

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

June 12, 1992

The Trustee Finance Committee and the Trustee Policy Committee meetings were held in the Board Room of the Administration Building beginning at 9:10 a.m. on Friday, June 12, 1992. 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 called to order by President John DiBiaggio at 11:20 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, and John D. Shingleton.

Trustee Robert E. Weiss was absent.

University officers present: President DiBiaggio, Provost Scott, Secretary Davis, General Counsel and Vice President Kurz, Vice Presidents Meyer, Pierre, Turner, and Wilkinson. Faculty Liaison representative present: Dr. Dozier Thornton. Student Liaison representatives present: Richard Edelmann, Erik Hendrickson, Chris Kemnitz, and Darren Tetens.

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

1. On a motion by Mr. Pridgeon, supported by Ms. Cook, **THE BOARD VOTED to approve** the proposed agenda.

2. On a motion by Mr. Shingleton, supported by Mr. Pridgeon, **THE BOARD VOTED to approve** the minutes of the February 26, 1992, and April 3, 1992, Board meetings.

3. Trustee GPA Award recipients for Spring Term 1992, listed below, were congratulated for their exceptional academic performance. Eric Lamison and David Shunkwiler were unable to be present.

Eric R. Lamison and Jacob R. Lorch	4.0000 GPA, First Highest (tied)
Dennis A. Murphy	3.9769 GPA, Second Highest
Kimberly J. Hovey	3.9644 GPA, Third Highest
Mary Margaret Slawski	3.9636 GPA, Fourth Highest, (tied)
David R. Shunkwiler	3.9615 GPA, Fourth Highest, (tied)

4. The following individuals addressed the Board of Trustees on the subject listed:

A. Dr. Dorothy McMeekin, Professor in the Department of Botany and Plant Pathology, questioned the fiscal priorities of the University in view of the physical condition of offices and classrooms.

B. Mr. Raymond Garcia, a graduate student in Sociology, spoke of his concerns for the future of doctoral students and the educational environment of the University.

C. Mr. Christopher M. Savage, a part-time MBA student, expressed his desire for evening classes for MBA students who are employed. Petitions were presented to the Board that had been signed by approximately 100 MBA students in support of evening classes. Professor Arthur Wolfe, Department of General Business and Business Law, urged the Board to study the need for an evening and weekend MBA program consistent with the land-grant philosophy.

D. Mr. John Lund, a graduate student in Social Science, commented on the quality of undergraduate education at the University.

E. Messrs. Frank Dolinar, President, and Cass Singer, Vice President, of the Lyman Briggs College Alumni Association requested the Board's assistance in gaining affiliation with the Michigan State University Alumni Association.

F. Ms. Rondy Scheidt, staff member and President of the Clerical-Technical Union, presented a communication from the MSU/Coalition of Labor Organizations requesting the administration to work with the coalition to achieve a balanced budget without using layoffs as a means of achieving budget reductions.

Trustee GPA Award
Recipients

Public
Participation

June 12, 1992

- G. Professor James R. Anderson, Department of History, commented on the budget reduction process and requested that academic governance be included in deliberations regarding the criteria to be used for program reduction or elimination.
 - H. Mr. Chris Kemnitz, student liaison member and Executive Director of ASMSU, presented a farewell resolution from the student assembly to President DiBiaggio expressing gratitude for his service to, and advocacy for, students.
 - I. Mr. Mark T. Light, an Attorney representing an MSU faculty member, requested the Board to carefully review and study the personnel action regarding a Professor facing discipline pursuant to the tenured faculty process which would be considered during their executive session.
5. President DiBiaggio announced that Counsel has requested that the Board of Trustees meet in Executive Session for the following purposes:
- A. To consider the dismissal, suspension, or disciplining of, or to hear complaint or charges brought against, an employee of the University, the employee having requested a closed hearing.
 - B. To consider with the Board of Trustees' attorneys their written opinion dated May 21, 1992, which opinion is exempt from disclosure under Section 8(h) of the Open Meetings Act and Section 13 (1)(h) of the Michigan Freedom of Information Act.
 - C. To consider the written opinion of University Counsel dated June 11, 1992, which opinion is exempt from disclosure under Section 8(h) of the Michigan Open Meetings Act and Section 13 (1)(h) of the Michigan Freedom of Information Act.

Public
Participation
continuedRequest for
Executive Session

On a motion by Mr. Pridgeon, supported by Ms. Cook, **A ROLL CALL VOTE was conducted** by Secretary Davis and the motion passed unanimously.

President DiBiaggio announced that the Board would go into Executive Session and reconvene sometime after 1:00 p.m.

6. The meeting of the Board of Trustees was reconvened by President John DiBiaggio at 1:45 p.m. in the Board Room.

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

Trustee Robert E. Weiss was absent.

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

7. The report of President DiBiaggio included the following:

President's
Report

- A. For the first time in MSU's 132-year history, there would be more than 5,000 degree candidates. Dr. Frank Press, President of the National Academy of Sciences, would be the speaker at the advanced degree ceremony and Dr. Walter E. Massey, Director of the National Science Foundation, would be addressing the undergraduates. Each speaker will be presented with an Honorary Doctor of Science degree.
- B. The University has recently been awarded significant research grants including a \$1.2 million grant from the Howard Hughes Medical Institute to support undergraduate science education and a \$250,000 grant to the Michigan Campus Compact Program from the Commission on National and Community service. President DiBiaggio reported that Dr. John Eulenberg has received notoriety for his humanitarian research in the Artificial Language Laboratory and that he is a remarkable individual and a marvelous asset to this University.
- C. President DiBiaggio commented on the difficult budget decisions that must be made and the effect of those decisions on faculty, staff, administrators, and students. He spoke of the University's continued commitment to quality and access.
- D. The Capital Campaign has passed \$200 million and is within 5% of the expanded \$210 million goal. President DiBiaggio reported, once again, that he is especially pleased with the success of the Special Gifts portion of the Campaign.

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President's
Report
continued

- E. Summer activities to begin on campus soon after commencement will include conferences, American Legion Boys State, College Week, Summer Sports Schools, and a variety of enrichment programs in science, mathematics, and other areas. Academic orientation will be taking place for approximately 9,000 expected new students.

Personnel
Actions
Appointments

8. Personnel Actions

A. Appointments

- 1) Conley, Mark W. AY-Associate Professor, Department of Teacher Education, \$38,000, with Tenure, effective January 1, 1992.
- 2) Wadland, William C. AN-Professor, Department of Family Practice, \$130,000, with Tenure, effective July 13, 1992.
- 3) Baker, Gregory L. AY-Associate Professor, Department of Chemistry, \$54,000, with Tenure, effective August 16, 1992.
- 4) Bertrand, Helmut. AY-Professor, Department of Microbiology and Public Health, \$80,000, with Tenure, effective August 16, 1992.
- 5) Flynn, Marilyn L. AN-Professor, School of Social Work, \$88,000, with Tenure, effective August 26, 1992.

Dr. Scott reported on the significance of the above appointments.

Promotion and
Tenure
Recommendations

B. Promotion and Tenure Recommendations

The report of Promotion and Tenure Recommendations is included in the Personnel Actions with the Board Agenda in the Office of the Secretary of the Board of Trustees.

Other Personnel
Actions

C. Other Personnel Actions

- 1) Gelbke, C. Konrad, AN-University Distinguished Professor, Department of Physics and Astronomy; National Superconducting Cyclotron Laboratory, to add title of Director, National Superconducting Cyclotron Laboratory, and for a change in salary rate from \$121,430 to \$126,000, effective July 1, 1992.

Provost Scott commented on the institutional and personal evolutions related to the appointment of Dr. Gelbke.

- 2) Proceedings under the University's "Dismissal of Tenured Faculty for Cause" policy.

On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to divide the question** so there could be a separate vote on item number 2, Proceedings under the University's "Dismissal of Tenured Faculty for Cause" policy. The motion to **divide the question** passed unanimously (7-0).

On a motion by Mr. Shingleton, supported by Ms. Sawyer, **THE BOARD VOTED to approve** the Appointments, Promotion and Tenure Recommendations, and Other Personnel Action regarding Professor Gelbke.

- 3) Trustee Cook presented the following resolution:

WHEREAS proceedings have been held under the University "Dismissal of Tenured Faculty for Cause" policy with respect to dismissal and/or other discipline of a University faculty member, as set forth in the minutes of the closed meeting of this date, and

WHEREAS the Board has reviewed the: Charge; Hearing Committee Report of September 11, 1991; University Committee on Faculty Tenure Decision on Appeal of December 1, 1991; Final Report and Recommendations of the Hearing Committee of December 17, 1991; Response of President and Supporting Rationale, and other documents related to this matter which are made a part of the minutes of the closed meeting of the Board of Trustees of this date,

Dismissal of
Tenured Faculty
for Cause

June 12, 1992

NOW, THEREFORE BE IT RESOLVED that:

- a. The "Findings of Fact" made by the Hearing Committee at pages 2-9 of their written report and decision of September 11, 1991 (as resubmitted on December 17, 1991), are supported by substantial evidence and that the charges made against the tenured faculty member have been proven by clear and convincing evidence and the Board adopts and approves the same.
- b. The Board adopts and approves the "Response of President and Supporting Rationale" of May 14, 1992, and directs that the disciplinary action and remedial action recommended by the President in his May 14, 1992 "Response of President and Supporting Rationale" at pages 7-9 be implemented as set forth therein.

On a motion by Ms. Cook, supported by Mr. Pridgeon, **THE BOARD VOTED to approve** the resolution. It was a unanimous vote (7-0).

9. On a motion by Ms. Sawyer, supported by Ms. Reinhold, **THE BOARD VOTED to approve** the Gift, Grant and Contract Report for the period March 7, 1992, through May 8, 1992, with a total value of \$32,639,947.26. The report is included with the Board Agenda in the Office of the Secretary of the Board of Trustees.
10. The reports and recommendations of the Trustee Finance Committee were presented by Ms. Sawyer, the Committee Chairperson.

A. Bid and Contract recommendations were presented as follows:

- 1) A contract in the amount of \$389,800 be awarded to Kares Construction Company, Inc., of Lansing, Michigan, and that a budget in the amount of \$465,000 be established for the project entitled Manly Miles Building - Modify HVAC System.
- 2) A contract in the amount of \$171,200 be awarded to Hanel-Vance Construction Co., of Okemos, Michigan, and that a budget in the amount of \$222,000 be established for the project entitled North & South Kedzie Halls - Barrier-Free Alterations.
- 3) A contract in the amount of \$633,970 be awarded to Grand River Construction, Inc., of Hudsonville, Michigan, and that a budget in the amount of \$780,000 be established for the project entitled Olin Memorial Health Center - New Electrical Substation.
- 4) A contract in the amount of \$271,000 be awarded to Kares Construction Company, Inc., of Lansing, Michigan, and that a budget in the amount of \$405,500 be established for the project entitled South Kedzie Hall and Old Horticulture Building - Site Accessibility Renovations.
- 5) A contract in the amount of \$241,727 be awarded to Schreiber Corporation, of Detroit, Michigan, and that a budget in the amount of \$304,000 be established for the project entitled Spartan Village/Cherry Lane Apartments - Replace Roofing on Buildings 915, 917, 919, 921, 923, 925, 927, 929, 931, 1518, 1519, and 1520.
- 6) A contract in the amount of \$99,700 be awarded to Delta Electrical Contractors of Lansing, Inc., from Lansing, Michigan, and that a budget in the amount of \$146,000 be established for the project entitled Union Building - Rewire Third and Fourth Floors.

On a motion by Ms. Sawyer, supported by Ms. Cook, **THE BOARD VOTED to approve** the Bid and Contract recommendations with a consent agenda format.

- B. It was recommended that the Board of Trustees establish the Celebrity Lecture Series as a fund functioning as an endowment.

On a motion by Ms. Sawyer, supported by Mr. Shingleton, **THE BOARD VOTED to establish** the fund functioning as an endowment.

- C. It was recommended that the Board of Trustees purchase approximately 48 acres of land known as the Ceren Farm adjoining the Trevor Nichols Research Complex in Allegan County at a cost of \$102,000. Funds will come from the Agriculture Land Fund.

On a motion by Ms. Sawyer, supported by Dr. Mawby, **THE BOARD VOTED to purchase** the land.

Other Personnel
Actions
continued

Dismissal of
Tenured Faculty
for Cause

Gift, Grant &
Contract Report

Trustee Finance
Committee

Bids & Contracts

Manly Miles Bldg.
Modify HVAC System

North & South
Kedzie Halls
Barrier-Free
Alterations

Olin Memorial
Health Center
New Electrical
Substation

South Kedzie and
Old Horticulture
Building site
accessibility
renovations

Spartan Village &
Cherry Lane roof
replacements

Union Building
Rewire Third and
Fourth floors

Celebrity Lecture
Series Fund

Purchase of
Ceren Farm in
Allegan County

June 12, 1992

Trustee Finance
Committee cont.
Adoption of
Interim Budget

- D. It was recommended that the Board of Trustees adopt an interim budget which will permit the operation of the University at 1991-92 budget expenditure levels until the 1992-93 budgets have been established.

This expenditure authorization will be as follows:

University General Fund	\$420,861,000
Agricultural Experiment Station	29,742,644
Cooperative Extension Service	32,576,522
Intercollegiate Athletics Program	14,421,000

On a motion by Ms. Sawyer, supported by Dr. Mawby, **THE BOARD VOTED to adopt** the interim budget.

Adoption of
Guidelines for
Development of
1992-93 Budgets

- E. It was recommended that the Board of Trustees adopt the Guidelines for the Development of the 1992-93 Budgets and direct the administration to implement the tuition and fee schedule contained in the recommendation, and to develop the General Fund, Agricultural Experiment Station, Cooperative Extension Service, and Intercollegiate Athletics budgets in accordance with the guidelines for submittal to the Board at its July meeting.

On a motion by Ms. Sawyer, supported by Mr. Shingleton, **THE BOARD VOTED to adopt** the Guidelines in accordance with tuition Alternative B.

Trustee Sawyer indicated regret regarding the budget proposal, yet pleased there would be an allocation for infrastructure and deferred maintenance which is a major fiduciary responsibility of the Board. In response to Trustee Sawyer's compliment to the student leadership, Mr. Darren Tetens commented that he was pleased with the budget process and hopeful it is indicative of future student involvement. President DiBiaggio expressed appreciation to the students as he recognized the time commitment involved. Trustee Cook applauded the Board for not backing away from their commitment to the infrastructure needs which resulted from Trustee Reinhold's report to the Board following her tour of University facilities.

Committee discussion
on Scope of Annual
Audit

- F. At the morning meeting, the Committee discussed the Scope of the Annual Audit with representatives from Ernst & Young.

Committee Report
on Parking Ticket
Agreement with
City of E. Lansing

- G. The Committee received a report from Vice President Wilkinson on the Parking Ticket Agreement with the City of East Lansing. Mr. Wilkinson's memorandum is included with the Agenda in the Office of the Secretary of the Board

Committee review
of funding for
Presidential Search

- H. The Committee reviewed the need to provide funding for the Presidential Search process.

Trustee Policy
Committee

11. The reports and recommendations of the Trustee Policy Committee were presented by Mr. Ferguson.

Approval of
Academic Specialist
Appointment System

- A. It was recommended that the Board of Trustees approve the Academic Specialist Appointment System which replaces in its entirety the Board of Trustees' resolution on the specialist position category approved on November 19, 1959. The document is included with the Agenda in the Office of the Office of the Secretary of the Board of Trustees.

On a motion by Dr. Mawby, supported by Ms. Reinhold, **THE BOARD VOTED to approve** the Academic Specialist Appointment System effective September 1, 1992.

Amendments to
Bylaws for Academic
Governance

- B. It was recommended that the Board of Trustees approve amendments to the University Bylaws for Academic Governance resulting from changes in student government that deal directly with student representation. A copy is included with the Agenda in the Office of the Secretary of the Board of Trustees.

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

Dr. Mawby commended student organizations and leaders for this step and progress.

June 12, 1992

Trustee Policy
Committee cont.Establishment of
Drug Education &
Testing Policy for
Student Athletes

- C. It was recommended that the Board of Trustees approve the establishment of a Drug Education and Testing Policy for Student Athletes at Michigan State University as set forth in Attachment A. In addition, the Board of Trustees acknowledges the leadership taken by Michigan State University in adopting a formal and comprehensive Drug Education and Testing Policy for Student Athletes and directs that the University representatives actively work with the Big 10 and the NCAA to incorporate a similar policy into the Big 10 and NCAA rules and regulations. The policy is included with the Agenda materials in the Office of the Secretary of the Board of Trustees.

On a motion by Mr. Ferguson, supported by Ms. Cook, **THE BOARD VOTED to approve** the recommendation.

- D. At the morning committee meeting, Provost Scott commented on the reorganization of the Department of Human Relations and provided an update on the Anti-Discrimination Policy and Procedures.

Report to Committee
on reorganization
of Human Relations
& update on Anti-
Discrimination Policy

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

Chairperson's
Report

- A. Chairperson Pridgeon presented the following statement:

"Mr. President, there are some things that have happened that I would like to put on the official record that most of you are probably aware of. When it became obvious that there was a need for the appointment of an interim president, I appointed a committee to make a recommendation to the Board consisting of Trustee Mawby, Weiss, Cook, and Sawyer. They functioned so well in that capacity that I am now asking them to be a planning committee, to be a presidential search planning committee. Their charge is to develop a plan for a presidential search and have it ready for presentation to this Board at the July meeting and the Board can modify, reject, send them back, or do whatever they want with it."

Appointment of
Committee to
Develop Plan for
Presidential Search

- B. Mr. Pridgeon said he wished to publicly express regret that President DiBiaggio would be leaving the University and commented on his impact to the University with improved relations with alumni, a successful Capital Campaign which has exceeded original goals, and a renewed awareness of the land-grant mission.

- C. Ms. Cook clarified information reported in a recent Detroit newspaper article by George Weeks about the purpose of President DiBiaggio's upcoming trip to Africa. The President will receive an honorary degree and his expenses will be paid by the Midwest University Consortium for International Activities. Trustee Reinhold, who will accompany him, has volunteered to pay her own expenses so that she can have this international experience.

Trustees'
Comments

Trustee Cook also commented on her recent visit to the Grand Rapids Area Medical Education Program and urged others to visit the MSU medical facilities in their communities. She thanked Mr. Meyer for the opportunity and experience of working on the Capital Campaign with his creative and energetic staff.


- D. President DiBiaggio acknowledged the participation of student liaison members Chris Kemnitz, Darren Tetens, and Richard Edelmann. Each student responded with gratefulness for the experience. Chris Kemnitz commented that the relationships and personal interchanges have been a valuable piece of the educational process. Darren Tetens thanked the Board, the President, Provost, and Vice Presidents for the openness and inclusion of students in the budget process with the hope that students will be included in future years. Richard Edelmann spoke of his continuing advocacy for graduate students.

- E. Mr. Shingleton remarked about the recent honors reception recognizing the accomplishments of handicapper students and encouraged other Trustees to attend such events.

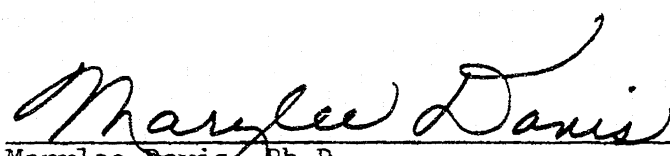
- F. President DiBiaggio commended the Board for making difficult budget decisions and recognized that approval of the budget guidelines is the most difficult decision that Trustees must make during the year. However, this is a particularly difficult year and he is hopeful that in the future the State will be in a position to more handsomely support State institutions. He assured the Board that his colleagues are committed to controlling costs to assure efficiencies in the institution and will propose a long-range plan to assure an investment in those areas with the greatest potential for success which most closely meets the purposes of the University. Future recommendations to the Board will reflect those concerns.

June 12, 1992

13. The meeting was adjourned.



John DiBiaggio
President



Marylee Davis, Ph.D.
Secretary