

**Higher Education and Employment Committee
Public Hearing March 8, 2016**

Raised Bill No. 333

AN ACT CONCERNING THE FOUNDATION OF CONSTITUENT UNITS
AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

Sen. Bartolomeo, Rep. Willis, Sen. Witkos, Rep. Betts, committee members.

I am James H. Smith, president of the nonprofit Connecticut Council on Freedom of Information, which has been advocating for open government for 61 years. We support legislation that would make the University of Connecticut Foundation subject to the state Freedom of Information Act.

We particularly favor this wording in the proposed bill:

(9)(I) -- "A report of the total number and average size of disbursements made to each public institution of higher education for (i) undergraduate and graduate scholarships, fellowships and awards, (ii) program and research support, (iii) equipment, and (iv) facilities construction, improvements and related expenses, and (J) a list of all deanships, professorships, chairs, schools, institutes, centers or facilities of the state agency that were named in recognition of foundation donors upon the approval of the board of trustees of the state agency during the preceding fiscal year. The information delivered under this subdivision shall constitute a public record and shall be disclosed in accordance with the Freedom of Information Act, as defined in section 1-200;

We notice it does not require naming donors and we would want to make sure if donors do not object to being named publicly, they should be.

We understand that UConn must increasingly rely on the foundation's fund-raising to grow its endowment and support its ambitions as a research university of the first rank. And we understand that the university must compete in a sophisticated way for the resources and talent that enable reaching those laudable goals. But we also believe that the foundation, created in 1962, thus performs a public function and is so intertwined with the university that the blanket FOI exemption is unwarranted. We believe the foundation acts largely as a surrogate for the university in fund-raising, marketing, investing and grants administration. It manages hundreds of millions of dollars on behalf of the school.

The public deserves detailed information so it can judge whether the foundation has invested well; allocated resources wisely and fairly; and transacted business prudently, efficiently and without impropriety. All the other foundations of the pre-eminent state universities in New England are subject to their state's FOI laws. The UConn foundation should be too. Thank you.