

City Of Torrington



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To The University of Connecticut Board of Trustees:

I write to you today to express to you that the City of Torrington is absolutely opposed to the closure of the UCONN Torrington campus. The State of Connecticut has a moral obligation to ensure that local students are afforded equal access to institutions of higher education. The discontinuation of UCONN classes at the Torrington campus will create a social injustice to the students and communities in the Northwest Corner.

Local students are often issued letters of acceptance to the University, but, due to enrollment capacity at the flagship campus in Storrs, are required to attend a regional campus for their first year. By closing the Torrington campus, UCONN will take access away from local students who have limited options, limited resources and limited time to pursue higher education.

As stated in the University's website: *"With five regional campuses around the state, access to UConn is readily available throughout Connecticut. Small classes, access to talented faculty, and exclusive internships and majors allow you unique opportunities while still providing the benefit of a UConn education. Many of our graduate and professional programs also broaden UConn's reach."*

The presence of the University of Connecticut in the Northwest Corner is a demonstration of the University's commitment to the people of Connecticut who support the University through public taxation, charitable contributions, bequests and private partnerships that there will be equal access to the quality education that UCONN advocates.

Since 1983, when the University last attempted to close the Torrington Campus, the University has taken a course of action that has negatively impacted course offerings, student enrollment and the quality of the college experience. Before making any determinations regarding the Torrington campus, it is imperative to understand the impact of the decisions the University has made regarding this facility over the past three decades.

Legal Obligations

In 1960, Julia Brooker Thompson died and left most of her estate to the University of Connecticut with the directive that the money be used to construct a local campus in Torrington. Specifically, a bequest of land directed that it be used for the maintenance of a branch of the University of Connecticut. Under the residuary clause of the Thompson will, a trust was established to be used by the University of Connecticut to purchase or construct a building or buildings in Torrington or the vicinity of Torrington for the use of the University of Connecticut. In 1965, the construction was completed and the campus was dedicated and welcomed its first students.

In 1983, the Board of Trustees sought to close the UCONN Torrington campus for the same reasons cited today; namely low enrollment, academic quality and financial impact. UCONN's President at the time sought the opinion of the Attorney General as to the ownership of the land and buildings and the obligations of the University relative to the fulfillment of the charitable bequest.

Based on the legal opinion, dated May 9, 1983, rendered by former Attorney General, Joseph I. Lieberman, (copy attached) Julia Thompson's gift was educational and, therefore, charitable. Once the University agreed to accept Julia Thompson's gift, it became bound to accept the conditions she imposed. **Attorney General Lieberman also asserted that it would be the responsibility of the Attorney General to institute legal action concerning the implications of any decision to close the Torrington campus.**

In his opinion, Attorney General Lieberman clearly stated "... you are advised that if the buildings are no longer used for a branch campus of the University of Connecticut, the University would not retain ownership. The legal questions raised by a decision to close the Torrington Branch of the University of Connecticut and its effect upon the future of the buildings, can be resolved only in a judicial proceeding"

Connecticut General Statutes Section 49-79 provides in pertinent part: "Any charitable trust or use created in writing or by deed by any resident of the state . . . shall forever remain to the uses and purposes to which it has been granted according to the true intent and meaning of the grantor and to no other use"

As a beneficiary of a most generous gift, it is incumbent upon the University to carry out the wishes of Ms. Julia Brooker Thompson. If the University fails to carry out her wishes, it is the duty of the Attorney General to represent the public interest in the protection of gifts for charitable purposes.

Land Grant concerns

In 1989, the State Legislature enacted Special Act 89-54 “An Act Concerning the Conveyance of State Land in Torrington to the City of Torrington” to clarify the original intent of the transfer of a 99-acre parcel of land located across the street from the UCONN Torrington campus. The conveyance of this parcel was for the purposes of providing the University of Connecticut additional land for requisite leaching field space as well as further expansion of the University of Connecticut. This property became surplus property for the State and as a result of the Special Act confirmed the disposition of the 99-acre site should be made back to the City of Torrington with the restriction that the same be used for educational purposes only. If the City of Torrington does not use the land for educational purposes, the property will revert back to the State of Connecticut.

This restriction presents an opportunity for the State Technical High School System to access this prime location to bring to fruition it’s plan for a state-of-the-art Oliver Wolcott Technical High School to University Drive; thereby delivering 700 students to the front door of the University of Connecticut Torrington Campus. A measure that would surely impact enrollment and the quality of education for both high school and college students.

Consideration must be given as to how the City of Torrington will be impacted by this deed restriction should the University close the UCONN Torrington campus.

Benign Neglect

The University staff has been politicking with State legislators, University staff and students and local leaders to support the closure of the campus. In their presentation, they are showing a decreased enrollment due to declining population of college bound high school seniors in Northwestern Connecticut and the competition between two campuses that are only 30 minutes apart. The presentation also points to Academic Quality, Limitations of Current Facility and Efforts to Attract and Retain Students at Regional Campuses which includes Marketing Activity and Applications & Admissions Activity.

We would argue that the University has systematically reduced resources to the campus over the past several decades. A course of action that was designed to set the stage for failure of the campus. The elimination and/or transfer of courses, transfer of teaching staff, and the decision to establish one Executive Director to serve two campuses and, most recently, the decision not to fill the position of the assistant campus director all demonstrate a strategy designed for failure of the campus goals. These actions are counter-intuitive to promoting a robust college experience at the regional campus. It becomes a self-fulfilling prophecy that a reduction of resources results in reduced enrollment.

The final and, in our opinion, least compelling argument being presented by the University in its discussion and presentation is the financial impact of the continuation of the University's classes at the Torrington campus. Based on the statement contained in The University of Connecticut's Financial Report For The Year Ended June 30, 2015: (Page 10) *"By its very nature, a State funded institution does not receive tuition, fees, and room and board revenues sufficient to support the operations of the University. . . . Unless a significant increase in tuition and fees and room and board revenues occurs, the University will always show a loss from operations"*.

Based on the written material being disseminated, the net operating costs for the Torrington campus for FY 2016 results in a loss of \$81,217.00. The net loss for FY 2017 is reported to be \$212,900.00; however, there is no explanation as to why there would be a significant reduction in revenue (180 acceptance letters were mailed to students for admission to the Torrington Campus for the Fall 2016 semester).

The capital expenditures reflected in the same documentation indicates there are immediate building needs of \$5,500,000.00 to be factored into the University's capital budget. We would argue that the need for the listed repairs will not be eliminated by closing the campus. The buildings located at University Drive will continue to be the responsibility of the University – the costs assigned to the deferred maintenance will not go away and the responsibility to be good stewards of the donor's gift and the taxpayers' investment in the University will continue to be mandatory.

The City of Torrington, along with Litchfield County and many arts organizations have tried over the recent years to work with the University in ways to engage the University within the region. Most notably, in 2012 the Warner Theater met with the Fine Arts department to create a theatre certification course for pre & post grads that would be taught at the Warner. The details of the program were approved and the program was to begin that very fall. Without cause or explanation other than budgetary reasons, the University of Connecticut abandoned the opportunity. This, again, underscores the University's course of action which resulted in declining enrollment.

Strategic Plan

UConn has made *choices* to directly NOT engage in the Northwest Community. UConn has declined to work with the City to develop a strategy or institute programming as it has for other regional campuses. "In order to make money you must spend money" principle holds true to UConn's lack of investment in this campus. How can UConn expect enrollment to increase at a campus when they have made every choice to further deny the students of Litchfield County a quality education?

The City of Torrington and our emerging arts community welcome an opportunity to work with the University in developing its "niche" as the Center for Creative Economies. We have reached out to Kristen Newman-Scott of DECD to develop strategies for curriculum and course offerings. We can identify partners like the Warner Theater, Five Points Gallery, Nutmeg Conservatory to establish a

downtown presence for the University. We can assist the University in developing partnerships with the strong manufacturing presence in the Northwest Corner. We will continue to encourage the State to investigate the construction of the new campus for Oliver Wolcott Technical School on the existing State-owned, or city-owned property that has prime space for the 50-acre needs for that facility. Another partnership that will mutually benefit the University and the technical schools in the State.

In conclusion, it is our intention to seek the legal opinion of Attorney General George Jepsen with regard to the closing of the UCONN Torrington campus.

In the meantime, I ask that the board of Trustees and our state legislators, make the RIGHT CHOICE of investing in the campus rather than close its doors. The City of Torrington welcomes the opportunity to meet with UConn administrators to develop a program or strategy that works best for the region that further enhances the quality of education within our region.

Sincerely,

A handwritten signature in blue ink that reads "Elinor Carbone". The signature is written in a cursive, flowing style.

Elinor Carbone, Mayor