisory Committee Update; and
- Debt Transactions.

The meeting adjourned at 11:45 a.m.



**ANN D. CIESLAK**  
**Executive Director and**  
**Corporate Secretary**

**UNIVERSITY OF MINNESOTA**

**BOARD OF REGENTS**

**Faculty, Staff & Student Affairs Committee**

**February 10, 2011**

A meeting of the Faculty, Staff & Student Affairs Committee of the Board of Regents was held on Thursday, February 10, 2011 at 9:45 a.m. in the West Committee Room, 600 McNamara Alumni Center.

Regents present: Dean Johnson, presiding; Anthony Baraga, Dallas Bohnsack, Linda Cohen, David Larson, and Maureen Ramirez.

Staff present: Chancellors Lendley Black, Charles Casey, and Stephen Lehmkuhle; Senior Vice President and Provost Thomas Sullivan; Vice Presidents Kathryn Brown, Carol Carrier and Aaron Friedman; General Counsel Mark Rotenberg; Executive Director Ann Cieslak; and Associate Vice Presidents Gail Klatt and Meredith McQuaid.

Student Representatives present: Chelsey Doepner and Lauren Snively.

**ACADEMIC RETIREMENT PROGRAMS: TRENDS, ISSUES,  
AND BENCHMARKS**

Vice President Carrier invited Jackie Singer, Director of Retirement Programs, to present a review of the retirement programs for faculty and academic professional staff, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

Singer provided an outline of the University Faculty Retirement Plan (FRP), including:

- It is a defined contribution program;
- Employees in the program include faculty and academic professional and administrative staff (P&A);
- Investments are employee-directed among several investment providers;
- Employee contribution is 2.5 percent and the University contributes 13 percent;
- Accounts are immediately and fully vested.

Singer stated that she regularly consults with two University committees: 1) the Retirement Subcommittee, which is a Senate subcommittee comprised of seven faculty, two P&A, two civil service staff, and one retiree; and 2) the Retirement Plan Fiduciary Advisory Committee, which reports through the trustee of the FRP. Singer described employee retirement education opportunities, and she noted that University retirement seminars are very well attended.

Singer reviewed FRP's anticipated income replacement ratio in comparison with peer institutions. Using these peers as a benchmark, Singer concluded that the University is within an acceptable range for retirement purposes. Total compensation at the University, which is the combination of salary and benefits, continues to be strong and is a valuable tool for recruitment and retention.

In response to a question from Regent Bohnsack, Singer explained that the University retirees who choose to continue medical coverage under University plans do so at their own expense. In these cases, the University plan serves as the secondary payer for retirees on Medicare. Employees value their benefits (tuition, medical, and retirement) differently at different stages of their lives, which can make it difficult to value the total compensation benefit beyond the actual amount an employer pays toward a specific plan.

In response to a comment from Regent Larson, Singer noted that the University is benefits-heavy, but because benefits costs are not taxable, the employee would bear additional tax if they received the cash value of the benefits. Singer added that the employment market still values a strong benefits package.

#### **PERFORMANCE MANAGEMENT: COMPREHENSIVE REVIEW OF DEANS**

Vice President Carrier invited Provost Sullivan, Dean Tom Fisher, and Joe Kelly, Chief of Staff, Human Resources, to present a review of the system-wide comprehensive review of deans, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

The comprehensive review of a dean is completed every three years in addition to the dean's annual review. Both the annual and the comprehensive reviews provide structured accountability. Sullivan described the components of the comprehensive review, including:

- A web-based survey available to the college's faculty, staff, and others;
- A report compiled by the Office of Measurement Services and presented to a standing committee of four faculty and academic professionals, and two additional faculty from the dean's college; and
- Survey results, prior annual reviews, and other feedback.

Kelly reviewed typical survey questions, and offered additional questions to consider regarding the review, including: how to weigh the importance of each factor in the evaluation of candidates and existing deans; do successful deans have to be exceptional in all areas; what is the University's philosophy regarding where to recruit future leaders; and what is the best approach for strengthening succession management at the University? Kelly noted that the comprehensive review acknowledges the college's culture, provides a shared understanding of how success is defined for deans, and affords broad opportunities for involvement and support from constituent groups.

Fisher described the comprehensive review process and its value to a sitting dean, observing that it is a strong compliment to the annual review. He stressed that the faculty on the review committee from the college of the dean under review provides important context on the culture of that college.

In response to a question from Regent Baraga, Sullivan indicated that 45 percent of deans hired in the last seven years were internal. He noted there is no prejudice towards internal or external candidates.

In response to questions from the committee, Sullivan reported that the comprehensive review provides 360-degree data, which can be a useful aid in assessing emotional intelligence. The relationship between the comprehensive and the annual reviews is strong and provides opportunities to identify where corrections need to be made, and, conversely, celebrate extraordinary success in a timely manner.

### **COMPREHENSIVE INTERNATIONALIZATION AT THE UNIVERSITY OF MINNESOTA**

Vice President Carrier invited Associate Vice President McQuaid to present a comprehensive review of internationalization at the University of Minnesota, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

McQuaid described tenets of the Global Programs and Strategy Alliance (GPSA) and the support it provides for students and faculty to expand and develop “the knowledge, skill, and perspectives necessary to understand the world and work effectively to improve it.”

McQuaid presented research that suggests Americans support a strong need for student internationalization, including:

- 73 percent believe that colleges need to do a better job of teaching students about the world;
- 65 percent believe that students will be at a disadvantage in their careers if they do not learn a foreign language; and
- 57 percent believe that international education is essential to the educational experience.

McQuaid detailed curricular and non-curricular internationalization activities and the wide range of initiatives and programs currently in place system-wide. She reported on the success of the first annual University of Minnesota conference on Internationalizing the Curriculum and Campus held in 2010, which was attended by 240 faculty and staff from all five campuses.

Based on student research, McQuaid reported that future planning for the GPSA includes: a focus on understanding other cultures and customs; consideration of a foreign language requirement; and supporting faculty as they help students become aware of other countries, cultures, and global issues.

In response to questions from the committee, McQuaid clarified that the College of Liberal Arts is the only college on the Twin Cities campus with a foreign language requirement. She explained how a grant from the Bush Foundation supported curricular integration that allows students to study abroad and receive credit from more than 300 courses offered, regardless of the student’s discipline.

## CONSENT REPORT

Vice President Carrier presented for action the Consent Report, which included the following items:

- Approval of a temporary Retirement Incentive Option (RIO) program;  
and
- Conferral of tenure.

Carrier described details of the RIO. In response to questions from the committee, Jackie Singer, Director of Retirement Programs, noted there is an up-front cost to the program that will be borne by the department, but she added that the salary and fringe savings would offset some of the short-term departmental costs. Singer anticipates a 40 percent replacement for positions vacated by RIO participants. Because of the RIO structure, administrative costs will be lower than RIOs offered in previous years.

The committee voted unanimously to recommend approval of the Consent Report.

## INFORMATION ITEMS

Vice President Carrier referred the committee to the information items contained in the docket materials, which included:

- Personnel highlights;
- University highlights;
- Faculty and staff activities and awards; and
- Student activities and awards.

The meeting adjourned at 11:50 a.m.



**ANN D. CIESLAK**  
**Executive Director and**  
**Corporate Secretary**

**UNIVERSITY OF MINNESOTA**

**BOARD OF REGENTS**

**Facilities Committee**

**February 10, 2011**

A meeting of the Facilities Committee of the Board of Regents was held on Thursday, February 10, 2011 at 1:30 p.m. in the West Committee Room, 600 McNamara Alumni Center.

Regents present: Steven Hunter, presiding; Clyde Allen, Anthony Baraga, Dallas Bohnsack, Venora Hung, and Dean Johnson.

Staff present: President Robert Bruininks; Vice Presidents Timothy Mulcahy, Kathleen O'Brien, Richard Pfitzenreuter, and Steven Rosenstone; Executive Director Ann Cieslak; and Associate Vice Presidents Michael Berthelsen, Stuart Mason, and Michael Perkins.

Student Representatives present: Chelsey Doepner and Abdul Omari.

**PUBLIC HEARING ON AMENDMENTS TO REGENTS OF THE UNIVERSITY OF  
MINNESOTA TRAFFIC REGULATION ORDINANCES**

Regent Hunter called to order the Public Hearing on Amendments to *Regents of the University of Minnesota Traffic Regulation Ordinances*. He summarized the proposed amendments that introduce system-wide moped policies currently in effect on the Twin Cities, Morris, Rochester, and Crookston campuses. The original notice of hearing on the proposed amendments had not been published in St. Louis County as required, and this second public hearing date for the Duluth campus was approved by the Board of Regents Facilities Committee meeting on December 9, 2010.

Hunter observed that the Board of Regents Office received no comments on the proposed amendments by mail, telephone, or email, and he invited all those who wished to comment at the public hearing to come forward. No one requested to speak regarding the proposed amendments.

A motion was made and seconded to close the public hearing. The motion was unanimously approved and the public hearing was closed at 1:35 p.m.

The regular Facilities Committee meeting resumed.

**AMENDMENTS TO REGENTS OF THE UNIVERSITY OF MINNESOTA  
TRAFFIC REGULATION ORDINANCES**

Vice President O'Brien invited Associate General Counsel Shelley Carthen Watson and Michael Ramolae, Assistant Director, Parking and Transportation Services, to present for action proposed amendments to the *Regents of the University of Minnesota Traffic Regulations Ordinances* for the Duluth campus, as detailed in the docket materials.

A motion was made and seconded and the committee voted unanimously to recommend approval of the Amendments to *Regents of the University of Minnesota Traffic Regulation Ordinances* on the Duluth campus.

**BOARD OF REGENTS POLICY: CAMPUS HEALTH AND SAFETY**

Vice President O'Brien presented for action amendments to Board of Regents Policy: *Campus Health and Safety*, as detailed in the docket materials. She recalled that the amendments were reviewed at the December 2010 committee meeting.

O'Brien reported that the proposed policy changes conform to other Board of Regents policies by adding guiding principles and a section regarding delegation of authority. The policy preserves a statement on the importance of mutual responsibility and makes clear that the University will comply with applicable health, safety and environment laws, regulations and requirements. She indicated that the policy amendments include a title change to Board of Regents Policy: *Health and Safety*.

A motion was made and seconded, and the committee voted unanimously to recommend adoption of amendments to Board of Regents Policy: *Campus Health and Safety*.

**BOARD OF REGENTS POLICY: CAMPUS AND FACILITY USAGE**

Vice President O'Brien presented for action amendments to Board of Regents Policy: *Campus and Facility Usage*, as detailed in the docket materials. She recalled that the amendments were reviewed at the December 2010 committee meeting.

O'Brien reported that the proposed policy conforms to other Board of Regents policies by adding guiding principles and a section relating to delegation of authority. The policy directs the President or designee to maintain administrative procedures to guide decision-making; emphasizes the significance of Campus Master Plans; and identifies conditions for the use of University property and facilities by non-University entities. She noted that the policy amendments include a title change to Board of Regents Policy: *Property and Facility Usage*.

A motion was made and seconded, and the Board of Regents voted unanimously to recommend adoption of amendments to Board of Regents Policy: *Campus and Facility Usage*.

## **REAL ESTATE TRANSACTIONS**

### **A. Agreements for Use of University Facilities and Services for Walden University's Summer Session Residency Program, July 13-August 1, 2011, Twin Cities Campus**

A motion was made and seconded to recommend approval of the following action:

On the recommendation of the President and the Vice President for University Services, the appropriate administrative officers are authorized to execute the appropriate documents providing for the following real estate transaction:

Agreements for use of University facilities and services for the Walden University Summer Residency Program, July 13 – August 1, 2011, Twin Cities campus.

Basis for Request: Since the summer of 2007, Walden University has held its Summer Session Residency Programs at the Twin Cities campus.

Description of facilities and services: Space for lodging, group registration facilities, food service, seminar, workshops and event facilities, storage, and parking.

Detail of transaction: Walden University will pay an estimated \$166,315 for lodging and registration facilities, \$55,217 for food services, and \$211,521 for use of the campus facilities.

### **B. Conveyance of 27.479 Acres in Dakota County to City of Rosemount (UMore Park)**

On the recommendation of the President and the Vice President for University Services, the appropriate administrative officers are authorized to execute the appropriate documents providing for the following real estate transaction:

Conveyance of 27.479 acres in Dakota County to City of Rosemount (UMore Park).

Location and description of property: Subject property is located at UMore Park east of Akron Avenue, west of the 64.299 acres recently conveyed to Minnesota State Colleges and Universities, and south of the Dakota Technical College.

Basis for request: Property would be sold to the City of Rosemount for \$1.00 in exchange for credit against future University obligations to dedicate land or make cash contributions in connection with approval by the City of Rosemount of one or more future subdivisions of land at UMore Park. Land would be developed as a public park and is expected to increase the value of adjacent University land.

The committee voted unanimously to recommend approval of the Real Estate Transactions.

## **SCHEMATIC PLANS**

### **A. Physics and Nanotechnology Building, Twin Cities Campus**

A motion was made and seconded to recommend approval of the following actions:

The schematic plans for the Physics and Nanotechnology Building (PNB), Twin Cities campus, are approved and the appropriate administrative officers are authorized to proceed with the award of contracts, the development of construction documents, and construction.

Vice President O'Brien noted that the PNB schematic plans were being submitted for both review and action, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

Associate Vice President Perkins reviewed the building plans. He observed that the Building would house up to 200 faculty and staff, graduate students, and visiting researchers. The PNB will ensure research productivity for faculty and students by providing state-of-the art facilities, including:

- Space conducive to the conduct of contemporary research to enhance competitiveness;
- Flexible spaces that adapt to new science and research trends;
- Research facilities that allow competitive responses to unique research opportunities aligned with strategic priorities; and
- Research facilities that lead directly to product/process licenses and local industry start-ups.

Dean Steven Crouch indicated that the new facility would help position the University to be competitive for recruiting faculty, students, and securing grants. He anticipates the PNB will increase capacity for research funding by 10 to 20 percent, or \$3-6 million dollars, and will provide additional capacity, space, and technology to expand the breadth of nanotechnology science research at the University.

The committee voted unanimously to recommend approval of schematic plans for the Physics and Nanotechnology Building, Twin Cities campus.

## **CAPITAL BUDGET AMENDMENTS**

### **A. Eastcliff Renovations – Security and Communications Systems, Twin Cities Campus**

A motion was made and seconded to recommend approval of the following action:

On the recommendation of the President and the Vice President for University Services, the FY2011 Capital Budget is amended to increase the budget for the following project:

Eastcliff Renovations - Security and Communication Systems Replacement, Twin Cities campus.

Scope of Project: Replace existing security systems including: 1) perimeter grounds detection; 2) exterior video surveillance; and 3) residential intrusion alarms. Upgrade the existing phone and data systems including: 1) residential phones throughout the three buildings; 2) integration of remote doorbells; and 3) wireless network.

Master Plan: The projects are in conformance with the October 1997 Eastcliff Master Plan and December 2000 Eastcliff Landscape Master Plan.

Cost estimate: Security System: \$87,000.00; Phone System: \$78,500.00 (pending analysis and selection of equipment providers).

Capital funding: University of Minnesota Funds: \$165,500.00.

Vice President O'Brien noted that the Eastcliff Renovations - Security and Communication Systems Replacement (Renovations), was being submitted for both review and action, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

Associate Vice President Perkins reviewed the plans to add appropriate security and communication systems at Eastcliff. Lyndel King, Chair, Eastcliff Technical Advisory Committee, described the projects that would replace outdated security and communication systems throughout the property. The project work has been timed with the presidential transition so that the impact to the Eastcliff event schedule is minimized.

In response to questions from the committee, O'Brien explained that there is a close relationship between the University Police and the local jurisdiction. University police are generally the first responders at Eastcliff, but the St. Paul police would respond if needed.

The committee voted unanimously to recommend approval of the Eastcliff Renovations – Security and Communications Systems, Twin Cities Campus.

**B. Central Corridor Light Rail Transit (CCLRT) Lab Mitigation – Blank Research Group Lab Relocation, Twin Cities Campus**

A motion was made and seconded to recommend approval of the following action:

On the recommendation of the President and the Vice President for University Services, the FY2011 Capital Budget is amended to increase the budget for the following project:

CCLRT Lab Mitigation – Blank Research Group Lab Relocation, Department of Chemistry, Twin Cities Campus

Scope of Project: Move the Blank Research Group Labs to the northeast corner in the basement of Smith Hall. Add wall insulation, storm windows, new lighting, and a new air handler with low velocity mechanical diffusers.

Master Plan: No impact to the Master Plan.

Cost estimate: \$620,000.00

Capital funding: Metropolitan Council: \$620,000.00.

Vice President O'Brien noted that the Central Corridor Light Rail Transit Lab Mitigation – Blank Research Group Lab Relocation (LABs), Twin Cities Campus was being submitted for both review and action, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

Dean Steven Crouch explained that the LABs are currently located 90 feet north of Washington Avenue, and, due to the anticipated vibration from construction and daily operation of the proposed light rail line, the LABs need to be relocated to protect the equipment and ensure continuity of the research. Smith Hall was selected as the new location for the LABs because of its location and available space. Associate Vice President Perkins clarified that the cost for the relocation of the LABs will be paid through the Metropolitan Council, in accordance with the mitigation agreement.

The committee voted unanimously to recommend approval of the Central Corridor Light Rail Transit Lab Mitigation – Blank Research Group Lab Relocation, Twin Cities Campus.

### **C. Northrop Revitalization Phase II Renovation, Twin Cities Campus**

A motion was made and seconded to recommend approval of the following action:

On the recommendation of the President and the Vice President for University Services, the FY2011 Capital Budget is amended to increase the budget for the following project:

Northrop Revitalization Phase II Renovation, Twin Cities Campus  
Scope of Project: Renovation to include a 2,800 seat main hall, backstage support, events space, dining space, active public areas, a 200 seat lecture hall, classrooms and seminar rooms, and office space to house the University Honors Program.  
Master Plan: No impact to the Master Plan  
Cost estimate: \$78,300.00  
Capital funding: Higher Education Asset Preservation and Replacement: \$20,000,000.00; Fundraising/University Resources: \$12,905,000.00; University Debt: \$45,395,000.00.

Vice President O'Brien noted that the Northrop Revitalization Phase II Renovation, Twin Cities Campus was being submitted for both review and action, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

Vice President Rosenstone described the proposed renovation and the importance of the project, observing that, because of the building's current condition and configuration, it is not used regularly. He outlined the design principles used to guide a revitalized Northrop, including:

- Advance the University's academic priorities;
- Serve the entire University community and beyond;
- Create an environment that encourages collaboration and fosters a sense of belonging;

- Preserve, honor, and steward the historic significance of Northrop;
- Leverage the effective and efficient use of space;
- Create an exceptional, world-class, multi-purpose performance hall;
- Embrace sustainability; and
- Create a building that will serve the University for another century.

In response to questions from Student Representatives Doepner and Omari, Rosenstone acknowledged that closing the building would result in commencements and other events being held in alternate venues. Arrangements to relocate commencements and events have already been completed and conveyed to the appropriate people. Rosenstone emphasized that reconfiguration of the building will bring students into the facility regularly by doubling the student meeting space on the Twin Cities campus. He noted that Twin Cities deans were consulted, and gave support to the smaller venue for future commencement ceremonies. Regent Allen observed that, due to its condition, without timely renovations there would be no commencement ceremonies possible in the future.

The committee voted unanimously to recommend approval of the Northrop Revitalization Phase II Renovation, Twin Cities Campus.

#### **UTILITIES AND ENERGY MANAGEMENT ANNUAL REPORT**

Vice President O'Brien invited Associate Vice President Mike Berthelsen and Jerome Malmquist, Director, Energy Management, to present the Utilities and Energy Management Annual Report, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

Berthelsen and Malmquist reviewed FY2010 utility costs, reliability, and the University's progress towards sustainability. Malmquist reported that a Twin Cities campus project, the replacement of a nearly 100-year old storm water drop shaft connecting a storm water tunnel, has been nominated for an engineering award from the Minnesota Society of Professional Engineers.

Future plans to improve the University's utility infrastructure include: more electrical distribution; storm sewer separation and improvements; chilled water expansion and improvement; and further study of steam capacity.

#### **CONSENT REPORT**

The committee unanimously recommended approval of the Consent Report, which included:

- Agreements for Use of University Facilities and Services for American Society of Virology Meeting, July 15 through 21, 2011 (Twin Cities campus).

#### **INFORMATION ITEMS**

Vice President O'Brien referred committee members to the Information Items, including:

- A Fifty-Year Land Lease for Hotel at 615 Washington Avenue SW, Minneapolis (Twin Cities campus).
- Ten-Year Lease for Pediatrics Faculty Offices on University of Minnesota Medical Center-Fairview, Riverside Campus (Twin Cities campus).
- Les Bolstad Golf Course Temporary Facilities and Planning (Twin Cities campus).
- Final Project Review - Biomedical Facilities Program-Cancer/Cardiovascular Projects (Twin Cities campus)

The meeting adjourned at 3:31 p.m.



**ANN D. CIESLAK**  
**Executive Director and**  
**Corporate Secretary**

**UNIVERSITY OF MINNESOTA**

**BOARD OF REGENTS**

**Educational Planning & Policy Committee**

**February 10, 2011**

A meeting of the Educational Planning & Policy Committee of the Board of Regents was held on Thursday, February 10, 2011 at 1:30 p.m. in the East Committee Room, 600 McNamara Alumni Center.

Regents present: Patricia Simmons, presiding; Richard Beeson, Linda Cohen, John Frobenius, David Larson, and Maureen Ramirez.

Staff present: Chancellors Lendley Black, Charles Casey, and Stephen Lehmkuhle; Senior Vice President & Provost E. Thomas Sullivan; Executive Director Ann Cieslak, and Associate Vice President Sharon Reich Paulsen.

Student Representatives present: Matt McGeachy and Paul Strain.

**FINANCIAL AND ADVISING SUPPORT FOR UNDERGRADUATE STUDENTS**

Regent Simmons explained that the topic of financial and advising support is of critical importance to the Board because it is a major factor in moving students toward a successful and timely graduation. Senior Vice President & Provost Sullivan observed that the presentation relates to themes discussed by the committee in December 2010 when it heard the interim report of the Enrollment Management Committee and the annual update on undergraduate education. He then introduced Robert McMaster, Vice Provost & Dean of Undergraduate Education, to proceed with the presentation, as detailed in the docket and associated materials distributed at the meeting and on file in the Board Office.

McMaster concurred with the importance of the topic. He stressed that strong student advising support has helped drive improvement in the University's 4-year graduation rate, and stated his belief that continued emphasis in this area will drive further improvements. McMaster outlined some of the ways that collegiate-based advising has been working together with campus-wide efforts to support student success and highlighted a number of initiatives.

McMaster introduced Tina Faulkner, Office of the Registrar, who provided an overview of the APLUS system for undergraduate advising. APLUS is a computer application developed by programmers at the University of Minnesota to give advisors timely, detailed information about a student's progress toward graduation. The system supplies advisors with significant data on advisees, as well as ways to communicate with other advisors across the campus.

McMaster reported that in FY 2010, total financial assistance to undergraduate students across all five campuses totaled \$490 million. Of that total, loans accounted for \$245 million, followed by \$201 million in grants and \$44 million in student

employment. McMaster discussed the major need based aid programs available to students, including the federal Pell Grant and the University of Minnesota Promise Scholarship Program (U Promise). He noted that several changes to the U Promise scholarship will take effect in the 2011-12 academic year. These changes are meant to ensure that students with the greatest need receive the highest award amounts, and to provide more stability by making the awards multi-year.

McMaster outlined the major merit based scholarship support available to students, including central freshman scholarships, collegiate and departmental scholarships, external scholarships, and donor or named scholarships. These forms of merit based aid help attract high achieving students and also help diversify the geographic, ethnic, socioeconomic, and talent base of the student body. McMaster emphasized that total freshman academic scholarship support has more than doubled in the last five years, which has been an important recruitment tool. Need and merit based aid growth has allowed the University of Minnesota to hold increases in the net cost of attendance to 3.4 percent per year since 2001.

In response to questions from Regents Beeson and Larson, McMaster explained that while there is a core set of advising tools used across the Twin Cities Campus, each college has tailored its advising to meet the needs of its students and program offerings. Although it is important to have metrics to measure success, it is difficult to do so at an individual level. Ultimately, graduation rates are the best way to measure success. Regent Ramirez added that she would be nervous about measuring inputs and outputs by individual advisor and noted that students sometimes make conscious decisions that delay their graduation.

In response to questions from Regent Frobenius and Student Representative McGeachy, McMaster stated that it is difficult to measure the total amount of money spent on advising because there are different types of advisors. Each student has a primary advisor, but may also have access to other advisors. He provided several examples.

In response to questions from Regent Larson and Student Representative Strain, McMaster indicated that advisors do not receive centralized training, but have access to a number of tools and the University Advising Network, which discusses and recommends effective practices.

Regent Simmons concluded the discussion by noting that the Board would continue to discuss these topics in coming months.

## **CONSENT REPORT**

A motion was made and seconded, and the committee unanimously recommended approval of the following academic program changes, as described in the Consent Report:

- **New Academic Programs**
  - College of Continuing Education (Twin Cities Campus) – Create B.S. and B.A. degrees in Multidisciplinary Studies.
  - College of Design (Twin Cities Campus) – Create post-baccalaureate certificate in Surface Design.
  - School of Dentistry (Twin Cities Campus) – Create Maxillofacial Oncology and Reconstructive Surgery fellowship.

- Medical School – Create Neurocritical Care fellowship.
- College of Liberal Arts (Duluth Campus) – Create Master of Tribal Administration and Governance degree.
- **Changed Academic Programs**
  - Swenson College of Science and Engineering (Duluth Campus) – Create Exploration and Mining Geology track within the B.S. degree in Geological Sciences.
  - Morris Campus – Create General Management track within the B.A. degree in Management.
- **Discontinued Academic Programs**
  - Morris Campus – Discontinue Financial Management and Organizations/Human Resources tracks within the B.A. degree in Management.
  - Morris Campus – Discontinue World Languages K-8 track in the B.A. degree in Elementary Education.

### **INFORMATION ITEMS**

Senior Vice President & Provost Sullivan referred the committee to the information item contained in the docket materials, which included:

- Data showing that the University of Minnesota has more National Merit Scholars in the entering class than any other public university in the Big Ten. The only other Big Ten school with more National Merit Scholars this year is Northwestern.

The meeting adjourned at 3:18 p.m.



**ANN D. CIESLAK**  
**Executive Director and**  
**Corporate Secretary**

**UNIVERSITY OF MINNESOTA**

**BOARD OF REGENTS**

**February 11, 2011**

A meeting of the Board of Regents of the University of Minnesota was held on Friday, February 11, 2011 at 9:00 a.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Clyde Allen, presiding; Anthony Baraga, Richard Beeson, Dallas Bohnsack, Linda Cohen, John Frobenius, Venora Hung, Steven Hunter, Dean Johnson, David Larson, Maureen Ramirez, and Patricia Simmons.

Staff present: President Robert Bruininks; Chancellors Lendley Black and Stephen Lehmkuhle; Senior Vice President and Provost Thomas Sullivan; Vice Presidents Kathryn Brown, Carol Carrier, Steve Cawley, Timothy Mulcahy, Kathleen O'Brien, Richard Pfutzenreuter, and Steven Rosenstone; General Counsel Mark Rotenberg; Executive Director Ann Cieslak; and Associate Vice Presidents Terry Bock, Gail Klatt, Sharon Reich Paulsen, and Michael Volna.

**INTRODUCTIONS & RECOGNITIONS**

President Bruininks introduced Dr. Aaron Friedman as Vice President for Health Sciences and Dean of the Medical School. Dr. Friedman assumed his duties on January 3, 2011.

Recognition was given to students Prerna Nadathur and Priya Sury, recipients of the 2011 Rhodes Scholarship.

**APPROVAL OF MINUTES**

A motion was made and seconded, and the Board of Regents voted unanimously to approve the minutes of the following meetings:

Finance & Operations Committee – December 9, 2010  
Faculty, Staff & Student Affairs Committee – December 9, 2010  
Facilities Committee – December 9, 2010  
Educational Planning & Policy Committee – December 9, 2010  
Litigation Review Committee – December 9, 2010  
Board of Regents – December 10, 2010

**REPORT OF THE PRESIDENT**

President Bruininks provided an update on financial planning and cost reduction efforts underway resulting from recommendations of the Future Financial Resources Task Force. He stressed that a clear strategic goal and supporting principles and strategies are the foundation to long-term financial planning, along with

short-term budget balancing efforts. This type of planning is critical to advancing excellence while ensuring the institution's financial viability and integrity.

Bruininks reported that the state of Minnesota faces a projected budget shortfall of more than \$6 billion. This legislative session will determine the level of state support for the University for the next two years and will set the baseline for the foreseeable future.

Bruininks highlighted several initiatives underway to substantially increase administrative and academic effectiveness, reduce costs, and increase productivity. These include a strategic sourcing initiative, changes to the U Promise scholarship that help make awards and costs more predictable, and reductions in and consolidation of administrative positions.

Bruininks congratulated Vice President Rosenstone, who has been named chancellor of the Minnesota State Colleges and Universities system. He also reported that Senior Vice President and Provost Sullivan has announced his intention to return to his faculty position in the Law School at the end of the calendar year. President Bruininks commended Rosenstone and Sullivan for their extraordinary commitment and contributions to the University of Minnesota.

A copy of the Report of the President is on file in the Board Office.

#### **REPORT OF THE CHAIR**

On behalf of the Board, Chair Allen recognized Vice President Rosenstone on his recent appointment as chancellor of the Minnesota State Colleges and Universities system. Allen also offered the Board's appreciation to Senior Vice President and Provost Sullivan for his years of service as provost.

Allen acknowledged Regents Baraga and Bohnsack, who have served on the Board of Regents for the past twelve years. Their terms end when the legislature elects new Regents in the near future. Regents Baraga and Bohnsack briefly addressed the Board. Allen noted that Regents Hunter and Larson are candidates for second terms on the Board of Regents.

Chair Allen reported that a number of Regents would attend the inauguration of Chancellor Black in March 2011; that the tentative April 7-8, 2011 Board meetings are officially canceled; and that the next regular meeting of the Board of Regents will be March 10-11, 2011 on the Twin Cities campus.

A copy of the Report of the Chair is on file in the Board Office.

#### **RECEIVE AND FILE REPORTS**

Chair Allen noted the receipt and filing of the Annual Review on Legal Matters.

## **CONSENT REPORT**

Chair Allen presented the Consent Report, as described in the docket materials, including:

- Report of the All-University Honors Committee recommendation forwarded in a letter from President Bruininks dated January 28, 2011; and
- Summary of Gifts for two months ending December 31, 2010.

A motion was made and seconded, and the Board of Regents voted unanimously to approve the Consent Report.

## **2011 STATE CAPITAL BUDGET REQUEST**

President Bruininks stated that the 2011 State Capital Request (Request) was reviewed at the December 2010 Board of Regents meeting. The Request includes funds to support the required Light Rail Transit mitigation projects, a Physics and Nanotechnology building, and a number of projects vetoed at the end of the 2010 legislative session as described in the docket materials.

Vice President O'Brien led the discussion, reporting that the development of the Request conforms to the following principles used in the development of the most recent six-year capital plan:

- Aligning the capital plan with established academic strategic positioning goals;
- Maintaining continuity of priorities from previous legislative requests, including the restoration of funding for vetoed projects included in the University's long-term capital plan;
- Protecting the University's financial position by keeping capital expenditures within projected debt capacity limits and controlling operating costs; and
- Investing in facilities and infrastructure that advance life safety, renewal, and preservation goals, and also optimize space utilization.

O'Brien noted that the Request includes programmatic renovation, improvements, and new construction. She stressed that the institution is rigorous in following the debt capacity limits and in controlling costs, and that the Request emphasizes the maintenance of existing facilities. The \$153.2 million Request is built upon a combination of funds to be appropriated by the State of Minnesota (\$109.6 million) and resources committed by the University (\$43.5 million). The Request has been updated from the information presented to the Board in December to account for inflationary and cost estimate changes.

A motion was made and seconded, and the Board of Regents voted unanimously to approve the Resolution Related to the 2011 State Capital Request, as follows:

WHEREAS, the Board of Regents has directed the administration to annually submit a capital improvement budget and a six-year capital improvement plan in support of the University's strategic priorities; and

WHEREAS, the Board of Regents recognizes the importance of sustaining and improving the University's facilities in support of teaching, research, and outreach; and

WHEREAS, the administration has developed a capital planning framework designed to focus its capital planning efforts toward projects that support the University's institutional priorities within a financial strategy that is realistic;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents approves the University's 2011 State Capital Request to the Minnesota Legislature in the amount of \$153,250,000 consisting of \$109,667,000 from the State of Minnesota and \$43,583,000 from the University of Minnesota.

### **STRATEGIC RISK MANAGEMENT: GUIDING PRINCIPLES**

President Bruininks introduced the discussion of strategic risk management. He reported that a Strategic Risk Management Work Group was recently convened to develop recommendations related to risk tolerance, in particular to transform the University from a risk-averse culture to one that is risk tolerant.

Mulcahy observed that for many years the University has been active in cultivating a culture of compliance through the development of effective policies and procedures, establishment of compliance and oversight structures, and creation of programs to raise awareness of ethical standards and accountability. These efforts were intentionally conservative, which was appropriate at the time, to minimize risk across the expanse of the institution's activities. Over the ensuing years, the University's "culture of compliance" has matured, and is now one of the institution's greatest strengths. Mulcahy indicated that additional policies and procedures create a highly regulated environment, and the appropriateness of, or the intent of, existing policies has not been re-examined for efficiency or effectiveness. There is a growing consensus across the University community that a risk-averse legacy has limited innovation, productivity, and responsiveness to opportunity in ways that impede the fulfillment of the academic mission, while taxing the limits of available resources.

Mulcahy summarized a number of proposed risk tolerance principles and implementation steps developed by the Work Group that will encourage transformation to a more strategic approach to risk management (materials in the docket and on file in the Board Office). He highlighted the need to review policies and procedures to reflect the new risk tolerance principles and noted that the process presents a culture change, which must be carefully guided, but encouraged.

Regent Larson stated that in most organizations employee behavior is a major area of risk and that any organization must be explicit in its human resource processes. Mulcahy responded that the institution has a strong history in compliance and in many areas follows best practices.

Regents expressed support for the proposed principles and implementation steps. Mulcahy emphasized that by recognizing an appropriate response to risk, not ignoring it, and adopting an approach to strategic risk management, University faculty and staff will be empowered, enhancing the University's productivity, creation, innovation, and reputation.

## **REPORT OF THE FACULTY, STAFF & STUDENT AFFAIRS COMMITTEE**

Regent Johnson, Chair of the committee, reported that the committee voted unanimously to recommend:

- a) Approval of the Consent Report for the Faculty, Staff & Student Affairs Committee as presented to the committee and described in the February 10, 2011 committee minutes.

The Board of Regents voted unanimously to approve the recommendation of the Faculty, Staff & Student Affairs Committee.

Johnson reported that the committee also received a report on academic retirement programs: trends, issues, and benchmarks; received a presentation on performance management and the role of university deans; discussed comprehensive internationalization at the University of Minnesota; and discussed a number of information items included in the docket materials.

## **REPORT OF THE FACILITIES COMMITTEE**

Regent Hunter, Chair of the committee, reported that the committee voted unanimously to recommend:

- a) Approval of the Consent Report for the Facilities Committee as presented to the committee and described in the February 10, 2011 committee minutes.
- b) Approval of a Resolution Related to Adoption of Amendments to the *Regents of the University of Minnesota Traffic Regulation Ordinances*, as follows:

### **RESOLUTION RELATED TO THE ADOPTION OF THE AMENDMENTS TO THE REGENTS OF THE UNIVERSITY OF MINNESOTA TRAFFIC REGULATION ORDINANCES**

WHEREAS, in accordance with Minnesota Statutes 1979, Chapter 169.965 and Chapter 137.12 the Regents of the University of Minnesota have adopted Traffic Regulation Ordinances; and

WHEREAS, the Regents of the University of Minnesota reserve the right to amended and update the Traffic Regulation Ordinances from time to time as recommended by the administration; and

WHEREAS, the administration is in the process of updating the Twin Cities Campus Parking and Transportation Policies, which requires the Regents Traffic Regulation Ordinances be amended accordingly; and

WHEREAS, the Board of Regents reviewed the proposed amendments to the Regents Traffic Regulation Ordinances at their meeting in May 2010; and

WHEREAS, having published the required public notices, the Regents of the University of Minnesota conducted a public hearing on the

proposed amendments to the University of Minnesota Traffic Regulation Ordinances on the 10<sup>th</sup> day of February, 2011 at 1:30 o'clock p.m., in the West Committee Room, on the 6<sup>th</sup> floor of the McNamara Alumni Center, located at 200 Oak Street Southeast, Minneapolis, Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that as recommended by the administration, having informed the affected communities and conducted the public hearing, the amendments to the Regents of the University of Minnesota Traffic Ordinances, as detailed on pages 4-17 of the February 10, 2011 Facilities Committee docket materials, are approved.

**REGENTS OF THE UNIVERSITY OF MINNESOTA**

**TRAFFIC REGULATION ORDINANCES**

**2010**

ORDINANCE NO. 1

THE REGENTS OF THE UNIVERSITY OF MINNESOTA, A CONSTITUTIONAL EDUCATIONAL CORPORATION ("UNIVERSITY OF MINNESOTA"), DOES ORDAIN:

ARTICLE I.

Section 1. Pursuant to authority granted in Minnesota Statutes Chapters 137 and 169, the University of Minnesota is hereby authorized to employ peace officers of the University of Minnesota.

Section 2. Said peace officers shall have the powers of arrest to enforce the rules, regulations and ordinances adopted by the University of Minnesota and the Highway Traffic Regulations Act, all pursuant to Minnesota Statutes Chapters 137 and 169, as amended.

ARTICLE II.

SAVING CLAUSE

If any part or parts of this ordinance shall be held unconstitutional, such fact shall not affect the validity of the remaining parts of this ordinance. The University of Minnesota hereby declares it would have passed the remaining parts of this ordinance if it had known that such part or parts thereof would be declared unconstitutional.

ARTICLE III.

EFFECTIVE DATE

This ordinance and any amendments thereto shall be enforced and in effect upon the filing of the same with proof of publication thereof with the Secretary of State of the State of Minnesota.

## ORDINANCE NO. 2

THE REGENTS OF THE UNIVERSITY OF MINNESOTA, A CONSTITUTIONAL EDUCATIONAL CORPORATION ("UNIVERSITY OF MINNESOTA"), DOES ORDAIN:

### ARTICLE I.

#### APPLICATION

This ordinance and subsequent ordinances, unless expressly stated therein, shall apply to the regulation of traffic and parking upon parking facilities, highways, streets, private roads and roadways, as herein defined, situated on all properties owned, leased or occupied by the University of Minnesota.

Where not in conflict with the Regents of the University of Minnesota Traffic Regulation Ordinances, the Uniform Highway Traffic Regulations Act and Minnesota Statutes Chapters 137 and 169, as amended and revised, shall apply upon all properties and facilities owned, leased or occupied by the University of Minnesota.

### ARTICLE II.

#### DEFINITIONS

The following words and phrases when used in this ordinance and subsequent ordinances, unless expressly stated therein, shall have the meanings respectively ascribed to them in this section:

Section 1. Street or Highway. "Street or Highway" means the entire width between curb or surface lines of any way or place when any part thereof is open to the use of the public for the purposes of vehicular traffic.

Section 2. Private Road or Driveway. "Private Road or Driveway" includes every street or highway not dedicated to the respective governmental subdivision and every way or place in University of Minnesota ownership used for vehicular travel by the owner and those having express or implied permission from the owner, but not other persons.

Section 3. Roadway. "Roadway" means that portion of a street or highway, private road or driveway or parking facility designed or ordinarily used for vehicular travel or the accommodation of stopped or parked vehicles.

Section 4. Parking. "Parking" refers to the standing of a vehicle upon a street or highway, private road or driveway or roadway, whether accompanied or unaccompanied by the operator thereof.

Section 5. Parking Facility. "Parking Facility" refers to those areas or structures located on University of Minnesota owned or leased property and authorized for the parking of vehicles, whether without charge or for a fee.

Section 6. Unless specifically defined herein, any term used in this ordinance and defined in Minnesota Statutes Section 169.01 has the meaning given it by that Section.

### ARTICLE III.

#### TRAFFIC PROVISIONS

Section 1. Miscellaneous Provision. No vehicle shall be driven, operated or parked upon properties owned by or under the supervision and control of the University of Minnesota, except upon parking facilities, highways or streets, private roads or driveways and roadways, as defined in this ordinance, and then only subject to the provisions of the Ordinances of the Regents of the University of Minnesota, the Highway Traffic Regulation Act (Minnesota Statutes Chapter 169, as amended) or other lawful authority.

Section 2. Stopping. It shall be unlawful for any person to drive and operate, stop or park a vehicle upon any roadway so as to needlessly, unnecessarily and unwarrantedly block, obstruct or interfere with the orderly flow of traffic, vehicular and pedestrian. Proof that such traffic was blocked, obstructed or interfered with shall be prima facie evidence that such blocking, obstructing and interference was needless, unnecessary and unwarranted.

No vehicles shall stop on or in any crosswalk or driveway so as to interfere with the passage of pedestrians.

Section 3. Parking. (a) Parking is prohibited upon all properties owned, leased or occupied by the University of Minnesota which have not been designated a parking facility or as parking areas and appropriately marked as such, except that a vehicle may be temporarily parked for the purpose of loading or unloading where access to the premises is not otherwise available and in specially designated construction staging areas. A clear and safe path of travel for pedestrians must be maintained at all times.

(b) Except where signs designate angle parking, no person shall stand or park a vehicle other than parallel with the edge of the roadway, headed in the direction of traffic, with the curb-side wheels of the vehicle within twelve inches of the edge of the roadway and not closer

than four feet to another vehicle parked at the curb; or not in compliance with the established signs and marking then evident.

(c) Except where signs designate angle parking upon any roadway not having a curb, each vehicle stopped or parked shall be stopped or parked parallel with and to the right of the paved or improved or main traveled part of the street or highway.

(d) No person shall park a vehicle for a longer period of time than is designated on traffic control devices marking such zone.

(e) No person shall stop, stand or park a vehicle, unless directed to do so by a police officer, on any roadway where the University of Minnesota has authorized a "No Parking Zone," or Bus Stop or Bus Zone and such zone is marked by sign or yellow curb.

(f) No person shall park a vehicle on any roadway except pursuant to the terms or conditions regulating parking on said properties as indicated on the parking meter instruction plates or upon signs erected in the area.

(1) If said vehicle shall remain in any such parking space beyond the parking time limit for such parking space and the parking meter shall have displayed the sign for illegal parking, such vehicle shall be considered as parked overtime and such overtime parking shall be a violation of this ordinance.

(2) No person shall deposit or cause to be deposited in any parking meter any slugs, devices or other substances as a substitute for a coin of the United States.

(3) No person shall damage, deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this ordinance.

(g) Official University Vehicle Zones.

Establishment.

(1) No person shall stand or park any vehicle, except an official University vehicle designated with a proper permit displayed from the rear view mirror of such vehicle in any area designated and posted as an official University vehicle zone, and then only in accordance with the conditions of the permit and the posted signs.

(h) Parking Facilities and Parking Areas. All parking in parking facilities and areas designated as parking areas shall be in conformity with posted signs and instructions and pavement markings, unless otherwise directed by lawful authority.

Section 4. Careless Driving. No person shall operate or halt any vehicle carelessly or recklessly upon a roadway in disregard of the

rights or safety of others or in a manner so as to endanger or be likely to endanger any person or property.

Section 5. Speed Limits. No vehicle shall be driven or operated upon a roadway at a speed greater than twenty miles per hour, or less if otherwise posted.

Section 6. Special Hazards. Notwithstanding the speed limits set forth in Section 5 of this ordinance, no person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions, and having regard for the actual and potential hazards then existing. In every event, the speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street, avenue or roadway in compliance with legal requirements and the duty of all persons to use due care.

Section 7. Obedience to Traffic Control Signs and Devices. No pedestrian, driver of a vehicle or person riding an animal or bicycle shall disobey the instructions of any official traffic control sign or device, unless at the time otherwise directed by a police officer or parking enforcement personnel.

Section 8. Towing. Any police officer or parking enforcement personnel are hereby empowered to cause to be removed and towed any unattended vehicle, including those determined to be abandoned, standing or parked in violation of the terms of this ordinance, the Uniform Traffic Regulation Act or other lawful authority. Where such vehicle is towed away and stored, such vehicle will not be returned to the owner thereof except upon satisfactory proof of ownership and upon payment of the reasonable cost for towage and storage of such vehicle.

#### ARTICLE IV.

#### PARKING ENFORCEMENT PERSONNEL

Section 1. The President or his/her designee is authorized to execute in the name of the Regents of the University of Minnesota a certificate of appointment for persons designated as University Parking Enforcement Personnel, whose appointment, salary, wages and other terms and conditions of employment shall be pursuant to the University of Minnesota Civil Service Rules or applicable bargaining unit contract.

Section 2. Parking enforcement personnel shall have the authority to issue traffic tags for parking meter and other non-moving violations under the code and the state traffic laws, on property owned, leased or occupied by the University of Minnesota. Such tags shall have the same force and effect as though issued by a duly appointed qualified and acting peace officer.

ARTICLE V.

VIOLATIONS

Section 1. Prima facie violation. The presence of any motor vehicle on any street when standing or parked in violation of this ordinance is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Section 2. Separate violations. Unless otherwise provided, each act of violation and every day on which a violation occurs or continues constitutes a separate offense.

Section 3. Penalties. Any person found violating any of the provisions of this ordinance upon conviction shall be guilty of a petty misdemeanor.

ARTICLE VI.

SAVING CLAUSE

If any part or parts of this ordinance shall be held unconstitutional, such fact shall not affect the validity of the remaining parts of this ordinance. The University of Minnesota hereby declares it would have passed the remaining parts of this ordinance if it had known that such part or parts thereof would be declared unconstitutional.

ARTICLE VII.

EFFECTIVE DATE

This ordinance shall be enforced and in effect upon the filing of the same with proof of publication thereof with the Secretary of State of the State of Minnesota.

ORDINANCE NO. 3

THE REGENTS OF THE UNIVERSITY OF MINNESOTA, A CONSTITUTIONAL EDUCATIONAL CORPORATION ("UNIVERSITY OF MINNESOTA"), DOES ORDAIN:

ARTICLE I.

This ordinance and subsequent ordinances, unless expressly stated therein, shall apply to the regulation of bicycles and bicycle traffic and parking upon all properties owned, leased or occupied by the University of Minnesota.

## ARTICLE II.

### DEFINITIONS

Unless specifically defined herein, any term used in this ordinance and defined in Minnesota Statutes, Section 169.01 has the meaning given it by that Section.

## ARTICLE III.

### DRIVING AND OPERATION OF BICYCLES

Section 1. Every person operating a bicycle upon properties owned, leased or occupied by the University of Minnesota shall have all the rights and duties applicable to the driver of a vehicle by this ordinance and Minnesota Statutes Chapters 137 and 169, except as to provisions of such ordinance or statutes which by their nature have no application.

Section 2. No person shall ride and propel a bicycle upon property owned, leased or occupied by the University of Minnesota except in a prudent and careful manner, with reasonable regard to the safety of the operator and other persons.

Section 3. No person shall operate a bicycle on sidewalks, crosswalks or pedestrian areas located on property owned, leased or occupied by the University of Minnesota except:

(a) in compliance with all posted signs governing or directing the operation or parking of bicycles, where applicable; and

(b) where bicycle lanes are designated by lane markings and signs or pavement markings.

Section 4. A person walking a bicycle on sidewalks or plazas on properties owned, leased or occupied by the University of Minnesota shall have all the rights and duties applicable to pedestrians.

## ARTICLE IV.

### PARKING AND STORAGE OF BICYCLES

Section 1. No person shall park a bicycle in any classroom, auditorium, laboratory or other place which blocks or limits access to building entrances, handicap or pedestrian ramps, stairways, hallways, doors, fire hydrants, fire lanes, bicycle lanes or sidewalks except where a bicycle rack extends into any of these areas.

Section 2. No person shall transport bicycles in University of Minnesota building elevators or operate bicycles in University of Minnesota buildings.

Section 3. No person shall chain or otherwise attach a bicycle to any tree or plant material or park a bicycle on any handicap or pedestrian ramp.

Section 4. Any police officer or agent of the chief law enforcement officer is hereby empowered to cause to be removed and stored in other areas on University of Minnesota premises or in a public garage any unattended bicycle standing or parked in violation of Sections 1 and 3 of this ordinance, the Uniform Traffic Regulation Act or other lawful authority.

Where such bicycle is removed and stored in other areas on the premises of the University of Minnesota or in such public garage, such bicycle will be held for 30 days and will not be returned to the owner thereof except upon satisfactory proof of ownership. Bicycles will be disposed of if not claimed within 30 days.

The presence of any bicycle on any street or other area when standing or parked in violation of this ordinance is prima facie evidence that the owner of the bicycle committed or authorized the commission of the violation.

#### ARTICLE V.

##### BICYCLE MONITORS

Section 1. The President or his/her designee is authorized in the name of the Regents of the University of Minnesota to appoint and train student employees designated as University of Minnesota bicycle monitors, whose salary, wages and other terms and conditions of employment shall be determined pursuant to the University of Minnesota Student Employment Rules.

Section 2. Bicycle monitors shall have the authority to patrol University of Minnesota property on University of Minnesota owned bicycles and to issue traffic tags for parking and/or moving violations committed by bicyclists or pedestrians under this code on property owned, leased or occupied by the University of Minnesota. Such tags shall have the same force and effect as though issued by a duly appointed qualified and acting peace officer.

#### ARTICLE VI.

##### VIOLATIONS

Section 1. Prima facie violations. The presence of any bicycle on any street when standing or parked in violation of this ordinance is prima facie evidence that the registered owner of the bicycle committed or authorized the commission of the violation.

Section 2. Separate violations. Unless otherwise provided, each act of violation and every day on which a violation occurs or continues constitutes a separate offense.

Section 3. Penalties. Any person found violating any of the provisions of this ordinance upon conviction shall be guilty of a petty misdemeanor.

#### ARTICLE VII.

##### SAVING CLAUSE

If any part or parts of this ordinance shall be held unconstitutional, such fact shall not affect the validity of the remaining parts of this ordinance. The University of Minnesota hereby declares it would have passed the remaining parts of this ordinance if it had known that such part or parts thereof would be declared unconstitutional.

#### ARTICLE VIII.

##### EFFECTIVE DATE

This ordinance and any amendments thereto shall be enforced and in effect upon the filing of the same with proof of publication thereof with the Secretary of State of the State of Minnesota.

#### ORDINANCE NO. 4

THE REGENTS OF THE UNIVERSITY OF MINNESOTA, A CONSTITUTIONAL EDUCATIONAL CORPORATION ("UNIVERSITY OF MINNESOTA"), DOES ORDAIN:

#### ARTICLE I.

##### APPLICATION

This ordinance and subsequent ordinances unless expressly stated therein, shall apply to the regulation of skateboarding and roller skating upon all properties owned, leased or occupied by the University of Minnesota.

#### ARTICLE II.

##### DEFINITIONS

The following words and phrases when used in this ordinance have the meanings given them below:

Section 1. Skateboard. "Skateboard" means a device for riding upon, usually while standing, consisting of a piece of wood or other

composition mounted on skate wheels, with or without motorized power.

Section 2. Roller Skate. "Roller skate" means a form of skate having small wheels or rollers instead of a runner. The term shall also include devices commonly known as in-line skates and roller skis.

Section 3. Unless specifically defined herein, any term used in this ordinance and defined in Minnesota Statutes Section 169.01 has the meaning given it by that Section.

### ARTICLE III.

#### PROHIBITIONS

Section 1. Skateboarding. No person shall ride or operate a skateboard upon properties owned, leased or occupied by the University of Minnesota, including but not limited to buildings, mall and plaza areas, sidewalks, streets, alleys and parking facilities where applicable.

Section 2. Roller Skating. No person shall ride or operate roller skates upon properties owned, leased or occupied by the University of Minnesota, except in a prudent and careful manner, with reasonable regard for the safety of the operator and other persons.

### ARTICLE IV.

#### VIOLATIONS

Section 1. Penalties. Any person found violating any of the provisions of this ordinance upon conviction shall be guilty of a petty misdemeanor.

Section 2. Impoundment. Any police officer who observes a person violating this Ordinance is authorized to seize the person's skateboard or roller skates and impound them at the University of Minnesota Police Department for twenty-four (24) hours.

### ARTICLE V.

#### SAVING CLAUSE

If any part or parts of this ordinance shall be held unconstitutional, such fact shall not affect the validity of the remaining parts of this ordinance. The University of Minnesota hereby declares it would have passed the remaining parts of this ordinance if it had known that such part or parts thereof would be declared unconstitutional.

ARTICLE VI.

EFFECTIVE DATE

This ordinance and any amendments thereto shall be enforced and in effect upon the filing of the same with proof of publication thereof with the Secretary of State of the State of Minnesota.

ORDINANCE NO. 5

THE REGENTS OF THE UNIVERSITY OF MINNESOTA, A CONSTITUTIONAL EDUCATIONAL CORPORATION ("UNIVERSITY OF MINNESOTA"), DOES ORDAIN:

ARTICLE I.

APPLICATION

This ordinance shall apply to the regulation of traffic and parking upon the University Transitway.

ARTICLE II.

DEFINITIONS

The following words and phrases when used in this ordinance shall have the meanings respectively ascribed to them in this section:

Section 1. "University Transitway" means the University of Minnesota owned roadway connecting the Minneapolis and St. Paul campuses.

Section 2. "Emergency Vehicle" means public police and fire vehicles, and public and private ambulances.

Section 3. "Public Works, Maintenance and Service Vehicles" include public and private repair and construction vehicles and equipment; public and private street cleaning and snow removal vehicles and equipment; public and private water and sewer repair and construction vehicles and equipment; and public and private vehicles and equipment engaged in construction, service and repair of electric, gas, telephone or other public utility facility, all such vehicles only while engaged in the stated activities on the University Transitway or on property immediately adjacent where access is required from the University Transitway.

Section 4. "Public Carriers" include University of Minnesota contracted vehicles engaged in the mass transportation of persons by bus between Minneapolis and St. Paul campuses with intermediate stops at University of Minnesota designated locations.

Section 5. Unless specifically defined herein, any term used in this ordinance and defined in Minnesota Statutes Section 169.01 has the meaning given it by that Section.

#### ARTICLE III.

##### TRAFFIC PROVISION

Section 1. Limited Access. No motor vehicle or other vehicle shall travel on the University Transitway except emergency vehicles; public works, maintenance and service vehicles; and public carriers.

No limitation or prohibition shall apply to vehicles on a street intersecting or crossing such part of the University Transitway.

#### ARTICLE IV.

##### SPEED

Section 1. No person shall travel in excess of the posted speed limit. The President or his/her designee is authorized to determine the posted speed limit in consultation with appropriate University of Minnesota police, health and safety and appropriate engineering officials. Such speed limit shall not be in excess of 40 mph.

#### ARTICLE V.

##### PARKING

Section 1. Parking is prohibited on the University Transitway.

#### ARTICLE VI.

##### VIOLATIONS

Section 1. Prima facie violations. The presence of any vehicle on the University Transitway when standing or parked in violation of this ordinance is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Section 2. Separate violations. Unless otherwise provided, each act of violation and every day on which a violation occurs or continues constitutes a separate offense.

Section 3. Penalties. Any person found violating any of the provisions of this ordinance upon conviction shall be guilty of a petty misdemeanor.

#### ARTICLE VII.

##### SAVING CLAUSE

If any part or parts of this ordinance shall be held unconstitutional, such fact shall not affect the validity of the remaining parts of this ordinance. The University of Minnesota hereby declares it would have passed the remaining parts of this ordinance if it had known that such part or parts thereof would be declared unconstitutional.

#### ARTICLE VIII.

##### EFFECTIVE DATE

This ordinance shall be enforced and in effect upon the filing of the same with proof of publication thereof with the Secretary of State of the State of Minnesota.

##### ORDINANCE NO. 6

THE REGENTS OF THE UNIVERSITY OF MINNESOTA, A CONSTITUTIONAL EDUCATIONAL CORPORATION ("UNIVERSITY OF MINNESOTA"), DOES ORDAIN:

#### ARTICLE I.

##### APPLICATION

This ordinance shall apply to the regulation of mopeds in their operation and parking upon parking facilities, highways, streets, private roads and roadways, as herein defined, situated on all properties owned, leased or occupied by the University of Minnesota.

#### ARTICLE II.

##### DEFINITIONS

The following words and phrases when used in this ordinance have the meanings given them below:

Section 1. Moped. "Moped" means a motorized bicycle that is propelled by an electric or a liquid fuel motor of a piston displacement capacity of 50 cubic centimeters or less, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Section 2. Operate. "Operate" means to drive or be in actual physical control of a moped.

Section 3. "University Transitway" means the University of Minnesota owned roadway connecting the Minneapolis and St. Paul campuses.

### ARTICLE III.

#### OPERATION OF MOPEDS

Section 1. General Provision. All mopeds shall be operated in accordance with Local, State, Federal, and University of Minnesota Twin Cities Campus permitting regulations.

Section 2. No person shall operate a moped upon property owned, leased or occupied by the University of Minnesota except in a prudent and careful manner, with reasonable regard to the safety of the operator and other persons.

Section 3. Current Registration. No person shall operate or park a moped upon property owned, leased or occupied by the University of Minnesota unless said moped is currently registered under the current owner with the State of Minnesota and displays a valid license plate.

Section 4. Pedestrian Areas. No person shall ride a moped on sidewalks, crosswalks, pedestrian walkways, service drives, or wheelchair ramps located on property owned, leased or occupied by the University of Minnesota, unless the area is specifically designated for use by motorized vehicles.

Section 5. Bicycle Paths or Lanes. No person shall operate a moped on a designated bicycle path or lane.

Section 6. Washington Avenue Pedestrian Bridge. No person shall ride a moped on the Washington Avenue Pedestrian Bridge. A person may, however, walk across the Washington Avenue Pedestrian Bridge with a moped.

Section 9. University Transitway. No person shall operate a moped on the University Transitway.

Section 10. Restricted Areas. No person shall operate a moped in any area that is restricted to emergency vehicles and buses.

Section 11. Helmets. No person under 18 shall operate a moped without a helmet.

Section 12. Eye Protection. No person shall operate a moped without eye protection.

Section 13. Standard Equipment. No person shall operate a moped that lacks any of the following in working order: headlight, taillight, horn, mirror, or stop lamp.

Section 15. Passengers. No person shall carry a passenger while operating a moped.

Section 16. Carrying Objects. No person shall operate a moped while carrying any object that prevents the person from keeping both hands upon the handlebars.

Section 17. Liability Insurance. No person shall operate a moped without liability insurance.

Section 18. Buildings and Building Elevators. No person shall transport a moped in University of Minnesota building elevators or operate a moped in University of Minnesota buildings.

Section 19. Pedestrians. All persons operating mopeds shall yield to pedestrians.

#### ARTICLE IV.

##### PARKING AND STORAGE OF MOPEDS

Section 1. Mopeds may park in any public parking facility and pay the posted rate.

Section 2. Designated Moped Parking. Moped permits are valid only in designated moped parking areas. Mopeds parked in any designated moped parking areas must display a valid moped parking permit.

Section 3. Surface Lots. Full-time staff or faculty with an active surface lot contract may park a moped in their assigned surface lot.

Section 4. Bicycle Racks and Parking Areas. No person shall park a moped at a bicycle rack or bicycle parking area on the University of Minnesota Twin Cities Campus.

Section 5. Attaching to Fixtures. No person shall park or lock a moped to a fixture outside of designated parking areas, including, but not limited to: a utility pole, bollards, tree, railing, sign post, or fence.

#### ARTICLE V.

##### VIOLATIONS

Section 1. Citations. Improperly parked or non-permitted mopeds may be cited by authorized University personnel.

Section 2. Current Registration and Permitting. Mopeds that do not display a current and valid plate, and a valid parking permit, as applicable, may be cited, towed and impounded.

Section 3. Prima facie violation. The presence of any moped on any part of the University of Minnesota Twin Cities Campus when standing or parked in violation of this ordinance is prima facie evidence that the registered owner of the moped committed or authorized the commission of the violation.

Section 4. Separate violations. Unless otherwise provided, each act of violation and every day on which a violation occurs or continues constitutes a separate offense.

Section 5. Penalties. Any person found violating any of the provisions of this ordinance upon conviction shall be guilty of a petty misdemeanor.

#### ARTICLE.VI.

#### SAVING CLAUSE

If any part of parts of this ordinance shall be held unconstitutional, such fact shall not affect the validity of the remaining parts of this ordinance. The University of Minnesota hereby declares it would have passed the remaining parts of this ordinance if it had not known that such part or parts thereof would be declared unconstitutional.

#### ARTICLE. VII.

#### EFFECTIVE DATE

This ordinance shall be enforced and in effect upon the filing of the same with proof of publication thereof with the Secretary of State of the State of Minnesota.

- c) Adoption of amendments to Board of Regents Policy: *Campus Health and Safety*, as follows:

### **Health and Safety**

#### SECTION I. SCOPE.

This policy provides for the health and safety of the University of Minnesota (University) community.

#### SECTION II. DEFINITIONS.

Subd. 1. Health and Safety. Health and safety encompasses personal security; public safety; emergency preparedness; public health; workplace safety; protection of environmental, physical, and monetary resources; and safe and healthful facilities.

#### SECTION III. GUIDING PRINCIPLES.

The following principles shall guide the health and safety of the University community:

- (a) The University seeks to provide a safe, secure, and healthy environment in which members of the University community can achieve their educational, research, outreach, service, and employment goals.

(b) The University is committed to providing a safe environment for members of the University community who participate in events or use resources, facilities, and services.

(c) The University is committed to monitoring and addressing emerging health and safety issues.

#### SECTION IV. IMPLEMENTATION.

Subd. 1. Mutual Responsibility. Members of the University community shall comply with applicable health and safety policies, procedures, and laws in order to fulfill their mutual responsibilities for achieving excellence in health and safety. Supervisors have responsibility for the activities of those people who report to them.

Subd. 2. Delegation of Authority. The president or delegate shall maintain administrative policies and procedures and implement programs to promote and advance safe, secure, and healthy property and programs.

Subd. 3. Compliance. The University shall comply with all applicable health, safety, and environmental laws, regulations, and requirements.

- d) Adoption of Board of Regents Policy: *Campus and Facility Usage*, as follows:

### **Property and Facility Use**

#### SECTION I. SCOPE.

This policy governs use of property and facilities owned by or leased to the University of Minnesota (University).

#### SECTION II. GUIDING PRINCIPLES.

The following principles shall guide the use of University property and facilities:

(a) The University is committed to maintaining property and facilities for the primary purpose of meeting the needs of the institution, and furthering its teaching, research, and outreach mission. This includes uses that: (1) contribute to the physical and cultural development of University students supplementary to formal course work; and (2) stimulate the intellectual lives and personal development of University students, faculty, staff, and the broader community.

(b) The University is committed to maximizing the efficient and effective use of its property and facilities in order to provide appropriate, high quality, and sufficient space and infrastructure for University purposes and programs.

(c) University property and facilities are valuable public assets that may be appropriate for broader community use.

### SECTION III. IMPLEMENTATION.

Subd. 1. Delegation of Authority. The president or delegate shall maintain administrative policies and procedures to implement this policy, define permissible uses, set contracting guidelines, ensure appropriate property and facility management, and establish scheduling priority of University property and facility use.

Subd. 2. Campus Master Planning. The use and stewardship of University property and facilities shall be consistent with the master plan for each campus.

Subd. 3. Non-University Use. Use of University property and facilities by individuals and by non-University entities may be permitted under the following conditions:

(a) the property or facility is available and not being used for a University purpose or program; and

(b) an appropriate contracted agreement has been developed between the University and the individual or non-University entity.

- e) Approval of the following real estate transactions as presented to the committee and described in the February 10, 2011 committee minutes.
  - 1. Agreements for use of university facilities and services for Walden University's Summer Session Residency Program, July 13-August 1, 2011 (Twin Cities campus).
  - 2. Conveyance of 27.479 acres in Dakota County to City of Rosemount (UMore Park).
- f. Approval of Schematic Plans for the following project as presented to the committee and described in the February 10, 2011 committee minutes.
  - 1. Physics and Nanotechnology Building, Twin Cities campus.
- g. Approval of amendments to the FY2011 Capital Budget by:
  - 1. \$165,500 for Eastcliff Renovations – security and communication systems, Twin Cities campus.
  - 2. \$620,000 for Central Corridor Light Rail Transit lab mitigations – Blank Research Group Lab relocation, Twin Cities campus.
  - 3. \$78,300,000 for Northrop Revitalization Phase II Renovation, Twin Cities campus.

Regent Frobenius expressed concerns regarding the Northrop revitalization project. He indicated that he will vote reluctantly in favor of the capital budget amendment after being assured that renovating this space will allow other facilities to be closed, thus making this project more economically viable. Regent Simmons commented that it is inspiring to know how much private funding has been raised for the project, and noted that the renovated space will be a great contribution to the State.

The Board of Regents voted unanimously to approve the recommendations of the Facilities Committee.

Hunter reported that the committee also received the Utilities and Energy Management annual report; and discussed a number of information items included in the docket materials.

### **REPORT OF THE FINANCE & OPERATIONS COMMITTEE**

Regent Frobenius, Chair of the committee, reported that the committee voted unanimously to recommend:

- a) Approval of the Consent Report for the Finance & Operations Committee as presented to the committee and described in the February 10, 2011 committee minutes.

The Board of Regents voted unanimously to approve the recommendations of the Finance & Operations Committee.

Frobenius reported that the committee also received an update on University endowment policies; discussed issues related to the Annual Capital Financing and Debt management Report and issues related to the University budget model; received a University student fees reform update; and reviewed a number of information items included in the docket materials. The Annual Insurance and Risk Management Report was delayed due to time constraints.

### **REPORT OF THE AUDIT COMMITTEE**

Regent Hunter, Chair of the committee, reported that the committee received the External Auditor's Review of Completed Audit Work and Letters to Management; discussed the impact of Sarbanes-Oxley and its effectiveness six years after implementation; received an internal audit update; and discussed the information items contained in the docket materials.

### **REPORT OF THE EDUCATIONAL PLANNING & POLICY COMMITTEE**

Regent Simmons, Chair of the committee, reported that the committee voted unanimously to recommend:

- a) Approval of the Consent Report of the Educational Planning & Policy Committee as presented to the committee and described in the February 10, 2011 committee minutes.

The Board of Regents voted unanimously to approve the recommendation of the Educational Planning and Policy Committee.

Simmons reported that the committee also received a report on financial and advising support for undergraduate students; and discussed the information items detailed in the docket materials.

**REPORT OF THE LITIGATION REVIEW COMMITTEE**

Regent Baraga reported that the committee did not meet this month.

The meeting adjourned at 10:44 a.m.



**ANN D. CIESLAK**  
**Executive Director and**  
**Corporate Secretary**