

**Regular Meeting of the Board of Trustees  
March 28, 2006**

**Table of Contents**

Two Hundred and Sixty-Second Session of the Board of Trustees .....	183
Attendance .....	183-184
Report of the President.....	185-188
Introduction by President Zimpher of “Research Institutes and Centers” Presentations .....	188
William S. Ball, M.D., Professor and Chair Biomedical Engineering – PowerPoint Presentation.....	188-192
Ronnie D. Horner, Ph.D., Director and Professor Institute for the Study of Health – PowerPoint Presentation.....	192-198
Presentation by Gregory Vehr, Vice President for Governmental Relations and University Communications TABOR/TEL – PowerPoint Presentation.....	198-204
Presentation by Mitch Leventhal, Ph.D., Vice Provost, International Affairs International Progress Report – PowerPoint Presentation.....	204-211
Board Committee Meetings .....	212
Regular Meeting of the Board of Trustees.....	212
Approval of the Minutes of the Regular Meeting of January 24, 2006 .....	212
Academic and Student Affairs Committee Recommendations .....	213-214
Distinguished Teaching Professor – Charles H. Matthews College of Business.....	213
Distinguished Research Professor – Makram Suidan College of Engineering .....	213
Feld Family Distinguished Chair Reappointment – Andrew M. Lowy Department of Surgery, College of Medicine .....	214

Department Chair Reappointment – Mark Goddard Department of Physical Medicine and Rehabilitation College of Medicine.....	214
Appointment of Emeriti – Robert L. Bornschein Department of Environmental Health, College of Medicine .....	214
Emeritus Status for Faculty Member – Anthony F. Dardy Division of Professional Practice .....	214
Board-Administration Committee Recommendation .....	215
Collective Bargaining Agreement between the University of Cincinnati and Local 2544 of the American Federation of State, County and Municipal Employees .....	215
Medical Affairs Committee Recommendation.....	215
Approval of the UCMC Compliance Program Annual Report.....	215
Physical Plant Committee Recommendation.....	215
Naming of the Marge Schott Stadium .....	215
Finance Committee Recommendations .....	216-219
2006-2007 Tuition and Fee Schedule .....	216
Establishment of Room and Board Rates 2006-2007 Academic Year .....	216-217
Approval of Contract with Purchase 5001 Kellogg Avenue Cincinnati, Ohio .....	217-219
Lease of Turner Center Space Located at Vine Street And Daniels Street in Corryville.....	219
Roll Call Vote .....	219-220
Approval of Honorary Degree and Award for Excellence Candidates.....	220-222
Unfinished & New Business .....	222
Faculty Senate Report by John Cuppoletti.....	222-223
Alumni Association Report by Bob Dobbs .....	223-225

Student Trustee Report by Jim Masterson.....	225-226
Student Representative Report by Nick Furtwengler .....	226-228
Student Representative Report by Andrew Burke .....	228-229
Executive Session .....	230
Adjournment .....	231

# UNIVERSITY OF CINCINNATI

## Official Proceedings of the

### Two Hundred and Sixty-Second Meeting of the Board of Trustees

(A Regular Meeting)

March 28, 2006

The Two Hundred and Sixty-Second Session of the Board of Trustees of the University of Cincinnati was opened at 10:00 a.m. on Tuesday, March 28, 2006, in Tangeman University Center (TUC), Room 400B&C, on the Uptown West Campus of the University of Cincinnati. Notice of this meeting was given in accordance with Section 121.22 of the Ohio Revised Code. The proceedings of the Board, when not otherwise provided for by its bylaws, are governed by *Robert's Rules of Order*.

Phillip R. Cox, Chairperson of the Board of Trustees, presided. Mr. Cox asked that roll be called.

**BOARD MEMBERS PRESENT:** Thomas H. Humes, Phillip R. Cox,  
Anant R. Bhati, Jeffrey L. Wyler,  
H. C. Buck Niehoff, Sandra W. Heimann  
Gary Heiman, and C. Francis Barrett

**BOARD MEMBERS ABSENT:** None

**ALSO PRESENT:** Nancy L. Zimpher, President;  
Anthony J. Perzigian, Senior Vice President  
and Provost for Baccalaureate and  
Graduate Education;  
Sandra J. Degen, Vice President for  
Research;  
Daniel L. Grafner, Vice President for  
Development and Executive  
Director, UC Foundation;

UNIVERSITY OF CINCINNATI  
TWO HUNDRED AND SIXTY-SECOND MEETING OF THE BOARD OF TRUSTEES  
MARCH THE TWENTY-EIGHTH TWO THOUSAND AND SIX

Mitchel D. Livingston, Vice President for  
Student Affairs and Services;  
Monica Rimai, Interim Senior Vice President  
for Finance and Operations;  
Frederick H. Siff, Vice President and  
Chief Information Officer;  
James R. Tucker, Vice President for  
Administrative and Business  
Services;  
Gregory J. Vehr, Vice President for  
Governmental Relations and  
University Communications;  
James E. Wesner, Interim Vice President  
for Legal Affairs and General  
Counsel;  
Greg Hand, University of Cincinnati  
Spokesperson;  
Nick Furtwengler, Undergraduate Student  
Trustee;  
James Masterson, Graduate Student  
Trustee;  
Robert Dobbs, Alumni Representative;  
Stephen Thompson, Alumni Representative;  
John Cuppoletti, Faculty Representative;  
Lynn Davis, Faculty Representative;  
Robert Faaborg, Faculty Representative;  
Andrew Burke, Student Representative;  
Virginia L. Steiner, Executive Secretary  
and Clerk, Board of Trustees;  
and the public

(Prior to the Board Committee Meetings and the Regular Board Meeting,  
Chairperson Phillip R. Cox began the proceedings at approximately 8:33 a.m.)

Mr. Cox:

Thank you all for being here. We would like to welcome today Monica Rimai,  
the Interim Senior Vice President for Finance and Operations to the meeting table.  
Welcome, Monica. Good to see you. Glad you are here.

Jane Henney is unable to attend the meeting today. I understand that Dean Lindell is here, representing Dr. Henney. Welcome, Dean Lindell. Thank you for representing Dr. Henney today.

We would also like to welcome a new member to the staff, Heather Huff, the Executive Assistant to the President and the Board of Trustees. Heather is assisting in both the President's Office and the Board Office. Welcome to you, Heather. Thank you for being here as well.

With that, we would like to have Dr. Zimpher give the President's Report. Nancy, if you would.

### **Report of the President**

Thank you. Monica Rimai, two welcomes in one year—that is pretty good. And, Heather Huff, you can't know how delighted we are to have you with us. So, welcome. And, now on to the good news—just this past Friday, we introduced our new men's basketball coach. Mick Cronin is a UC graduate and a Cincinnati native who vows to build on the Bearcat's great winning tradition. He served as an assistant coach at UC and most recently has been the head coach at Murray State University. I want to thank Trustee Niehoff for being present for the welcome, as were many other people in this room.

On March 3, UC hosted business leaders from as close as downtown and as far away as Finland for our Innovation Imperative Symposium. This event brought together corporate, government, and academic leaders to discuss an urgent issue for our nation's economic vitality—that being "Innovation," which was also the topic of my State of the University address in the fall. This was an exciting gathering.

A senior in our industrial design program, Geoff Baldwin, took second place honors in an International Housewares Association competition. His design consists of a spoon, that once placed in a cup of coffee or tea, heats it up again. I can't wait to try that!

A team of UC Architecture students is one of only twenty international teams selected to compete in a prestigious project called the Solar Decathlon. This means our UC students and faculty will design and build a completely solar-powered house to be displayed in 2007 on the National Mall in Washington D.C.

This month, the U.S. Postal Service unveiled a new stamp honoring the developer of the oral polio vaccine, Albert Sabin, of UC and Children's Hospital Research Foundation. Dr. Sabin's widow participated in our formal ceremony at the Vontz Center, marking this wonderful salute to the man whose vaccine has saved thousands, if not millions, of lives.

With more than \$12 million in scholarships up for grabs, our tenth anniversary Cincinnatus Scholarship Competition broke another record this year, attracting more than 2000 seniors from forty states, including a student from Hong Kong and one from Germany. This year, we experienced a 68% increase in awards to students in the top 10% of their class. I would like to recognize, and ask you to stand as I call your names, Connie Williams, Cindy Cohen, and Randy Ulses of our Student Affairs and Services Division for their efforts in organizing this great competition! Thank you all.

UC joined Xavier and NKU in honoring twelve outstanding math and science teachers from the Cincinnati USA region this month. This is the second year that we have collaborated on this recognition program. The first ceremony, by the way, preceded all the recent reports focusing on our nation's attention to the urgent need for more graduates in the so-called STEM fields—science, technology, engineering and math. So, once again we are ahead of the curve.

Despite public perceptions, our campus and the surrounding neighborhoods are getting safer. Crime is down by 35% since 2003 on our campus and dropped by 25% in the surrounding neighborhoods. Our collaborative efforts with the city, with our neighbors and the Uptown Consortium, relative to public safety, are bringing results, and we will keep working towards even better results.

Dan Acosta, Dean of the College of Pharmacy, will receive on April 1 the prestigious 2006 Award for Excellence in Pharmacology/Toxicology from the Pharmaceutical Research and Manufacturers of America Foundation. The award honors his distinguished career. I didn't get a chance to see if Dan is in the house, so pass it along.

Dorothy Air, our Associate Senior Vice President for Entrepreneurial Affairs, was recently named one of the "Top Ten Women in Technology" by *Women's Business Cincinnati*. Dr. Air, who also serves as a loaned executive to CincyTechUSA, is charged with developing new initiatives and implementing plans to drive research and innovation to commercialization. Dorothy also currently heads up our next new event, called "Showcase 2006." This wide-ranging view of the university's transformational impact on the region will take place on Friday, April 21, here at Tangeman University Center. We hope you can all attend. This is an effort to showcase our contributions to regional economic development through our expertise in research, and the second day of "Showcase 2006" will be a recruitment fair for students interested in attending the University of Cincinnati.

We are heading into baseball season now, but I thought I would mention that one of our own design students quarterbacked a Super Bowl assignment: Senior Zach Norman finished a co-op where he helped create designs for the Super Bowl in Detroit. Once again, our co-op students score a touchdown for real-life experience!

And finally, some highlights of our UC|21 progress. Just a couple related to Goal 3: Achieving Academic Excellence. I recently received word from our accrediting body

that they are impressed by the academic integrity of our distance education programs. We should be duly proud of our growing efforts to expand our reach through these programs and delighted that the accrediting body that accredits traditional campus-based programs is so pleased with the way we are doing distance education. Tony—bravo for the team!

Also, our UC|21 team headed by Gigi Escoe has won a Mayerson grant to support a senior capstone course with an experiential learning emphasis. This is a part of our Integrated Core Learning Initiative, which extends the general education and the liberal learning curriculum throughout all four years of the undergraduate experience.

Today, we continue with our presentations on UC institutes and centers. We have with us Professor Bill Ball to discuss Biomedical Engineering and Professor Ronnie Horner, Director of the Institute for the Study of Health. So, I will first call on Professor Bill Ball. Please come forward.

*(William S. Ball, M.D., Professor and Chair, Biomedical Engineering, gave the following presentation, utilizing PowerPoint slides. A handout consisting of copies of the slides was distributed to the members of the Board and others seated at the meeting table. A copy of the handout is on file in the Office of the Board of Trustees.)*

Dr. Ball:

Thank you, President Zimpher. It is a pleasure to be able to present to the Board our progress in Biomedical Engineering.

The progress of Biomedical Engineering has been substantial. Since this Board of Trustees voted to establish the department in the winter of 2000, we first opened our doors on January 1, 2001, as an “academic bridge” department that lies within both the College of Engineering and the College of Medicine. Our charge was to provide leadership at the interface of engineering and medicine to improve the quality of life, which we hope we have made substantial progress in doing.

With respect to faculty, we have grown from a faculty of one, and that was myself, on January 1, 2001—a very lonely feeling—but we have now grown to a faculty of twelve full-time members with a wide variety of expertise, including also two joint appointments, which are faculty that we share with other departments, which are part of the interdisciplinary effort that Biomedical Engineering was supposed to establish.

With respect to education, we have a very well thriving undergraduate education program. We have a degree title in Biomedical Engineering and two tracks in Biomechanics and Medical Device Innovation, with premedical options in both.

About one-third of our students are in pre-med. About one-third of our students go on to industry, and about one-third of our students are anticipating going on to graduate education. As a matter of fact, this year in the freshman class for the Medical School, 40 percent of the incoming freshmen were, in fact, engineers.

We also have a thriving cooperative education program, but we have introduced some new innovation into that to keep up with the diversity of our students' pathways, which includes the establishment of a research cooperative program in which about 30 percent of our students actually perform research within laboratories at the University of Cincinnati and at Children's Hospital.

How have we done with respect to undergraduate enrollment? The black line represents the targets that were set by the task force that were presented to this board at the inception. The red line actually represents our student growth. We are now in 2005/2006 up to 175 undergraduate students in Biomedical Engineering, whereas the target shows that we were supposed to be at about 115. We are now enrolling approximately 40 to 50 freshmen on a yearly basis.

These are some of the projects that our freshmen take part in. They take part in projects which are predominantly at the interface with physician scientists at the

university but also within local industry. These are just some examples of some of the projects in which the students participate—surgical robotics, for example, with the Center for Surgical Innovation in which they have, in fact, developed these types of technologies, and many of them are, in fact, going on for commercialization within local companies.

With respect to our research and our graduate development, our primary research focuses have been in Medical Product Design and Innovation, Tissue Engineering in Biomechanics, Medical Imaging, and in Bioinformatics.

Our graduate program is a relatively small program, consisting only of about 38 students. The reason is we have grown our graduate program as our research efforts have grown and, hopefully, this program will become larger in the future.

How well are we doing in terms of research? Well, there are a number of rankings, as you all are aware, but these are the NIH rankings for Biomedical Engineering programs, and how well have we done within those rankings? Within the first three years of our existence, we held our own at around the 65<sup>th</sup> percentile in programs nationally. Once, we reorganized and generated enough preliminary data and began really submitting and competing nationally at the NIH level, this has risen substantially. In 2004, we went up to the 47<sup>th</sup> percentile.

I also remind you that the number of programs has substantially increased. In 2001, there were only 83 programs, whereas in 2004, we were competing with 113 programs nationally for NIH funding in Biomedical Engineering. The 2005 is a projection because we doubled our research funding in 2004/2005. The 2005 projections for NIH have not come out yet, but if we were to apply ourselves to the current existing group in 2004, we would be at the 36<sup>th</sup> percentile. I think this simply shows the efforts of the faculty in growing a vigorous research program.

What are some of the research things that we are doing at the university? Tissue Engineering research at UC is a wide variety of things. As I grow older, I keep pushing this group to do things faster and faster. We also have a vigorous group of researchers in Medical Imaging, including Therapeutic Ultrasound and, finally, in Bioinformatics, as well. We have an area of growing Bioinformatics which includes Genomics and Proteomics but, also, interdisciplinary programs with Mathematics and Neuroscience and Computational Neuroscience and Computational Biology.

I will stop at this point. It was a very brief overview of our progress, and I will be glad to answer any questions that you may have.

Mr. Wyler:

Speaking on behalf of the entire board, who are also growing older, please move faster.

Dr. Ball:

We will do that. We have some samples at the back table if you would like.

Mr. Thompson:

Dr. Ball, what percentage of your undergraduate admissions are dual admits coming in? I mean dual admission to Biomedical and Med School.

Dr. Ball:

The Connections-E Program—we take on an average between four and seven students yearly in through the Connections-E Program—and to date, most of the students are in Biomedical Engineering. We do have some students that have gone into Chemical Engineering, and I think another student into Mechanical, but most have gone through Biomedical Engineering.

Now, our first group of Connections-E students finished last year, and I believe they are all enrolled at UC. I do not think that there were any dropouts in the Connections Program.

Dr. Bhati:

Bill, how much was the NIH grant? I think I must have missed it. Your total NIH grant in the last three or four years went from what to what?

Dr. Ball:

In 2004, we were doing about \$1.5 million annually. That is not total. Now, we are approaching this year an estimate of about \$2.5 million annually. That translates probably into about \$15 or \$16 million in total in grants.

Dr. Bhati:

This involves only UC and not Children's Hospital, right?

Dr. Ball:

This is UC. This is just the Department of Biomedical Engineering.

Dr. Bhati:

I must congratulate you for doing a wonderful job.

Dr. Ball:

Thank you, sir.

Mr. Cox:

Thank you very much.

President Zimpher:

And, now, Ronnie Horner for the Institute for the Study of Health.

*(Ronnie D. Horner, Ph.D., Director and Professor, Institute for the Study of Health, gave the following presentation, utilizing PowerPoint Slides. A handout consisting of copies of the slides was distributed to each member of the Board and others seated at the meeting table. A copy of the handout is on file in the Office of the Board of Trustees.)*

Dr. Horner:

I am very pleased to be here this morning to give you an overview of the Institute for the Study of Health.

The institute, as you probably know, is part of the Academic Health Center at the university. It sits independent, outside all of the various health professional colleges, and as the Director, I report directly to the Provost for Health Affairs.

The institute has been around for approximately ten years. We are involved in interdisciplinary research to identify ways to improve health and to improve health care practices and the delivery of health care. We also engage in an educational enterprise—training health professionals in clinical research methodology.

There are currently about 50 affiliated faculty and research support staff at the institute, and we are truly a multi-disciplinary entity. We have representation of the various specialties of medicine—Pharmacy, Nursing, Epidemiology, Biostatistics, Medical Sociology, and Medical Anthropology, just to name some of the disciplines at the institute.

It is a productive faculty. In 2005, we were involved in 30 projects, totaling more than \$2.2 million in external funding. The faculty authored more than 120 scientific articles, abstracts, and presentations.

Our research and educational portfolios are very pragmatic. What do I mean by that? Well, for example, the research portfolio is focused on real world health care

challenges and finding solutions to those challenges. We seek knowledge that can be used more directly and immediately to impact health and health care practices.

I thought I would illustrate some of the projects that we have going on at the institute, and I want to begin with an outgrowth of a study that I started while at Duke University Medical Center. The goal of that study was to determine whether 1991 Gulf War veterans were at an elevated risk of Lou Gehrig's Disease, also known as ALS. ALS is a fatal neurologic condition that typically results in death within two to five years of onset.

That study found that these veterans were, indeed, at an elevated risk of developing the disease. As you can see from the figures, those who served in the Air Force and in the Army were at a particularly high risk. Based on these findings, the Secretary for Veterans Affairs changed VA policy. He made ALS a service-connected condition that gave these veterans and their families benefits to which they would not otherwise have been entitled.

Based on that study, we have a new investigation underway to identify biomarkers for ALS among military personnel. We are working with the Genome Research Institute, United States Air Force, and Children's Hospital to carry out this study. Through this knowledge, we may be able to diagnose ALS earlier in its course and, therefore, initiate therapies earlier, perhaps delaying death. We may be also able to identify those at risk of ALS and, therefore, initiate preventive actions.

A second study in which we are involved is with the faculty in the Department of Obstetrics and Gynecology. That group was on a study team that did a clinical trial, proving that a drug called 17P or 17 Alpha Hydroxy Progesterone was effective in preventing pre-term delivery in mothers at risk.

As you can see in the graph, the women who were on that drug were much less likely to deliver early in their pregnancy, so they were delivering after 38 weeks.

Currently, we are working with the faculty of that department on a CDC-funded study that would identify ways to bring this drug into routine use in the clinics.

Our faculty are also involved in clinical decision making. Increasingly, medicine is interested in having patients informed about their care and active participants in their care. We are developing tools with which to foster communication between the provider and his patients regarding various medical and surgical therapies and to do so at the point of care.

One study looks at atrial fibrillation, which is a heart disease that often necessitates use of blood-thinning agents. Through this tool, we are able to assess the risks and the benefits for a particular patient and, therefore, the provider can discuss those risks and benefits and determine whether that therapy is right for that particular patient.

As a final study to illustrate the type of research that we are engaged in, we are developing an investigation to determine whether there are racial disparities in the receipt of epilepsy care. Epilepsy is a neurologic condition that affects quality of life more than the quantity of life. African Americans seem to be at a higher risk of having this condition. There is some preliminary evidence that suggests that African Americans are less likely to receive state of the art care. As you can see in the graph, there is a surgery that is effective in preventing epileptic seizures. Yet, African Americans are less likely to receive this surgery. The surgery has proven not to be any less likely to fail in African Americans than Caucasians, so it is uncertain why there is this disparity in the receipt of the care. This project will seek to determine if there are disparities not only in the use of the surgery but in other aspects of care for epilepsy, and the reasons for those disparities. Hopefully, we can identify ways to intervene so that all patients, regardless of race or ethnicity have the highest quality of care available to them.

As my last slide, I wanted to talk a little bit about the educational programs in which the institute is involved. On a weekly basis, we have a "Clinical Effectiveness" seminar where we explore ways to improve the practice of medicine. Twice a month, we

have a “Health Outcomes” seminar where we look at ways to improve health, and on a monthly basis, we have a “Health Policy” forum where we discuss current issues in health policy. In addition, the institute is involved in the effort to develop a Master of Public Health Program here at the university and, hopefully, we will have that program in place within the next couple of years.

I will end there and entertain any questions.

Mr. Cox:

Any questions? Dr. Bhati?

Dr. Bhati:

My question is about 17 Hydroxy Progesterone. How do the preliminary results look to you? I am not personally involved in that trial.

Dr. Horner:

Well, it is showing that women were much less likely to deliver early term. The drug is now considered the standard of care from what the Ob-Gyns tell me, and so now the question is how can we get that drug into routine use in the clinic?

Dr. Bhati:

Well, these claims are rather disputable claims at this present time, so that is why I am asking you about your results—how the results stack against the literature, which I am not sure about. I am just raising the issue.

Dr. Horner:

Well, I was not involved in the trial, but the evidence that I saw, it looked like it was indeed effective.

Dr. Bhati:

No further questions.

Mr. Cox:

Other questions?

Mr. Heiman:

Yes, I apologize for coming in late, but you mentioned that if you could identify the biomarkers for ALS that you could, perhaps, begin with intervention or intervention therapy earlier. What type of therapy is available?

Dr. Horner:

Well, there currently is only a single drug that is used to deal with ALS, and it is called Rilutek—that is the trade name. It essentially delays the disease's progress. There are no current approved therapies that are out there for treatment of this disease. There are efforts to develop therapies, and the VA actually has developed a registry for veterans with ALS so that they would be available to participate in trials as those therapies come to the stage where they can be tested.

Mr. Cox:

Thank you. Any other questions?

Mr. Humes:

I am curious. You were founded in 1996, so you are about ten years old. How many other universities staff an institute like this, and how do we compare to them in productivity?

Dr. Horner:

Many universities have these. I do not have the exact figure. I have been the director of this institute since August of 2004, and I want to make it more productive than it has been in the past. So, we are restructuring it, and I am bringing in more independent investigators—that is investigators who have lines of research so that we can increase our level of productivity and the research that we are doing. Again, we want that research to

be focused on very practical problems. Many of these institutes are more academic, if you will—ivory tower, egghead kind of enterprises. We are interested in finding solutions to the problems. I am not saying that they do not generate information that ultimately can be used, but we are seeking to generate knowledge that can be used sooner and more directly in the care of patients.

Mr. Cox:

Final questions?

There were no other questions.

Mr. Cox:

Thank you very much, Dr. Horner.

President Zimpher:

I just want to remind you, as we are transitioning to our next presentation, of the incredible contribution of these two centers and all of our centers and institutes to the welfare of this region. That is one of the big reasons that we are trying to showcase them in the family, so that everybody knows what kinds of breakthrough research we are mounting at the University of Cincinnati.

We have two other presentations this morning. First Greg Vehr, our Vice President for Governmental Relations and University Communications, is going to talk with us about what is commonly referred to as TABOR/TEL. So, when you hear that, you have to know that it is really the tax payer bill of rights, and Greg is going to kind of summarize the context it provides and the impact that it could have, were this amendment to pass, on our pursuits in higher education.

*(Gregory J. Vehr, Vice President for Governmental Relations and University Communications, gave the following presentation on TABOR/TEL, Constitutional Amendment, using PowerPoint Slides. A handout consisting of copies of the slides was*

*distributed to each member of the Board and others seated at the meeting table. A copy of the handout is on file in the Office of the Board of Trustees.)*

Mr. Vehr:

Thank you. Good morning. Thank you, Chairman Cox, members of the board, President Zimpher. I was going to and still am going to define what TABOR means even though President Zimpher has done that for you, but I will challenge you all on TEL, so we will get to that in a minute.

It is my intention this morning to briefly discuss the concerns higher education and many other groups have with the proposed Constitutional Amendment known as TABOR/TEL. TABOR stands for the Taxpayer Bill of Rights, as the President just mentioned. TEL stands for tax and expenditure limitations. What is on the ballot in Ohio is actually a TEL, but it is so closely related to a TABOR that we are referring to them as TABOR/TEL.

It is a Constitutional Amendment, already certified for the November ballot in Ohio. There are some challenges right now to the signatures that placed this on the ballot, but it looks as though it will be on the ballot this November. The problem with it being a Constitutional Amendment is that it is extremely difficult, once passed, to be able to remove. The amendment limits public sector spending to a formula amount of inflation plus population growth, or 3.5%, whichever is greater.

The TABOR/TEL applies to state and local governments, and specifically to state instrumentalities such as public institutions of higher education. Its authors will point out that limits can be exceeded, but they do not indicate how difficult that will be. It requires costly special elections or a two-thirds vote of the legislature. I think we all know how difficult it is to get two-thirds of the legislature to agree on anything. It is very similar to a 1992 measure passed in Colorado and recently suspended for five years by Colorado voters. More about that in a minute.

What is the threat to current state funding? The TABOR/TEL will most likely dramatically cut, if not completely eliminate, state support for higher education over the next ten to twenty years. The study conducted by the Ohio House Republicans reported the following, “Assuming a TABOR had been in effect since 1995 in Ohio, a cumulative total of \$19 billion would have been cut from state expenditures for programs over the ensuing 11 years.”

For fiscal year 2003, the state budget would have had to be \$3 billion less than what was passed by the legislature. If higher education received a proportional cut, and in many TABOR or in the TABOR state that we are aware of—Colorado—it is not proportional for higher education. The cuts are much more severe. Higher education’s share of the FY 2003 cut would have been \$408 million, with UC’s share of that cut at approximately \$40 million.

The real threat would be loss of control. The General Assembly would likely have to exert greater control over university spending in order to enforce the cap. For example, if the spending cap is 3.5% and, for instance, Medicaid grows more than 3.5%, which in the current environment is almost assured, the legislature may decide that UC’s share of the cap needs to be minus 5% to help offset Medicaid growth. UC would then have to allocate a 5% reduction in spending across campus, meaning more and deeper cuts.

Even worse, the legislature could mandate protection of certain areas, such as athletics or undergraduate education. Cuts to other budgets then would need to be even greater and the ability for this board to make decisions on campus growth would become very compromised. By the way, capital spending is included under the spending cap. Think of the impact that could have on campus growth or deferred maintenance.

As I mentioned earlier, Colorado voters suspended its TABOR for five years just this past November. Since its passage in 1992, funding for public schools fell to 50<sup>th</sup> in the nation; graduation rates have plummeted; and personal income growth went from first to fiftieth.

Currently, it is important to learn more about the potential impact of TABOR/TEL and to educate people. That is part of today's meeting, actually. We are also currently working with other Inter-University Council institutions—the public four-year institutions—to educate throughout the state on TABOR/TEL. The IUC is considering joining the primary opponent, not meaning this primary, but the main opponent, the Coalition for Ohio's Future.

We are also asking you to consider the possibility of officially expressing concern about TABOR/TEL, perhaps at a future meeting. And, we can continue to educate and motivate faculty, students, and employees about the potential impact. For trustees, the Ohio Board of Regents has scheduled a meeting in Columbus on June 5-6 at the Renaissance Hotel to discuss the potential impacts of the TABOR/TEL and any competing items that may be placed on the ballot. In a political environment there is the possibility that one of the candidates may try to place something on the ballot that is, perhaps, a little less severe, but none the less problematic, from a university perspective.

So, with that, I would like to close and thank you for the opportunity, and I will be happy to answer any questions.

Mr. Cox:

Any questions for Greg?

Mr. Barrett:

I have a question. You mentioned that the main opponent is the Coalition for Ohio's Future. What organizations are in that Coalition?

Mr. Vehr:

There is a number of organizations. You have teachers; you have cities, counties, the municipal league; you have organized labor and, at this point, that is the gist of the make-up of that committee.

Mr. Barrett:

Who would be the primary advocates of this constitutional amendment?

Mr. Vehr:

The primary advocate in Ohio is Ken Blackwell, who is running for Governor, and there is a group called Ohioans for Tax Reform who gathered the signatures to place it on the ballot.

Mr. Barrett:

Thank you.

Mr. Cox:

Other questions?

Mrs. Heimann:

Some of the promoters would be Charter School owners, right, because it would be beneficial to them in the private sector, as I understand it.

Mr. Vehr:

Could be. Yes.

Mr. Humes:

Do you have a read on where our local legislators are on this petition?

Mr. Vehr:

It is a difficult issue politically because from a taxpayer perspective, it seems like a win. There is a video that is a little too long for this session that delves into what happened in Colorado, and it shows that initially taxpayers banded around this and thought that, oh, this is going to be the saving grace and we will never face higher taxes again. The reality of the situation is that they have faced higher fees in a variety of other ways and fewer services that have impacted negatively the state of Colorado. I do not think I got to your question. What was your question again?

Mr. Humes:

Do you have any idea where our local legislators are on this?

Mr. Vehr:

I do not have an idea. I know politically, generally, where I think people will be, but most of them have not come out and taken a position. A lot of the townships and municipalities throughout the state are realizing the impact that this will mean to them and, at least, in the northern part of the state, we have already seen a strongly negative reaction to TABOR from those organizations, those cities, townships, and municipalities. Any other questions?

Mr. Cox:

Greg, the impact of this that you mentioned—the personal income, the funding for schools, and graduation rates, that occurred from 1992 until 2005, is that correct?

Mr. Vehr:

That is correct.

Mr. Cox:

Anecdotally, as I chair this buy-in program and meet with the legislators, they are convinced that no matter what data and research we provide them about the effectiveness and efficiencies of universities, as they said to us at the last meeting, they will not accept

it no matter who does it. They have their minds made up about how inefficient and ineffective the universities are, so it is an uphill battle. Thank you very much, Greg.

President Zimpher:

Thank you, Greg. We will now have a progress report from our Vice Provost for International Affairs. Actually, given how often Mitch Leventhal is on the road, it is great to have you in town. This has been a very busy and active period since Mitch was appointed, so we are delighted to have a progress report at this time.

*(Mitch Leventhal, Ph.D., Vice Provost, International Affairs, presented an International Progress Report to the Board of Trustees, utilizing PowerPoint slides. Two handouts were distributed to each member of the Board and others seated at the meeting table—one consisting of copies of the PowerPoint slides and a second showing International Student Barometer rankings. Copies of the handouts are on file in the Office of the Board of Trustees.)*

Dr. Leventhal:

Thank you, President Zimpher, and thank you to the trustees for having me here. I just completed my seventh month here at the university, and my objective is to have this university to become recognized as a global leader in higher education.

One of the first things we have done here in keeping with the emerging convention among universities, which are really becoming aggressive in terms of developing international strategy, is to reorganize our international operations and re-brand it as UC International. We have taken two existing offices, which were already here—one is the Institute for Global Studies and Affairs (IGSA). We now have branded the two offices as UC International Programs. This first office is primarily focused on Study Abroad, Exchange, and Fulbright, as well as international programs we run around campus. The other office, which was the International Student Services Office, we now have branded UC International Services. We thought this was a simplification so that people would understand what they do. That office is focused on orienting international

students when they arrive here, but also the enormous and growing amount of visa work and permanent residency work, not just for students, but also for visiting scholars and faculty and so on, and that is absolutely becoming mind-boggling.

We have added a new unit called International Planning. This is really the strategic arm which is beginning to collect and utilize information from around the university related to our international activities which have really never been coalesced in one single location. This will assist us as we move forward in identifying opportunities.

I wanted to talk about a few of our activities and achievements. One of the first things that we did upon my arrival was that we committed to participating in an on-going benchmarking study of our International Student Services. We wanted to see how our services stacked up against other major universities and how our international students perceived their experience here at UC.

So, we are the first American university to participate in the ISB, the International Student Barometer, and in the initial panel we were primarily joined by British universities, including illustrious institutions like Cambridge, Edinburgh, Kings College, London. Well, UC led the pack in learning satisfaction, topping all others in ten of fifteen categories. There is a handout which I believe you received which actually shows how we rank against these twenty-five institutions, and I think you will be very pleased to see the results.

But, there were some significant points of dissatisfaction among the students we surveyed, and they are the expected ones. They were perceptions about near-campus surroundings; public transportation; and among Muslims, the availability of worship facilities on campus; and the general issue of feeling safe and secure.

Again, much of this is perceptual because we know that we have had improvements in the community; but, of course, we inform students every time there is an event, and this does create certain perceptions. So we need to keep working on that.

In the area of Study Abroad, after a number of flat years, over the last two years there has been substantial growth. This relates to efforts undertaken by our program office over the last two years, prior to my arrival, in terms of outreach to students, making grants available to facilitate their departure and so on. So, this year, we project we will be talking about 800 students going abroad, which is quite good, although we would like to see that substantially grow in coming years.

We have also been making a concerted effort to shift students towards non-traditional study destinations. Historically, most of our students have gone to destinations such as the U.K., France, Germany, and Italy, and while this is good, we believe with globalization, it is important to encourage more of our students to go to more challenging destinations, non-Western destinations—Asia and so on. And, you can see that these efforts are beginning to have effect, as we are reaching our parity in terms of where our students are going between traditional Western destinations and non-traditional destinations.

One of our major initiatives is to make UC recognized as a leader in international standards movement and higher education quality assurance. There is a new standards organization called the Forum on Education Abroad. This is the first ever standards body established for international education. I am very pleased to say that UC was selected to be one of the three research extensive universities in the United States to pilot implementation of the standards. We called together a group of our leaders among several colleges to participate in a retreat and self-study, which we have now delivered, and we were the first university to deliver it. This will be part of an on-going review process to continuously improve the quality of our Study Abroad programs and will establish us as a leader, not just as an educational brand, but as a leader in the quality movement.

Similarly, we are getting involved and actually reviewing institutions around the world to assess the quality of their higher education systems. Shortly after my arrival, we

were invited by the Al Hussein Fund for Excellence (HFE) in the Kingdom of Jordan to review all associate and baccalaureate nursing programs in that country. This team is being led by Dean Lindell. This is substantially going to increase our visibility globally. I believe we are the first university ever to undertake a comprehensive higher education quality review for an entire country, and we expect to complete that by late 2006.

We are developing a network of representatives around the world to assist with recruitment, particularly fee paying undergraduate students. The first country in which we established a network is India. We now have three representatives, and we are not going to expand that number for the next two years, but they give us coverage in thirteen cities. We are implementing new international admissions systems to develop and accelerate undergraduate recruitment. This means some changes internally here, and once we get this system in place—it is already yielding return in terms of recruitment—but once we get this in place, operationally, we will begin adding representatives in China and other strategic markets.

Also, in India, we are working with one of our alumni to develop an Indian Alumni Association, which we do not have, and we are looking to create models which we can also replicate in other countries around the world.

We have developed a new concept for co-op, and this is something that we are hoping to implement later this year. We have for many years had international co-op where one of our students might go abroad to a foreign operation of one of our co-op partners and have an experience abroad. What we are looking to do now is utilize our network of representatives and go to our co-op partners and say you have an operation in Bangalore, let's recruit students in Bangalore, not in the sophomore year, but before they apply to UC. Use our facility there, identify students, bring them to UC, give them a UC education, let them co-op at your headquarters and make a commitment to take them back for some of their co-op rotations to your operation in Bangalore, and when they graduate, hire them back in Bangalore, where their family is and where you need them. This is having strong appeal among our co-op partners, and it completely turns on its

head the role of co-op. It allows us to directly address the global manpower needs of our co-op companies.

As you all know, the President went to China in November, and this really put China at the top of my early priorities in the terms of developing our strategies there. We have been working on developing a value proposition for UC which differentiates us from all the other universities playing in China or anywhere else in the world, and this relates to our definition as the new urban research university. We are a university which has unique expertise in urbanization, built environment, capacity building, all the issues related to the human environment, and this is the story line that we are presenting to the Chinese which they are very excited about.

We are identifying institutions in China which closely align with our disciplines and our mission. We are looking to create long-term project commitments across colleges with specific institutions, and then creating scenarios where there is a regular circulation of faculty among partner institutions. This is a different type of collaboration than we have historically had.

This weekend, I am leading a team of deans from eight of our colleges to China for two weeks for specific meetings, follow-ups to meetings that the President had, and a couple of other institutions which have had some long-standing lesser relationships with us. We are hoping to announce some major initiatives later this spring as a result of that.

And last, I would like to discuss a very exciting development. Singapore has, over the last several years, developed an education export strategy where they are becoming a hub for delivery of high-end education throughout Asia-Pacific. We recently signed an agreement in December with the Singapore Institute of Manufacturing Technology, a government research arm, with our IMS initiative in Engineering, and it really put us on the radar scope with the Singapore Economic Development Board, which is the government agency that oversees development there.

They have come to us and they have asked us if we would be interested in establishing an Asia-Pacific design institute in Singapore, which they would underwrite and finance, with a goal to developing a curriculum based on our DAAP curriculum for the entire Asia-Pacific market. We are exploring this idea in collaboration with Singapore Polytechnic, which is an institution which is a diploma granting institution there, which would like to develop into a more comprehensive institution. We are now beginning a feasibility study to determine whether this is something that would be viable and that we should proceed with. Thank you very much.

Mrs. Heimann:

How many international students do we currently have and how many would we hope to recruit?

Dr. Leventhal:

Well, we have about 2200 international students today. Of whom, about 2000 are graduate students, so we really have very few undergraduate students. We think we can substantially grow that number. We have not exactly established targets yet. We know we can dramatically grow that number. One of our concerns is that at the undergraduate level, our administrative systems do not have deep experience in dealing with large numbers of younger undergraduate students. So, we want to go cautiously, initially, and make sure that we understand the needs of these students. There are cultural issues; there are dietary issues; there are maturity issues and so on; but I anticipate that we could grow our undergraduate numbers up into the thousands within a matter of a couple of years if we so choose.

Dr. Bhati:

This is just a comment. Since 9-11, the number of graduate students coming to this country has been falling significantly, and this is a big concern. These students are going more to Canada, Australia, and Europe, and we are afraid that this country might fall back as far as the research and industry work is concerned, so I am glad to hear that

we are making some efforts in that direction to recruit more people here to make life easier and so we can get back to normal.

Dr. Leventhal:

I might add that the President and myself are very involved in discussions with the State Department to improve the visa processing situation, which has had significant improvements over the last couple of years. But, the fact remains that there are some impediments which other countries do not impose, such as on-site interviews at the consulates, which are very inconvenient for some students, and also the perception among students in some markets remains that it is extremely difficult to get in when, in fact, in many cases, it is not nearly as difficult. But this is something that we can address, especially through representatives on the ground who are educated.

Mr. Cox:

Other questions? Mr. Heiman.

Mr. Heiman:

You mentioned that the number of undergraduate students could be grown into thousands if the university decides to move into that direction. Does it appear that the university wants to move into that direction?

Dr. Leventhal:

Well, in my discussions with faculty and department heads and chairs, I think that many people believe that this could be a great opportunity. There are tremendous amounts of disposable income in countries like China, India, and Korea. There are families who are prepared to pay for a high quality education. We can establish academic admission standards that are, perhaps, higher for certain groups of students. We can use it for crafting the class, creating a peer group which students aspire to be like. I think that there is general support for this. I am not saying that there is support for recruiting thousands because that would have significant implications on the character of education here, but there is certainly support for recruiting many more.

One of the issues that we need to deal with, of course, is price competitiveness internationally. That means not just competitiveness against our peers in the U.S., but against alternative institutions in the world where some of these students are going. That does not mean that we have to drop our tuition fees down to match them, because we can demand a premium, but it does mean that we need to develop some policies that allows a little bit more flexibility to compete in some markets.

Mr. Cox:

Gary, does that answer your question?

Mr. Heiman:

Yes.

Mr. Cox:

Are there other questions?

There were no other questions.

Mr. Cox:

Thank you very much. We have had four terrific presentations. It creates a great sense of pride and stability to come back and hear all the things that the university is really about. Thank you all for your wonderful presentations.

President Zimpher:

If I might add, Chairman Cox, we will have the great privilege this week of welcoming back one of our alums, Peter Woo, who is the Chairman of the Hong Kong Trade Development Council, and he will be speaking on this topic to the Cincinnati USA community. We appreciate the contacts and support that have been made by Trustee Humes, and we are excited to have Mr. Woo with us in less than twenty-four hours.

Mr. Cox:

Thank you very much, Nancy.

Before we begin the committee meetings, I will announce some new appointments. An updated copy of the board committee roster was included in your board meeting materials. Fran Barrett is a member of the Medical Affairs Committee and the Physical Plant Committee. Anant Bhati is Vice Chairman of the Academic and Student Affairs Committee. Gary Heiman is the Chairman of the Physical Plant Committee and Vice Chairman of the Finance Committee, and Buck Niehoff is Vice Chairman of the Physical Plant Committee. Thank you all for your service and willingness to do so.

We will now begin our committee meetings. The first meeting will be the Academic and Student Affairs Committee. The Chairman of that committee is Mr. Niehoff.

### **THE BOARD COMMITTEE MEETINGS**

(Proceedings of the board committee meetings are contained in the respective committee meeting minutes, which are on file in the Office of the Board of Trustees.)

The committee meetings began at 9:28 a.m.; the meetings concluded at 9:59 a.m.

### **THE REGULAR MEETING OF THE BOARD OF TRUSTEES**

The Regular Meeting of the Board of Trustees was convened at 10:00 a.m. and, as noted on the first page (page 183) of these minutes, roll call was taken.

### **Approval of the Minutes of the January 24, 2006 Regular Meeting**

Mr. Cox called for additions, corrections, or deletions to the minutes of the January 24, 2006, Regular Meeting of the Board of Trustees. Upon motion of Dr. Bhati, seconded by Mrs. Heimann, the minutes were approved as distributed.

### **Approval of the Items Recommended by the Board Committees**

Listed below are the items recommended to the Board of Trustees for approval by the Academic and Student Affairs Committee, the Board-Administration Committee, the Medical Affairs Committee, the Physical Plant Committee, and the Finance Committee at their respective meetings held on March 28, 2006, prior to the Regular Meeting of the Board of Trustees.

### **Academic and Student Affairs Committee Recommendations**

#### **06.3.28.01 DISTINGUISHED TEACHING PROFESSOR**

It is recommended that the Board of Trustees approve the following appointment.

Charles H. Matthews, Professor of Management, College of Business,  
as Distinguished Teaching Professor.

#### **06.3.28.02 DISTINGUISHED RESEARCH PROFESSOR**

It is recommended that the Board of Trustees approve the following appointment.

Makram Suidan, Ph.D., PE, DEE, Herman Schneider Professor of  
Environmental Engineering, College of Engineering, as Distinguished  
Research Professor.

UNIVERSITY OF CINCINNATI  
TWO HUNDRED AND SIXTY-SECOND MEETING OF THE BOARD OF TRUSTEES  
MARCH THE TWENTY-EIGHTH TWO THOUSAND AND SIX

**06.3.28.03      ANDREW M. LOWY, M.D., F.A.C.S. – REAPPOINTMENT  
TO THE FELD FAMILY DISTINGUISHED CHAIR IN  
CANCER RESEARCH PROFESSORSHIP,  
DEPARTMENT OF SURGERY, COLLEGE OF MEDICINE**

It is recommended that Andrew M. Lowy, M.D., F.A.C.S., be reappointed to the Feld Family Distinguished Chair in Cancer Research Professorship in the Department of Surgery, College of Medicine, effective March 1, 2006. Documentation to support this recommendation is attached.\*

**06.3.28.04      REAPPOINTMENT OF DEPARTMENT CHAIR,  
DEPARTMENT OF PHYSICAL MEDICINE &  
REHABILITATION, COLLEGE OF MEDICINE**

It is recommended that Mark Goddard, M.D., be reappointed as Director (Chair) of the Department of Physical Medicine & Rehabilitation, College of Medicine, for a term of five years, effective September 1, 2005, through August 31, 2010. Documentation to support this recommendation is attached.\*

**06.3.28.05      APPOINTMENT OF EMERITI  
COLLEGE OF MEDICINE**

It is recommended that the Board of Trustees appoint Robert L. Bornschein, Ph.D., as Professor Emeritus with the Department of Environmental Health effective February 20, 2006; Bhakta Viziam Chetty, M.D., as Volunteer Professor Emeritus with the Department of Dermatology effective March 1, 2006; Amadeo J. Pesce, Ph.D., as Professor Emeritus with the Department of Pathology and Laboratory Medicine, effective January 30, 2006; and Marvin Wilson Tabor, Ph.D., as Professor Emeritus with the Department of Environmental Health effective March 1, 2006, all with the College of Medicine. Documentation to support the recommendations is attached.\*

**06.3.28.06      EMERITUS STATUS FOR FACULTY MEMBER**

It is recommended that the Board of Trustees approve the following emeritus status for the faculty member listed, effective upon the date of his retirement from the University. The nomination has been reviewed and positively recommended by his faculty colleagues and dean.

Anthony F. Dardy, Associate Professor Emeritus of Professional Practice, Division of Professional Practice.

---

\* Filed with Board Papers.

### **Board-Administration Committee Recommendation**

**06.3.28.07 COLLECTIVE BARGAINING AGREEMENT BETWEEN  
THE UNIVERSITY OF CINCINNATI AND LOCAL 2544 OF  
THE AMERICAN FEDERATION OF STATE, COUNTY  
AND MUNICIPAL EMPLOYEES**

It is recommended that the Board of Trustees approve the Collective Bargaining Agreement between the University of Cincinnati and Local 2544 of the American Federation of State, County and Municipal Employees (AFSCME). A summary of the Agreement is attached.\*

### **Medical Affairs Committee Recommendation**

**06.3.28.08 APPROVAL OF THE UCMC COMPLIANCE PROGRAM  
ANNUAL REPORT**

At its January 1997 meeting, the Board of Trustees adopted a written Integrity Program Compliance Manual for the UC Medical Center which was effective January 1, 1997. The Program coordinated several on-going monitoring, education and auditing programs into a single, coordinated effort to ascertain compliance with federal and state regulations governing medical practice, reimbursement and research compliance. The Compliance Plan calls for an annual report to the Board of Trustees provided by the Senior Vice President and Provost for Health Affairs. Attached is the Annual Report for 2005.\* It is recommended that the Board of Trustees approve the UCMC Compliance Annual Report.

### **Physical Plant Committee Recommendation**

**06.3.28.09 NAMING OF THE MARGE SCHOTT STADIUM**

It is recommended that the Board of Trustees formally approve the naming of the baseball stadium the "Marge Schott Stadium"

This action would be in recognition and appreciation of the \$2 million gift commitment from the Charles and Marge Schott Foundation in honor of Marge Schott. This gift will support the Richard E. Lindner Varsity Village and, particularly, baseball.

---

\* Filed with Board Papers.

### **Finance Committee Recommendations**

#### **06.3.28.10 2006-2007 TUITION AND FEE SCHEDULE**

**Synopsis:** The 2006-2007 Tuition and Fee Schedule is being submitted for approval.

WHEREAS, appropriate planning and consultation within the University has been accomplished through the Deans, President's Budget Committee and Cabinet; and

WHEREAS, it is important to provide as much stability and planning information to our students and their families as possible; and

WHEREAS, this tuition and fee schedule is to be effective Summer Quarter 2006, the earliest effective date possible in order to comply with fee caps contained in State law, and

WHEREAS, the tuition and fee schedule attached is compliant with the actions of the Ohio General Assembly to date, and

WHEREAS, the state appropriations in support of higher education are providing virtually no inflationary increase for Fiscal Year 2006-2007 to share the need to meet the costs of inflation;

NOW THEREFORE BE IT RESOLVED, that the proposed changes contained in the accompanying documents to the instructional fee, the general fee, the IT&IE fee, the Campus Life Fee, the out-of-state surcharge be approved; and

BE IT FURTHER RESOLVED, that the Secretary be instructed to incorporate all support documents into the minutes of the meeting and to file these materials with the official reports of this University.\*

#### **06.3.28.11 ESTABLISHMENT OF ROOM AND BOARD RATES 2006 – 2007 ACADEMIC YEAR**

It is recommended that the Board of Trustees approve the room and board rates for the 2006-2007 academic year as they are listed below. These rates are a result of the evaluation of the capital and operating needs, occupancy rates, enrollment projections, market competitiveness, and contract service costs as outlined in the Housing and Food Master Plans for the University of Cincinnati.

Food Service cost increases are the result of the extended hours of service at CenterCourt, the new dining facility in the Campus Recreation Center complex and conversion of all meal plans to quarterly meal counts, based on student feedback.

---

\* Filed with Board Papers.

	<b>2006-2007</b>	<b>2005-2006</b>	<b>Variance</b>
<b><u>Board Rates</u></b>			
Meal Plans (per academic year)	\$3,207-\$3,372	\$3,054-\$3,210	5%
<b><u>Room Rates</u></b>			
Undergraduate (per academic year)	\$4,914-\$6,774	\$4,680-\$6,450	5%
Graduate & Family (monthly rates)	\$527-\$767	\$502-730	5%
<b><u>Summer Contract</u></b>			
Turner/Schneider/ CRC only	\$281/month	\$268/month	5%

The proposed rate increase would be effective July 1, 2006.

**06.3.28.12 APPROVAL OF CONTRACT TO PURCHASE  
 5001 KELLOGG AVENUE, CINCINNATI, OHIO**

**Synopsis:** It is recommended that the Board of Trustees approve a contract for the purchase of 6.02 acres of real estate located at 5001 Kellogg Avenue, Cincinnati, Ohio, together with certain personal property, fixtures, and equipment (“the Property”), at a purchase price of \$650,000, for use as an equipment storage, boat launch, and training facility for the UC Bearcats varsity women’s rowing team, and for other university purposes. It is further recommended that the Board of Trustees authorize university representatives to take such other action, including the payment of a non-refundable \$20,000 earnest money deposit and the execution of such other documents reasonably necessary to close the transaction contemplated by the contract.

**Background.** Rowing at UC began as a club sport. In 2000 the women’s rowing program was elevated to an intercollegiate varsity sport. Since that time the UC Bearcats varsity women’s rowing team has trained at a number of temporary leased sites while the Department of Athletics, with the assistance of the Office of the University Architect, actively searched for a permanent home for the team. The challenge was to find property available for purchase or long term lease in near proximity to a body of water suitable for use as a training venue on which a permanent structure might be constructed or maintained to serve as a secure storage, meeting, and staging facility for the team. The site also had to be within a reasonable distance of the Uptown Campus, be fairly priced, and be suitable for development.

**The Search.** A wide ranging search for a suitable site began in earnest in 2002 following the University’s receipt of the pledge of Trustee Candace Kendle, with a value of approximately \$1 million, for the construction of a boathouse for UC’s rowing teams. The search ultimately focused on a site owned by the City of Wilder, Kentucky, on the Licking River. After investigation and a determination that the site was generally

UNIVERSITY OF CINCINNATI  
TWO HUNDRED AND SIXTY-SECOND MEETING OF THE BOARD OF TRUSTEES  
MARCH THE TWENTY-EIGHTH TWO THOUSAND AND SIX

suitable as a rowing venue, a long term Ground Lease was negotiated and entered into with the City of Wilder. The lease required the development of plans satisfactory to the City for a boathouse, plaza, and boat launch facility to be constructed by the University in consideration for the lease. Development of plans proceeded, but in October 2004 it was determined that the cost of the improvements necessary to accommodate the site and the terms of the Ground Lease would be prohibitively expensive. Efforts directed to that site were, therefore, abandoned and the Ground Lease was terminated without further obligation on the part of the University.

The abandonment of the Wilder site caused the Department of Athletics to reinvestigate its search efforts. In 2004 several new sites were identified on the Licking River in Kentucky, and on the Ohio and Little Miami Rivers in Ohio, and several previously identified sites were reconsidered. Ultimately, the search narrowed upon two sites in the California neighborhood of Cincinnati, one fronting the Ohio River, the other a 6.02 acre site fronting the Little Miami River. After further investigation the property fronting the Little Miami known as the Shelter Cove Marina located at 5001 Kellogg Avenue was identified as the superior site: it could be obtained at a lower price than the Ohio River property, it was configured for boat launching, and it had utilities and other improvements in place making it immediately available for use with only modest additional improvements, pending development of plans for and the construction of a permanent facility.

**The Contract to Purchase.** A Contract to Purchase for \$650,000 was negotiated with the owner of the Property contingent upon the approval of the UC Board of Trustees and approval of the Ohio Board of Regents, as required by Ohio Rev. Code 3333.071. A copy of that contract is attached.\* The University simultaneously entered into a lease with the owner allowing the women's rowing team to use the Property during the 2006 season for a lump sum rental fee of \$20,000. That fee is to be credited against the purchase price in the event the University closes on the Contract to Purchase.

In addition to the required approvals, the Contract to Purchase was also made contingent upon satisfactory results from inspections and testing, examination of title, evaluation of building codes and zoning, etc. The Department of Athletics and the Office of the University Architect with the assistance of special counsel and engineering consultants have completed their due diligence, found the Property acceptable for its proposed use, and recommend waiver of those conditions to the Contract to Purchase.

Pursuant to the terms of the Contract to Purchase, upon the University's waiver of those conditions it must pay to the seller a non-refundable earnest money deposit in the amount of \$20,000 to be applied against the purchase price at closing on or before June 30, 2006, unless extended by the parties. If the Board of Trustees approves the contract and authorizes the payment of the earnest money, it is reasonably believed that the approval of the Ohio Board of Regents can be obtained within the time necessary to permit a closing by that date. However, in the event approval cannot be obtained the earnest money may be forfeited.

**The Purchase Price.** The Office of the University Architect has engaged two independent appraisals of the Property as required by the OBR, the results of which have yet to be received. Regardless, it is believed that the contract price is a fair price to pay for the Property, considering the unique value of the Property to the University given its location and suitability for the University's specialized needs.

**The Source of Funds.** The source of funds will be restricted and unrestricted gifts to the University.

---

\* Filed with Board Papers.

It is, therefore, recommended that the Board of Trustees approve the Contract to Purchase and authorize University representatives to take such actions, including the payment of the \$20,000 earnest money deposit, and execute such other documents as may be reasonably necessary to close the purchase of the transaction contemplated by the Contract to Purchase.

**06.3.28.13 LEASE OF TURNER CENTER SPACE LOCATED AT  
VINE STREET AND DANIELS STREET IN CORRYVILLE**

**Synopsis:** Recommendation to allow the University of Cincinnati to lease office space in the renovated Turner Center building for multiple uses, such as the Niehoff Studio, a special classroom for academic use, and two apartments for visiting faculty. Approximately 2635 square feet of retail space at street level will be available for commercial tenants.

The neighborhood-based non-profit known as Vine Street Community Urban Redevelopment Corporation (VCURC) is renovating this building under a letter of intent for University uses. The 28,797 square feet will be leased for 25 years at an estimated maximum annual cost of \$715,000. Prior to the sale of bonds, the ownership of Turner Hall will be transferred to King Highland Community Urban Redevelopment Corporation. Please refer to the attached analysis sheets to see the breakdown of this cost and the sources of payment expected to be used. There are multiple sources of payment, many of which are rental income from third parties using the visiting faculty apartments or the street level retail space. Planning discussions have been occurring for more than a year with both Provosts' offices regarding the use of the visiting faculty apartments.

It is recommended that the Board of Trustees approve the use of this property as an extension of University facilities for classroom and studio space. It also provides a stable occupant to the business district that is one of the primary off-campus partnerships developed over the last ten years. Lease Agreement attached.\*

**Action Items**

Mr. Cox:

All trustees were present at the committee meetings held today and have heard the recommendations of the Academic and Student Affairs, the Board-Administration, the Medical Affairs, the Physical Plant, and the Finance Committees. The items reviewed and recommended by the Committees are named in the Action Items list in your board book. May I have a motion and second to approve all of the items?

---

\* Filed with Board Papers

UNIVERSITY OF CINCINNATI  
TWO HUNDRED AND SIXTY-SECOND MEETING OF THE BOARD OF TRUSTEES  
MARCH THE TWENTY-EIGHTH TWO THOUSAND AND SIX

Upon motion of Mr. Niehoff, seconded by Mr. Wyler, the Board of Trustees approved the items recommended by the Committees by the following roll call vote:

**Recommendation Nos. 06.3.28.01 through 06.3.28.12**

**AYE:** Mr. Humes, Mr. Cox, Dr. Bhati, Mr. Wyler,  
Mr. Niehoff, Mrs. Heimann, Mr. Heiman, and Mr. Barrett

**NAY:** None

**ABSENT:** None

**ABSTAIN:** None

**Recommendation No. 06.3.28.13 (Lease of Turner Center Space)**

**AYE:** Mr. Cox, Dr. Bhati, Mr. Wyler, Mr. Niehoff,  
Mrs. Heimann, Mr. Heiman, and Mr. Barrett

**NAY:** None

**ABSENT:** None

**ABSTAIN:** Mr. Humes

Mr. Cox:

All items are approved. Thank you very much. We now have consideration of the Honorary Degree and Award for Excellence nominations. This is an additional item to consider today. A recommendation to approve the nominations is at your place.

**06.3.28.14 HONORARY DEGREE AND AWARD FOR EXCELLENCE  
CANDIDATES**

It is recommended that the Board of Trustees approve the nominations of the individuals named below for the Honorary Degree and Award for Excellence. These

nominations have been reviewed and recommended by the University of Cincinnati Honors Committee. Biographical sketches of the nominees are attached.

**Nominees for the Honorary Degree**

Daniel P. Carmichael  
Bernard Gert  
Eva L. Maddox  
George A. Schaefer, Jr.  
Myron E. Ullman III (Commencement Speaker)  
Steven A. Wilson

**Nominee for the Award for Excellence**

John Edward "Jed" Small

Mr. Cox:

President Zimpher, would you like to comment please?

President Zimpher:

Well, second only to presiding at Commencement must be the honor of calling these distinguished individuals and letting them know that we are putting their names forward to the Board of Trustees. We had a wonderful group of nominees and recipients of our honorary degrees.

Yesterday, you read about one of them in the *Wall Street Journal*, Myron Ullman and his transformative powers, which he is sharing with J.C. Penney. We are delighted that he will be our Commencement Speaker this spring.

Mr. Cox:

May we have a motion and second to approve the list?

Upon motion of Dr. Bhati, seconded by Mrs. Heimann, the Board of Trustees approved the Honorary Degree and Award for Excellence candidates by a unanimous voice vote.

---

\* Filed with Board Papers

Mr. Cox:

The recommendation is approved. Thank you.

**Unfinished and New Business**

Mr. Cox:

Is there any unfinished business to come before the board today?

There was no unfinished business.

Mr. Cox:

Hearing none, we will move forward to new business, and we will have our Board Representatives and Student Trustees reports. We will start with John Cuppoletti and the Faculty Senate Report. John, if you would.

Dr. Cuppoletti:

Good morning, Mr. Cox, Members of the Board, President Zimpher, and guests.

Once again, I would like to report on UC|21 and our continued partnership with the administration. Earlier this month, the Faculty Senate leadership met with President Zimpher, and she outlined her plans to move forward with raising UC to the next level through UC|21. These plans were welcomed by the faculty leadership, and these plans will be explained and implemented further in the next months.

A faculty/staff fund raiser will begin with a kick-off at the April Faculty Senate meeting. We hope to increase participation even more than last year, and we hope that it will continue to help us build community at UC.

Finally, I would like to report that our faculty continued to excel in research, teaching, and service. I would like to invite all of you to the May 8 Awards Presentation at three o'clock in this building. Thank you.

Mr. Cox:

Thank you, John. We would like to call for the Alumni Association report. Bob, would you take us through that?

Mr. Dobbs:

Thank you, Mr. Cox. Since we last met, the Annual Crosstown Helpout took place in early February and continues to be a huge success. Your Alumni Association is proud to partner with our Xavier friends to make this one of the highlights of the year.

The steady growth of our Demakes Legacy Scholarship Program continues. Our scholarship committee will be diligently assessing 158 applications for "Fall 2006" scholarships from children and grandchildren of UC grads who are also UC Alumni Association members. The Demakes Legacy Scholarship Program places students at the center, enhances our academic excellence, strengthens our relationship with alumni, and creates opportunity for the next generation of life-long Bearcats.

Let me share a few words about the on-going impact and UC|21 alignment of the UC Master Card Fund. The Alumni Association coordinates and promotes our Affinity credit card program through Fifth Third Bank and, more importantly, the process which provides funding for real life manifestations of UC's academic plan. Since its inception, just over three years ago, nearly \$1 million has been committed to a wide variety of strategically chosen projects.

Two chief criteria, governing our decision-making regarding what gets funded, are (1) enhance the student experience and (2) cultivate greater alumni engagement. We know that by pursuing these goals, the benefits and return on our investment will be

exponential. For example, we have provided for a series of international coffee hours designed to heighten the alumni awareness of our international students.

As Dr. Leventhal indicated, recent studies have shown that they rate their UC experience highly. We want to help create the environment in which that satisfaction becomes ongoing engagement after they graduate. We have taken the lead role in underwriting the annual Southwestern Ohio Science and Engineering Expo here on campus—after the event had taken place on Miami’s campus, for decades.

We just hosted our second expo earlier this month, drawing 400 outstanding junior and senior high school students, along with a large number of family members. The Provost’s Office runs the event and makes it a full day of education, exploration, and competition, which also makes it a great recruiting vehicle.

It has been far too many years since UC students had an actual yearbook to take with them and remember their time on campus. But that streak will end this year, thanks to a UC Master Card fund grant.

Last, we ask our alumni to be unsung heroes for the university and there is a page on our web site describing the many, fairly easy ways that alums can help their Alma Mater become greater. To help promote this engagement and to help fund scholarships at the same time, we have presented the UC Alumni Association’s Unsung Hero Award on the radio post-game shows, following Bearcat Football and Men’s Basketball games since January 2005. So far, a total of \$36,000 has been awarded. These scholarship dollars are divided equally between UCATS to underwrite the education of all student athletes, regardless of gender, and the general scholarship fund of the colleges in which the recognized players are majoring.

Thanks to Fifth Third Bank for their partnership, as well as the Office of the President, the Provost’s Office, and the Office of Enrollment Management for their

collaboration and the process that turns UC Master Card Fund Grant requests into these valued university activities.

Thank you very much for the opportunity.

Mr. Cox:

Bob, thank you for your continued good work.

We would now like to have the student reports, Jim Masterson and Nick Furtwengler. Jim, if you would go first.

Mr. Masterson:

Thank you, Chairman Cox. I would like to report on two things today. First, I would like to report on the level of support for graduate student travel year to date and second, I would like to announce a very important initiative that the Graduate Student Governance Association has undertaken.

The Graduate Student Governance Association has spent about \$122,000, supporting conference research travel for 370 students this year. This is nearly 100 more students this time than it was last year and a little bit less than \$40,000 more support. This means that we are supporting more graduate students to present their research at conferences this year than we ever have in the past. However, these funds only cover about one-third to one-half of the graduate student travel expenses. We are working hard to increase the support that it can provide students to present their research.

With the cooperation of the graduate school, the Graduate Student Governance Association will be hosting the first annual Graduate Recognition Ceremony. This ceremony, to be held June 1 in the Faculty Club, will honor the outstanding research conducted by our graduate students, along with recognizing excellence in leadership, citizenship, partnership, and stewardship amongst our graduate student body. We will also have an award for Superb International Graduate Student of the year and Graduate

Student Association of the year. We hope you will be able to join us for this first in UC traditions to come. Invitations will be mailed.

Thank you very much.

Mr. Cox:

Thank you, Jim. Nick, if you would.

Mr. Furtwengler:

Thank you, Chairman Cox.

With the beginning of a new spring quarter and many new initiatives facing UC and its constituents, it seems like a great time right now to analyze how students can affect Ohio State funding of higher education.

Sort of on that initiative two weekends ago, I made a trip to Akron, Ohio, and got out of Cincinnati for my spring break to Akron, to participate in the second annual Ohio Student Trustee Conference. This gathering of student trustees was extremely productive, extremely motivating and helped us to realize how much stronger we are when we all work together as Ohio Trustees for a cause that is important to all students in Ohio, regardless of which institution they are attending.

Two of the most notable people we met were Dr. Luis Proenza and Mr. Sean Dunn. Dr. Proenza is the President of the University of Akron. He is very involved with the budget in Ohio, sits on several committees at the State House, and so he was very intriguing and was able to give us several comments on the remedy and cause of funding for higher education. Sean Dunn is a Government Relations Specialist for the University of Akron and actually worked with a group of trustees for the afternoon, putting together a plan of action that unifies the strength on our campuses and helps us to collaboratively work across the state.

Finally, we also looked at the most effective strategies to access our state representatives. The theme surrounding the discussion on higher education funding centered around the need for universities to partner with their students, to make that a significant stretch, and to focus on higher education funding.

In general, the consensus among state representatives, according to Sean Dunn, is that they are not hearing from the students. And, we know that we have been going to the State House and we have been sending numerous things—you cannot even count on both hands how many things we have been trying to do to make the representatives aware of the issues—and so, we are hoping that, with continued collaboration and continued visits, this will reach the representatives and really impact the way that they vote.

The gathering in Akron was a great conference that proved to be very helpful to all of the student trustees, and I actually volunteered to host, barring appropriate approval from the university, the third annual Ohio Student Trustee Conference here at UC. It would be a great way to show off our newly renovated campus and to really showcase some of the great leaders that we have on campus—faculty, staff, and students, as well.

This weekend I am looking forward to attending the National Conference on Trusteeship, hosted by the Association of Governing Boards of Universities and Colleges. It is hailed to be the best conference for trustees to attend, so I am looking forward to that and looking forward to reporting on a lot of the progress that is made there at our next meeting.

Currently, I am looking at the role of Student Trustees at UC and within the State of Ohio. And, with the help of many other student trustees, many who got together at the Akron Conference, trying to determine how our role on the board might change to most effectively represent students. We can accomplish so much more together than we can separately, which is something we have been learning.

The Ohio Student Trustees are beginning to join together collectively and make a difference in representation on our respective boards. I look forward to sharing the success of the upcoming conference and the success of our partnership with the other student trustees in Ohio.

Thank you.

Mr. Cox:

Thank you, Nick. Andrew Burke, would you give us the Student Government report?

Mr. Burke:

Absolutely. Thank you, Chairman Cox. Good morning. Despite it being the second day of spring quarter, UC has been alive with activity. Student Government had a monumental day yesterday as we officially launched the Bearcat Transportation System or BTS. I want to personally thank Dr. Zimpher and the board for your support in bringing this project to life.

You might think that launching a new transportation system would be enough to satisfy us but no, it is not. We are going to be launching Phase II of our safety initiative—Operation Light Up Clifton—this Wednesday, in which we will be sending our research on lighting in the campus community to City Council, and we will be hoping to set up a follow-up meeting with them to discuss possible solutions.

This week, we will also be launching a new polling option on Blackboard in partnership with Dr. Siff and UCit. This will allow students to cast a vote on issues that they feel are important for Student Government to be looking into. I would also like to congratulate the new AD on his selection of Mick Cronin as the new head basketball coach. Every student and alumni that I know are extremely happy with this decision.

The students at the university will always hold a special place in our hearts for Andy Kennedy and the work that he did this past year.

With Student Government elections only twenty-one days away and some hours, I am proud to announce that we will have two slates competing for the President and Vice President positions and seventeen students, a record number, competing for the eight at-large senator positions. We are looking forward to an excellent race, and I am personally looking forward to handing over the reins at our inauguration on May 7. I believe that I will be present for one more board meeting so I will leave my farewell address for then.

I do also want to talk about my spring break trip and no, it is not what you think. I did not go with my fraternity brothers to Cancun, but I was fortunate enough to travel to Belgium on an Honor Study Abroad Program that was made possible by the International Programs Office and the College of Business. During this time, we stayed in Brussels and my group met with Chiquita, Procter & Gamble, Fifth Third, the Ohio Board of Trade, students and professors at the University of Louvain-la-Neuve, and the U.S. Mission to the European Union. While at the university, we found out that students pay 800 euros a year for their education, but they give up 50% of their income in taxes also, so it is a trade-off.

We spent the final two days of our trip in Paris before traveling home. It is really hard to believe that just three days ago I was standing in the Louvre, looking at the Mona Lisa. This trip was truly an experience that I could have only had at the University of Cincinnati and, for that, I am grateful for our excellent international program.

Thank you very much for my time today and I am looking forward to the spring quarter.

Mr. Cox:

Thank you very much, Andrew. We appreciate it.

We will now call for an Executive Session. There will be no business conducted at the conclusion of the Executive Session.

Our next regular scheduled meeting will be held here at Tangeman Center, Room 400, on May 23. We thank you for being with us today.

### **Executive Session**

May I have a motion to enter Executive Session for the purpose of preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment?

Upon motion of Dr. Bhati, seconded by Mr. Niehoff, the Board voted to enter Executive Session by the following roll call vote:

**AYE:** Mr. Humes, Mr. Cox, Dr. Bhati, Mr. Wyler,  
Mr. Niehoff, Mrs. Heimann, Mr. Heiman, and Mr. Barrett

**NAY:** None

**ABSENT:** None

The Board prepared for, conducted, or reviewed negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Mr. Cox called for a motion to adjourn the Executive Session.

Upon motion of Mr. Wyler, seconded by Mrs. Heimann, the Executive Session adjourned at 12:21 p.m.

**Adjournment**

There being no further business before the Board, upon motion of Mr. Wyler, seconded by Mrs. Heimann, the meeting adjourned at 12:22 p.m.

---

PHILLIP R. COX, CHAIRPERSON

---

ANANT R. BHATI, SECRETARY