

Date: July 22, 2021

To: UMRA Document Archives, Gloria Williams, Cathy Lee Gierke
From: Jerry Rinehart, Liaison to the Board of Regents
Re: Annual Report

After an interlude related to COVID 19 lockdown, I began following Regents meetings via Zoom streaming and recordings. I attempted to take note of issues I thought would be of interest to UMRA Board members, given that so many of them previously held leaderships impacted by decisions and discussions at Regents meetings. In September 2021, I will attend the planned in-person meetings.

In addition to this cover note, I have attached my report of the monthly sessions, and a brief document to serve as a “toolkit” for successors.

I understand that University Archives routinely receives the official meeting Board of Regents meeting minutes directly from the Regents’ office. These summaries are not intended to supplement or substitute for the full, official minutes.

UMRA Liaison To Board of Regents Report¹ September-October 2020

Board of Regents Meeting, September 10-11, 2020

Video and Materials available at: <https://regents.umn.edu/september-2020-board-regents-meeting>

(All sessions were held in "hybrid" format with some Regents on campus at McNamara, others logging in from off campus locations.)

Selected highlights-- Committee Sessions: September 10, 2020

Litigation and Review Committee

The Committee met in non-public format to discuss legal cases pending:

- I. *Young American's Foundation, et al. v. Eric W. Kaler, et al.*
- II. *Viewpoint Neutrality Now! v. Regents of the University of Minnesota*
- III. *Staubus v. Regents of the University of Minnesota*
- IV. Potential claims for breach of contract

Finance and Operations Committee

- Committee approved Capital Planning Proposal with the following priorities:
 - Address poor and critical backlog
 - Advance the Health Sciences
 - Expand capacity in STEM programs
 - Modernize laboratories on the Twin Cities campus in Saint Paul
 - Reposition libraries for the 21st century
- Endorsed the Department of Intercollegiate Athletics intention to restructure and/or terminate employee appointments to reduce the budget shortfall for FY 2021. Three Regents expressed grave concerns about this; there was a note regarding upcoming meeting with legal staff to discuss potential law suits against the U.

¹ Liaison's Note: The Regents Docket Materials typically include over 100 pages of materials, and the various meetings consume 8-10 hours. I've attempted to identify issues/outcomes that may be of interest to UMRA, but I'm sure in some cases I've provided too much information, in others, not enough. Please feel free to visit the UM Regents website for clarification and/or more explanation of the issues identified.

- Introduced Myron Frans as the new Senior Vice President for Finance and Operations. In full Board meeting, his contract was approved on 8-3 vote (opposed: Hsu, Rosha, Kenyanna, --expressed concerns about salary offer)
- Reviewed a resolution regarding extension of the Dining Services contract—due to inability to bring stakeholders together effectively for input, request is being made for a three- or four-year extension of current contract. One Regent expressed concern that students have serious complaints about food on campus. Resolution to be voted on at upcoming meeting.

Mission Fulfillment Committee

Provost Crosson and Vice Provost McMaster reviewed fall term enrollments in view of COVID 19: TC campus enrollments down 1.3%;

- System down 2.3% (biggest decreases: Morris and Rochester campuses = 11%+)
- 55% of TC undergrads have courses held fully or partially in person this fall.

Governance and Policy

- Discussion of Regent's selection process—"qualifications Regents should have" The full Board reviewed the 16 criteria developed for the last (2018) selection process. Regent Her questioned whether all 16 criteria are equal, or if some more important than others. Regent Sviggum suggested additional emphasis on teamwork and respecting differences of opinions –and the importance of focus on support and success of the U. Regent Powell referenced the important of the Regents Code of Conduct and specifically the "conflict of interest" language that all candidates should be aware of. Overall, agreement that the 16 criteria previously developed should go forward without change.

Full Board Session, September 11, 2020

Selected Highlights

- Athletics Department Restructuring: To address a projected \$75M budget shortfall and to remain in compliance with Title IX requirements, the Athletics department presented two resolutions:
 - Authorize Athletics to enact personnel and restructuring and position eliminations (as described in the Finance and Operations Committee report above);
 - Approval to reduce the number of athletic teams supported by the Athletics

The first resolution passed on a vote of 11-1.

Following heated debate, a vote on the second resolution, regarding the elimination of Men's Gymnastics, Men's Tennis, Men's Indoor Track and Field, and Men's Outdoor Track and Field, was postponed until October. (Further discussion of these issues is included in the October meeting report below.)

- At the end of the meeting, Regent Hsu introduced a motion to urge Big 10 to begin competition "as soon as logistically possible"—the motion received no second, so was dropped.

Additional Docket Items and Presentations at September 11, 2020 Meeting

Strategies for Enhancing Diversity and Inclusion

Resolution Related to Fundraising Agreement Between University of Minnesota Foundation and M Health Fairview - Review for further discussion and vote in October

Report on Private Giving & Update on Driven Campaign –UM Foundation

Board of Regents Meetings October 8-9, 2020

(Video and Materials Available at:
<https://regents.umn.edu/october-2020-board-regents-meeting>)

Non-Public Meeting to discuss pending legal issue: Threatened litigation regarding resolution to eliminate certain Twin Cities campus athletic programs.

Committee Meetings (*Selected Items of Interest*)

Finance and Operations

- President's Recommended FY 2022-23 Biennial Budget Request
 - Priorities :
 - Strategic employee retention
 - Classroom and equipment maintenance
 - Compliance with federal/state regulations
 - Research and technology infrastructure
 - Maintenance of core facilities
 - Targeted program enhancement
- A "focus on advancing the three goals of the "MPact 2025 Systemwide Strategic Plan's MNtersections Commitment"
 - Next Generation Health,
 - A Fully Sustainable Future, and
 - Natural Resources and Agro-Food Systems.
- "All three initiatives are fundamental to the mission of the University and in turn, to the success of the State of Minnesota. "*(Docket statement)*
- Updates on COVID-19 Impact on University Finances: Coronavirus Aid, Relief, and Economic Security (CARES) –Emergency Relief Fund authorized by Congress in March 2020:
 - \$16.7 M has been allocated as aid to students
 - \$17.7 M allocated to offset institutional costs related to COVID-19

Governance and Policy

- Amendments to Urgent Approval Authority (*allowing subset of Board to approve actions in emergencies—examples referenced: legal responses to sexual assault claims against athletes in December 2018; COVID 19 emergency closure of campus in March 2020*)
- Big Ten – Ability for action on proposals by a subset of the Board in case of emergencies

Full Board Meeting Oct. 9, 2020

Approved Resolution to Extend Dining Services Contract on Twin Cities campus to 2023. COVID precautions restricted ability to bring together constituents and stakeholder to fully evaluate options. One Regent expressed concerns about the complaints he has received from students regarding the quality of food on campus.

Approved Resolution Related to Fundraising Agreement Between University of Minnesota Foundation and M Health Fairview

“The fundraising agreement works to align philanthropic efforts under a single brand and entity in light of the collaboration agreement between Fairview Health System, University of Minnesota Physicians, and the University’s Medical School” (docket statement)

Approved Resolution Related to BioMADE Institute Collaboration (Twin Cities Campus)

Approved **Modified** Gopher Athletics Resolution Related to Elimination of Select Sports

“NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents approves the Department of Intercollegiate Athletics plan to eliminate Men’s Gymnastics, Men’s Tennis, and Men’s Indoor Track beginning in FY 2022; and directs the executive team of Intercollegiate Athletics to further evaluate during FY 2021 financial and other considerations related to the Department.” *(Docket language)*

Director Mark Coyle indicated that in addition to the dire financial situation the Athletics Department is experiencing, the focus on reduction in men’s athletic teams is necessitated by the need and desire to be in compliance with Title IX regulations. Among the factors discussed by Director was the steady growth in undergraduate female enrollments; in order to remain in compliance based on female/male student ratios, either several additional women’s teams would have to be added, or several men’s team need to be eliminated. Given the Athletic Department’s financial position, adding teams is not an option.

Prior to the vote to approve this resolution, a resolution was introduced to postpone this decision until the next meeting (December 2020). This resolution was defeated on a 7-5 vote. **The modified athletic team reduction motion was approved on a 7-5 vote.**

M Pact 2025 Maroon and Gold Goals and Measures

“The U of M Progress Card is made up of 30-40 key metrics, driven by Action Items and other due diligence measures.”

The five focus areas of the measures are as follows:

Student Success: Enrollment; 4 Yr Grad rate, Student placement

Research Powerhouse: Research expenditures; Corp R&D; Nat. ranking

Serving State/Impacting World: NIH, Medtech; SDG (Sustainable Development Goals); AG Tech, Patents, Start-ups

Equity, Diversity: Representation; Climate Survey; Job satisfaction

Responsible Steward of Resources: Operational Excellence; Tuition support; Student debt

Committee/Work Group Meetings

December 10, 2020

I. Finance and Operations: System-Wide Strategic Plan Implementation: Master Planning Principles Review: (Docket pages: 27-56) Pres. Gabel; VP Bertleson; Planning Director MacKenzie.

* Question from student representative re: relationships with Native American/tribal partners. Gabel reported she has met with tribal leaders and works with the American Indian Advisory Council; plus, has had many informal consultations and has attended conferences on tribal lands.

***Davenport**: commented regarding the importance of broad consultation; we should also use technology experts.

***Rosha**: Likes this approach to the Master Plan. Great step forward from his previous experience (1994-95). Was struck by campus size when he came back; thought facilities would have shrunk rather than grown (given decrease in student populations). Buildings are expensive though “fun to build.” Wants to make dorms a priority—UM has the lowest bed count in Big 10. Old days were heavily commuter; some progress has been made (e.g. Wilkins, 17th Ave residence halls), but we’ve not kept pace with students’ desire to live on campus. Wants to put priority on student housing (on campus housing supports safety, security, retention results)

***Anderson**: Referenced U’s purchase of Keeler building as another step in right direction. Space optimization question=where should new buildings occur? Should we acquire land and build or re-position what we already have?

***VP Bertleson**—how do we best use the thousands of sq feet of space across the system? Places to review might begin with work environments—e.g. cubicle vs offices (open spaces are more flexibility).

***Hsu**—We need to take into consideration Pandemic related changes in work/learning environments. Also, are we planning for a new UM hospital? Apparently, yes.

***Mayeron**: do we need more dormitory space? Bertleson response: Based on existing enrollments we have sufficient space to meet our current goal for housing 90% of first year students on campus. Change in this philosophy could suggest more space needed. We need to

¹ This report is not intended to be inclusive of all discussions and/or decisions occurring during the December 2020 meetings. It reflects sessions I would have attempted to attend if the meetings were in-person. The formal minutes of all December session will be available in the February 2021 Board docket materials. [Apologies extended for occasional inconsistencies in formatting.]

consider private housing built around campus—what and how much do we need to build and manage?

***Beeson**: Plan must incorporate near/off campus impacts. Master plan needs to explain UM’s role in community—and provide cover/support for moving forward with expansion if needed (eg. to buy adjoining lands to provide growth options and to protect campus from unwanted development). Also on housing: contingency planning regarding changing the functions of buildings. Also need to consider amount of green space on campus—a noticeable loss in recent years. **MacKenzie**—planners have strong commitment to maintaining green space. Open spaces are important, especially on east side of East Bank. **Beeson**: the Plan needs to be dynamic. **MacKenzie**—if we look back at the 2009 Master Plan, we see that it did start to address many of these issues.

*Regents are asked to send additional input to Board office in the coming months.

II. Finance and Operations Planning Work Group (in VP Frans’ absence, discussion was led by AVP Tonneson)

Update on budget issues

1. \$166M shortfall in FY 2021 due to:

* Reduced tuition, fees (parking, conferences, housing) 83%;

* Increased COVID expenditures;

* Reduced External Sales (primarily Athletics) = loss of \$123M

2. Plans to address include: ²

a. Salary reductions

○ 2020 Senior leadership voluntary reductions: \$1.1. Million

○ 2021 Senior leaders to take 10% pay reduction

b. Hiring pause—35% reduction in hiring this year over last year (exempted areas include CoVid and health related positions, as well as positions funded 100% by grants, other fully funded positions, and faculty re-appointments.

c. Retirement Incentive options

d. Further review required regarding tenure track and administrative staff positions.

3. Considerations for FY2022 (for June ’21 action)

a. State appropriation has dropped from 39% of tuition in 1989 to 18% in 2020

b. Discussion of variance across units regarding dependence on tuition—high reliance, e.g. in Carlson, Liberal Arts, Science and Engineering; low reliance on tuition in Med School, Extension--these areas depend on external sales and other revenues sources

c. Addressing deficit going forward:

-sweeping unit reserves

² Random underlining persisted despite writer’s best efforts

- furlough program;
- using Central Reserves
- making loans available for auxiliary operations

VP Finance will return for approval if needed in future.

Following Assoc. VP Tonneson's review of slides (Docket pp156-180), discussion ensued as noted below.

2021-2022 Budget Discussion:

Hsu: wants more detail on tuition and unit balances—details on unit level balances. Wants to consider freezing and/or lowering tuition. Regarding Loans—what are the rates and terms regarding repayment? We should break out of auxiliaries (eg. Housing vs Athletics etc.); Athletics—why can't we package \$1.2M associated with reduction of teams into the overall debt. Tonneson response—details on loans will be forthcoming before approval. Adding to loan for Athletics requires larger analysis of “context numbers” –at another time.

Simonson—agrees on holding tuition and looking for alternative revenue sources-- e.g. growth in commercialization efforts. Finance works with Research VP Cramer –part of senior budget team.

Student Rep Ali –Inquired about tuition rates and peer comparisons (Docket p. 99). He noted that Coordinate campus tuitions are higher than their midwestern competition peers.

Tonneson: System campuses are included in terms of loans for auxiliary services.³

Beeson: consistency in data and reporting is good even if news is not good. We should be pushing for athletics to cover their own costs; e.g. Athletics should get the parking revenues associated with their events to assist with their financial situation. They generate these revenues.

Davenport: regarding the page on Resources and Reallocation—are these sufficient options? Tonneson response: yes, the “3%, 6% and 9 % scenarios” should be sufficient

Sviggum—Regarding state allocation revenue—should we move beyond the \$45M request? The Legislature is sensitive to borrowing money to operate government—therefore, they should help UM avoid this.

Gabel response—will reframe the Legislative “ask” if Board agrees.

Friday, Dec 11, 2020 Board of Regents Meeting

Sviggum chaired the meeting in Powell's absence

³ (see footnote 2)

I. **FCC report: Phil Buhlman, Chair**

- A. Title IX mandates regarding sexual harassment and misconduct.
Hearing panels— five member panels to hear cases. The U has 36 panel members appointed and first training has occurred
- B. Campus safety—students recommended creation of “Campus Safety Committee.”
There is generally strong support for this idea, but differences in how it should be structured and charged.
- C. Education and Policy discussion re 2020-21 academic calendar: Spring break question—Twin Cities and Rochester campuses will have a spring break in 2021— decision supported strongly by students. Timing will coincide with Twin Cities public school schedules.
- D. Finances: discussed proposals for furloughs etc—84% support for these difficult measures. Vote on continuation of financial strictures (pay cuts and furloughs) should continue into the next academic year.
- E. Support for President Gabel’s **PRISM** initiative (see below*)

***PRISM:** “A multidisciplinary team from the University of Minnesota is giving patients a more interactive role when making decisions about their care through a new award-winning app. It’s called PRISM, which stands for PROMIS Reporting Insight System from Minnesota.... PRISM can show patients how their data compares to the overall population and provide personalized recommendations on how to improve their health. Perk Motivation provided the software development for PRISM and incorporated engagement techniques from their experience developing other healthcare apps.”

II. **President Gabel: MPact 2025 Strategic Plan/Measures**

- A. Update from June 2020, Board approved plan with three phases
- B. Tables of Measures—does it reflect fulfillment of U promises to the Community?
[see circular graph “dashboard” (12/11/2020 Docket pp..75-111) Dashboard has 12-15 specific measures / outcomes to achieve
- C. Discussion of Strategic Measures:
 - **Beeson:** supportive but critical: Progress card and Plan do hang together, but are bulky. Formatting suggestion—incorporate baseline data indicating where we are now .
Beeson’s Issues:
 1. 15 items are “non-specific”goals/outcomes—need to identify where we are headed with specific numbers Eg. “Increase by 25% over five years”
 2. Pell Grant recipient increases seem too high.
 3. Medical school no longer has a ranking goal, therefore lacks anything to drive progress.
 4. Suggests following VP Cramer’s model—“5%-10% increase in research standings”;
 5. Doesn’t like the spread in ACT scores—wants more specific targets
 6. Beeson feels “most important part of our job is to monitor and tweak the numbers”—no concerns with the content of the goals, but need more numbers.

Gabel's response—we will certainly work this through a consultative process.

- **MacMillan**—impressed that Gabel has kept the strategic plan process moving in this difficult time.

MacMillan's issues:

1. #3 -#4 increase interquartile ACT percentiles (eg. 25%-75%) —what about going test optional?
2. Should goals include increasing % of MN high school grads going to a UM campus.? How would this tie into state higher ed system?
3. Re: State partnership funding —need some more specifics.
4. MnTersections—1-3: Academic Health Center; Sustainability; Agric. Innovation and Partnerships—what else—Water? Business environment?

- **Hsu**—agree on the need for more numerics.

Hsu Issues:

1. Happy that UMC, UMD are moving to test optional. We need to go further in the wait list to serve as many students as possible.
2. New buildings—more labs and research space, not more classrooms.
3. Questioned the concerns students have expressed regarding distance learning—we can overcome these problems.
4. Med school ranking should be identified in the goals.

Sviggum comment—“test optional” is not an agreed upon position among Regents

- **Randy Simonson** issues:

1. how often will the “team” following each measure be providing updates and progress reports?
2. We need to know where we are today (i.e. the baseline) on rankings, standings etc.
3. Suggests we need to look for alternative funding sources. How do we grow commercial income?

- **Rosha:** Large focus on tuition issues--\$50K threshold, but further emphasis needed on administrative reduction. Careful about moving money from one set of students (wealthy) to another (playing it sideways); ok if increased Foundation and private support are sources for those additional funds.

- Additional discussion:

- Several Regents pushed need for coordinate campus specificity—Gabel responded the Chancellors have been asked to develop their numbers.
- **Beeson**—concern for adding measures: “if everything is a priority, nothing is a priority.”
- **MacMillan**--Directional vs. Numeric goals. “Distance measures”—McMillan, not all need both types. Eg. Getting mental health plan set up is

“directional,” not numeric; vs increasing ACT scores which is a numeric measure

Gabel wrap up: between now and February 2021, changes/suggestions made today will be addressed.

III. Performance and Accountability Report—annual review (Docket pp.112-145)

***Gabel:** this is a streamlined report focused around Strategic Plan; it is a bridge report, not using the full new progress card—partially aligned to new plan.

***Provost Croson:** Highlights and organization of report

1. One page for each of the five “Strategic Plan Commitments”

--e.g. 4 yr Graduation Rates—TC campus ranks 4th of 13 in Big 10; but projected to be 2nd to Michigan in next iteration of rankings (e.g. UMN’s 72.7% four-year graduation rate. UMN increase is largest in Big 10)

2. Also noted improved “climate” numbers regarding student sense of community and belong on campus—use of data from U’s participation in National Inventory

3. *Mntersections*—Driving innovation; \$200M funding from NIH

Simonsen—how is “community and belonging” measured”? Need more emphasis use of Extension services

Rosha--(progress card Docket pps 119-120)—would like to see the percent of grads etc by location (TC, suburbs, rural). Wants info on rejection rates for TC vs coordinate campuses.

Beeson—stressed the value to Legislature of these annual reports. Good for them to have for review.

Final approval at next meeting.

III. Update on Public Safety: (Docket pp.146-165) Police Chief Matthew Clark

Sviggum statement on the importance of safety to the community—requires working together. “Most important element of a free society”

Gabel agrees. “Feeling safe” is broader issue. Broader definition of campus safety requires more time to allow participation of diverse voices. Consultant has been hired to interview 200 participants regarding safety issues on campus—report just completed. Need to be open to differences between public safety and crime reduction and “feeling safe” on campus, in broadest sense.

Chief Clark

*Current Status: we are in a non-standard campus situation with reduced numbers and activity on campus. Incident location map—most incidents are just off campus. Big increase noted in auto theft (which ties to robberies).

*Campus property crime greatly down, since buildings are locked and not in use.

Often find that a few individuals are doing most of the crime—need for investigation to identify these folks.

*Increased visibility of security efforts helps deter criminals.

*Partnerships—cross over between on/off campus policing. Perimeter issues are substantial—metro issue, not just campus area; similar experiences across Big 10 and other urban areas.

Community expectations: KUUC clinic, UROC off campus sites for crime: 16%-20% of calls are from off campus situations. Discussions needed regarding off campus assistance to MPLS police. Noted no incidents of violent crime on St. Paul campus.

*Comparison with peer institutions: (IACLEA) UMN lowest # of officers in peer set. High rate of crime for lowest # officers. Lots of activity as 1st responders—not public safety issues.

*Future: more blue light stations; virtual escort app; need to have more officers: now only four per shift; wish to have five.

*Budget: need body cameras—Officers and Union want them; however, department has structural deficit. Fewer tickets written—this is good, but hurts budget. Wants to shift to central funding; not having to cover all their own costs (ref. weaknesses of the Ferguson model—budget based on income from fines and tickets)

*Succession planning—add diversity

Q and A:

Beeson: regarding funding—previous discussion about what is “on campus” vs “off”—UMPD fills void, but we’re not paid for it. Recommend establishing a “Special Service District” with additional fee to help support UMPD—so many calls are from Dinkytown, Marcy Holmes. Legislation can be created.

Simonson—drugs and alcohol involvement in crimes? Chief—yes, also juvenile issues engaged in petty crime. Trends are alarming—related to not having schools and activities available.

Hsu—concerned about increase in activity off campus. 100,000 911 calls just to campus. Slight decrease in off-campus response (from 21% to 16%)—this adds liability and risks for officers and the department. What is MPLS and STP commitment to recognizing and supporting UMPD? Concern regarding chart identifying shots fired on campus and in the area. How much do body cameras cost: **Chief:** about \$120K recurring costs—can’t be shared; each officer needs own camera. Hsu said he thinks we should be able to cover this.

Chief: Deficit is \$300K—due primarily to lack of citations funds.

Hiring for diversity—UMPD participates in pipeline program to bring diverse candidates forward. Experience and education required. Need two or three back-ups ready to take over if needed in key positions.

Mayeron: Comparison chart—shows that 1 in 17 UM students is a victim? This versus 1 in 32 at Michigan State. Very high crime per area/population. 1 in 44 at UNC-Chapel Hill!

Her: Off campus students who call for help—how are they counted? They can't call UMPD for non-immediate safety issues—need to go to the city/county. Unless it's an active event or public safety issue—then UMPD will be first responder and follow through with the case. Similar with issues at Transit Hubs.

Rosha—how does this chart look now versus during a more typical year? Strategic Planning issues re public safety: what is experience with off campus housing units and buildings? **Chief:** More crime off campus in apartments vs incidents in housing and res life. Controlled environment in dorms makes a difference—(getting at the value of expanding on campus living and “more dorms.”)

Anderson—campus environment and safety can have impact on future applications/enrollments and increase sensitivity to tuition increases. Radius and Argyle buildings are on UM property; all UM properties (on or off campus e.g. University Village, Pillsbury Court) are UMPD responsibility. Encouraged Clark to ask for additional funds to bring staff up to approved levels. **Clark:** Need four additional “Security Advisors”—escort services and building walk throughs (230 bldgs.)

Kenyana—surprised UMPD has no body cameras. Victim ratio—do incident measures include our students no matter where they occurred? (**Chief responses:** Data reflect overall safety of the campus environment. Morris does have an older version of body cams. Chief's recommendation is for body cameras system-wide.)

What conversations have occurred regarding surrounding community issues—given Floyd case etc? (**Chief responses:** working with the public and establishing trust. Student group issues---hard to respond directly to student requests for change. Chief hesitates to decide which student group to work with. Pending consultant (Dr. Alexander) report may be helpful.

Other Committee Business

Rosha: Audit and Compliance—update on internal audit work

Beeson: Litigation—closed meeting

Anderson: Mission fulfillment: unanimous approval regarding human tissue research policy

Respectfully submitted,
Jerry Rinehart, UMRA Liaison to Board of Regents
January 11, 2021

Special Meeting of Regents
January 8, 2021

Primary Topic: Review and Approve Resolution Regarding BioMADE Research Institute and Production Facility (Twin Cities campus)

A public/private agreement enabling UM to become one of 16 participants for the Department of Defense's "National Network for Manufacturing Innovation." [General understanding is that economic security is essential to national security.]

BioMADE Vision and Mission Vision (Docket following p. 92)

To build a sustainable, domestic end-to-end bioindustrial manufacturing ecosystem.

"Mission

Our mission is to enable domestic bioindustrial manufacturing at all scales, develop technologies to enhance U.S. bioindustrial competitiveness, derisk investment in relevant infrastructure, and expand the biomanufacturing workforce to realize the economic promise of industrial biotechnology."

1. Introduction by President Gabel and project overview by VP for Research Chris Cramer underscored significant benefits to University in research and academics activity, corporate and manufacturing connections, and work force training. Bio Tech manufacturing estimated as \$4 trillion economic sector. Gabel also referenced new opportunities to connect with Historically Black Colleges and Universities (HBCU) participating in the initiative—potential pipeline for graduate students and employers.
2. Under these agreements, the University will:
 - a. Lease space to BioMADE.
 - b. Provide University employees who will perform administrative and technical support services for BioMADE.
 - c. Provide accounting and financial services to BioMADE.
 - d. Provide technology commercialization advice and assistance to BioMADE.

(Docket, p. 3)
3. Activity will initially be housed in the Cargill building with future move to new Microbial Cell Production Facility, an 80,000 sq feet anchor for a biotech district on the St. Paul Campus.

Regent's Discussion:

Beesom: One of most exciting projects he's seen in 12 years on the Board. Noted that this opportunity grew out of long-term relationship building efforts of the U with DOD and industry partners. On the "opportunities side," he noted that Congresswoman McCollum is on DOD

appropriations committee in the U.S. House—this agreement positions the UM campus as federal site with potential for stimulus funding.

Question for CBS Dean Forbes regarding fund-raising opportunities—is there a “naming” opportunity for the new building? **Dean Forbes** response—probably not, nature of the partnership limits such possibilities.

McMillan: appreciative of complexity of the arrangement. [note: legal documents supporting the four areas of agreement constitute 80+ pages in the Docket materials]. Appears to be “risk-balanced,” thanks to OGC’s efforts. Two question areas regarding risk/reward a) what is the “Secondment” arrangement regarding staffing and what happens to these employees at end of 5-7 yrs? What happens in 80,000 sq’ building when the grant is finished? Does this facility fit with CBS’s future plans?

CBS Dean Forbes Response: “Secondment” arrangement: Employees are hired by UM and subject to UM HR policies, protections etc. BioMADE people participate in the selection process and provide funding for positions as part of the grant. Some current CBS employees will shift to this project; others will be hired and “seconded” to BioMade. 22 positions in initial grant including administrative support services and some technical staff doing actual work of institute. These numbers will likely grow to 50 over next 5 yrs.

Current plan: one faculty position is part of the cost share commitment from CBS; and one other CBS faculty member will allocate a portion of his time. Other staff will be research professionals.

Powell—many staff will be directly involved in bio-cell production, not academic, research activities per se.

Dean Forbes Regarding the Building: Current bio tech resource facility has been active for 35 years—has a strong record of success, but it is very small scale--more oriented to “proof of concept;” not production. The new “Microbial Cell Production Facility” will be a large scale production facility. This is in keeping with CBS activities around microbial fermentation. Dean Forbes doesn’t anticipate difficulty using space for additional CBS activities (possible corporate co-locations; opportunity to ramp up bio cell production)

Simonsen—risk responsibility issue: e.g will there be research involving animal disease—Zoonatics. **Cramer** response—BioMade wants deep embedment of activity in UM research protocols with its oversight and regulatory infrastructure. [Below, Dean Forbes indicates this is a non-medical facility]

Hsu—Are adequate protections included for possible long-term negative outcomes (e.g. 3M’s water pollution etc.problems)?

OGC response on liability: Peterson & Benrud—1) mitigation through tiered insurance coverages—as BioMade grows, insurance will be adjusted; 2) indemnification language that indicates BioMade’s independence is clear—liability goes with control. 3) UM management of employees is a layer of protection. Mn has statutes re tort protection for public institutions.

Additionally, the initial period is primarily administrative functions occurring in Cargill Building space. Later, move into small lab space/activity in Cargill. When new facility opens, negotiations over insurance coverage with occur.

Hsu—what if bio-warfare activity is going on, and we don't know about it? If future problems occur, what protections do we have? **Cramer**—US has foresworn bio warfare; **OGC's Peterson** questioned assumption that we would not know what work is going on—these are UM employees subject to our health safety regulations.

Frans/Volna—UM will begin assessing risks as the partnership progresses; can't deal with all hypotheticals at this point; will certainly be cognizant of potential risks with new developments and respond. **Dean Forbes**—no plans or levels of security in the building related to bio-warfare activity. It is all non-medical space: producing enzymes and proteins for agriculture and industrial uses.

Hsu—where is the cash coming from and where is it going? When/where is the “break even” point? He understands CBS is funding the building through UM loans—but, are there profits to be considered? E.g. Cash flow issues: **Volna**—mechanics of financial arrangements haven't been worked out; as work develops the cash flow/debt service/ operating costs will be monitored, sequestered, and followed. He anticipates growing positive cash flows; plus platform for additional grant requests and funding. Current cash flow analysis (referenced I Sviggum comment below) is based on employees and administrative costs only.

Sviggum: noted the current \$273K positive cash flow —not impressive, but potential for students, research, industrial growth is tremendous. And “jobs” are a great potential for U and for the state of Minnesota. What are potential employment impacts? **Cramer** response 1) timeline takes a while 2) initially start-ups will have smaller employment impacts, 3) successful firms will go forward. He projects decade impact of “hundreds” of new employees over next decade.

Kenyana: follow up questions:

Is the potential bio-weaponry overtly counter-indicated in the contractual language? **Dean Forbes response**: 1) bio-weapon production is a violation of international law; 2) bio-weapons are not on the table.” All parties will follow applicable laws”—1972 international agreement (referenced by Cramer above) therefore applies.

Kenyana: Protections regarding facility in future if project is abandoned? **OGC Peterson** response: “notice” and other provisions related to early/unexpected intent to terminate are addressed in the contract. Benrud: specific notice given to allow assessment of impacts. The costs of early termination (employee and others) would be BioMade's responsibility

Mayeron: understands there are risks involved, but believes the agreement has been effectively crafted to minimize risks and maximize opportunities. Partnership seems consistent with U's mission and its opportunities significantly outweigh its risks.

Roll call vote: Unanimous approval of 12 Regents

Respectfully submitted

Jerry Rinehart, UMRA Liaison to Regents

January 14, 2021

Chair Powell: Acknowledge that Regents Anderson, Beeson and Simonsen are not running for re-election—their last meeting is today. He acknowledged their contributions and expressed hope for an in-person meeting in future to recognize them.

1. MPACT Measures 2025—

- a. President Gabel
 - i. She expressed that, even after extensive revisions based on previous Regents' input, this set of metrics is still a work in progress.
 - ii. Goals under Fiscal Stewardship measures include: Reduce Financial Barriers to attendance; Reduce Student Debt; Increase Targeted Financial Air. Major initiative to achieve these aims is to provide full tuition coverage for undergraduates from families with incomes under \$50,000.
- b. Hsu—Making ACT/test scores optional should be the rule going forward; feels Med School ranking in top 20 is sufficient measure
- c. McMillan—supportive of increasing % of MN high school grads who attend UM system. But this could have a negative impact on state's public higher education system. President Gabel's system-wide, holistic approach is good, but since the number of high school grads is declining, the more who come to UM campuses, the fewer there will be to enroll across Mn higher ed (public and private) institutions.
- d. Kenya—supportive of dashboard, but had some questions about measures used to assess student/faculty satisfaction.
- e. Davenport—very supportive and feels these measures should become part of Regents work plan.

Voted to Approve: 12 – 0

2. University Accountability and Performance Report: (fully discussed in last meeting)

Voted to Approve: 12-0

3. Public Safety Review Findings and Recommendations: Alexander Report

- Consultant Alexander: Interviews and meetings with over 200 students, faculty and staff—major conclusion: “Undeniable tension between those who feel more policing is needed and those who feel policing is the problem”
- Among recommendations:
 - Distinguish UMPD from MPD
 - Add officers and call boxes
 - Establish new campus safety oversight Committee (faculty and student led)
 - Body Cams for UMPD, Safety apps for students
 - Moving oversight of UMPD to Finance and Operations
- Powell: intersections with Minneapolis and St. Paul police depts are critical areas of concern:
 - What does shared control/cooperation look like?
 - Public safety includes fire, emergency response

- Gabel indicated she has initiated regular discussions mayors and police chiefs
- Besson: appreciates quick response and engagement of national firm to help us, but:
 - Troubled by data comparisons: e.g. peer group data includes many non-urban institutions which don't have nearly the number of incidents that a metropolitan school inevitably experiences (e.g. Lincoln, NE vs. Mpls-St. Paul)
 - Data doesn't clearly identify MPD /SPPD response to student issues (i.e. those not living on formal campus, but in close vicinity)
 - Data indicate very low number of complaints or reports of inappropriate use of force issues lodged against UMPD. Alexander response: Data don't match anecdotal reports (which sound much worse)
 - Are we in a high crime area or not? Anecdotal info are not reliable data, but must be regarded .(Beeson acknowledged arguing with past regents about these issues.
- Gabel response: two very different views of reality—feeling safe is very difficult to assess in an urban campus environment like ours.
- Alexander—acknowledge U as a “city” as much as a campus.
 - Do the few complaints underscore something else in the environment that subverts complaining?
 - Why is the good work of UMPD not being perceived by a segment of the U population? George Floyd incident brought to surface / magnified the disparate experiences with policing. One goal is to align the perceptions and the reality of all.
- Sviggum: “public safety is the #1 value and goal of society.”
 - Referred to table with low # of complaints against the department, but even these complaints include some not found valid.
 - Disputes view of UMPD as “militarized” --
 - Alexander response : recent protests have prompted police response with more robust gear. Not militaristic in everyday appearance, but when on alert they are equipped. Recommends UMPD explain to the community the nature, necessity and use of their potentially lethal equipment.
- Kenya: More staff should be trained for mental health de-escalation; but should police be involved at all in these situations? Sexual assault data is suspect—under reporting needs to be acknowledge.
- Her: what is the role community involvement?
 - Alexander response: Transparency is basis for positive relationships between community and police. Openness leads to openness—helps build sense that “the police are the community and the community are the police” Police officers need to accept the public demand for transparency and accountability. If not, they need to leave the profession. Referenced Chief Arrandando’s move to hire those with social work, psychology backgrounds.

- Hsu: body cams—good idea
 - need to understand that we have to provide UMPD with the tools they need to do their work. Militarization issue arose and were discussed in Regents meetings in 2015 with distribution of Iraqi war surplus.
 - Referenced recent effective cooperation of UMPD and MPD to solve serial rapist issue.
 - Question—what training/tools are necessary for UMPD? Should we rely on other, better equipped forces? He recalled Superbowl threat near campus hotel (gunman threat required closing the Rec Center)—what capacity do we need “in-house” to respond to major events like this?

 - Rosha—the UM admin needs to speak up to defend the dept when needed.

 - Mayeron: are there cities/campuses currently that have addressed the tension between perceptions of safety versus fear of police? What are best practices we could look at?
 - Alexander response—everyone is seeking the answer; no one is doing it correctly on all fronts. Particular issues with perceptions/reality within communities of color. We must continue to challenge ourselves—one incident can set everything back. Police are scrutinized overly because of loss of trust. He referred to recent student allegation of mistreatment by UMPD, that video revealed clearly was not.

 - Time limitation required end of questioning/discussion. Alexander agreed, if desired, to meet with individuals to respond to further questions and concerns.
4. **Report of Governance and Policy Committee [see separate notes on Govt and Policy meeting]:** Issue: to allow use of UM Logos etc. (excluding Goldie Gopher) to be used in Alcoholic Beverage Advertising -- revision to existing policy:
Voted to Approved on 7-5 vote (opposed: Anderson, Hsu, Kenyanya, Rosha, Simonsen)
5. **Other:** Hsu raised a question regarding plans for Commencements this Spring?
- a. Suggested holding outdoor ceremony (referenced 1974 State Fairgrounds Commencement event).
 - b. President Gabel—planning is in process; Emergency Mgmt Cmte discussions have started; she recommends waiting on discussion until a recommendation/report comes forward.

- I. **President's Report:**
 - a. **Introduced new VP and Dean of Students, Dr. Calvin Philips . Position will have system-wide responsibility and report directly to the President**
- II. **Report of Student Representatives to Board of Regents (65 pages)-Primary areas**
 - a. **Promoting a Diverse, Equitable, Inclusive, and Prosperous Campus**
 - i. **Accountability across our University**
 - ii. **Increasing Representational and Student Diversity**
 - b. **Public Health at the University of Minnesota**
 - i. **Access to health services; geographical insurance gaps**
 - ii. **Recommend updating student health plans (SBHP)—graduate students have limited dental access/coverage; disability insurance for grad asst; retirement plans for graduate assistants.**
 - iii. **Research on racism in health care/access**
 - c. **The Avenues of Student Advocacy**
 - i. **Role of student government on each campus—noted lack of interaction of these organizations with the Board.**
 - ii. **Recommend annual student government audit and report to the Board.**
 - iii. **Current model of student reps to the Board is inadequate**
 - d. **Q & A Powell thanked all participants. Noted how extensive the report was (JR note: the 65 page report contains data for each of the five campuses in many previous presentations to Board over the past years regarding enrollments, graduation rates, student survey data, plus full written reports from each campus student government unit) Powell asked –what are the biggest opportunities?**
 - i. **MSA President Jael Kerandi—student annual forum; UMD Student Govt. Abdulla Ali—addressing accountability measures—renaming of buildings; MIAC resolution; health insurance coverage gaps**
 - ii. **Davenport: from your experiences, how do you transition from year to year with change over in student organizations; how do you have continuity of effort?**
 1. **Transition reports containing review of the past years efforts and key activities are essential**
 - iii. **Anderson: re: health services –should we explore further access to UM Fairview—for services, particularly for graduate students?**
 - iv. **Rosha: wants to make himself available for one on one discussion—individual role, not as Board. Would be happy to be involved in re-naming discussions**
 - v. **Sviggum: 2019 report on Campus Climate—noted analysis by specific identities/groupings and their respective feelings of support/belonging—he notes that the survey showed those with conservative political orientation were among those feeling most left out/unsupported. Kerandi—MSA et. Al. represent all students and**

actively seek engagement of those with all political views. Ali—UMD also has forums for all students.

- vi. Mayeron: re: avenues for student advocacy and interaction with Regents. Good governance respects various constituents and respective roles—UM does seem to be collaborative, but recommendations in the report suggests current avenues are insufficient. Is this true? Kerandi—feels students have great relationship with administration; but limited interaction with Board and rests on students initiating it. Wants Board to be more proactive in engaging students.

(at this point the meeting moved to discussion with Michael Osterholm—notes below) Student report continued:

- vii. Hsu—Regents should consider student voices more fully.
- viii. McMillan—noted much congruity/alignment in student report and UM direction and leadership. Working toward definable outcomes. Q: how do student groups across the system get access to ideas in this report. Kerandi—feels MSA understands the importance of connecting to other campus orgs.
- ix. Beeson: report is useful—data driven. Mental health issues are top priority—but not as much time on this topic in the report. Why? Jerandi—mental health has been brought up previously, wanted to bring topics that haven't been touched on as significantly.
- x. Jerandi—in her closing comments attacked political involvement of Board members in Regents Selection process. Referred to Maroon and Gold PAC (which Mayeron, Beeson, Powell, __ have contributed). This undermines the process. Question of Morality!

III. American Indian Tribal Board agreement Amendments (for review today) Michael Goh (Vice P) and Todd Johnson

- a. Goh—reviewed history of agreement since its inception in 1981. Poor coordination, lack of consultation up to 2010. Agreement at that time was overly broad. 2018 Senior Advisor for Tribal Affairs.
- b. Todd Johnson: currently working across system to find tribal members to lead the campus based advisory board.
- c. Q&A:
 - i. McMillan—pleased with prioritization of these issues;
 - ii. Mayeron—clarifying changes
 - iii. Hsu: he and Mayeron discussed this Gov and Policy committee meetings; he feels agreement could be stronger
 - iv. Her: Why five advisory boards vs. one system-wide board? Goh—compliance with state statute. Concern about putting too much work on the Indian community with little support. Wants to minimize the work and maximize the impact. Goh—understands and appreciates the concern. Believes the agreement's consistency with U's M pact 25 strategic plan will help in carrying this out.

- v. **Mayeron—clarifying changes in section dealing with responsibilities of the boards—“consulting with respective chancellors”—what about TC campus? Goh response—the language is to clarify that boards work with the leaders of their respective campuses.**
- IV. Strategy at Rochester Campus: Chancellor Laren Carroll. Following Gabel’s intro—discussion focuses individual campuses’ response to U’s MPact 2025 Strategic Plan, Chancellor Lauren Carroll: provided overview of UM Rochester’s plan (“Bluff Top U” previous campus plan)**
- a. **growth in enrollments is key: undergraduate in core program; graduate students in “Partnership Graduate Professional” program.**
 - b. **differentiation within higher ed system--intense focus on students and documentation of the process of helping students achieve success**
 - c. **Basic tenet: apply faculty’s research on student learning to practice**
 - d. **Youthful campus—first graduates in 2013—following them closely.**
 - e. **Six Career Pathways (rather than majors): Patient Care; Resilience, Well-Being, Mental Health; Business and Leadership; Emerging Health Technologies; Public Policy and Global Health; Health Care Research and Discovery**
 - f. **Uncertainty regarding how pandemic is/has impacted student thinking about higher education—enrollment goal for 2020 was 1000 students, got 920.**
 - g. **Next GenMed—Google partnership in establishing learning platforms**
 - h. **UMR has efficient administrative structure—flat, nimble, reliance on centralized support from UM system and community partners**
 - i. **Q&A:**
 - i. **Powell—more detail on what credentials students actually get? Carrell-- Bachelor of Science in Health Sciences, with pathways (see above). Senior/capstone year self-designed within the pathways—and working with “Success Coaches,” focused on career objectives (e.g pre-med patient care experiences.) And a Bachelor of Sciences in Health Professions degree—partnership with Mayo Medical School of Health – leading to certifications and licensure.**
 - ii. **Simonsen—noted growing population of second language students in his area (SW MN)—is there a focus at UMR on serving these students. Carrell—UMR has courses in Spanish, but not a department. UMR does have mixed population and seeks to support them.**
 - iii. **Davenport—how to build out the “good of the whole” without being spread too thin. Carrell—opportunities for collaboration thrive in Rochester area. Communication allows UMR to avoid duplicating what others are offering**
 - iv. **Hsu—strongly supportive and appreciative of Mayo Clinic partnership. Recommends UMR to students frequently**
 - v. **Powell—complimented Carrell on structure of presentation and focus on student outcomes. Future: six year plan for enrollments, finances etc would be helpful. What should the Board be considering regarding the**

financial strategies. Carrell: Bluff Top U document has year-by-year financial plan (but was pre-pandemic). Will be updated.

- V. Dr. Osterholm**
- a. Kudos to UM for its response to the pandemic challenge**
 - b. One year (almost to the date) ago—**
 - c. Now: in eye of the hurricane. Feeling good, optimistic. But variant issues that arose in November actually put us in opening minutes of 1st qtr (not in late innings).**
 - i. Eg England B117—total lockdown; variant spreading to Scandanavian countries; spreading to children. In US ovef 50% of new cases in Tx, FL are B117.**
 - ii. Current case numbers make us feel good, but he feels next 6-10 weeks we will see substantial bump in infections, including children. Only 10% of population vaccinated**
 - d. Concerned that 20% of 65+ have not had access to vax; moving to broader access before most vulnerable are vaxed is dangerous.**
 - e. Getting needles in arms important, but poor job communicating about the years of research that has gone into the RNA approach, resulting in many conspiracy theories about its danger.**
 - f. Feels he knows less about the virus today than he did a year ago.**
 - i. Ref: Brazil variants and adaptability of the virus (“House on fire”—P1 variant**
 - ii. South Africa P531 – global cooperation vs. nationalism. Need international approach**
 - g. If we get population vaxed and if variants are addressed, then we will have a good summer and fall.**
 - i. Walz opening schools, bars etc—timing is of great concern given the growth in variant infections in MN communities**
 - ii. UM has done great job—no outbreaks in res halls; layered approach has worked. Believes all college students will be able to be vaxed by end of May. Testing options are important to continue. Housing, Health, RecWell and Safety staff have done remarkable job during lock downs.**
 - 1. UMN Medical Reserve Corp; CIDRAP**
 - 2. Shout out to VP Cramer—for his leadership across campuses.**
 - h. Q&A—**
 - i. HSU: international students and travel**
 - ii. Simonsen: animal vaccines?**
 - iii. Beeson: wondering about the new lessening of restrictions given where we stand. Are there false negatives with variants? Osterholm: B117 does give a false negative in one area, but this is a marker. Virus gene sequencing hasn’t been done sufficiently in US. Referred to the Carver county outbreak—Good news is that UM epidemiologists are on top of this new variant.**

- iv. Kenayana: will additional shots, boosters, be needed for variants going forward? Osterholm: referred to T cell research that may be able to take on the variants more effectively. And, Biden administration is committed to participating in global distribution of vaccines and research. It's a production issue, not a value/political issue for current US leadership.**
- v. Seasonality of the viruses? Osterholm: No connections found with seasons yet.**

To: UMRA Board of Directors

From: Jerry Rinehart, UMRA Liaison to the Board of Regents

Date: May 14, 2021

Re: April-May 2021 Board of Regents Meetings

The UM Brief, published on Wednesdays, typically provides an overview of key items covered at monthly Board of Regents meetings. The notes below are intended to provide an idea of some of these issues pertinent to UMRA based on viewing the Zoom meeting proceedings; more details are available on the Board of Regents' website as well as in the Brief summaries.

***Special Meeting of the Board of Regents
April 28 2021***

1. Update and welcome: the oath of office was administered by Judge Tracy Smith to the following Regents elected to the Board of Regents on March 15, 2021:
 - James Farnsworth
 - Douglas Huebsch
 - Ruth Johnson
 - Kodi Verhalen

2. Update on progress associated with *M Safe*, the President's Campus Safety Initiative. The following recommendations have been implemented:
 - Transitioning Department of Public Safety/UMPD oversight to the Senior Vice President for Finance and Operations.
 - Continuing regular meetings with the mayors of Minneapolis and St. Paul to keep communication lines open and to coordinate, as needed, on public safety issues.
 - Committing to purchase and distribute the Rave Guardian™ campus safety app to all students, faculty, and staff, which is now in the testing phase.
 - Committing to equip UMPD officers with body cameras, which is now in the procurement process.

3. Review and approval of contract for new basketball coach Ben Johnson, beginning March 31, 2021, and ending April 30, 2026. Base Salary: \$1,950,000.00

Board of Regents Committees typically meet on the Thursday before the Friday full Board meeting. Action items arising from Committee meetings are often presented to full Board at the following months meeting.

***Audit and Compliance Committee Meeting
May 13, 2021***

- Announcement: Auditor Klatt will retire in fall 2021.
- Review of University's External Auditor Services (Paulson)
- Update provided by Office of Information Technology: Gulachek et al. on steps taken to address risks identified in the June 2020 Identity and Access Management (IAM) collaborative assessment (“right access for the right person at the right time”).

-Pandemic required OIT to shift to acquiring new technologies earlier than planned—front loaded overall costs.

-Key challenges are unfilled positions in OIT

-Discussion of status of policies on emeriti faculty access to tech resources and “deprovisioning” of services for former employees. This activity has slowed due to shifting priority to getting access to new employees.

- Update on University's Conflict of Interest (COI) Programs (Kumber et al). Review included both individual and institutional COI issues and oversight. COI Q and A:

Regent Davenport inquired about access to outcomes of investigations. COI office uses a reporting system that involves some recording of info that is accessible to the public. Individuals involved are made aware of issues.

Regent Sviggum: 1) what upfront efforts are made to help individuals avoid COI issues. Is the self-reporting system trustworthy? *Response:* Front end training is provided on purchasing conflicts. The U's approach is to manage the conflicts, not eliminate them (collaboration/partnerships can be creative and productive). One area that is annually renewed in physician payments from device/ pharmaceutical interests.

2) Is there a “hotline” to report problems—yes through the U Reports system, or direct contact with the U's COI office.

1. Review of Capital Improvement Budget (discussion and review) (Gabel, Frans Berthelsen)
 - a. Background: Board of Regents policy directs the administration to develop a capital budget with a “six-year time horizon, updated annually.” Two components: “Six-Year Capital Plan” and “Capital Plan Budget for Year 1”
 - b. 2021 Capital focused on three areas: HEAPR, Undergraduate Chemistry Teaching Facility on UMTC campus (a five-story addition to Fraser Hall. UMD Science Building renewal. Special notice also given to 1) repurposing of Lind Hall on TC campus to accommodate needs of Science and Engineering); 2) planning for Morrill Hall’s future configuration.

2. University Benefits: Cost and Competitiveness (Horstman)
 - a. Today’s focus on core elements: Medical, Retirement, Vacation/Holidays benefits (the highest dollar elements of overall employer costs)
 - i. Health benefits: UM is considered 5% more efficient than the overall higher ed and public sector industry
 - ii. Retirement Plans overview—3 plans
 1. Defined benefit—civil service and union represented (MSRS)
 2. Defined contribution faculty plan
 3. Defined contribution P&A plan
 - iii. Vacations and holidays
 - b. In general, UM core benefit package compares favorably in with MN large companies (21% higher employer-provided value)
 - c. OHR will be tracking trends in post-pandemic era
 - d. Q&A
 - i. Powell: Issues to consider: Increasing longevity of participants (particularly for MSRS plan); Portability of benefits—MSRS can move if within participating employer; Childcare as potential benefit—Horstman added care-giving as an area of concern (paid leave etc.) Agrees these are areas of concern
 - ii. Rosha –acknowledged the complexity of getting accurate sense of how UM stands in comparison to peers in terms of benefits packages. Hopes to see more time spent on this in the future.

3. FY 2021 Annual Operating Budget Update –Frans and Tonneson:
 - a. Update on analysis related to FY 2021 revenues and expenditures compared to the COVID-19 Adjusted Budget (CAB)
 - i. Tuition shortfalls are close to initial projections --\$15.5M; biggest losses are in Auxiliaries and Athletics (\$130M).
 - ii. Solutions: Furloughs/Temporary Pay Reductions, Unit reserves, Central reserves, Federal Relief Funds, Loans
 - b. Reviewed federal pandemic relief funds awarded to the University through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the

Coronavirus Response and Relief Supplemental Appropriations Act (CRSSA Act), and the American Rescue Plan (ARP). Key issues:

- i. Significant restrictions on how these funds can be used;
 - ii. They are one-time funds;
 - iii. They do not provide enough to cover the U's budget gap.
- c. Q and A: Powell—has Retirement Incentives Option helped; *Response*: yes, but recurring savings will be most helpful in next budget year. RIO impact will vary greatly by unit.

Q: can we survey students to see how they will spend their funds? *Response*: The U can't do anything that suggest the it is trying to influence students' decisions on use of their funds

Q: Mayeron: some legislators are suggesting U needs less state funding because of federal funds being provided. *Response*: it is unfortunate that these people do not understand the restrictions on the funds nor that the size of the federal would not address the U's shortfalls.

Board of Regents Meeting May 14, 2021

Selected Highlights (See upcoming Brief and/or Regents website for more detailed information)

1. Recognition of the distinguished service of Chris Cramer, outgoing Vice President for Research.
2. President's report:
 - M Safe implementation progress. Social Worker added to UMPD; review of "mutual aid" policies; UMPD training processes;
 - Reference to today's announcement by Gov. Walz regarding face masks—will be conferring with Board during the day.
 - Admissions info: historical "melt" data not useful in today's environment. TC campus undergraduate admission confirmations are 16% up from last year at this; thus, we appear in good shape. Graduate/professional school applications for programs in health-related fields up 30% over last fall, and last fall had a significant increase over the previous year.

- New Senior Advisor on Native American issues has been appointed. Position will report directly to President Gabel.
3. Chair Powell's report
 - Recognized Gabel's report on U Institutional History policy (regarding building naming, recognizing racism etc.)
 - Recognition of Award and Scholarship Recipients, old and new Student Representatives to the Board, NCAA champion athletes
 4. Discussion and approval of amendments to the Board of Regents Policy regarding American Indian Advisory Boards. As background, it was noted that President Gabel invited all of Minnesota's Tribal Leaders to attend her inauguration in 2019, and she made a commitment to improving relations with Minnesota's Tribal Nations in the MPact 2025 Systemwide Strategic Plan, which was approved by the Board of Regents in 2020. The administration also has begun the process of reestablishing advisory boards on four campuses, has held regular meetings with Tribal Leaders, and has initiated a process to address issues that have been raised by the Tribal Nations.
 5. Discussion of UM Crookston's vision and strategy, focusing on its alignment with the MPact 2025 Systemwide Strategic Plan.
 6. Committee Reports:
 - Audit and Compliance: Rosha: No action items; see above for details
 - Litigation Review: (McMillan) meeting closed to public
 - Finance and Operations: McMillan: No action items. Reviewed and approved Consent Agenda
 7. New Business: President Gabel – will get back to Board with recommendations for response to the new masking guidelines from Mn Dept of Health.

Final Comments from Chair Powell and President Gabel: They received news and expressed regret at passing of former Regent Eileen Her.

To: UMRA Board of Directors

From: Jerry Rinehart, UMRA Liaison to the Board of Regents

Date: June 16, 2021

Re: June 2021 Board of Regents Meetings

The UM Brief, published on Wednesdays, typically provides an overview of key items covered at monthly Board of Regents meetings. The notes below are intended to provide an idea of some of these issues pertinent to UMRA based on viewing the Zoom meeting proceedings; more details are available on the Board of Regents' website as well as in the Brief summaries

Mission Fulfillment Committee

June 10, 2021

Presenters: Rachel Croson, Executive Vice President and Provost; Stacey Tidball, Interim Associate Vice Provost of Academic Support Resources and Director, Continuity & Compliance

1. Amendments to Student Records Policy.

“The current policy provides that some basic information about students' relationship to the University (e.g., enrollment dates, college, and academic program) and students' contact information (physical addresses, telephone numbers and University email) are public by default.” [Docket materials] Marketers and others can access this information by paying a fee to the Records Office.

The University is seeking to create a category of “limited directory information” which will contain student, faculty, and staff information not accessible to the general public, marketers etc. This change is allowed under a revision in Federal legislation regarding data privacy.

Several Regents expressed concerns that this change will inhibit recruitment efforts by the fraternity and sorority systems, which typically send materials to prospective students in high school. Croson indicated a process will be worked out that will allow materials to reach these students, but not subject everyone to marketers more broadly.

The Committee passed the proposed policy change unanimously.

2. Engaged Scholarship

Presenters: Rachel Croson, Executive Vice President and Provost, Beverly Durgan, Dean, University Extension ; Andrew Furco, Associate Vice President for Public Engagement; Michael Oakes, Interim Vice President for Research

- “Engaged Scholarship refers to research and other creative activities that faculty, researchers, and other scholars conduct to deepen understanding of phenomena, to

advance new ways of thinking, and to translate discoveries into action. One important measure of a university's success is the quantity, quality, and impact of the scholarship that is produced....

- “Rather than conducting research on communities, engaged scholarship focuses on engaging scholars in conducting research in communities and with members of the community. Engaged scholarship, therefore, offers scholars a mechanism to understand community-based issues more fully, which in turn enhances the overall quality and societal impact of the research.” [Docket Materials]
- Examples of Engaged Scholarship included in the presentation materials:

--"a multidisciplinary research team from the Duluth campus addressed known health disparities between urban and rural populations by developing rural learning healthcare network"

--"a team...in the College of Biological Sciences engaged with community members in order to understand how best to share results from genetic testing"... focusing particularly on working with the Hmong community.

-- A CFANS professor's "research program focuses on ecological strategies to improve production of vegetables and fruit, and collaborating with local growers and community members to build a more sustainable food system."

Presenters reviewed activities undertaken to support and encourage Engaged Scholarship, including grant funding, and highlighted its alignment with elements of M2025, the U's strategic plan.

- Beverley Durgan, Dean of UM Extension Program provided an overview of its activities and impact within the University and across the state.
- Discussion:

Regent Powell: Acknowledged gaining better understanding of what engaged scholarship means. He asked: what is "best in class" or what barriers do we need to overcome? Furco's response: the UM was an early mover in this area. Big step forward was changing Promotion and Tenure criteria to include engaged research as a consideration. He noted that faculty of color are particularly interested and active in engaged research.

Regent McMillan: cited an example with which he was familiar—health care disparities and access issues in Aitkin county. He was surprised at impact of opiate and addiction issues and the importance of UM efforts to address these issues. He indicated this was a good example of walking the line between "giving answers" and engaging the community respectfully in discovering what might be helpful.

3. System Undergraduate Enrollment Management

Presenters: Robert McMaster, Vice Provost and Provost and Dean of Undergraduate Education, Twin Cities Campus; Jeffrey Ratliff-Crain, Vice Chancellor for Academic Affairs and Innovation, Rochester Campus

McMaster reviewed data showing the declining population of high school enrollments in east and Midwest (5%), but indicating that MN will see increases in next 5 years.

- Current Enrollment Status is looking very positive. Confirmations at an all-time high and, overall, up 12% from fall 2020. Transfer students down 10%, but UMD and UMR numbers are up. Complete data, however, will not be available until the 10th day of classes

UM System total enrollment in recent decades shows steady increases, though with variability across campuses.

- Inter-campus Cooperative efforts: regular consultations, sharing waiting list information; sharing of applications through “Share My App”—students who apply to UMTC have the option of having their app shared across the UM system.

Joint System Recruitment: highlighting distinctive foci of each campus. Results indicate an uptick in applications.

Additional Student Financial Resources: UM Promise Plus program; free tuition (not including fees) to those with family income under \$50K (comparable to programs at UWI and UMichigan). Newly established Benson Scholarship Match, includes special coaches and mentors.

MN Transfer Curriculum continues to facilitate transfer among all state institutions.

Q and A:

Regent MacMillan: changing data on demographics—concerned about how the U should respond to the eventual decline in high school seniors: Should we chase harder the next five years to help weather the following drop? McMaster response: student diversity is going to increase significantly. In 2020, 28% of admits are BIPOC; these numbers will climb constantly. We also need to balance MN enrollments with national and international students. MacMillan—do you suggest that we will need to invest more to support disadvantaged students: McMaster YES!

Sviggum: Likes the system coordination and cooperation. But, what about a “Guarantee” policy? Can we promise admission to one of our campuses (ie. If they wanted TC but didn’t get in, be guaranteed a spot at one other campus?)

McMaster—could we equalize lower division courses/requirements to help with transfer. But a “guarantee” policy could lead to higher percent of students leaving their original campus. Sviggum believes students will stay where they are admitted. Rochester Vice Chancellor Ratliff-Crain indicated “getting the match correct upfront” is the primary focus; important to recognize the significant differences between campuses.

Regent Roshia—referenced improvements/reduction of unevenness in curricula which made transferring campuses difficult over the past years. Perhaps we need more price differentiation among system campuses—this would deter students from leaving their campus. Also--why are 2000 MN students leaving the state and going to UND or USD or elsewhere?

Regent Powell—are we investing enough in recruiting tools? McMaster -- COVID forced us into all digital recruitment. Realized the impact of individual, face to face interactions in recruitment. Schools with high name recognition did fine, but others had difficulty going digital only. He feels we need to have strong personal contact with student, e.g. on campus visits and creating relationships. These were missed this last year. UMTC has paid a marketing group to do national recruiting for TC campus.

Audit Committee

June 10, 2021

Presenter: Gail Klatt, Chief Auditor

- Klatt updated the Board on internal audit activities during the past year, particularly adjustments made to audit schedules due to COVID 19. All Office of Internal Audit staff transitioned to working remotely in March 2022. She presented charts showing progress made by multiple units in addressing “essential recommendations” since their original audit. These comments regarding “Disaster Recovery” were included in the update written materials:

(From Docket materials)

Disaster Recovery

There is one essential recommendation being accepted by management related to the proximity of the University’s primary and secondary data centers. Many of the University’s systems are hosted in a data center managed by OIT, with data and some system backups stored in the secondary one. Both of these facilities are located within one mile of each other, which is below industry guidance and creates a risk that both facilities could be destroyed or become unavailable in a single large disaster. Although the likelihood of such an event may be relatively low, the impact would be catastrophic. Management elected to accept this risk as:

- *The proximity risk was accepted at the time of construction in 1992 and reaffirmed in 2012 when it was decided not to invest in an alternative secondary containerized data*

center bid at \$16M.

- *The need for local data centers has changed as some infrastructure technologies that used to occupy space in local data centers have been relocated to hosted data centers. For the systems using hosted data centers, the global placement of these vended professional data centers and the way in which they have been architected (high-availability) are setup to avoid disruption and outages.*
- *Internal Audit was provided written confirmation from the VP for IT and Chief Information Officer that in consultation with the SVP for Finance and Operations he accepts all residual risk associated with this issue.*

Q&A:

- Sviggum—reassured by audit plans and activities. Re the 27 audits last year which produced three investigations—what is involved in these? Klatt: situations prompting investigations typically come through U Reports system. Financial misconduct issues are typical. Sviggum—do you involve UMPD in these investigations: Klatt, yes, also OGC and OHR when there is potential for criminal activity, but with care taken to protect those involved. MPD is not involved.
- Powell: what constitutes an area of “high risk” in the audit plan? Klatt: e.g. University Steam Plant—high risk due to dependency of U on its services; if it weren’t operable, it would have a significant impact on activity of the campus; plus the expense involved in responding to crisis in that area. Klatt—our Risk Profile should be revisited in the next year, both to add risks and to provide specificity to areas of risk. Powell asked for Klatt’s thoughts and guidance on these areas.

Sviggum and Powell acknowledged the challenge facing the U with Klatt’s upcoming retirement.

Governance and Policy Committee

June 11, 2021

1. UM Board of Regents Code of Conduct. Presenters: Doug Peterson, Office of General Counsel; Brian Steeves, Executive Director & Corporate Secretary
 - Steeves reviewed 1928 legislation defining UM’s independence and leadership by its Board.
 - Peterson provided broad overview of the Code and specific roles, values, responsibilities expected of Regents.
2. Board Policy Review Report. Presenters: Brian Steeves, Executive Director & Corporate Secretary; Jason Langworthy, Board Associate, Policy & Committees; Michele Gross, Director, Policy Program, Office of Institutional Compliance
 - Steeves discussed the improvements in the policy review process – it is now structured and organized.
 - Discussion centered on exceptional circumstances that may require quick action in uncertain policy areas---e.g. responses to fees questions and others related to response to COVID 19.

Finance and Operations

June 10, 2021

1. Capital Improvement Budget. Presenters: President Joan T. A. Gabel, Myron Frans, Senior Vice President, Michael Berthelsen, Vice President, University Services
 - Berthelsen—updated numbers in light of recent legislative actions
 - Committee Approved Unanimously
2. Board Policy on “Targeted Business, Urban Community Economic Development, and Small Business Programs” Presenters: Tina Marisam, Associate Vice President, Office of Equity and Diversity Sharon Banks, Director, Office of Business and Community Economic Development

Regent Rosha queried Counsel Peterson regarding issues associated with discrimination law. Peterson stated it appears to be in compliance with the law. VP Marisam commented that current interpretations of the law indicate that when there are compelling interests to use gender and race as elements in determining awarding of contracts. “set aside” funds to favor certain parties and that addressing historical lack Addressing historical discrimination against minority and women the awarding of contracts Amendments unanimously approved

3. Sale of Murphy Warehouse

Purchased for approx. \$18M, and invested approximately \$1M in fire code requirements. The U planned to “land bank” the warehouse site for potential future campus expansion area. Subsequently, the U’s campus long-term planning (the “Development Framework”) shifted to the core campus and expansion, if any, in the Southeast Gateway area. An agreement to sell the property to Ryan Cos. for \$20M was approved by the Regents in March 2020, but Ryan subsequently withdrew its offer as part of COVID 19 financial due diligence regarding the market for office space.

In January 2021, the University sought a new buyer from a pool of previously interested parties. Eagle Ridge Partners, LLC was selected as the preferred buyer. The purchase price is \$22,200,000 and if approved, the proceeds from the sale will free up U’s debt-capacity for other projects.

Q& A

Rosha: He has distributed papers to the Board relative to his view that this sale should not go forward. Feels that in the future the U will want/need the land Murphy is located on (for residential life facility or other essential needs). Moved to have the purchase motion be cancelled. It was seconded.

Sviggum: Opposes Rosha’s motion. Visited the property recently with staff members. Feels this is a very expensive property and he takes issues with the numbers Rosha presents. Plus, this property doesn’t fit any University needs; and is not part of strategic plan. Upkeep and investment needs over the year make this a property too expensive to hold onto. We should sell it and put it back in the public sector.

Davenport: Initially wanted to keep the building, but doesn’t see that this is a property worth investing in. Therefore, also opposes Rosha’s motion.

MacMillan: expressed additional concerns with Rosha's motion and supported voting against it. Dislikes the property's location (between railroads and electric utility).

Mayeron: Opposes Rosha's motion: do we need to retain it to save future costs? How would we pay for necessary upgrades repair needed if we keep it? Agrees with Sviggum's comments regarding misalignment of this property with strategic plans.

Vote on Rosha's motion: defeated

Motion to approve sale as proposed: ayes 9; nays 2

4. President's Recommended Operating Budget FY '22

President Gabel presented the budget for discussion; public input meeting will be held tomorrow morning (June 12, 2022).

A. Investment Priorities

- Advance the University's quality and competitiveness through timely investment in mission-critical priorities as articulated in MPACT 2025
- Maintain core strengths of the University through a modest compensation increase, addressing infrastructure, operating and compliance costs
- Proactively address lingering financial impacts of COVID-19

B. The budget investments and costs are funded from four primary sources:

- Reallocations (\$49.6 million) - significant spending reductions in lower-priority items in order to move existing resources to the proposed investments
- State Appropriation (\$15.5 million) – the full state request, which was modest in recognition of projected financial uncertainties faced by the state
- Tuition (\$13.6 million) – a general increase of 1.5%, which is well below current estimates of inflation in recognition of continuing financial uncertainties faced by students
- Other Resources (\$9.8 million) – FY21 uncommitted tuition above budget for some units is available to offset FY22 cost increases (\$4.7m), more units have looked to growth in other revenues (endowment earnings, ICR, grants and contracts, etc.) to support cost increases (\$4.9m), and some units are bridging to future revenue opportunities with balances (\$0.2m).

Review and Vote at next meeting.

Full Board of Regents Meeting

June 11, 2021

UM Duluth Strategic Plan and Update

Presenters: Chancellor Landley Black

Chancellor Black provided the full Board an overview of UMD's Strategic Plan, highlighting its congruence with President Gabel's IMPACT 2025 initiative. The presentation also included updates on student admissions and enrollment, graduation rates and administrative/operational issues.

He began with: What is the unique campus identity?

“ A classic higher education definition of UMD is that we are a medium-sized, regional comprehensive, public university. The ‘comprehensive’ piece is important. UMD does not specialize in one thing like a smaller institution but instead finds the perfect harmony between big and small, between breadth and depth, with the benefits of both.”

Q&A Powell: is UMD a Carnegie R2 research institution? Black—yes, but has not officially been recognized as such—it has research programs and expenditures similar to typical R2 schools. But needs to do more.

Q [Regent?] regarding UMD’s international direction—it is seeking to expand partnerships; efforts delayed due to COVID, but potential is strong.

Q Davenport: American Indian Studies program—is it working, i.e. attracting national audience? Black—yes, it is an on-line program and while its focus is regional, it does attract students nationally.

Are there adequate connections with two-year colleges? Yes, particularly with Superior Community college.

Q MacMillan—(acknowledged Vice Provost Delgado’s move to presidency of a college in NYC.) System-Wide enrollment issues—surcharges and tuition pricing strategies—how does it relate to TC campus rates? Will pricing be a differentiation or are overlaps appropriate? (items 2A and 2B in report)

Answer: (Black) enrollment priorities—UMD has completed cost study regarding affordability and it’s position in the market. VP Delgado—net rate vs “rack rate”—bidding wars after student applies always. Perceived value vs price. UMD’s College of Science and Engineering—is not comparable to UMTC, e.g. Chemistry has little student support compared to UMTC. UMD seeks to [ush “personal experience” to compete against price issues.

Q Sviggum—price sensitivity; re an article discussing rating of “A+ schools for B students”? Enrollment is the issue—UMD needs 1,000 student to be sustainable. Re p. 59 (“including competition from TC campus”). Sviggum wants each campus to enhance the other, not compete. How can cooperation support the system? Answer [Black]: ref Strategic Enrollment Council as key piece to doing this. But competition is not necessarily a bad thing—UMD is always striving to improve. Perhaps collaboration on enrollment targets across the system could be developed. The Pandemic has certainly highlighted the competitive issues within the system..

Sviggum—we appear to be moving in right direction, can you help us take the next steps?

Q Kenya—report referenced increased graduation rates—good. (Kenayana was a 4 yr. graduate of a recent effort at UMD.) He noted that increasing capacity in some departments could result in increased enrollment. Some demand is not being met. Surcharge under discussion may help provide resources for this? Kenya indicated he has heard faculty

concerns re: growing number of adjunct/temporary faculty vs declining tenure track positions. Answer: [Black] capacity issues are real—there are uneven matches between student interests and instructional capacity. Delgado—CSE demand is evening out; competition is picking up more science/eng-oriented students (in Wi and St. Thomas). And “performance programs” which are popular, have to remain small per class. Re: faculty adjuncts---issues associated with union representation, and many faculty retirements due to RIO. These needed to be filled by temporary instructors.

Additional Comment from Delgada inter system competition—this is not just an issue re 1st year students—UMD is the number one feeder of transfer students to UMTC.
