CALL TO ORDER

Following roll call, Chairman McHugh called the meeting to order at 10:00 a.m., declaring a quorum present.
ADOPTION OF AGENDA

Chairman McHugh requested a motion to adopt the December 11, 2008 agenda as presented. Trustee Balducci moved; Trustee Pugliese seconded; the Motion passed unanimously.

APPROVAL OF MINUTES

Chairman McHugh requested a motion to accept the Minutes of the November 13, 2008 meeting minutes; Trustee Doyle so moved; Trustee Sullivan seconded; motion passed unanimously.

CHANCELLOR’S REPORT

Chancellor Carter noted the had recently met with senior staff and cabinet as well as scheduled meetings with all levels of personnel at the System Office regarding current economic times and that those discussions and meetings generated helpful suggestions. He added that in addition to identifying cost-saving measures, attention was also being given at every level to perception—the need to be able to articulate and demonstrate by our actions that we CSUS was being proactive by cutting back and modifying the way of doing business and current practices accordingly.

Chancellor Carter noted that the presidents have been conducting similar meetings at their universities and that he had urged them to schedule department meetings including meetings with the heads of the various schools.

Chancellor Carter spoke to the current economic time as also being a time of opportunity noting that CSUS would not deviate from its mission of providing the best quality educational experience to students.

Chancellor Carter pointed out the following information in the Board folders:

University Reports on plans for assisting Students in Distress which were prepared by each university in compliance with a legislative mandate. The Board’s Student Life Committee received the university reports at the last meeting and Board members folders contained a copy thereof, along with an executive summary.

University Design Review Committee reports, along with an overview report indicating various design elements specific to each university.
Reports on CSUS status /progress towards legislative mandates from the 2007 session (transfer and articulation, common course numbering, etc.)

AASCU Policy Briefs: Implications of 2008 Elections for Colleges and Universities; and Concealed Weapons on Universities

Chancellor Carter reported that the Chairman had recently been announced as the recipient of the 2009 David Knapp Award for Excellence in Trusteeship by the New England Board of Higher Education (NEBHE); the awards dinner scheduled for March 6, 2009 in Boston, MA.

ACADEMIC AFFAIRS

Trustee Doyle reported that the Academic Affairs Committee met on Wednesday, December 3, 2008 at the System Office and recommended the following items:

A resolution to approve the Continuation of Off-Campus Program Approvals to offer a Master of Science in Educational Leadership and a Master of Science in Reading and Language Arts in Jamaica by Central Connecticut State University. Through various Board of Trustees authorizations, the university has offered the MS in Educational Leadership since 1998 and the MS in Reading and Language Arts since 2004 at Sam Sharpe Teachers College. In coordination with the College, the university also began offering the Educational Leadership program in 2002 and the Reading and Language Arts program in 2004 at Mico University College in Kingston. The university requests approval to enter into contract agreements to continue the programs at both institutions for a period ending on August 31, 2010. As required by BR#94-103, the university has submitted positive reports addressing the educational functioning and fiscal condition of these offerings. The resolution before us today outlines the structure of future annual reporting requirements.

Trustee Doyle moved approval of the resolution; Trustee Motley seconded the motion and the following resolution was approved unanimously

WHEREAS, Board Resolution #94-103 authorizes any of the CSUS universities to establish credit or non-credit instructional programs primarily for foreign students at overseas sites operated in partnership with foreign institutions or individuals, and authorizes the Presidents of the CSUS university to establish contracts in accordance with the provisions developed to implement the resolution, and
WHERAS, The university currently offers the above Master of Science degree programs with license and accreditation by the Department of Higher Education and institutional accreditation, including the offering of the two masters programs in Additional Instructional Locations, by the New England Association of Schools and Colleges, and

WHERAS, Through various Board of Trustees authorizations including BR#00-26, the university has offered its MS in Educational Leadership since 1998 and its MS in Reading and Language Arts since 2004 at Sam Sharpe Teachers College in Jamaica, and

WHERAS, Through coordination with Sam Sharpe Teachers College, the university expanded the offerings Educational Leadership in 2002 and Reading and Language Arts in 2004, at Mico University College in Kingston, and

WHERAS, The university has submitted positive reports on the educational functioning and fiscal condition of the above program and has provided evidence for the maintenance of the standards of the university programs, presented a plan for assessing the quality of these off-campus programs, provided evidence of continued demand, and has provided continued assurances that the university retains sole and direct responsibility for the academic elements for which it offers credits under these programs, and

WHERAS, A contract has been negotiated to extend the delivery of the MS in Educational Leadership program at Sam Sharpe Teachers College through December 31, 2008, and a new contract is being negotiated to become effective on January 1, 2009, and

WHERAS, Additional contracts have been negotiated with both institutions in Jamaica to continue the offering of the programs through August 31, 2010, therefore be it

RESOLVED, That Board of Trustees approves, retroactively, the modified Contract between Sam Sharpe Teachers College and Central Connecticut State University to end on December 31, 2008, and be it further

RESOLVED, That Board of Trustees for the Connecticut State University authorizes the university to enter into contracts with Sam Sharpe Teachers College and Mico University College to continue offering the degree programs in this resolution under the provisions of BR#94-103, state statutes and NEASC regional accreditation requirements for Off Campus Programming at Additional Instructional Locations for a period ending on August 31, 2010, at which time the university can petition the Board of Trustees authorization for continuation of the offerings, and be it further

RESOLVED, That the university submits to the Academic Affairs Committee of the Board of Trustees necessary reports and documentation, as per attached guidelines, by that Committee, on a yearly basis at its September meeting, or as needed in anticipation of reauthorization of these off-campus program offerings.
A resolution awarding the title of Distinguished Professor of Political Science and Philosophy to Edward (Ned) Lamont by Central Connecticut State University. Trustee Doyle reported that the designation recognizes individuals of prominence who have made significant academic or otherwise valuable service to a university. Mr. Lamont has been an accomplished entrepreneur and business leader in the technology field, including the delivery of distance education. He is a former Democratic nominee for the US Senate and is currently an adjunct professor teaching in the Political Science and Philosophy departments at CCSU. He is an active supporter of the university and serves as Chair of the Arts and Sciences Public Policy committee. The Committee noted that while Mr. Lamont was actively pursued by other prestigious universities, his commitment and affinity to Central are unparalleled.

Trustee Doyle moved approval of the resolution; Trustee Motley seconded the motion and the following resolution was approved unanimously

WHEREAS, Edward (Ned) Lamont has been recognized for his long and distinguished career as a successful entrepreneur, an advocate for the education and progress of Connecticut citizens and a committed leader in the private and public sectors, and

WHEREAS, Mr. Lamont has been an example of active and persistent leadership in areas spanning the technology, education, and non-profit and government fields, including his nomination for service at the highest levels, and

WHEREAS, Mr. Lamont has been recommended by the President of Central Connecticut State University, in consultation with the CCSU Political Science and Philosophy departments and with the concurrence of the Dean of Arts and Sciences and the Provost, to be acknowledged for his extraordinary role, therefore be it

RESOLVED, That, pursuant to BR#00-27, Edward (Ned) Lamont be named Distinguished Professor of Political Science and Philosophy at Central Connecticut State University for the period of his appointment at the university in accordance with all relevant sections of Article 4 of the AAUP collective bargaining agreement.

Trustee Doyle further reported that the Committee reviewed the reports and heard presentations from university representatives on the work of the Design Review Committees. These Committees have gained added importance in light of the CSUS 2020 projects. He noted that the Academic Affairs Committee was particularly interested in ensuring that recommendations of these committees are channeled appropriately, that there is participation in decision making, that a careful review of value engineering decisions is made, and that consideration is given to other forms of inclusion of these committees in the work being done.
Trustee Doyle asked the university presidents to make brief remarks accompanying the University Design Review Committee reports. Following brief overview remarks by each president on their Design Review Committee reports, remarks both Chairman McHugh and Chancellor Carter spoke to the need for ensuring that the work of the Committees continue to move forward in their missions in compliance with Board policy.

EXECUTIVE SESSION

Chairman McHugh requested a motion to go into Executive Session to discuss a potential resolution of a pending construction claim. He directed Chancellor Carter, President Norton, Dr. Louise Feroe, AAG Holly Bray, Keith Epstein, Pam Kedderis and Erin Fitzgerald to remain in attendance during the executive session.

Mr. Balducci moved to go into Executive Session; Mr. Krapek seconded the motion and it was approved unanimously.

RETURN TO OPEN SESSION

Chairman McHugh declared the Board meeting to be in Open Session and indicated that no votes were taken in Executive Session.

FINANCE AND ADMINISTRATION

Trustee Krapek reported that the Finance and Administration Committee met on Tuesday, December 2nd, and had three action items to bring before the Board:

Resolution concerning student Employee Compensation Schedule – Minimum Wage Compliance. Trustee Krapek reported that in the most recent legislative session, the Connecticut General Assembly increased the minimum wage from $7.65 to $8.00 per hour effective January 1, 2009 and to $8.25 effective January 1, 2010. Our class I student employees currently earn between $7.65 and $9.15 per hour. In order to comply with the new state minimum wage, CSUS must increase the minimum hourly rate for class I student employees from $7.65 to $8.00 per hour effective January 1, 2009. CSUS student employees fall into three categories or classes, dependent upon the type of duties and experience required. Typically, we would examine the hourly ranges for all three classes and adjust them proportionately. However, due to the current fiscal crisis, it is proposed to only alter the range for class I employees, making it $8.00 to $9.15 per hour. An estimated 724 students will be affected by the increase, with an anticipated total increase in expenses to the System of $74,000. Each university has the budgetary discretion to
determine how best to cover the additional cost. No action is requested on the minimum wage rate for 2010 at this time.

On a motion by Vice Chairman Krapek, seconded by Trustee Sullivan the following resolution was unanimously adopted:

WHEREAS, The Connecticut State University System and its four universities recognize that in order to effectively administer their operations they comply with applicable state law in doing so, and

WHEREAS, The Connecticut General Assembly in a recent legislative session increased the minimum wage in Connecticut to $8.00 per hour effective January 1, 2009, and

WHEREAS, Student employees who are classified in Class I of the Student Employee Compensation Schedule are paid within a range of $7.65 to $9.15 per hour, now therefore, be it

RESOLVED, That the Board of Trustees approve a revision to the Class I pay range for Student Employees from the existing range to $8.00 to $9.15 per hour effective January 1, 2009, and be it further

RESOLVED, That all student employees compensated at a level below $8.00 receive an appropriate adjustment in pay to ensure compliance with the new statutory minimum wage and revision in the revised compensation schedule enacted pursuant to this Resolution effective January 1, 2009 and that no other student employee shall receive an increase as a result of this revision.

Resolution Concerning Approval of a Proposed Claim Settlement Regarding Construction of the Adanti Student Center at Southern Connecticut State University. Trustee Krapek noted the matter had been discussed in Executive Session and, as the Chairman indicated, no vote was taken during Executive Session.

Trustee Krapek reported that on June 26, 2003, Haynes Construction Company was awarded the contract to construct the Adanti Student Center. The project was delayed due to several issues. On July 24, 2007, CSUS was notified by the Department of Public Works that Haynes had filed a formal claim for arbitration in excess of $10 million. DPW hired claims analysts and auditors, at CSUS’ expense, to evaluate the claim and any potential counterclaims, and also to prepare for arbitration, at a cost to CSUS of $848,760. Both parties subsequently agreed to enter into non-binding mediation. At the conclusion of mediation in November 2008, all parties agreed to settle for the amount of $3,750,000. The proposed settlement amount includes all current and future claims which might be brought against the State in connection with the Student Center. Settlement also avoids the sometimes lengthy arbitration process and additional potential fees of up to a half a million dollars.
It was noted that since the facility is a CSUS building, payment of the claim is the responsibility of CSUS. It is proposed that of the $3,750,000 settlement amount, $1.5 million be paid from the Series D CHEFA bond issue (which originally funded the project). The remaining $2.25 million would be paid from Southern’s unrestricted funds.

On a motion by Vice Chairman Krapek, seconded by Trustee Balducci the following resolution was unanimously adopted:

WHEREAS, On June 26, 2003, Haynes Construction Company (“Haynes”) was awarded the contract to construct the Adanti Student Center, and

WHEREAS, The project was delayed due to several issues, and

WHEREAS, Haynes filed a formal claim for arbitration in excess of $10 million on July 24, 2007, and

WHEREAS, The parties thereafter agreed to enter into nonbinding mediation, and

WHEREAS, Mediation was conducted on November 20, 2008, and

WHEREAS, All parties involved agreed to settle for the amount of $3,750,000, and

WHEREAS, $1.5 million of the settlement amount is proposed to be paid from the Series D CHEFA bond issue (from which the project was originally funded), and $2.25 million is proposed to be provided from SCSU unrestricted funds, therefore be it

RESOLVED, That the Board of Trustees for the Connecticut State University System approves the proposed settlement amount of $3,750,000 to Haynes Construction Company, contingent upon the understanding that this settlement amount includes all claims that have been and may be in the future asserted against the State in connection with the project, and contingent upon approval by the Commissioner of the Department of Public Works, the Office of the Attorney General, and the Office of Policy and Management, and be it further

RESOLVED, That the Board of Trustees approves the proposed funding sources and amounts as enumerated in this Resolution.

Faculty Promotion and Tenure recommendations. Trustee Krapek noted that Committee members reviewed and approved off-cycle promotion and tenure recommendations for faculty at Central, Southern and Western Connecticut State Universities effective for the spring semester 2009.

On a motion by Vice Chairman Krapek, seconded by Trustee Doyle the recommendations were accepted.
In closing, Trustee Krapek reported that the Finance & Administration Committee heard a report on the write-off of uncollectible accounts receivable and reviewed the appointment of Ned Lamont as Distinguished Professor at Central Connecticut State University.

EXECUTIVE COMMITTEE/CHAIRMAN’S REPORT

Chairman McHugh noted that the Executive Committee last met in November and due to a lack of action items in December, the regularly scheduled meeting had been cancelled.

The Chairman spoke briefly regarding the economic times remarking that he was extremely proud of the work of the Board of Trustees and knew that the Board, working together with the Chancellor, Presidents, faculty and staff would ensure that the universities that comprise the Connecticut State University System would not only persevere but continue to excel. Chairman McHugh reminded Board members who had yet to submit their self-evaluation survey to do so at their earliest convenience.

Chairman McHugh reminded Board members about the upcoming dinner meetings (SUOAF and CSU Professors) and requested Trustee Doyle to share remarks about the CSU Professors and their recent collaborative efforts. Following Trustee Doyle’s remarks, several trustees commented favorably regarding the CSU Professors collaboration.

ADJOURNMENT

Trustee Sullivan moved to adjourn; Trustee Pugliese seconded the motion and the meeting was adjourned at 11:10 a.m.

Respectfully submitted,

Theresa J. Eberhard-Asch, Secretary