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**RESOLUTIONS PRESENTED TO THE
BOARD OF TRUSTEES FOR ADOPTION**

DECEMBER 2, 1978

COMMITTEE OF THE WHOLE

Appointment of ad hoc Committee

RESOLVED, that the President appoint an ad hoc committee composed of Trustees, administration, faculty, and students to study the moral and ethical issues raised by University investment policies and that the Committee report its conclusions to the Investment Committee at the March meeting of the Board.

AUDIT COMMITTEE

Appointment of Audit Firm for Fiscal Year 1979

RESOLVED, that the Board of Trustees recommend to, and enter into a contract with, the State Auditor of Accounts engaging the accounting firm of Coopers & Lybrand, Certified Public Accountants, of Boston, Massachusetts, under the terms of their proposal of November 9, 1978, to conduct the annual audit for the year ending June 30, 1979, in keeping with the University's Bylaws and the Statutes of the State of Vermont.

STUDENT ACTIVITIES COMMITTEE:

Revision of In-State Status Regulations

RESOLVED, that the Regulations for In-State Status adopted by the Board of Trustees on December 14, 1974, be amended as follows:

Rule #7 - from: "A student enrolling at the University of Vermont shall be classified by the appropriate admissions officer (Director of Admissions, Dean of the Graduate College, Associate Dean of the College of Medicine) as a resident or non-resident for admission and tuition purposes. The decision by the officer shall be based upon information furnished by the student and other relevant information. The officer is authorized to require such written documents, affidavits, verifications or other evidence as he/she deems necessary."

- to: "A student enrolling at the University of Vermont shall be classified by the appropriate officer (designated by the President) as a resident or non-resident for

admission and tuition purposes. The decision by the officer shall be based upon information furnished by the student and other relevant information. The officer is authorized to require such written documents, affidavits, verifications or other evidence as he/she deems necessary.”

Rule #9 - from: “The decision of the admissions officer on the classification of a student as a resident or non-resident may be appealed in writing to the Committee on Residence whose decision shall be final.”

- to: “The decision of the officer on the classification of a student as a resident or non-resident may be appealed in writing to the Committee on Residence whose decision shall be final.”

HEALTH EDUCATION COMMITTEE

(see attached statement, pages 4 and 5)

EDUCATIONAL POLICY COMMITTEE

Staff Actions

RESOLVED, that the Board of Trustees receives the list of staff actions and approves the leave of absence noted on page four of the staff action list.

Approval of Degree

RESOLVED, that the Board of Trustees authorizes the awarding of the M.D. degree to Jeffrey M. King who has completed the requirements of the College of Medicine and who has been recommended by the Dean and the Faculty Senate for the degree.

BUILDINGS AND GROUNDS COMMITTEE

Authorization to Issue Parking Fine

RESOLVED, that the Board of Trustees authorizes the issuance of fines in the amount of \$25 to unauthorized vehicles situated in a parking zone which is designated for the sole use of the handicapped.

Agreement with Middlebury College for Joint Use of Vermont Wild Land Foundation Property

RESOLVED, that the President be and hereby is authorized to enter into an agreement with Middlebury College regarding joint use of the Vermont Wild Land Foundation property

(including buildings), also known as High Pond, and share responsibility for costs of insurance and maintenance arising from said use.

BE IT FURTHER RESOLVED, that the President is authorized to explore issues related to assuming title to Vermont Wild Land Foundation property at a later date.

BUILDINGS AND GROUNDS AND FINANCE AND BUDGET COMMITTEES

Sale of Lodge in Cambridge

RESOLVED, that the President or his designee be and hereby is authorized to sell the Lodge located in the Town of Cambridge, Vermont, at a price determined by the President to be reasonable. Oil and mineral rights are to be retained. The President or his designee is further authorized to execute any and all instruments necessary, proper, and desirable for that purpose.

This resolution shall ratify a resolution authorizing lease or sale of the same premises passed by this Board at a meeting on April 18, 1970.

Purchase of Annuities

WHEREAS, the University of Vermont and State Agricultural College has entered into annuity contracts which require periodic payments to be made by the University to various individuals in consideration for the receipt of property by the University; and

WHEREAS, the University wishes to liquidate these annuity obligations;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the President or his designee to purchase or receive as gifts the outstanding annuity contracts for an amount computed on the basis of accepted actuarial procedures; and

BE IT FURTHER RESOLVED, that the President or his designee be and hereby is authorized to execute any and all instruments necessary, proper, and desirable for these purchases or gifts; and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern.

Purchase of Nowland Property

RESOLVED, that the Board of Trustees authorizes the President or his designee to purchase approximately 2.2 acres of land from Aurora Nowland, Helen Gagnon, and Marie Underwood, said parcel being adjacent to the University Horticultural Farm and located at its northeasterly boundary, for a price determined by the President to be reasonable. The President or his designee is further authorized to execute any and all instruments necessary, proper, and desirable for purchase.

FINANCE AND BUDGET COMMITTEE

Increase in Summer Session Tuition

RESOLVED, that the Board of Trustees hereby approves a tuition increase for the Summer Session from \$40 to \$43 per credit hour for in-state students and from \$55 to \$60 per credit hour for out-of-state students. This resolution is to become effective with the 1979 Summer Session.

Acceptance of Gifts and Grants

RESOLVED, that the Board of Trustees hereby accepts gifts in the amount of \$182,113.26 and grants in the amount of \$3,357,602.

Acceptance of Gift of Land and Authorization to Sell

RESOLVED, that the President or his designee be authorized to accept the gift of one lot of land located in Port Malabar, Brevard County, Florida. The lot is particularly described as Lot 5, Block 5, of Port Malabar Unit 14, a plat of which is recorded in Plat Book 15, Page 64, of the Public Records of Brevard County, Florida.

BE IT FURTHER RESOLVED, that the President or his designee be authorized to sell said lot at a price determined by the President to be reasonable. Proceeds from the sale shall be dedicated to the library construction fund. The President or his designee is further authorized to execute any and all instruments necessary, proper, and desirable to fulfill the terms of this resolution.

HEALTH EDUCATION COMMITTEE

Statement of the Health Education Committee

During the recent session of the General Assembly, the House Education Committee considered legislation that would require Vermont residents who graduate from the College of Medicine to either practice in the State of Vermont or repay to the State the cost of their medical education. The Legislature adjourned before the matter came to the full House. However, the Trustees of the University of Vermont were aware of these deliberations and at their March 4, 1978, meeting, committed themselves to review and take a position on the concept. This document states that position and the factors considered in its formulation.

During the 1978 session of the General Assembly, new legislation was introduced by Representative Bonnett of Thetford that would have the effect of requiring Vermont residents graduating from the College of Medicine to either practice in the State or repay to the State the cost of their medical education. As well, it was discovered that Title 16, Chapter 75, Section 2361, of the Vermont Statutes Annotated, 1927, had the intent of requiring such service or payback. However, also uncovered were legal opinions to the effect that this statute was for technical reasons invalid, unenforceable, and, indeed, had never been enforced.

In reviewing both the old and the proposed legislation, it appeared that the arguments in their favor are of two types. The first argument is that the State of Vermont is medically underserved either generally or in specific areas, and that a required period of service by graduates of the College of Medicine should alleviate such shortages. The second argument is that the State of Vermont can, in effect, reduce the cost of supporting the medical college by recovering a portion of that cost from Vermont residents after their graduation. Both of these reasons were examined in some detail.

In considering the question of medical needs of the State, the numbers of physicians in the State and their distribution by specialty and geographic location were considered. Also considered were the steps taken by the College of Medicine to affect the numbers and distribution of physicians in the State. These steps have included an expansion in the class size from 50 to 83 students and a tripling of the enrollment of Vermonters, these actions tending to increase the supply of physicians likely to remain in the State. Steps taken to influence specialty distribution towards primary care areas have included the development of a Family Practice Department and residency program, expanded training in general medicine and pediatrics, and increased teaching in the practice office rather than in the Hospital. Steps to influence the geographic distribution of physicians have included acceptance of medical students from throughout the State of Vermont, the development of teaching practices in rural sites, and the requirement that students spend two months of their Senior Major in a Vermont community. It appears that at the present time there is no significant shortage of physicians in the State of Vermont and that they are relatively well distributed both geographically and by specialty. It also appears that the full effects of the programs just enumerated have not been felt, and there is reason to believe that those few areas currently inadequately served will be well served. Thus, arguments for mandatory service in designated areas does not appear to be justified on the basis of present or future need.

It does appear that the legislation would result in the payback of some fraction of State support to medical education. However, because the State support to the medical college supports activities other than the direct education of medical students, because some graduates would practice in the State and not provide payback, and because the enrollment of Vermonters in the College might drop as a result of legislation, the amount of payback would be only a small portion of the costs of the College. In addition, there would be a series of secondary effects all of which are viewed as undesirable. These include: (1) the loss of some of the best Vermont medical students to out-of-state medical schools; (2) the direction of Vermont graduates to more lucrative but less needed specialty areas; (3) decreased attractiveness of medicine for financially disadvantaged applicants; and (4) the discriminatory nature of the legislation since the State subsidizes the education of many of its citizens, both at the undergraduate and the graduate level.

Also reviewed were other advantages accruing to the State in return for its support of the College of Medicine. These include the availability of a wide range of specialized care that would otherwise be available only in more distant facilities, and the economic impact of Federal, private, and non-Vermont State funds that form the predominate base of support of the College.

The conclusions reached were that there is no major problem with physician numbers and distribution in the State of Vermont that will not be addressed by actions already undertaken, and

that the undesirable side effects of financial payback considerably outweigh the potential financial return to the State. It is, therefore, our opinion that the concept of payback under consideration is one that addresses a problem already solved by more appropriate actions, and one that carries with it significant undesirable side effects.

**RESOLUTIONS PRESENTED TO THE
BOARD OF TRUSTEES FOR ADOPTION**

OCTOBER 7, 1978

AUDIT COMMITTEE

October 5, 1978

Acceptance of Fiscal Year 1978 Audit

WHEREAS, the books and accounts of the University of Vermont and State Agricultural College for the Fiscal Year ended June 30, 1978, have been audited by Coopers & Lybrand, Certified Public Accountants, under the supervision of the Auditor of Accounts, State of Vermont, and the report of such audit published in detail in accordance with 32, V.S.A., Sec. 163 (5);

BE IT RESOLVED, that in accordance with authorization contained in the Bylaws, the Board hereby accepts such audit in lieu of the annual audit, and that the same be considered as the report of the Audit Committee.

Access to Board of Internal Auditor

RESOLVED, that the Internal Auditor will have free and direct access to the Audit Committee, or other members of the Board of Trustees, as the person in the position deems it necessary, or as the Audit Committee deems necessary. Additionally, the Audit Committee should participate in approving the audit schedule, guiding the work of the Internal Auditor in the broad sense, and overseeing the coordination of internal and external audit operations. For purposes of day-to-day operations and reporting, the Internal Auditor will report to the Vice President for Administration.

Appointment of Audit Firm for Student Aid Compliance Audits

WHEREAS, the accounts of certain grants and awards made to the University of Vermont and State Agricultural College by the United States Department of Health, Education, and Welfare require audits in accordance with certain mandated audit standards;

BE IT RESOLVED, that the Board hereby appoints the accounting firm of Archibald M. Peisch and Company, Certified Public Accountants, for the purpose of conducting those audits for the fiscal year ended June 30, 1978. Those audits include the National Direct Student Loan Program, the Health Professions and Nursing Student Loan Programs, the College Work-Study Program, the Basic and Supplemental Education Opportunity Grants, and the Title I Grant.

EDUCATIONAL TELEVISION COMMITTEE

October 6, 1978

Fiscal Years 1980 and 1981 Legislative Appropriation Request, Educational Television

(see Finance and Budget Committee)

Criteria for Use of University-owned or Leased Land and Facilities for Electromagnetic Broadcast Purposes

WHEREAS, the Board of Trustees previously adopted on April 20, 1974, a resolution governing the management of natural areas, and

WHEREAS, the Board of Trustees previously adopted on February 17, 1973, a resolution concerning special regulations for the management of Mount Mansfield, and

WHEREAS, the Board of Trustees adopted on August 19, 1978, a resolution pledging the University to foster co-location of mountaintop facilities on properties owned or leased by the University, which resolution superseded, in part, the 1973 regulations concerning management of Mount Mansfield,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees recognizes the following criteria as those which must be considered in judging requests for the use of University-owned or leased land or facilities:

1. Site. Both the selection of the specific mountaintop and the location on that mountaintop must be required for adequate signal coverage.

Alternative sites shall be considered and analyzed to determine the actual coverage that could be anticipated, except that applicants will not be required to consider mountaintops which are currently uninhabited or untouched.

2. Public Benefit. Preference will be given to requests which demonstrate potential significant benefit to the public.

In making this determination, the following list will be considered to be approximately of decreasing significance for public benefit:

- a. Public safety.
- b. Public health and general welfare.
- c. Educational and public broadcasting.
- d. Commercial broadcasting.
- e. Public service and utility communications.
- f. Private or commercial communications.

3. Co-location. To the extent that it is possible to do so, proposals will be expected to be designed to use existing buildings, facilities, and equipment. In addition, all proposals will be judged in terms of their potential impact on future co-location.

All proposals and agreements must be designed to facilitate future co-location.

4. Aesthetic Considerations. The construction, installation, maintenance, development, and/or use of any site, structure, or facility shall be such as to minimize detracting from scenic or other aesthetic resources.

INVESTMENT COMMITTEE

October 6, 1978

Pooled Income Fund Management

RESOLVED, that no trustee, officer, director or other official of the University of Vermont and State Agricultural College who is a donor to or beneficiary of the University of Vermont and State Agricultural College Pooled Income Fund may directly or indirectly have general responsibilities with respect to the Fund which are ordinarily exercised by a trustee.

EDUCATIONAL POLICY COMMITTEE

October 6, 1978

Staff Actions

RESOLVED, that the Board of Trustees receives the list of staff actions and approves the leaves of absence noted on page nine of the staff action list.

Approval of Degrees

RESOLVED, that the Board of Trustees approves the awarding of degrees to those students who have completed their degree requirements and who have been recommended by their respective Deans or Directors and approved by the Faculty Senate.

BUILDINGS AND GROUNDS COMMITTEE

October 5, 1978

Fiscal Years 1980 and 1981 Capital Appropriation Request, General University

(see Finance and Budget Committee)

FINANCE AND BUDGET COMMITTEE

October 6 and 7, 1978

Fiscal Years 1980 and 1981 Legislative Appropriation Request, Educational Television

RESOLVED, that the President be and hereby is authorized to request from the Governor and the Legislature of the State of Vermont an appropriation for the general operations of Vermont Educational Television in the amount of \$736,000 for Fiscal Year 1980 and \$815,100 for Fiscal Year 1981.

Fiscal Years 1980 and 1981 Legislative Appropriation Request, Morgan Horse Farm

RESOLVED, that the President be and hereby is authorized to request from the Governor and the Legislature of the State of Vermont an appropriation for general operations of the Morgan Horse Farm in the amount of \$6,000 for Fiscal Year 1980 and \$7,000 for Fiscal Year 1981.

Fiscal Years 1980 and 1981 Capital Appropriation Request, General University

RESOLVED, that the President be and hereby is authorized to request from the Governor and the Legislature of the State of Vermont \$2,947,000 for Fiscal Year 1980 and \$1,105,000 for Fiscal Year 1981 for the following general. University capital expenditures:

Fiscal Year 1980

Connection of gymnasium complex to Central Heating Plant	\$ 120,000
Architectural barrier compliance	502,000
Fleming Museum renovation	1,275,000
Central Maintenance Facility	500,000
Energy conservation	<u>550,000</u>
Total FY '80	2,947,000

Fiscal Year 1981

Fieldhouse roof replacement	\$ 270,000
Safety	85,000
Carrigan Dairy Science renovation	200,000
Improvement of instructional space	250,000
Energy conservation	150,000
Architectural barrier compliance	50,000
Risk management	<u>100,000</u>
Total FY '81	\$1,105,000

Acceptance of Gifts and Grants

RESOLVED, that the Board of Trustees hereby accepts gifts in the amount of \$338,018.23 and grants in the amount of \$4,719,636.

Fiscal Years 1980 and 1981 Legislative Appropriation Request, General University

WHEREAS, the Board of Trustees on August 19, 1978, adopted principles to guide University financial policy, and

WHEREAS, even after a base budget reduction of \$350,000 in Fiscal Year 1980 and an additional reduction of \$350,000 in Fiscal Year 1981, the costs derived using these principles are projected to increase by \$4,195,000 (10% increase) in Fiscal Year 1980 and \$3,987,000 (8.7% increase) in Fiscal Year 1981, and

WHEREAS, in accordance with these principles, non-resident tuition is projected to increase by 10 percent (\$375 per year) in Fiscal Year 1980 and 8.7 percent (\$358 per year) in Fiscal Year 1981, and

WHEREAS, also in accordance with these principles, the added costs to Vermont appropriation and/or in-state tuition would require an increase from these sources of \$2,188,000 in Fiscal Year 1980 and an additional increase of \$2,173,000 in Fiscal Year 1981 according to the following table:

<u>Tuition Increase</u>	<u>Increase in State Appropriation</u> <u>(in thousand \$)</u>	
	<u>FY '80</u>	<u>FY '81</u>
\$ 0	\$2,188	\$2,173
100	1,777	1,765
130	1,654	1,642
200	1,366	1,356
300	955	948

NOW, THEREFORE, BE IT RESOLVED, that the President be and hereby is authorized to request from the Governor and the Legislature of the State of Vermont an appropriation for general operations of the University of Vermont and State Agricultural College in the amount of \$16,157,000 in Fiscal Year 1980 and \$18,330,000 in Fiscal Year 1981, noting the aforementioned relationship between the Vermont appropriation and the in-state tuition level.

BOARD OF TRUSTEES

October 7, 1978

Authorization to Apply for Milk Handler License

WHEREAS, the 1978 session of the General Assembly of the State of Vermont passed Act 159 (amending 6 VSA Sec. 2721 through 2722a) requiring corporations applying for a milk handler license to submit the names and addresses of all officers and directors, a copy of the articles of association or charter, a copy of the bylaws with any amendments, a certificate of good standing from the Secretary of State, and a resolution from the Board of Trustees authorizing the application; and

WHEREAS, the University of Vermont and State Agricultural College, through its Department of Animal Sciences, has engaged in milk handling operations since the establishment of the research herd at the University and has sold the products resulting from said operations;

BE IT RESOLVED, that the Board of Trustees hereby authorizes the President or his designee to apply for a milk handler license under the laws of the State of Vermont.

Appointment of University Health Center, Inc., Trustee

RESOLVED, that the Board of Trustees approves the reappointment of Joseph E. Corbett as one of the two University Trustees to serve on the Board of the University Health Center, Inc., effective November 1, 1978, to March 1, 1980.

EDUCATIONAL POLICY COMMITTEE

August 18, 1978

Staff Actions

- (1) RESOLVED, that the Board of Trustees receives the list of staff actions, including full-time faculty reappointments for 1979-80 and part-time faculty reappointments for 1978-79, and approves the leaves of absence noted on pages five and six of the staff action list and the list of appointments of deans and directors for Fiscal Year 1979.
- (2) RESOLVED, that the Board of Trustees approves the appointment of the following faculty with tenure effective as of the date of their appointment: Henry H. Schmidek, Professor of Surgery, College of Medicine, September 1, 1978; Raymond T. Coward, Associate Professor of Early Childhood and Human Development, School of Home Economics, January 1, 1979.
- (3) RESOLVED, that the Board of Trustees, in accordance with the section entitled "Employment of Relatives" on page three of the Employees' Handbook, approves the appointment of Christine Happ as Technologist in the Department of Zoology for the term of the current research grant as an exception to the University's policy prohibiting the employment of members of the same family where one relative exercises direct supervision over another.

Study of the State Educational System

WHEREAS, the Governor of the State of Vermont has expressed interest in conducting a comprehensive review of the public educational system; and

WHEREAS, the University of Vermont, through its programs and faculty members, has expertise in many of the areas likely to be dealt with in such a review; and

WHEREAS, the University of Vermont, as the State University, wishes to make its educational resources available to State needs;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the University wishes to note the availability of resources at the University for any comprehensive studies of education in Vermont and invites all parties to make use of the University's resources.

INVESTMENT COMMITTEE

August 18, 1978

Confirmation of Sale of Gannett Stock

RESOLVED, that the Treasurer is hereby authorized to sell at market Gannett Company, Inc., common stock received from J. Warren McClure as contributions to the funding of the Bailey Library addition.

BE IT FURTHER RESOLVED, that the Treasurer, Gordon Paterson, is further authorized to execute any and all instruments necessary, proper, and desirable for that purpose; and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern.

Mattel Class Action

RESOLVED, that the Treasurer be and hereby is authorized to sell at market any warrants or debentures received in connection with the settlement of the Mattel, Inc., class action.

BE IT FURTHER RESOLVED, that the Treasurer, Gordon Paterson, is further authorized to execute any and all instruments necessary, proper, and desirable for this purpose, and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern.

Authorization for Sale of Stock and Use of Endowment Funds

WHEREAS, the University received 1,000 shares of Houston Lighting and Power Company common stock in 1964 for purposes of constructing Phase III of the Medical College building (Given Building) that are still held by the University in the Jean W. Simpson Fund for the purpose of the original gift, and

WHEREAS, the University received \$3,500 from John Van S. Maeck as a result of the sale of University interests in a life insurance policy given to the University by John Van S. Maeck as a gift to Phase III of the Medical Building, and

WHEREAS, the University Medical College has received gifts from time to time that have been added to the Funds Functioning as Endowments within the Consolidated Endowment Fund, and

WHEREAS, the University plans renovation in the Given Building;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is hereby authorized to sell at market 1,000 shares of Houston Industries (Houston Light and Power Company) common stock and also to liquidate a sufficient number of units in Funds Functioning as Endowments of the Consolidated Endowment Fund so that the combined proceeds of the stock sale plus accrued dividends of the stock, the \$3,500 John Van S. Maeck gift and liquidation will meet the cost of

proposed renovations in the Given Building, said renovations not to exceed a total cost of \$60,000.

BE IT FURTHER RESOLVED, that the Treasurer is authorized to execute any and all instruments necessary, proper, and desirable for the purposes stated herein, and further that any officer of the University of Vermont and State Agricultural College is hereby authorized to certify this resolution to whom it may concern.

**EDUCATIONAL TELEVISION COMMITTEE
BUILDINGS AND GROUNDS COMMITTEE**

August 18, 1978

Policy for Use of University-owned or Leased Land

WHEREAS, the University has previously recognized the scientific importance and educational value to the University and the Vermont community of specifically designated natural areas, and

WHEREAS, the University has previously recognized the necessity of preserving the fragile ecosystem on the summit ridge of Mount Mansfield, and

WHEREAS, the University recognizes the importance of having a consistent policy governing the administration of other mountaintops and natural areas it owns or leases, and

WHEREAS, there is a continuing demand for the use of such vantage points for telecommunications purposes, and

WHEREAS, the University recognizes the importance of serving the public welfare through cooperation with others either owning facilities or leasing space in environmentally fragile areas, and

WHEREAS, co-location (i.e. shared use of consolidated facilities) is a viable method for enhancing cooperation among parties most directly involved with telecommunications usage, and

WHEREAS, co-location is a viable method for minimizing the potential negative environmental and aesthetic impact;

NOW, THEREFORE, BE IT RESOLVED, that the President and/or his designee foster co-location of telecommunications facilities on properties owned or leased by the University, and further, develop a set of criteria upon which to base decisions regarding future requests for use of University-owned or leased land or facilities, and submit such criteria to the Board for approval.

This resolution supersedes paragraph two of the resolution of the Board of Trustees concerning Mount Mansfield passed on February 17, 1973.

FINANCE AND BUDGET COMMITTEE

August 18, 1978

Policy on Annuity Contributions

WHEREAS, current income tax law provides greater flexibility than that permitted by current University policy;

BE IT RESOLVED, that the University be authorized to enter into salary reduction and tax-deferred annuity agreements with University employees for maximum salary reduction and tax-deferred annuity contribution permitted by law at the time of execution of any such agreement; and

BE IT FURTHER RESOLVED, that the University shall keep its employees informed of the availability of tax deferral as an employee benefit, and that it shall facilitate employee understanding and utilization of opportunities for tax deferral available under law.

Acceptance of Gifts and Grants

RESOLVED, that the Board of Trustees hereby accepts gifts in the amount of \$760,472.75 and grants in the amount of \$6,396,251.

BOARD OF TRUSTEES

August 19, 1978

Addition to List of Authorized Signatures

RESOLVED, that Robert B. Lawson, as Associate Vice President for Research and Dean of the Graduate College, be authorized to act on behalf of the University in approving grant and contract applications and agreements and requests for extensions and supplements.

Amendment of Bylaws

RESOLVED, that the Bylaws of the University of Vermont and State Agricultural College as revised and adopted by the Board of Trustees on October 18, 1958, and as last amended on March 4, 1978, be further amended by adding the words "at le13.st" to the beginning of the description of the Audit Committee, as follows:

ARTICLE VII. Duties of Officers and Committees.

(h) Audit Committee. At least four Trustees shall be elected as the Audit Committee. They shall make or cause . . .

RECOMMENDATIONS TO THE FULL BOARD

June 10, 1978

Designation of Chief Financial Officer

RESOLVED, that Ben R. Forsyth, as Interim Vice President for Administration, is authorized to perform the functions of the chief financial officer of the University of Vermont and State Agricultural College until such time as the President recommends, and the Board approves, a permanent appointment to this position.

INVESTMENT COMMITTEE

Sale of James Company Stock

RESOLVED, that the Treasurer or Assistant Treasurer be and hereby is authorized to sell at market value five hundred (500) shares of Fred S. James Company common stock received as a contribution to the University.

The Treasurer, Gordon Paterson, or Assistant Treasurer, Garth L. Peterson, is further authorized to execute any and all instruments necessary, proper, and desirable for that purpose; and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern.

Sale of Merchants Bank Stock

RESOLVED, that the Treasurer be and hereby is authorized to sell at market value a maximum of five hundred (500) shares of Merchants Bank common stock per month.

BE IT FURTHER RESOLVED, that the Treasurer, Gordon Paterson, is further authorized to execute any and all instruments necessary, proper, and desirable for that purpose; and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern.

Transfer of Life Insurance Policy

RESOLVED, that the Treasurer is hereby authorized to transfer the University's interest in Connecticut Mutual Life Insurance Policy No. 1 598 706 to John Van S. Maeck for the sum of \$3,500.

The Treasurer, Gordon Paterson, is further authorized to execute any and all instruments necessary, proper, and desirable for that purpose; and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern.

EDUCATIONAL POLICY COMMITTEE

Staff Actions

(1) RESOLVED, that the Board of Trustees receives the list of staff actions, including full-time faculty promotions and emeriti reappointments for 1978-79, and approves leaves of absence noted on page six of the staff action list.

BE IT FURTHER RESOLVED, that the Board approves the appointments of the following Professors with tenure effective as of the dates of their appointments:

Richard L. Anderson, Professor of Electrical Engineering, academic year 1979-80
C. Hackett Bushweller, Professor of Chemistry, July 1, 1978
D. Jacque Grinnell, Professor of Business Administration, academic year 1978-79
George M. Happ, Professor of Zoology, July 1, 1978
Charles A. Tesconi, Jr., Professor of Education, August 1, 1978

(2) RESOLVED, that the Board of Trustees, in accordance with the section entitled "Employment of Relatives" on page 3 of the Employees' Handbook, approves the appointment of Nancy B. Cidlowski as Technician in the Department of Biochemistry for the term of the current research grant as an exception to the University's policy prohibiting the employment of members of the same family where one relative exercises direct supervision over another.

Revision of Officers' Handbook

RESOLVED, that the Board of Trustees hereby approves the proposed revisions of the Officers' Handbook as presented and as endorsed by the Faculty Senate on April 6, 1978, to become effective July 1, 1978.

FINANCE AND BUDGET COMMITTEE

Fiscal Year 1979 General University Operating Budget

RESOLVED, that the Board of Trustees of the University of Vermont and State Agricultural College hereby approves the recommended Unrestricted Funds operating budget for Fiscal Year 1979 in the amount of \$52,278,000 and an estimated total University operating budget of \$77,600,000.

Addition to Physical Education/Athletic Facility

RESOLVED, that the Board of Trustees hereby authorizes the President or his designee to construct an addition to the Patrick/Forbush/Gutterson complex and that the President or his designee is further authorized to execute any and all instruments necessary, proper, and desirable for that purpose.

BE IT FURTHER RESOLVED, that the President or his designee is authorized to expend \$260,000 from the Gymnasium Fee Account to supplement the State appropriation of \$700,000 for this purpose.

Authorization to Proceed with South Campus Heat Line Project

WHEREAS, the Board of Trustees of the University of Vermont and State Agricultural College at the December 3, 1977, meeting authorized the President, Executive Vice President, or Treasurer to apply for a \$4,075,000 College Housing Loan, bearing a maximum interest rate of three percent (3%) for a term not to exceed 40 years through the Department of Housing and Urban Development, and

WHEREAS, the President, Executive Vice President, or Treasurer were authorized to execute any and all instruments necessary, proper, and desirable for the purpose of issuing notes or bonds up to a maximum of \$4,075,000 for purposes of constructing a centralized South Campus heating system;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the University of Vermont and State Agricultural College hereby authorizes the President or his designee to do the following:

1. Execute a loan agreement with the United States of America through the Department of Housing and Urban Development evidencing a College Housing Loan in an amount not to exceed \$4,075,000 at a maximum interest rate of three percent (3%) for a term not to exceed 40 years, said loan to be substantially in accordance with the Loan Agreement and Terms and Conditions contained in HUD forms #4520 and 4521 but subject to whatever changes are deemed necessary by the President and are approved by authorized agents for the United States of America;
2. Provide as collateral on the College Housing Loan the entire building formerly known as "the old gym" presently consisting of the Central Heating Plant and the Royall Tyler Theatre, as well as all contents of said building, including the boilers and related equipment located in said building or adjacent to it;
3. Cause to be completed all plans, specifications, bidding documents and various contracts, agreements and forms of any sort necessary for the construction of a centralized South Campus heating system, and to cause to be published, sent, and delivered for competitive bidding, in the usual form and manner, invitations for bids for construction contracts, and to cause such bids to be received and reviewed and contracts to be awarded for and on behalf of the University in the manner usually required;
4. Any and all additional acts which may be required for the successful completion of the construction of a centralized South Campus heating system as authorized herein.

Acceptance of Gifts and Grants

RESOLVED, that the Board of Trustees hereby accepts gifts in the amount of \$234,800.08 and grants in the amount of \$1,624,781.

RESOLUTION 1

Audit of Certain Federal Grants and Awards

WHEREAS, the books and accounts of certain grants and awards made to the University of Vermont and State Agricultural College and specifically those grants and awards are the National Direct Student Loan Program, the Health Professions and Nursing Student Loan Programs, the Work-Study Program, the Basic and Supplemental Education Opportunity Grants and Title I of the United States Office of Education, have been audited on behalf of the United States Government by the accounting firm of Archibald M. Peisch and Company, Certified Public Accountants, for the fiscal year ended June 30, 1977, and the reports of said audits are published in accordance with audit procedures outlined by the United States Department of Health, Education, and Welfare.

BE IT RESOLVED, that the Board hereby accepts such audits which have been released to the Regional Audit Director of the Department of Health, Education, and Welfare of the United States Government.

RESOLUTION 2

Audit of Student Housing Funds

WHEREAS, the books and accounts of certain grants and awards made to the University of Vermont and State Agricultural College Dormitory Projects VT. CH-28(d) and 47(D) as consolidated and the University of Vermont and State Agricultural College Married Student Housing Project VT. CH-41(D), have been audited on behalf of the United States Government by the accounting firm of Coopers & Lybrand, Certified Public Accountants, for the fiscal year ended June 30, 1977, and the reports of said audits are published in detail in accordance with audit and reporting procedures outlined by the United States Department of Housing and Urban Development.

BE IT RESOLVED, that the Board hereby accepts such audits which have been released to the New England Housing Management Division of the United States Government.

RECOMMENDATIONS TO THE FULL BOARD

April 15, 1978

EDUCATIONAL POLICY COMMITTEE

Staff Actions

RESOLVED, that the list of staff actions be received and that leaves of absence noted on pages two and three of the staff action list be approved.

Authority to Award Degrees

RESOLVED, that the Board of Trustees authorizes the President to award degrees in course at the Associate, Bachelors, Masters, Doctoral, and Fifth-year Certificate levels to the students of the University of Vermont and State Agricultural College who, on or before May 19, 1978, are certified by the Deans and Directors and recommended by the Faculty Senate for their appropriate degree. The list of names of the students to whom these degrees are awarded shall be recorded as part of the permanent minutes of the June meeting of the Board.

McCullough Chair of Political Science

RESOLVED, that in recognition of his service to the University as a teacher and scholar, Raul Hilberg, Professor of Political Science, be appointed the John G. McCullough Professor of Political Science.

Rescinding of Degree

RESOLVED, that the Bachelor of Arts degree approved for Donna Lee Tarbania, College of Arts and Sciences, at the March 4, 1978, meeting of the Board of Trustees be, and hereby is, rescinded.

Fleming Museum Accreditation

WHEREAS, the University of Vermont has maintained museum collections since 1823, and

WHEREAS, the major part of the University's collections was maintained from 1873 until 1931 in the University Museum and its Park Gallery of Art, and

WHEREAS, the major part of the University's collections has been maintained since 1931 in the Robert Hull Fleming Museum on the campus of the University in Burlington, Vermont, and

WHEREAS, the American Association of Museums requires for the accreditation of the Robert Hull Fleming Museum an assurance that the Museum is permanent,

THEREFORE, BE IT RESOLVED, that the Board of Trustees of the University of Vermont and State Agricultural College recognizes the Robert Hull Fleming Museum and expresses the intention of the University to maintain the Museum in the future.

BUILDINGS AND GROUNDS COMMITTEE

Lease of Land at Shelburne Pond to LeDuc Family

RESOLVED, that the President of the University of Vermont and State Agricultural College or his designee be authorized to enter into a Lease Agreement with Alfred and Mary Irene LeDuc of South Burlington, Vermont, for the use of approximately 48 acres of land presently owned by the University of Vermont and State Agricultural College and located at Shelburne Pond in South Burlington and in Shelburne as described in deed of Nature Conservancy to UVM dated 3/21/77 and recorded at Volume 59, pages 143-147 of the Shelburne Land Records, said lease to contain the following terms and conditions:

- a. Alfred and Mary Irene LeDuc or any of their children, Maurice O. LeDuc, Emanuel LeDuc, Norman LeDuc, Francis LeDuc, or Corinne L. Fay, shall use the land for pasturage or crops and shall make no changes in existing farm practices which would cause a significant adverse impact on the water quality of Shelburne Pond. Said lessees shall maintain fences in good order and repair.
- b. The lease term shall be for so long as Alfred or Mary Irene LeDuc or any of their children above specified own their present farm and use and occupy said lands presently owned by them for purposes of dairy farming without voluntary interruption for a period in excess of six (6) months, except that under no circumstances shall the lease term extend beyond the year 2050.
- c. An annual rental amount of One Hundred and Fifty Dollars (\$150.00) shall be specified.
- d. If property taxes are levied against the leased premises because of agricultural use by Alfred or Mary LeDuc or any of their children, the taxes shall be paid by the LeDucs or, in the alternative, the lessees shall have the right to cancel the lease.
- e. The lease shall be subject to all restrictions and conditions imposed upon the University of Vermont and State Agricultural College by the Nature Conservancy, its predecessors in title.
- f. The lease shall be personal to Alfred and Mary Irene LeDuc and their children as herein specified. It shall not be assignable.

Transfer of Lease on St. Anselm's Chapel Property

RESOLVED, that the President be authorized on behalf of the University of Vermont and State Agricultural College to transfer its current lease for the property on which St. Anselm's Chapel is located from the Episcopal Diocese of Vermont to Christ Church Presbyterian for the purpose of continuing the development on campus of an ecumenical Christian ministry to provide members

of the campus community of all Protestant faiths with an opportunity to participate in an ongoing congregation as they pursue their religious development.

FINANCE AND BUDGET COMMITTEE

Morgan Horse Farm Budget, FY '79

RESOLVED, that the Board of Trustees of the University of Vermont and State Agricultural College approves the recommended operating budget for the Morgan Horse Farm for Fiscal Year 1979 in the amount of \$154,000.

Educational Television Budget, FY '79

RESOLVED, that the Board of Trustees of the University of Vermont and State Agricultural College approves the recommended operating budget for Vermont Educational Television for Fiscal Year 1979 in the amount of \$1,608,200.

In-state and Out-of-state Tuition Increases

RESOLVED, that the Board of Trustees hereby approves an increase in the in-state tuition rate from \$1,200 per year to \$1,300 per year and an increase in the out-of-state tuition rate from \$3,490 per year to \$3,735 per year effective with the 1978-79 academic year.

College of Medicine Tuition Rates

RESOLVED, that the Board of Trustees hereby authorizes the President to increase the tuition rates for students enrolled in the College of Medicine as follows:

- a. In-state student tuition rate from \$2,200 per year to \$2,400 per year;
- b. Regional compact student tuition rate from \$4,490 per year to \$4,800 per year;
- c. Out-of-area student tuition rate from \$4,490 per year to \$4,800 per year for out-of-area students currently enrolled, and a tuition rate of \$7,500 per year for out-of-area students matriculating after July 1, 1978.

The tuition increases in this resolution are to become effective with the 1978-79 academic year.

Increase in Room Rent

RESOLVED, that the Board of Trustees hereby approves the following increases in room rent to become effective with Fiscal Year 1979: For a double room, from \$898 to \$970 per year; for a single room, from \$998 to \$1,070 per year; for a large single room, from \$1,098 to \$1,170; and for a triple room, from \$698 to \$770 per year.

BE IT FURTHER RESOLVED, that a Cooperative Option for Hamilton Hall be established at a rate \$130 less than the standard room rate.

Increase in Board Rate

RESOLVED, that the Board of Trustees approves an increase in base board charge from \$710 to \$764 per academic year. This increase is to become effective with Fiscal Year 1979.

Increase in Student Health Fee

RESOLVED, that the Board of Trustees of the University of Vermont and State Agricultural College hereby approves an increase in the Student Health Fee from \$64 to \$68 per academic year (\$34 per semester), effective with Fiscal Year 1979.

Fiscal Year 1979 Budget Premises

RESOLVED, that the Board of Trustees hereby approves the budget premises for Fiscal Year 1979 as described in the attached materials and authorizes the President to proceed with the detailed budget preparation in accordance with these premises.

Acceptance of Gifts and Grants

RESOLVED, that the Board of Trustees hereby accepts gifts in the amount of \$266,786.87 and grants in the amount of \$926,992.

From the Educational Television Committee

RESOLVED, that the Board of Trustees of the University of Vermont and State Agricultural College authorizes the President and/or his designee to enter into a lease agreement with Taft Broadcasting Corporation of Houston, Texas, for use of Vermont Educational Television facilities at Mt. Ascutney for an annual fee of \$3,000. This fee is to be renegotiated biannually, the length of the lease to be coterminous with the facility lease. Such lease agreement is subject to Taft Broadcasting securing appropriate approvals, including permission of the State of Vermont Department of Forests and Parks and a permit from the State of Vermont Environmental Board in accordance with Act 250.

RECOMMENDATIONS TO THE FULL BOARD

March 4, 1978

AUDIT COMMITTEE

Appointment of Audit Firm for Fiscal Year 1978

RESOLVED, that the Board of Trustees recommends to, and enters into a contract with, the State Auditor of Accounts engaging the accounting firm of Coopers & Lybrand to conduct the annual audit for the year ending June 30, 1978, in keeping with the University's Bylaws and the Statutes of the State of Vermont.

INVESTMENT COMMITTEE

Confirmation of Sale of 500 Shares of McCord Common Stock

RESOLVED, that the Treasurer, Gordon Paterson, be and hereby is authorized to sell at market value five hundred (500) shares of McCord Corporation common stock, received as a contribution to the University.

The Treasurer, Gordon Paterson, is further authorized to execute any and all instruments necessary, proper, and desirable for that purpose; and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern.

Transfer of Securities

RESOLVED, that the Board of Trustees hereby authorizes the Treasurer to transfer the following securities received for the Consolidated Endowment Funds to Gans and Co.

Stocks: 150 shares, Caterpillar Tractors
162 shares, Exxon
180 shares, General Electric
300 shares, General Motors
200 shares, Phillips Petroleum
800 shares, Standard Brands

Bonds: \$38,000 - U.S. Treasury Bonds - 4 1/4% - 8/92-87
\$10,000 - U.S. Treasury Bonds - 7 7/8% - 5/15/79
\$20,000 - U.S. Treasury Bonds - 7 1/4% - 8/15/84
\$10,000 - Commonwealth Ed. - 8 3/4% - 4/01/81
\$20,000 - E.I. Dupont - 8% - 11/15/81

BE IT FURTHER RESOLVED, that the Treasurer, Gordon Paterson, is authorized to execute any and all instruments necessary, proper, and desirable for that purpose; and further that any officer of this corporation is hereby authorized to certify this resolution to whom it may concern. From the Educational Policy Committee:

Staff Actions

RESOLVED, that the list of staff actions, including full-time faculty reappointments for 1978-79, be received and that leaves of absence and/or dismissals noted on pages four and five of the staff action list be approved.

Approval of Degrees

RESOLVED, that the Board of Trustees approves the awarding of degrees in course to those students who have completed degree requirements and who have been recommended by their respective deans and directors and the Faculty Senate.

Medical Education

WHEREAS, there is question about the validity of 16 VSA 2361, a statute enacted in 1927 concerning the education of medical students and the delivery of health care in the State of Vermont; and,

WHEREAS, there currently is proposed legislation pertaining to the same subject; and,

WHEREAS, the UVM College of Medicine has an active history as a pioneer in primary care delivery in Vermont; and,

WHEREAS, the UVM Board of Trustees has created a standing committee to examine all aspects of health education policy formation and implementation;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees instruct the standing Committee on Health Education to undertake a careful examination of physician distribution and the adequacy of health care delivery throughout Vermont, with special attention to the role of the University of Vermont College of Medicine in contributing to better health care delivery, and to the relationship of State support of medical education to the adequacy of health care for the rural areas of Vermont; and that the Committee report its findings and recommendations to the University Board of Trustees at its December, 1978, meeting .

- Adopted by Board of Trustees, March 4, 1978

BUILDINGS AND GROUNDS COMMITTEE

Clearing Title to Land in East Montpelier

RESOLVED, that the University of Vermont and State Agricultural College release to Kenneth and Marjorie Santor of East Montpelier, Vermont, whatever interest it may have arising out of the possible inclusion of all or part of their land in East Montpelier as University lease land.

FINANCE AND BUDGET COMMITTEE

Bonding for Bailey Library Addition

RESOLVED, that the Board of Trustees hereby approves in principle the proposed Trust Indenture prepared in conjunction with the anticipated issuance of bonds for renovation and new construction at the Bailey Library, said indenture being subject to the finalization of an interest rate and maturity schedule which will require an increase in the Library Fee not to exceed \$4.00 per student beginning with the academic year 1979-80.

BE IT FURTHER RESOLVED, that the Board of Trustees authorizes the President or his designee to issue a letter of intent to the successful bidder provided an offer for sale of construction bonds is made by Goldman, Sachs & Company consistent with the preceding paragraph, such letter stating the University's intention to proceed with construction in accordance with a negotiated contract provided: (a) that the offer for the sale of construction bonds by Goldman, Sachs & Company is approved by the University Board of Trustees at its next meeting; and (b) that the University Board of Trustees approves the trust indenture prepared pursuant to the bond issue at its next meeting.

Assumption of Outstanding Obligation on Jeanne Mance Dormitory

WHEREAS, the University has been leasing the Jeanne Mance dormitory from the Medical Center Hospital of Vermont, Inc. (MCHV), since 1976; and

WHEREAS, it has now been proposed that the University acquire said facility from MCHV on the terms and conditions contained in the purchase and sales agreement presented to this meeting and in connection therewith, assume the obligations of MCHV under the Trust Indenture dated as of May 1, 1962, between MCHV and The Howard Bank of Burlington, as Trustee, including the payment of the principal of and interest on the DeGoesbriand Memorial Hospital, Inc., Dormitory Bonds of 1962 (the "Bonds").

THEREFORE, BE IT RESOLVED THAT:

1. The University acquire the Jeanne Mance dormitory facility from MCHV and, as partial payment therefor, assume the obligations of MCHV in connection therewith as provided in the First Supplemental Indenture;

2. The University enter into an agreement with MCHV for the purchase and sale of said facility, such agreement to be substantially in the form of the contract presented to this meeting and attached hereto;
3. The University enter into the First Supplemental Indenture with MCHV and The Howard Bank, as Trustee, said Indenture to be substantially in the form of Indenture presented to this meeting and attached hereto;
4. The President and Treasurer of the University, or either of them, is hereby authorized on behalf of and in the name of the University to execute and deliver, and the Treasurer is directed to affix and attest the University seal to, as many counterparts as may be necessary each of the aforementioned purchase and sales agreement and HUD First Supplemental Indenture;
5. The President and Treasurer or either of them is further authorized to do any acts and execute all other documents which, in the sole judgment and discretion of the person so acting or executing, may be necessary and incidental to the accomplishment of the purposes of the foregoing resolutions.

Authorization to Borrow for Jeanne Mance Dormitory

BE IT RESOLVED, that the President of the University of Vermont and State Agricultural College or his designee be authorized to borrow up to a maximum of \$320,000 for a term not to exceed fifteen years for the purpose of financing the portion of the purchase price of the Jeanne Mance Building which shall remain after the present mortgage of the Medical Center Hospital of Vermont to the Department of Housing and Urban Development is assumed in connection with said purchase.

Acceptance of Gifts and Grants

RESOLVED, that the Board of Trustees hereby accepts gifts in the amount of \$467,456.82 and grants in the amount of \$4,324,554.