

MINUTES OF THE MEETING
OF THE
MICHIGAN STATE UNIVERSITY
BOARD OF TRUSTEES

April 3, 1992

The meeting of the Board of Trustees was called to order by President John DiBiaggio on Friday, April 3, 1992, at 8:35 a.m. in the Board Room of the Administration Building.

Trustees present: Dolores M. Cook, Joel Ferguson, Russell G. Mawby, Dean Pridgeon, Melanie Reinhold, Barbara J. Sawyer, John D. Shingleton, and Robert E. Weiss.

University officers present: President DiBiaggio, Provost Scott, Secretary Davis; Vice Presidents Kurz, Meyer, and Wilkinson. Faculty Liaison representatives present: Dr. Norman Abeles and Dr. Marvin Grandstaff. Student Liaison representatives present: Richard Edelmann, Chris Kemnitz, Connie Tingson, and Stephanie Worswick (representing Darren Tetens).

President DiBiaggio announced that General Counsel Mary Elizabeth Kurz has requested that the Board of Trustees meet in Executive Session as authorized by Section 8 (e) of the Open Meetings Act to discuss with Counsel specific pending litigation. On a motion by Ms. Sawyer, supported by Ms. Cook, **A ROLL CALL VOTE was conducted** by Secretary Davis and the motion passed unanimously.

Request for
Executive Session

The Trustee Policy Committee and the Trustee Finance Committee meetings were held in the Board Room of the Administration Building beginning at 9:10 a.m. The minutes of the committee meetings are on file in the Office of the Secretary of the Board of Trustees.

The meeting of the Board of Trustees was reconvened by President John DiBiaggio at 11:20 a.m. in the Board Room.

Trustees present: Dolores M. Cook, Joel Ferguson, Russell G. Mawby, Dean Pridgeon, Melanie Reinhold, Barbara J. Sawyer, John D. Shingleton, and Robert E. Weiss.

University officers present: President DiBiaggio, Provost Scott, Secretary Davis; Vice Presidents Kurz, Meyer, Pierre, Turner, and Wilkinson. Faculty Liaison representative present: Grandstaff. Student Liaison representatives present: Edelmann, Kemnitz, Tingson, and Worswick.

All actions taken were by unanimous vote of the Trustees present, unless otherwise noted.

1. On a motion by Mr. Pridgeon, supported by Ms. Sawyer, **THE BOARD VOTED to approve** the proposed agenda.
2. On a motion by Dr. Mawby, supported by Mr. Pridgeon, **THE BOARD VOTED to approve** the minutes of the February 7, 1992, Board meeting.
3. The following individuals addressed the Board of Trustees on the subjects listed:
 - A. Dr. Peter Marabell, faculty member and Chair of the Anti-Discrimination Judicial Board, presented a motion passed by the ADJB on March 31, that "Peter Marabell make a presentation to the Board of Trustees on April 3, asking that the interim revisions not be implemented and that the memo issued by the ADJB dated March 31, be sent to individual members of the Board of Trustees."
 - B. Mr. Dennis Hartke, staff member and member of the University-wide Task Force on Lesbian and Gay Issues, commented on his concern that the proposed revisions to the ADJB policy will significantly weaken protection for himself and other University community members from discrimination based on sexual orientation.
 - C. Mr. Ed Hinspeter, President, Lansing Association for Human Rights, stated that the revisions to the University's Anti-Discrimination Policy and Procedures will result in changes to the functioning of the ADJB. He requested further study and urged the Board and the administration to consider input of the Gay and Lesbian Faculty and Staff Association, the University-wide Task Force on Gay and Lesbian Issues, and other advisers.

Public
Participation

April 3, 1992

Public
Participation
continued

- D. Mr. H. Michael Rice, staff member and President of the Administrative Professional Supervisors Association, addressed issues related to the current ADJB Policy and Procedures and reported he is pleased the University has responded to those issues by drafting an interim proposal. He urged the Board to support the interim proposal so that every student and employee at Michigan State has a credible and equitable anti-discrimination policy and procedure.
- E. Ms. Rondy Scheidt, staff member and President of the Clerical-Technical Union, requested that the Board not approve the revisions to the current ADJB Policy and Procedures and not rush to judgment in this critical issue which needs to be considered by the University community.
- F. Dr. Gloria Smith, faculty member and President of the MSU Black Faculty and Administrators Association, was introduced by Dr. Thomas Gunnings, also a faculty member. Dr. Smith presented the Association's position, unanimously endorsed by the membership on April 1, regarding the selection process for the appointment of the Athletic Director. The Association does not accept the choice and requested the Board of Trustees to direct the University to reevaluate the candidates and their credentials in view of the University's commitment to diversity. Dr. Smith's comments are included with the Board Agenda in the Office of the Secretary of the Board of Trustees, as requested by Trustee Weiss.

Dr. Smith introduced Mr. Eric Ellison, student and President of As One, who expressed disappointment that Dr. Clarence Underwood was not selected for the Athletic Director position.

- G. Ms. Sharon Claytor Peters, President of the MSU Black Alumni National Board, commented on their organization's support of the University. However, she wished to express their concern regarding the recommendation for the Athletic Director position since they have consistently supported the selection of a qualified African American to a major athletic position.

Public
Participation
session extended

Mr. Ferguson proposed that the Public Participation session be extended to allow additional persons, who had not registered prior to the deadline, to speak regarding the selection and appointment of the Athletic Director.

On a motion by Mr. Ferguson, supported by Mr. Weiss, **THE BOARD VOTED to approve** the recommendation. The vote was 4 yeas, 3 nays, and 1 abstention.

- H. Additional speakers included Dr. Susan Peters, faculty member and Search Committee member, who identified the representation and University affiliation of the Search Committee members.

Mr. Dennis Martell, graduate student and Search Committee member, commented on his perspective as the affirmative action advocate on the Search Committee.

The following speakers voiced their support for Dr. Clarence Underwood as Athletic Director:

- 1) Mr. Toby Heaton, student athlete (football)
- 2) Mr. Silas Taylor, staff member
- 3) Ms. Jacqueline Warr, former student and member of the Lansing community
- 4) Mr. Gus Ganakas, Assistant Athletic Director
- 5) Mr. Robert Vinney, a Spartan
- 6) Mr. Raymond Hearn, student and President of Black Student Alliance

- I. The final preregistered speakers were Messrs. Mark Jurva, Paul Hietzleberger, and Kurt Schmitz, students and members of the Student Environmental Action Coalition (SEAC), who presented a video on Project Recycle. They presented petitions with signatures of persons supporting a proposal for the University to purchase environmentally sound paper products. Resolutions were also included from ASMSU for the University to use more post-consumer recycled products and from RHA to set a policy for a University-wide recycled paper procurement policy.
4. President DiBiaggio announced that the Board would recess for a brief lunch and would reconvene at approximately 1:05 p.m.
5. The meeting was reconvened by President DiBiaggio at 1:10 p.m. Trustees present: Dolores M. Cook, Joel Ferguson, Russell G. Mawby, Dean Pridgeon, Melanie Reinhold, Barbara J. Sawyer, John D. Shingleton, and Robert E. Weiss.

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University officers present: President DiBiaggio, Provost Scott, Secretary Davis; Vice Presidents Kurz, Meyer, Pierre, Turner, and Wilkinson. Faculty Liaison representative present: Grandstaff. Student Liaison representatives present: Edelmann, Kemnitz, Tetens, Tingson, and Worswick.

6. The report of President DiBiaggio included the following:

President's
Report

- A. President DiBiaggio reported on the successful progress of the special gifts portion of the Capital Campaign which has surpassed the \$6 million goal because of the generous gifts from alumni and friends. The Campaign is nearing the final stage and is expected to end in the spring of 1993.
- B. One of the major projects being realized as a result of the Capital Campaign is the new Business Building. Board members have been invited to participate in the formal ground breaking which will take place on April 9. The new building which will be connected to Eppley Center by a walkway is expected to be completed in late 1993.
- C. Three members of the University community and three units of the University have received recognition at the third annual All University Excellence in Diversity Conference this week. Excellence in Diversity Awards were presented to Carmen Gear, Assistant Director of the Counseling Center; student Maria Valayil; and Professor Eileen Van Tassell. The units receiving awards were the MSU Libraries, Custodial Services, and the Union Activities Board.
- D. Ms. Rujuta Bhatt, a junior from Wayne, New Jersey, majoring in biochemistry and international relations, is the recipient of a Harry S. Truman Scholarship. This \$5,000 scholarship is presented to about 90 students nationwide. Ms. Bhatt is the University's second Truman scholar in the past three years, and the eighth since 1978.
- E. President DiBiaggio reported on the destruction in the mink research facility and the extensive damage caused by fire in the Anthony Hall office of Dr. Richard Aulerich, the University's chief mink researcher. The fire damaged a suite of offices, almost totally destroying 32 years of research for Dr. Aulerich and that of his colleagues.
- F. President DiBiaggio commented on the performance of the men's basketball and hockey teams and the academic accomplishments of individual student athletes. With an overall record of 22 wins and 8 losses, the basketball team tied for third place in the Big Ten and participated in the NCAA post-season tournament as the number 5 seed in the Midwest Region. The hockey team finished third in the CCHA regular season standings with 25 wins, 11 losses, and 8 ties. The team also participated in the NCAA Tournament for the tenth time in the last 11 years.

7. Personnel Actions

Personnel
Actions

A. Appointments

Appointments

- 1) Leholm, Arlen G. AN, Associate Professor, Department of Resource Development, \$92,000, with Tenure, effective June 15, 1992.
- 2) Baker, Merrily Dean. AN-Director, Intercollegiate Athletics, \$118,000, Contractual, effective May 15, 1992 through May 14, 1997.

B. Other Personnel Actions

Other Personnel
Actions

- 1) It is recommended that the Executive Management position titled Assistant Provost for Academic Services be retitled Assistant Provost for Undergraduate Education and Academic Services, effective April 3, 1992.
- 2) It is recommended that the Executive Management position titled Assistant Provost for Student Academic Support Services and Racial, Ethnic, and Multicultural Issues be established effective April 3, 1992. This position will report to the Provost and Vice President for Academic Affairs.

Assistant Provost
for Undergraduate
Education and
Academic Services

Assistant Provost
for Student
Academic Support
Services & Racial,
Ethnic & Multi-
cultural Issues

Further, as is the case for other Assistant Provost positions, it is recommended that the appointment approval and all other personnel actions relating to this position be delegated to the President.

- 3) It is recommended that the Executive Management position titled Assistant Provost for Undergraduate Education be discontinued, effective April 3, 1992.

Discontinue Asst.
Provost for
Undergraduate
Education

April 3, 1992

Other Personnel
Actions
continued

Dr. Scott reported these recommendations reflect a reorganization to achieve reductions in administrative costs through greater integration in the Office of the Provost.

On a motion by Ms. Cook, supported by Ms. Sawyer, **THE BOARD VOTED to approve** the Appointments and Other Personnel Actions as listed above.

On a motion by Mr. Ferguson, supported by Ms. Cook, **THE BOARD VOTED to divide the question** so there could be a separate vote on the personnel action to appoint a Director of Intercollegiate Athletics. The motion to divide the question passed unanimously.

Extensive discussions occurred related to the selection of the athletic director.

Appointment of
Director of
Intercollegiate
Athletics

On a motion by Mr. Pridgeon, supported by Ms. Cook, **THE BOARD VOTED to approve** the appointment of the Director of Intercollegiate Athletics. Mr. Ferguson and Mr. Weiss voted in opposition of the action.

President DiBiaggio introduced Ms. Baker who made brief comments on how pleased and honored she was to be selected.

Gift, Grant &
Contract Report

8. On a motion by Mr. Weiss, supported by Ms. Cook, **THE BOARD VOTED to approve** the Gift, Grant and Contract Report for the period January 11, 1992, through March 6, 1992, with a total value of \$21,150,852.85. The report is included with the Board Agenda in the Office of the Secretary of the Board of Trustees.

Trustee Policy
Committee

9. The reports and recommendations of the Trustee Policy Committee were presented by Mr. Ferguson, the Committee Chairperson.

Amendments to
Bylaws for Academic
Governance

- A. Amendments to the University **Bylaws for Academic Governance** were approved by Academic Council on February 4, 1992, and are recommended as follows:

- 1) Proposed named change to bring the Bylaws in line with the reorganization of the Office of the Provost which occurred last year. Proposed changes are underlined.

3.2.1.1.5. The Academic Council shall have the following ex officio members: ... **Vice Provost for Computing and Technology**, Assistant Provost for Graduate Education, Assistant Provost for Undergraduate Education, **Vice Provost for University Outreach**, Faculty Grievance Official, and Ombudsman.

- 2) Conversion to the semester system requires changes of dates from September 1 to **August 16** in the following Bylaws: 3.2.3.6., 3.3.1.4., 4.2.1.3., 6.1.3., 6.3.3., 6.4.3.

- 3) Dates in the Bylaws will need to be changed from September 1 to **the first day of summer semester classes**: 3.2.4.9.3., 3.3.1.9., and 4.2.1.4.

- 4) The word "term" will need to be replaced with the word **semester** where appropriate:

3.2.3.3.	3.2.4.8.	3.3.1.12.
3.2.3.7.	3.3.1.7.	4.2.1.8.
3.2.4.3.4.	3.3.1.8.	4.2.1.11.
3.2.4.7.	3.3.1.10.	8.3.2.1.

- 5) The following sentences should read as follows:

a. Section 1.2.1.1. (second sentence) A person who has enrolled for **two** consecutive **semesters** may retain student status for one **semester** when ...

b. Section 3.2.4.6.1. Election of college representatives shall be completed by **April 1** of spring **semester**.

c. Section 3.2.4.6. The word "term" should be changed to **semester**; the date should be changed from "September 1" to **the first day of summer semester classes**.

d. Section 4.2.1.12. The date should be changed from "May 15" to **May 1**.

On a motion by Ms. Cook, supported by Dr. Mawby, **THE BOARD VOTED to approve** the amendments in the University **Bylaws for Academic Governance**.

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- B. It was recommended that the new "MSU Anti-Discrimination Policy" and "Procedures of the Anti-Discrimination Judicial Board" be approved on an interim basis. The administration is requested to take steps and resolve issues as necessary for their immediate implementation. The administration is also requested to initiate a cycle of consultative review in preparation of an administrative recommendation for final action by the Board of Trustees. A copy of the revised policy and procedures is included with the Board Agenda in the Office of the Secretary of the Board of Trustees.
- On a motion by Mr. Shingleton, supported by Dr. Mawby, **THE BOARD VOTED to approve** the recommendations.
- C. It was recommended that the Tenure System--Operating Principles of the Tenure System policy be revised to change from September 1 to August 16 for calculating appointment periods in the tenure system (operating principle number 1) is necessary to accommodate the semester calendar. The revision with respect to foreign nationals (operating principle number 7) is proposed in order to provide clarification and to reflect the University's current practice. A copy is included with the Board Agenda in the Office of the Secretary of the Board of Trustees.
- The University Committee on Faculty Tenure considered these changes at its meeting on March 11, 1992, and approved a motion of endorsement.
- On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the recommended changes in the policy to be effective April 3, 1992.
- D. The Trustee Policy Committee recommended to the Board of Trustees that the Food Science Building be renamed the G. Malcolm Trout Food Science and Human Nutrition Building.
- On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to rename** the building.
- E. The annual Affirmative Action report was presented by President DiBiaggio, Provost Scott, and Dr. Ralph Bonner at the morning committee meeting.
10. The reports and recommendations of the Trustee Finance Committee were presented by Ms. Reinhold.
- A. A Bid and Contract recommendation was presented as follows:
- A contract in the amount of \$176,182 be awarded to G. L. DePue and Associates Inc. of Williamston, Michigan, and that a budget in the amount of \$200,000 be established for the project entitled Forest Akers West Golf Course - Cart Path Paving.
- On a motion by Ms. Reinhold, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the contract.
- B. It was recommended that the Board of Trustees approve, as of July 1, 1992, the inclusion of Fidelity Investments and The Vanguard Group in the University's Base Retirement Plan for the investment and transfer of funds by individuals classified as Administrative Professional Supervisors, Administrative Professionals, Public Safety Officers (FOP), and Stagehands (Local 274).
- On a motion by Ms. Reinhold, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the recommendation.
- C. It was recommended that the Board of Trustees adopt the basic residence halls room and board rate of \$1,784 per semester effective fall semester 1992, and university apartments rates of \$313 per month for a one-bedroom apartment and \$345 per month for a two-bedroom apartment effective September 1, 1992.
- On a motion by Ms. Reinhold, supported by Dr. Mawby, **THE BOARD VOTED to approve** the recommendations.
- D. It was recommended that the Board establish the Walter F. Russow Memorial as a fund functioning as an endowment.
- On a motion by Ms. Reinhold, supported by Dr. Mawby, **THE BOARD VOTED to approve** the recommendation.

Anti-Discrimination Policy and Procedures of Anti-Discrimination Judicial Board approved on interim basis

Tenure System policy revised to accommodate system calendar and with respect to foreign nationals

Renaming of G. Malcolm Trout Food Science and Human Nutrition Building

Affirmative Action Report

Trustee Finance Committee

Bids & Contracts

Forest Akers West Golf Course - Cart Path Paving

Inclusion of Fidelity Investments & Vanguard Group in Base Retirement Plan for APS, AP, Public Safety Officers & Stagehands

Adoption of Residence Halls and University Apartments rates

Walter F. Russow Memorial Fund

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Projects financed
from General Fund

- E. The Trustee Finance Committee recommended to the Board of Trustees that the following projects be financed from the general fund during fiscal year 1991-92:

a. Semester Conversion	\$ 550,000
b. Course Contingency Funding	500,000
c. Classroom Improvements	450,000
	<u>\$1,500,000</u>

On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the recommendation.

Reports on
investment
activities and
budget and program
planning

- F. Two additional reports presented at the committee meeting included Trustee Sawyer's comments on investment activities and performances, and a report from President DiBiaggio regarding budget and program planning as a follow-up to Chairperson Pridgeon's request at the February 7, 1992, meeting.

Chairperson's
Report

11. The report of the Chairperson and Trustees included the following:

- A. Chairperson Pridgeon commented on the importance of maintaining the quality of the University during these periods of difficult budgets.
- B. Trustee Mawby reported on his attendance at the annual Association of Governing Boards meeting held in San Diego in March. There were excellent resource people and he thought it was a worthwhile experience which provided an opportunity to share concerns of the future with Trustees and officers of other Michigan institutions.

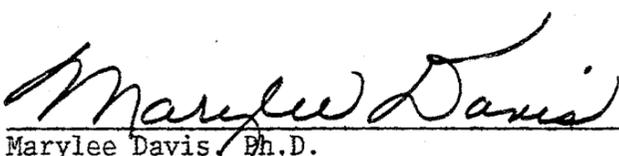
Dr. Mawby expressed that he was proud of the University in two particular recent instances. The first was when attending ANR Week and he wished to commend the faculty of the College. Also, he is proud of the recognition to the College of Human Medicine in being identified as the leading College of Human Medicine in the country in the preparation of family practice physicians. Dr. Mawby requested Secretary Davis to express the Board's commendation to the faculty for that recognition and distinction.

- C. Trustee Shingleton reported that at the recent AGB annual meeting he attended a session on the history of higher education which was conducted by Dr. Ernest Boyer, President of the Carnegie Foundation for the Advancement in Teaching. At that session, Dr. Boyer identified Dr. John Hannah as a leader in this century who did more for higher education than any other person. Trustee Shingleton stated that this recognition is a tribute to Dr. Hannah and to this University. Mr. Shingleton encouraged the participation of other Trustees at this annual conference.
- D. Trustee Cook expressed appreciation to Dr. Michael Schechter, in behalf of the Board, for his service to the University in the important search responsibility for an Athletic Director. She also thanked him for the time spent with her regarding the preliminary SpARC Report.
- E. Trustee Weiss requested that the issue of recycling be referred to the Trustee Policy Committee. He also thanked Coach George Perles for serving eminently under difficult circumstances as the Athletic Director.
- F. Student Liaison member Chris Kemnitz, on behalf of students, commented on the positive experiences in working with Dr. Gordon Guyer. Although Dr. Guyer was not in attendance at the Board meeting, Trustee Weiss also chose to express his appreciation since he was unable to attend the dinner that evening honoring Dr. and Mrs. Guyer.

12. The meeting was adjourned.



John DiBiaggio
President



Marylee Davis, Ph.D.
Secretary