

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

March 7, 1996

A Trustee Policy Committee work session was held in the Corniche Room of the Kellogg Center beginning at 2:00 p.m. on Thursday, March 7, 1996. The Committee work session was followed by an Information Session attended by all Board members for a budget overview and discussion of the proposed Student-Athlete Conduct Policy.

Trustee Policy  
Committee Work  
Session

The special meeting of the Board of Trustees was called to order by President McPherson at 4:33 p.m. in the Corniche Room.

Special Meeting

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

Trustee absent: Russell G. Mawby.

University officers present: President McPherson, Provost Simon, Vice Presidents June and Wilkinson, and Secretary Pogel. General Counsel and Vice President Noto, Vice Presidents Denbow and Webster, and Senior Presidential Advisor and Assistant Provost Hesse were in the audience.

Faculty Liaison representatives present: Maureen McDonough and Charles Nelson.  
Student Liaison representatives present: Sha-Ron Hampton and Matthew Nelson.

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

1. On a motion by Mr. Shingleton, supported by Ms. Cook, **THE BOARD VOTED to approve** the proposed agenda.
2. President McPherson announced there were no requests to address the Board of Trustees on issues germane to the agenda or on other issues. Faculty and Student Liaison members were asked if they wished to make presentations germane to the agenda topic.
  - A. Professor Maureen McDonough reported the student-athlete policy had not been discussed formally in the governance system, in committees or in Academic Council. Faculty members who had discussed the policy with her in person or by e-mail were opposed since student athletes were singled out.
  - B. Matthew Nelson, Student Liaison, read a motion from the Academic Assembly meeting of October 17, 1995 which stated that all MSU students should follow the rules of conduct in the Academic Freedom Report and should be dealt with equally under those provisions. Mr. Nelson said students opposed the policy for philosophical, practical, and procedural reasons. He stated that to segregate out one subset of the community confused the most important reason students were here which was to be a part of a learning community. He said that the issue under consideration was of great importance to students, and he objected to action being taken when most students were not on campus.
  - C. Student Liaison Sha-Ron Hampton said students should have been involved in the discussions, and the policy discriminates student athletes by separating them from the rest of the student body. He recommended that the policy be reevaluated and that students be involved in the discussions.
  - D. Professor Charles Nelson voiced concern that the proposed policy had not gone through Academic Council for faculty to have an opportunity to discuss it in open forum. Team membership was not the only concern, he said; there should be high standards for all members of the community.

Public  
Participation  
Issues Germane to  
Agenda - None

Comments of  
Faculty and Student  
Liaison members

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Student-Athlete  
Conduct Policy

3. Trustee Policy Committee Chairperson McNamara presented the proposed Student-Athlete Conduct Policy.

Student-Athlete Conduct Policy

Student-athletes are high profile members of the Michigan State University (MSU) community. The Department of Intercollegiate Athletics views students who meet the academic standards and who have the athletic ability to participate in intercollegiate competition, through team membership, as talented, dedicated representatives of MSU. Student-athletes who have earned the privilege of representing MSU in intercollegiate athletics are expected to uphold high standards of personal conduct and are subject to all team rules, as well as to general University rules and regulations governing student conduct and disciplinary procedures.

Any student-athlete who, while a member of an MSU intercollegiate athletic team, is convicted of a felony<sup>1</sup> will be suspended from the MSU intercollegiate athletic team of which he or she is a member and thereby precluded from participation in games and all other benefits related to team membership.<sup>2</sup> The student-athlete may request an exception to this rule. The President, upon recommendation of the coach and after consultation with the Director of Intercollegiate Athletics and the Vice President for Finance and Operations, may grant such an exception.

A former student-athlete who has been suspended from the team may submit a written application for reinstatement to the team to the Director of Intercollegiate Athletics. The application must include a recommendation from the team's coach that the former student-athlete be reinstated. After reviewing the recommendations of the coach and the advice of the Director of Intercollegiate Athletics and the Vice President for Finance and Operations, the President shall decide whether to grant or deny the application for reinstatement. If the President grants the application, the President shall determine when and on what terms or conditions the former student-athlete will be reinstated.

On a motion by Ms. McNamara, supported by Mr. Weiss, **THE BOARD VOTED to approve** the Student-Athlete Conduct Policy to be effective June 1, 1996. The Board of Trustees voted 6 to 1 in support of the recommendation. Trustee Gonzales voted No.

Prior to the vote, the following discussion occurred:

- A. Trustees Weiss said he appreciated the comments of faculty and student representatives. In response, he stated that the proposal had been discussed for more than a year and a half with the Student Athletic Advisory Committee and the Athletic Council. Many of the comments raised in those consultations were taken into consideration and included in the policy. Mr. Weiss noted that this was one step in an ongoing process, and he expected other areas would be reviewed and consultation would take place. Mr. Weiss remarked that this policy would send a message that the University expected students to be responsible for their conduct.

<sup>1</sup> Felonies are serious crimes. They usually involve conduct that creates a significant danger to the community. In most states, the following types of crimes, among many others, are likely to be felonies: murder, arson, rape, robbery, burglary, and the manufacture, sale, or other distribution of illegal drugs. Major thefts (like stealing a car), crimes committed with weapons, serious assaults and other crimes involving violence, frauds, the possession of illegal drugs other than small quantities of marijuana, and sexual assaults are often felonies. Students who commit felonies but become participants in programs that may result in the removal of the felony conviction from their records if certain conditions are met, will not be considered to have committed a felony for purposes of this policy unless the student-athlete violates a condition of the program and the felony is entered permanently on the student-athlete's record.

<sup>2</sup> These benefits include, for example, weight training and conditioning, training table meals, travel with the team, dressing for games, practice with the team, athletic academic support services, and athletic medical support services. Violation of this policy and suspension from the team may also result in nonrenewal of the student-athlete's athletic scholarship.

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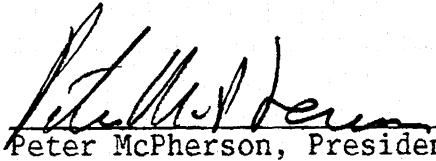
Student-Athlete  
Conduct Policy  
discussion  
continued

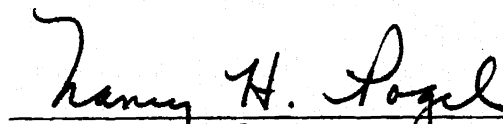
- B. Trustee Gonzales requested clarification of the student and faculty comments that there had not been enough inclusiveness in the decision making. Dr. McDonough and Matt Nelson each responded that the proposal had not had the usual community-wide discussions within the appropriate governance systems.
  - C. Trustee Nugent responded that specifically identifying only student-athletes as representing the University was a valid issue. However, he said the policy should be approved, and suggested that the Policy Committee, faculty and students begin considering a more inclusive conduct policy.
  - D. Trustee Shingleton, responding to a comment about the serious crimes identified in the policy, said the University had to be concerned for the well-being and safety of all its students.
  - E. Trustee Traxler commended the students for their thoughtful, articulate presentations. He spoke of the University being a constitutional entity that is owed respect and commitment in terms of proper conduct.
  - F. Trustee Gonzales asked if the policy could be amended to include all students rather than just student-athletes. President McPherson advised that it would be inappropriate without the policy having been presented to the faculty and student governance groups.
4. President McPherson reported it had been requested that the Board of Trustees meet in Executive Session to discuss strategy connected with negotiations of collective bargaining agreements. The session was exempt from disclosure under Section 8(c) of the Michigan Open Meetings Act.

Request for  
Executive Session

On a motion by Mr. Weiss, supported by Mr. Shingleton, a **ROLL CALL VOTE** was conducted by Secretary Pogel. The motion passed unanimously for the Board to meet in Executive Session.

5. The meeting adjourned at 5:18 p.m. for Executive Session.

  
Peter McPherson, President

  
Nancy H. Pogel, Secretary