

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

June 14, 1996

Trustee Policy Committee and Trustee Finance Committee meetings were held in the Board Room of the Administration Building beginning at 9:00 a.m. on Friday, June 14, 1996. Minutes of the meetings are on file in the Office of the Secretary of the Board of Trustees.

President McPherson called the meeting of the Board of Trustees to order at 9:55 a.m. in the Board Room.

Trustees present: Dolores M. Cook, Dorothy Gonzales, Russell G. Mawby, Colleen McNamara, Donald W. Nugent, John D. Shingleton, Bob Traxler, and Robert E. Weiss.

University officers present: President McPherson, Provost Simon, Secretary Pogel, General Counsel and Vice President Noto, Vice Presidents Denbow, Greenleaf, June, Webb, Webster, and Wilkinson, Acting Vice President Gast, and Executive Director Williams. Faculty Liaison representative present: Carla Carleton and Maureen McDonough. Student Liaison representatives present: Frank Aiello and Karin Peterson.

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

1. On a motion by Dr. Mawby, supported by Ms. Gonzales, **THE BOARD VOTED to approve** the proposed agenda.
2. On a motion by Ms. Cook, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the minutes of the Board meeting of April 12, 1996.
3. President's Report

President's
Report

- A. President McPherson commented on the death of Dr. Edgar L. Harden who served as the fifteenth President of Michigan State from January 1978 to August 1979. Dr. Harden's importance to the University was recognized as well as his many years of service.
- B. President McPherson expressed gratitude to General Counsel Noto for his direction of preparations for the NCAA hearing. He said the NCAA Committee and staff also seemed appreciative.
- C. On May 23, press briefings were held in Lansing, Grand Rapids, and Detroit to announce the Technology Guarantee program. MSU students will have intensive, quality-based technological experiences; access to e-mail that will continue free for two years following graduation; and, by January 1979, the first virtual university courses are expected to be available. Dr. Robert Church, Assistant Vice Provost for University Outreach and Professor of Educational Administration, will lead the initiative.

Trustee McNamara said technology is rapidly changing and for the University to remain competitive, it must be bold, take risks, and be thoroughly committed to this new direction.

4. Guiding Principles Report

Guiding Principles
Report

Vice President Greenleaf reported this summer the President and Provost began the first comprehensive review of the relationship between The Principles and implementation of various initiatives throughout the University.

He also commented on the announcement of the gold medal award of the year presented by CASE (Council for the Advancement and Support of Education) to University Relations for its presentation "A Framework for Advancing the People and Programs of Michigan State University through the Guiding Principles." Vice President Greenleaf said this is a distinct honor, one which he believes results from the merits of the Guiding Principles as well as the merits of Vice President Denbow and his University Relations colleagues.

5. There were no requests to address the Board of Trustees on issues germane to the agenda.

Public
Participation
Germane to Agenda -
none

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Personnel Actions

6. Personnel Actions

Provost Simon presented the following personnel actions:

Appointments

A. Appointments

- 1) Goldstein, Lynne G., AN-Professor, Department of Anthropology, \$92,000, with Tenure, effective August 1, 1996.
- 2) Ryan, Ann Marie, AY-Associate Professor, Department of Psychology, \$67,500, with Tenure, effective August 16, 1996.

Other Personnel Action

B. Other Personnel Action

- 1) Leroi, George E., AN-Professor and Acting Dean, Dean's Office, College of Natural Science; Department of Chemistry, to change title to Dean, and for a change in salary from \$123,579 to \$140,000, effective June 15, 1996.

Promotion and Tenure Actions

C. Promotion and Tenure Actions

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.

On a motion by Mr. Shingleton, supported by Dr. Mawby, **THE BOARD VOTED to approve** the Appointments, Other Personnel Action, and Promotion and Tenure Actions.

Information Reports of Academic Personnel Actions

D. Information Reports of Academic Personnel Actions of April 26, 1996 and May 31, 1996 were distributed with the Board Agenda and have been included with the agenda materials in the Office of the Secretary of the Board of Trustees.

Gift, Grant and Contract Report

7. The Gift, Grant and Contract Report for the period of March 16, 1996 through May 17, 1996 was presented by Dr. Gast. The report is a compilation of 338 Gifts, Grants and Contracts, 39 Consignment/Non-Cash Gifts, and no Consignment/Non-Cash Loans, with a total value of \$47,718,964.30. The report is included with the Board Agenda in the Office of the Secretary of the Board of Trustees.

On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the Gift, Grant and Contract Report.

Dr. Gast reported that sponsored program support is a little less than 5 percent behind last year, but within the uneven nature of the awards. NIH and NSF funding, two sources that make up over 50 percent of the federal funding, is 18 percent ahead of last year.

Trustee Policy Committee

8. Committee Chairperson McNamara presented the report of the Trustee Policy Committee.

MSU Ordinances 38.00 Roller Skates and 27.00 Selling and Advertising

MSU Ordinances 38.00 Roller Skates and Similar Devices, and 27.00 Selling and Advertising, were reviewed by the Committee and the following recommendations were presented.

Ordinance 38.00 Roller Skates and Similar Devices

A. It was recommended to amend University Ordinance 38.00, Roller Skates and Similar Devices, to include skateboards. Skateboarding has not been included in the Ordinances and considerable damage has been done at certain locations. The Committee recommended that skateboarding be included with the same restrictions as other recreational vehicles rather than be totally banned from the campus. In one year, the Board expects to receive a report from the Administration on whether or not damage has been lessened.

38.00 Roller Skates and Similar Devices

- .01* Coasters, roller skates, roller blades, in-line skates, skateboards, and similar devices restricted. No person on roller skates, roller blades, or a skateboard, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street within a crosswalk. In so crossing the street, such person holds the rights and is subject to the duties applicable to pedestrians. No person upon a skateboard shall go in or

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upon any steps or walks. No person upon roller skates, roller blades, a skateboard, in-line skates or similar device shall go in or upon any parking ramp, buildings, gardens, or any other posted areas. Restricted areas will be clearly marked.

Trustee Policy Committee cont.
Ordinance 38.00 Roller Skates and Similar Devices continued

*Denotes Civil Infraction

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

- B. It was recommended to amend University Ordinance 27.00, Selling and Advertising, as the first step of a two-step process. The first step is to update the Selling portion of the Ordinance to make it more enforceable. The revised Selling Ordinance prohibits selling on campus without a written permit granted by the Secretary of the Board of Trustees or the Secretary's designees. General guidelines for granting permits will be developed and provided to the Policy Committee for information.

Ordinance 27.00 Selling and Advertising

27.00 Selling and Advertising

.01* Unauthorized Sales and Solicitations Prohibited

No person or entity may sell or solicit sales of items or services, or solicit contributions, on University premises without an authorized written permit, which permit must be promptly exhibited to any requesting University representative.

Authority to set standards for and to grant permits is vested in the Secretary of the Board of Trustees. The Secretary may prohibit sales and solicitations or regulate the time, place and manner of sales and solicitations, as to all University properties or as to specified areas or facilities. The Secretary may designate other University administrators to grant permits for specified areas or facilities in accordance with established standards.

*Denotes Civil Infraction

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

Trustee Shingleton reported that a concern for the future of advertising on campus was raised at the Committee meeting. He asked the administration to provide background information that would facilitate discussing the issues. Although the Advertising Ordinance discussion would be initiated by the Policy Committee, Trustee Cook said the entire Board would eventually be engaged in the dialogue since it is a matter of broad policy for the University.

9. The Trustee Finance Committee report and recommendations were presented by Committee Chairperson Nugent.

Trustee Finance Committee

A. Bids and Contract Awards were recommended as follows:

Bids and Contract Awards

- 1) a contract in the amount of \$1,099,645.20 be awarded to Turf Drain, Inc., Novi, Michigan, and that a budget in the amount of \$1,282,000.00 be established for the project entitled: Akers East Golf Course Improvements.
- 2) reject bids for project entitled: Giltner Hall Renovation of Rooms 164 and 165.
- 3) a contract in the amount of \$134,688 be awarded to Architectural Image Construction and Equipment, Inc., of Mason, Michigan, and that a budget in the amount of \$166,000 be established for the project entitled: Natural Resources - Alterations in Room 158.
- 4) a contract in the amount of \$204,400 be awarded to Kares Construction Company, Inc., of Lansing, Michigan, and that a budget in the amount of \$269,500 be established for the project entitled: Nisbet Building Accessibility Improvements.

Akers East Golf Course Improvements

Giltner Hall Renovations - reject bids

Natural Resources alterations

Nisbet Building Accessibility Improvements

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Trustee Finance
Committee cont.
Bids & Contract
Awards cont.

Parking Lots 56 &
57 Reconstruction

Sewer System Install
Permanent Flow
Meters - reject bids

Spartan Stadium
Renovate Rest Rooms

9. A. 5) a contract in the amount of \$315,400 be awarded to ABC Paving Co., Albion, Michigan, and that a budget in the amount of \$503,000 be established for the project entitled: Parking Lots 56 and 57 Reconstruction.

- 6) reject bids for project entitled: Sewer System - Install Permanent Flow Meters.

- 7) a contract in the amount of \$148,000 be awarded to G.P. Graham Construction, Inc., of Saginaw, Michigan, and that a budget in the amount of \$185,000 be established for the project entitled: Spartan Stadium Renovate Rest Rooms on Southeast Lower Concourse.

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

Funds Functioning
as Endowments

Agricultural
Economics
Discretionary Fund

Biochemistry Under-
graduate Fellowship

Bruce Fossum Endowed
Scholarship

MSU Educational
Enrichment and
Outreach Fund and
Harold Schultz and
Raymond Schultz
Memorial Fund

B. Funds Functioning as Endowments

- 1) It was recommended to establish the Department of Agricultural Economics Discretionary Fund as a fund functioning as an endowment.

- 2) It was recommended to establish the Department of Biochemistry Undergraduate Fellowship as a fund functioning as an endowment.

- 3) It was recommended to establish the Bruce Fossum Endowed Scholarship as a fund functioning as an endowment.

- 4) It was recommended to establish the MSU Educational Enrichment and Outreach Fund and the Harold A. Schultz and Raymond P. Schultz Memorial Fund as funds functioning as an endowment.

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

Agreement with
Pulte Homes -
Defer authorization

- C. It was recommended to defer authorization to enter into an agreement to sell to Pulte Homes approximately 52 acres of land at \$20,000 per acre. The University administration will review this matter further and be prepared to report at the October 1996 Board meeting.

Berrien County
Lease for County
Extension office

- D. It was recommended to enter into a 40-year ground lease with Berrien County for the construction of a County Extension office at the Southwest Michigan Research and Extension Center in Benton Harbor.

Authorization to
negotiate and
execute oil and gas
lease Troy Management
Education Center

- E. It was recommended that the Vice President for Finance and Operations be authorized to negotiate and execute a non-development oil and gas lease on 24.327 acres at the Troy Management Education Center in Troy, Michigan.

On a motion by Mr. Nugent, supported by Mr. Traxler, **THE BOARD VOTED to approve** the recommendation.

Grant option to
Citizens Commercial
& Savings Bank to
purchase lots leased
to Avon Playhouse
Corporation

- F. It was recommended to grant Citizens Commercial & Savings Bank an option to purchase for appraised value two lots leased to the Avon Playhouse Corporation, in conjunction with a proposed mortgage loan to the Avon Playhouse Corporation, and that University administration be authorized to take all necessary and advisable steps in furtherance of the grant of option.

On a motion by Mr. Nugent, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the recommendation. The vote was 7 to 1. Mr. Weiss abstained, as he is a stockholder.

Adoption of 1996-97
Operating Budgets

- G. It was recommended to adopt the 1996-97 operating budgets for the University General Fund, the Agricultural Experiment Station, Michigan State University Extension, and Intercollegiate Athletics.

On a motion by Mr. Nugent, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the recommendation. The vote was 6 yes, 1 no, and 1 abstention. Trustee Weiss voted no, and Trustee Traxler abstained.

Trustee Weiss commented as follows: "There is a definite tax shift going to the middle class in this country. These people are trying to educate their children--trying to provide a better life for them. It has become increasingly more difficult for them to do that, and government is not being very helpful. I am going to vote no, not because

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I disagree with most of the budget. I have been an advocate of a tuition tax credit at the federal level as well as the State level. It is my understanding that in order to take advantage of the current State tax credit, tuition has to be no higher than a 2.8% increase. We are going to 3%, which will make our residents ineligible. At the same time I commend this Board, particularly the President, for efforts to give a tuition guarantee and to keep tuition and accessibility of this campus available to the middle class."

Trustee Traxler clarified that his vote was not a reflection upon the administration or the Committee personally, but that he had reservations about the process.

- H. Trustee Nugent reported on the discussion with representatives of Arthur Andersen & Co. to review the scope of the annual audit examination for the year ending June 30, 1996. Auditors were also asked to verify three particular areas: 1) to assure that DCL/MSU are proceeding along properly with proper documentation; 2) NCAA, because of the visibility of the issue; and 3) verify that construction is proceeding on schedule in cost and timeliness.

10. Chairperson's Report and Trustees' Comments

- A. Dr. Mawby announced his decision to resign from the Board of Trustees effective Wednesday, June 19, 1996. His letter of resignation is included with the agenda materials in the Office of the Secretary of the Board of Trustees.

Dr. Mawby stated, "For more than 45 years, my wife, Ruth, has supported me in every way possible in my professional career and my public service activities. At this point in our lives, she needs more of my time, attention and support. This will be my highest priority."

Dr. Mawby said it has been a privilege to serve his alma mater as a Trustee and expressed gratitude to Governor Engler for appointing him in January 1992 to fulfill the balance of the term to which Tom Reed was elected. He also expressed appreciation to his fellow Trustees for the opportunity of working with them in service to the people of the State; to President McPherson, Provost Simon, Vice President Wilkinson, and Secretary Pogel; and to students, faculty, staff, officers, alumni, and friends of the University. He said it has been a privilege to serve during an exciting and dynamic time in the history of humanity and an exciting time in the history of the University. Dr. Mawby said he is hopeful there will be other ways in which he can be helpful to the University in the future.

President McPherson; Trustees McNamara, Nugent, Gonzales, Shingleton, Cook, and Weiss; Secretary Pogel, and Student Liaison Frank Aiello expressed appreciation to Dr. Mawby for his leadership and contributions to the University.

11. The following individuals addressed the Board of Trustees on issues not germane to the agenda.

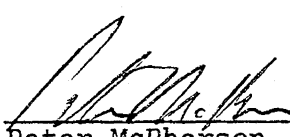
- A. Amy Shindorf, an MSU student, spoke to the Board for a second time to request either a commitment from the University or a decision regarding participation in the Green Lights Program. Participants currently include the State of Michigan and more than 30 other universities.

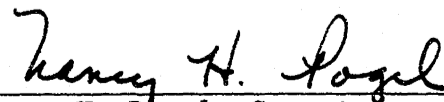
In response to Trustee Weiss's request for the Policy Committee to review this issue, Trustee McNamara said she had requested a report from Vice President Wilkinson for the committee to review.

- B. Wycliffe M. Sande, former MSU student, asked to receive the materials he had previously requested from the Provost, Ombudsman, and Registrar.

12. An Executive Session was not requested.

13. On a motion by Mr. Shingleton, supported by Mr. Weiss, the meeting adjourned at 11:35 a.m.


Peter McPherson, President


Nancy H. Pogel, Secretary

Trustee Finance
Committee cont.
1996-97 Operating
Budgets continued

Reports - Scope
of Annual Audit

Chairperson's
Report and Trustees'
Comments

Dr. Mawby's
resignation from
Board of Trustees

Public
Participation on
Other Issues

Executive Session
not requested