

MINUTES OF THE MEETING  
of the  
MICHIGAN STATE UNIVERSITY  
BOARD OF TRUSTEES  
February 2-3, 1984

President Mackey called the meeting to order in the Lincoln Room of the Kellogg Center at 4:37 p.m., February 2.

Present: Trustees Crim, Dade, Fletcher, Lick, Martin (arrived at 5:15 p.m.), Reed, Sawyer, and Wilson; President Mackey, Provost Winder; Vice Presidents Breslin, Cantlon, Dickinson, Schonbein, Stewart, Thompson, and Turner; Associate Vice President and Secretary Wilkinson, General Counsel Carr, Assistant to the President Carlisle, Faculty Liaison Group, and Student Liaison Group.

1. Approval of Proposed Agenda

Trustee Dade moved approval of the proposed agenda, seconded by Trustee Wilson.

Trustee Fletcher moved that the agenda be amended to adopt a resolution opposing the concept advanced in the Executive Office and by some legislators on a tuition freeze. The amendment failed for the warrant of a second.

Trustee Fletcher moved that the agenda be amended to include a resolution outlining the Board of Trustees position with liaison groups. Seconded by Trustee Reed. Approved by a vote of 7 to 0.

Trustee Fletcher moved that the agenda be amended to include a review of the report on the status of the State News recently compiled by Vice President Turner. The amendment failed for the warrant of a second.

Trustee Fletcher moved that the agenda be amended to include a resolution that would rescind the pay increase extended to Coach Perles, effective December 3, 1983. The motion failed for the warrant of a second.

Trustee Wilson moved that the agenda be amended to include a Trustee comment section. Seconded by Trustee Fletcher. Approved by a vote of 7 to 0.

The agenda, as amended, was approved by a vote of 6 to 1. Trustee Fletcher voted No.

2. Executive Session

President Mackey stated that an Executive Session has been requested at noon on February 3 under Section 8. (e) of the Open Meetings Act to consult with the University Attorney on pending litigation. The approval of this Executive Session requires a roll call vote. At the request of Trustee Fletcher, Attorney Carr identified the litigation as the Don Smith case.

Secretary Wilkinson called the roll for the Executive Session. The following Trustees voted in the affirmative: Crim, Dade, Fletcher, Lick, Reed, Sawyer, and Wilson. Secretary Wilkinson announced the approval of the Executive Session. Approved by a vote of 7 to 0.

3. Approval of the December 1-2, 1983, Minutes

Trustee Fletcher moved approval of the December 1-2, 1983, Minutes. Seconded by Trustee Crim.

Trustee Sawyer requested that the Draft Minutes on page 5, Item 4.C. be corrected to state: "by" an affirmative vote.

Trustee Sawyer requested that Item 8, Recognition of Trustee GPA Awards, include the background information relating to each student.

Trustee Sawyer requested that Item 11.D.6. on page 22 be corrected with the word "sees" no need for further action.

Trustee Wilson requested that under Item 9, Public Comments, the remarks relating to Professor John Hoagland include: "He addressed the issue of the Director's termination as it relates to academic and Board of Trustees Bylaws' provisions."

The Minutes, as corrected, were approved by a vote of 7 to 0.

Executive  
Session  
Requested  
to Consult  
With Univer-  
sity Attorney  
on Pending  
Litigation.

4. Annual Report

President Mackey stated that distributed with the agenda was the Annual Affirmative Action Report and the Report of the Executive Director of the MSU Alumni Association. He indicated that Dr. Ralph Bonner, Director of the Department of Human Relations, would introduce the Affirmative Action Report.

Dr. Bonner stated that the report represents the collective data of the various departments of the University. He stated that the information represented approximately 5% of the information required by the Federal Government and that various constituent groups had an interest in maintaining this information on file for reference purposes. Dr. Bonner then summarized the highlights of the report for the year ending September 30, 1983. These highlights included enrollment, employment, and procurement data.

Trustee Crim inquired about the employment opportunities for minority students, especially those receiving bachelor degrees, and the comparative level of their starting salaries. President Mackey responded that the opportunities for our minority graduates are equal to or exceed those of graduates of other comparable institutions, but he stated that our rate exceeds other peer institutions in Michigan and the Midwest.

Dr. Mackey further commented on the Annual Minority Fair which attracts over 100 major firms to the campus and involves approximately 1,000 students in learning about career opportunities.

Trustee Dade asked that the administration summarize its greatest successes during the report period and summarize the challenges for the future. President Mackey responded by stating that the greatest long-term positive impact upon the University has been the result of placing minorities and women in positions of high responsibility within the University. He summarized the positions filled with women and minority employees over the last four-year periods. President Mackey stated that the greatest challenge to the University was to attract minority and women faculty members in the tenure system. He stated that this is the most difficult task, but the most important to bring about the fundamental change to the institution. He stated that we can work toward this end by increasing graduate enrollment of protected classes, thereby increasing the pool of applicants, that we will continue the faculty exchange programs with other institutions, and that we will continue to make exceptions to our hiring practices for affirmative action purposes.

Trustee Fletcher asked how we were dealing with alleged institutional racism and incidents of racism on campus. Vice President Turner responded that the staff addressed this concern in the residence halls and by immediate response to problems. He stated that the staff regularly meets with minority groups to address their concerns. He noted that this concern, as expressed by minority groups, had diminished during the past year and the reported incidents of racism had diminished. He stated that the staff works to encourage minorities to participate in campus-wide activities.

Dr. Bonner indicated that the Department of Human Relations addresses the concern of alleged racism and sexism by holding exit conferences with minority and female faculty members upon separation from the University. He noted that his office also fields staff complaints in this area. He stated that there was a decline in incidents of racism during the past year and that the concerns most often expressed by the staff are in the following order: age, sex, race.

4. Annual Report, cont.

Trustee Fletcher said: "While we are receiving this particular annual report, I think it is important to say the most consistent and strongest commitment I have seen on the part of the Board of Trustees of this University is to the area of affirmative action and equal opportunity. This has been a fundamental commitment of the Board and has resulted in continuous review. I take great personal pride in the fact that Dr. Mackey has done extraordinary things in breaking some of these past barriers. He has served the University well in this regard. I think this Board has been receptive to all recommendations and have consistently given their best efforts in this important area, and that the Board is receptive to any other comments or recommendations."

Trustee Wilson commented that the Board should continue to review its policy in this area and to look for program improvements which will meet the University's objectives.

Trustee Wilson expressed concern that the numbers could improve, but there still could be the lack of social interaction among persons on campus. Vice President Turner commented that this was an issue which was continuously addressed by the staff and that he felt that there was greater interaction among various student groups on campus.

Trustee Martin asked Vice President Turner to comment on new minority students who arrive on campus and have difficulty in adjusting to the University environment and size. Dr. Turner summarized the various activities engaged in by the staff for these students.

President Mackey closed the session by thanking Dr. Bonner for an outstanding job in this important area and introduced several other persons in attendance at the meeting who have made a contribution to the University's affirmative action and equal opportunity programs.

The Board recessed at 6:15 p.m.

The Board reconvened at 9:28 a.m. in the Lincoln Room of the Kellogg Center for the Land and Physical Facilities Committee meeting.

The Board reconvened for an informational session at 10:03 a.m. in the Lincoln Room of the Kellogg Center.

Present: Trustees Crim, Dade, Fletcher, Lick, Martin, Sawyer (arrived at 10:28 a.m.), Reed and Wilson; President Mackey, Provost Winder, Vice Presidents Breslin, Cantlon, Dickinson, Schonbein, Stewart, Thompson and Turner; Associate Vice President and Secretary Wilkinson, General Counsel Carr, Assistant to the President Carlisle, Faculty Liaison Group, Student Liaison Group, and Dr. Robert Lockhart, Director of Planning and Budgets.

5. Budget and Financial Matters

Vice President Thompson, using a magnetic display board, reviewed for the Board of Trustees the forward funding concept incorporated in the State appropriation process. Vice President Thompson also demonstrated the difference in funding between the University's fiscal year and the State's fiscal year. President Mackey reminded the Board that the forward funding concept was a major budget parameter that the Board of Trustees addressed in adopting the 1983-84 budget.

President Mackey called upon Dr. Robert Lockhart to present an overview of the 1984-85 general fund budget based on information available as of January 30, 1984 (copy of material on file in the Secretary's Office). Dr. Lockhart reported that, based on the Governor's recommendation, the 1984-85 estimated funds available are \$246,287,676, which include a State appropriation of \$150,187,585. Included in the State appropriation is a fund forwarding factor of \$15,119,130. Dr. Lockhart stated that, based on current budget commitments and illustrative expenditures, the estimated expenditures total \$263,755,679. This results in a budget shortfall of \$17,468,003. The budget materials indicate that this shortfall could be addressed through a minimum base budget reduction of \$1,755,300 and cash management adjustments of \$15,712,703.

6. Draft Policy Manual

President Mackey called upon Vice President Thompson to comment on the remaining modifications to the Draft Policy Manual. Vice President Thompson indicated that Policy 01-01-08, Courtesies to Former Trustees, be amended to include issuance of a library card and golf course pass. He also indicated that the policy relating to the Naming of University Buildings and Facilities, 02-06-03, be amended to incorporate the action approved at this morning's Land and Physical Facilities Committee meeting, which states that normally a building will be named for an individual who exemplifies these values in connection with a major gift or service to the University. Trustee Wilson suggested a slight modification to the Introduction to the Manual.

The above changes were agreed upon without vote.

President Mackey stated that with the above modifications, it is the administration's intent to recommend at the Action Session this afternoon the approval of the Board Policy Manual as a codification of existing Board policies, with the exception of the policies relating to Tenure and to Affirmative Action and Equal Opportunity, which are presently under review.

7. Board of Trustees Bylaws

President Mackey noted that suggested changes to the Board of Trustees Bylaws were distributed to the Board. Changes incorporated areas that overlap between the Bylaws and Draft Policy Manual. Trustee Wilson also distributed materials relating to the Bylaws which raised several legal and policy questions. It was agreed that the Board would commence review of its Bylaws, and Chairperson Sawyer designated Trustee Wilson to begin this task. (Copy of materials on file in the Secretary's Office.)

8. Executive Session

The Board of Trustees recessed at 11:59 a.m. for an Executive Session under Section 8. (e) of the Open Meetings Act to consult with legal counsel concerning pending litigation relating to the Don Smith case.

The Board reconvened for its action session at 1:38 p.m. in the Board Room, Administration Building.

9. Recognition of Trustee GPA Awardees

In an informal ceremony, President Mackey presented Trustee GPA Awards to the following students graduating at the top of their class in the 1984 Winter Term commencement:

First highest - William G. Van Bonn, Veterinary Medicine major, 3.943 average, graduate of E. F. Gabriel Richard High School, Ann Arbor, MI.

Second highest - Justin S. Revenaugh, Geology major, 3.923 average, graduate of Southwestern High School, Flint, MI

Third highest - Karen D. Garlock, Risk and Insurance major, 3.868 average, graduate of Lakewood High School, Lake Odessa, MI.

Fourth highest - Michael J. Knoll, Veterinary Medicine major, 3.854 average, graduate of L'Anse Township High School, L'Anse MI.

10. Bids and Contract AwardsA. Plant and Soil Sciences Building Contract

At its December 2, 1983, meeting, the Board of Trustees approved the administration's recommendation for the awarding of a contract in the amount of \$23,305,000 to Darin & Armstrong, Inc., as the general contractor for the construction

Draft Policy Manual

Courtesies to Former Trustees Policy No. 01-01-08 Amended to Include Library Card and Golf Course Pass.

Naming of University Buildings and Facilities Policy No. 02-06-03 Amended.

Board of Trustees Bylaws Review to be Conducted by Board.

Executive Session to Consult with Legal Council on Pending Litigation Relating to Don Smith Case.

Trustee GPA Awards for Winter Term 1984

William G. Van Bonn

Justin S. Revenaugh

Karen D. Garlock

Michael J. Knoll

10. Bids and Contract Awards, cont.

A. Plant and Soil Science Building Contract, cont.

Plant and Soil  
Science  
Building  
Construction

of the Plant and Soil Sciences Building. This award included the assignment of the mechanical, electrical, and elevator subcontractors and can be summarized as follows:

General - Darin & Armstrong, Inc.	\$12,666,000
Mechanical - Michigan Boiler & Engineering Co.	7,995,000
Electrical - Swan Electric Company, Inc.	2,370,000
Elevator - Otis Elevator Company	274,000
Total Contract	\$23,305,000

The above action was based on the recommendation from Hoyen-Basso Associates, Inc., the consulting architect and engineer on this project, that the low bidders met the intent of the contract bid documents including the presentation of the appropriate bid security.

We are now informed by Hoyem-Basso that the Michigan Boiler & Engineering Co. did not provide the requested performance and payment bonds by the January 31 deadline. It is their recommendation that we now award the mechanical work portion of this project to the Bosch Mechanical Contractors, Inc., of Grand Rapids, Michigan, in the amount of \$8,350,600, and that we assign this subcontract to Darin & Armstrong, Inc. This will replace Michigan Boiler & Engineering Co. as the mechanical work subcontractor.

It is further recommended that the contract to Darin & Armstrong, Inc., be adjusted to reflect the above recommendation as follows:

General - Darin & Armstrong, Inc.	\$12,666,000
Mechanical - Bosch Mechanical Contractors, Inc.	8,350,600
Electrical - Swan Electric Company, Inc.	2,370,000
Elevator - Otis Elevator Company	274,000
Total Contract	\$23,660,600

It is also recommended that the project be revised as follows:

Contractor - Darin & Armstrong, Inc.	\$23,660,600
Architect - Hoyem-Basso Associates, Inc.	1,295,000
Furnishings and Equipment	2,174,400
Physical Plant - Engineering Services	237,000
Chilled Water Line Extension	170,000
Landscaping	160,000
Project Development Costs	103,000
Contingency	1,200,000
Total Budget	\$29,000,000

It is further recommended that in awarding the revised contract to Darin & Armstrong, Inc., in the amount of \$23,660,600 that they be required to enter into written contract with Michigan State University and present the required performance and payment bonds by 2:30 p.m. on February 3, 1984.

RESOLVED that the above recommendation be approved.

Approved by a vote of 8 to 0 on motion by Trustee Sawyer, seconded by Trustee Reed.

11. Public Comments

- (a) Anabel Dwyer, alumna, on behalf of the Peace Education Center and the Southern African Liberation Committee, asked that specific questions, in an open letter to the Board, be answered regarding the University's commitment against racism, policy and procedures for building names, and contributions and costs of the Wharton Center. (A copy of material given to the Board is on file in the Secretary's Office.)

Change in  
Mechanical  
Work Contract  
from Michigan  
Boiler and  
Engineering  
Company to  
Bosch Mechan-  
ical Contractors,  
Inc. of Grand  
Rapids, MI.  
Also, assign-  
ment of  
subcontract  
to Darin &  
Armstrong, Inc.  
as the  
mechanical  
work  
subcontractor.

Total budget  
to be  
\$29,000,000.

11. Public Comments, cont.

- (b) Karrie Potter, alumna, urged the Board to continue open debate and discussion regarding removing the McGoff name from the Festival Stage. (A copy of material given to the Board is on file in the Secretary's Office.)
- (c) Eileen Van Tassell, professor, Department of Natural Science, addressed the issue of removing the McGoff name from the Festival Stage.
- (d) Kathy Brewer, Intern with PIRGIM, and Vicki Fine, member of the MSU PIRGIM Board of Directors and state chairperson for the Board of Directors, shared with the Board some of PIRGIM's state and local efforts, and the status of the PIRGIM Petition Drive.
- (e) Thomas Boyd, Resident Assistant in Case Hall, addressed the issue of distribution of literature and information, and voter registration in the Residence Halls.

12. A. PERSONNEL CHANGES

Appointments

- 1. Bruce H. Drukker, Professor, Obstetrics, Gynecology and Reproductive Biology, with tenure, at a salary of \$95,000 per year on a 12-month basis, effective June 1, 1984.
- 2. Donald H. Williams, Professor, Psychiatry, with tenure, at a salary of \$90,000 per year on a 12-month basis, effective January 1, 1984.
- 3. Kirk H. Herrick, Professor, Family Medicine, with tenure, at a salary of \$80,000 per year on a 12-month basis, effective November 1, 1983.

Approved by a vote of 7 to 1 on motion by Trustee Lick, seconded by Trustee Wilson. Trustee Fletcher voted No.

12. B. GIFTS AND GRANTS

Gifts and grants totaled \$10,410,329 and were unanimously accepted on motion by Trustee Sawyer, seconded by Trustee Lick. A list of the gifts and grants accepted is filed in the Secretary's Office.

12. C. BIDS AND CONTRACT AWARDS,

(1) Museum Accessibility Modification

The following bids were received on January 10, 1984, for accessibility modifications to the Museum. These renovations will provide a grade level entrance with automatic sliding doors, replacement of an existing freight elevator with a passenger elevator that accommodates handicapper needs, and alterations to men's and women's restrooms.

<u>Contractor</u>	<u>Base Bid</u>
Hausman Construction Company	\$160,600
Hanel-Vance Construction, Co.	167,800
McNeilly Construction, Inc.	172,798
Baseline Constructors, Inc.	174,700

Notification and/or plans and specifications were sent to the offices of Builders Exchange and Dodge Reports in Lansing, Detroit, Kalamazoo and Grand Rapids. The following minority organizations were also notified: Inner City Business Forum, Michigan Minority Business Council, Association of Minority Contractors, and the Greater Lansing Minority Association. There were no women-owned bidders.

Personnel  
Changes

Appointments:

Bruce H.  
Drukker

Donald H.  
Williams

Kirk H.  
Herrick

Museum  
Accessibility  
Modification

12. C. BIDS AND CONTRACT AWARDS, cont.

February 2-3, 1984

(1) Museum Accessibility Modification, cont.

The subcontracting goals for this project are ten percent Minority Business Enterprises and five percent Women Business Enterprises. The low bidder has certified that it will comply with the requirements.

It is recommended that a contract in the amount of \$160,600 be awarded to Haussman Construction Company of Lansing, Michigan, and that the following budget be established:

Contractor - Haussman Construction Company	\$160,600
Consultant - Stein Hinkle Dawe Wood Johnson	10,300
Engineering Services	8,300
Landscaping	3,000
Contingency	16,800
Total	\$199,000

This project was estimated at \$200,000 by the Engineering Services division of Physical Plant in December 1983.

Funding for this project will be from University General funds allocated for accessibility projects.

RESOLVED that the above contract be awarded and project budget be established as recommended.

Approved by a vote of 8 to 0 on motion by Trustee Sawyer, seconded by Trustee Reed.

12. D. OTHER ITEMS FOR ACTION

(1) Board of Trustees Policy Manual

Board of Trustees  
Policy Manual  
Approved as a  
Codification of  
its Existing  
Policies.

For the past several months, the Board of Trustees has reviewed its various policies, resulting in the development of a Draft Policy Manual. This policy review is now completed, and it is recommended that the Board of Trustees approve the Policy Manual as a codification of its existing policies.

RESOLVED that the above recommendation be approved.

Approved by a vote of 7 to 1 on motion by Trustee Wilson, seconded by Trustee Sawyer. Trustee Fletcher voted No.

(2) Amendment to the Bylaws for Academic Governance

Amendment to  
Bylaws for  
Academic  
Governance  
Approved

On January 18, 1984, a proposed amendment to the Bylaws for Academic Governance was on the agenda for the scheduled meeting of the Academic Senate. Attendance was less than a quorum and consequently the proposed amendment was approved under the Bylaws for Academic Governance.

It is recommended that the Board of Trustees approve the following amendment (new wording is underlined):

4.2.2.4. Committees are encouraged to call on faculty, students, and administrators who have special expertise on matters under consideration, including minorities and women for the perspective which they may bring to the consideration of many issues. Such individuals are asked to render whatever services are reasonably requested.

RESOLVED that the amendment to the Bylaws for Academic Governance be approved.

Approved by a vote of 7 to 1 on motion by Trustee Martin, seconded by Trustee Lick. Trustee Fletcher voted No.



12. D. OTHER ITEMS FOR ACTION, cont.

February 2-3, 1984

(3) Proposal to Increase the Participation of the Faculty and Student Liaison Groups in the Meetings of the Board of Trustees

As part of the agenda of the scheduled meetings of the Board of Trustees, time should be reserved for discussion of items suggested by members of the faculty and student liaison groups. Whenever possible, these groups should prepare materials relating to these items for distribution to the Board through the Secretary's Office in advance of the meetings. These materials will be distributed by the Secretary along with the regular agenda materials. Suggested items for discussion should be reviewed with the appropriate administrative official and, then, be brought to the attention of the Secretary, who will consult with the President and the Chairperson of the Board prior to their placement on the agenda.

Trustee Fletcher said that on several occasions members of the liaison groups expressed concern to him that there was little opportunity for exchange of information and ideas between the liaison groups and the Board. Consequently, he suggests that the above proposal be considered in order to improve communication with the Board. He suggests that the Board receive this proposal at this meeting, refer it to the liaison groups involved, inviting them to react to it, and that the Board take it up for discussion at the next regular meeting of the Board of Trustees.

Approved by a vote of 8 to 0 on motion by Trustee Fletcher, seconded by Trustee Reed.

13. REPORTS TO THE BOARDA. Board Committee Reports(1) Land and Physical Facilities Committee

Trustee Lick reported the Land and Physical Facilities Committee approved the following items and recommended them for approval by the Board:

- a. Approved the revised policy for "Naming University Buildings and Facilities." (Copy on file in the Sec. Office.)

Approved by a vote of 8 to 0 on motion by Trustee Lick, seconded by Trustee Reed.

Trustee Martin asked that the record show that he moved to amend a motion by adding the words "freedom," "justice," and "equality," and the amendment failed to pass for lack of a second.

- b. Established a selling price of 6.29 acres of land in Pittsfield Township, Ann Arbor, Michigan, at \$31,500.

Approved by a vote of 8 to 0 on motion by Trustee Lick, seconded by Trustee Sawyer.

- c. Approved proposed sale of Wayne, Michigan, property, previously leased to Michigan Bell Telephone Company, at \$160,000; with \$32,000 down; seven-year contract at 11% payments \$1,550 per month; with a 60-day contingency pending approval of zoning, parking, and obtaining a license to run a Business School.

Approved by a vote of 8 to 0 on motion by Trustee Lick, seconded by Trustee Reed.

B. President's Report

President Mackey said that he had been requested by several Trustees to comment on the NCAA Convention held last month in Dallas and, in particular, on Propositions 35 and 36.

Proposal to Increase Faculty and Student Liaison Groups Participation in Board of Trustee Meetings

Land and Physical Facilities Committee

Approved Revised Policy "Naming University Buildings and Facilities Policy No. 02-06-03

Established \$31,500 as Selling Price for 6.29 acres of Land in Pittsfield Township

Approved the Proposed Sale of Wayne, MI Property



13. REPORTS TO THE BOARD, cont.

February 2-3, 1984

B. President's Report, cont.

The presentation of these propositions is an outgrowth of fairly widespread dissatisfaction with the functioning of the NCAA from the standpoint of chancellors and presidents of many universities. Many of these institutions are peer institutions of Michigan State, including other land-grant, state, and AAU-type universities, both private and public.

Proposition 35 would have created a Council of Presidents which would have had authority to overrule action taken by the NCAA Convention. This proposition was voted down by the Convention. Interestingly enough, the Convention declined to have a roll-call vote, which the majority of the presidents who were at the convention took to be an indication that the delegates did not want their presidents and chancellors to know how they had voted. I thought this was an outrageous action and confirmed the opinion that most people have of the way this organization functions and some of the problems that are inherent in its operation.

Proposal 36, which was adopted, provides for a 44-member Presidents' Commission, having only advisory authority to the NCAA. I think those who supported 35 are unwilling to conclude, at this point, whether 36 will accomplish the major objectives that they sought in 35. I think one is reluctant to assume that it will not work and there is a willingness to make it work, but it lacks the basic commitment that 35 represented. There are many institutions which, through their chief executive officer and through their board, continue to express concern about the relationship of some aspects of their athletic program to their academic program.

I think we are fortunate at Michigan State University that we do not experience currently many of the problems which seem to be more widespread. Working with people like Gwen Norrell, our faculty representative, has had a lot to do with the fact that we do not currently experience some of these problems. I think there is still likely to be significant change in the approach to the supervision and regulation of intercollegiate athletics through the NCAA. I think there are a great many things that may force some change rather rapidly, and our Athletic Council, which is the faculty body dealing with athletics, needs to be alert to these things. The Big Ten Conference is concerned about them and the impact that things such as rather large increases in television revenues are having on athletic programs. Without doubt, there is a lot of change in the wind, and the relationship of amateurism to professionalism which we have had will probably not survive. Also, many of the NCAA regulations are basically unenforceable since they extend jurisdiction to people over which the universities have no real authority. There are numerous issues of serious concern to those who have responsibilities for athletic programs, and I believe that enactment of Proposal 36 instead of Proposition 35 is an early indication of decisions which need to be made. I think the MSU athletic program is in good shape.

14. TRUSTEES' COMMENTS

Trustee Lick: The statewide Student and Faculty Awards Convocation sponsored by the Michigan Association of Governing Boards will be held on April 11. An all-day workshop for the Board of Trustees will be held in conjunction with this event. Although the program has not been finalized, the workshop will include a presentation on its interim report by the Commission on Higher Education. If you have suggestions of issues to be discussed at the workshop, please forward them to me.

Trustee Fletcher: In response to Trustee Lick's request for MAGB workshop agenda items, I would suggest discussion on the Governor's tuition freeze proposal.

In addition, I would like to comment on the publicity relating to the alleged sexual harassment case recently reported by the news media. I was somewhat surprised to learn of this matter, since I had no knowledge of it, and did not realize that this problem has reached this particular proportion and this dimension on campus.

Trustee Fletcher, cont.

In this connection I merely ask if we have appropriate reviews for this potential problem when filling positions. Further, do we have appropriate procedures for instituting immediate protection or insulation for people who would be subject to this type of intimidation? Conversely, do we have appropriate protective mechanisms in place to protect people from unwarranted accusations of this nature? Finally, the press reports damages were paid to people involved in this particular incident. Are those damages compensated by the person who created the problem?

Next, I would like to turn our attention to the item of the State News. Based on Vice President Turner's memorandum on this subject, I recommend that we include this topic for discussion at our next regular meeting. I draw your attention to page two of the memorandum regarding the use of University services by the State News and point out a serious legal problem and potential liability relating to the fact that, while the State News is a separate corporation, it is using the University payroll system and is employing what I would consider a legal ruse in not deducting or paying social security. I know of no other private corporation that would be able to escape this federal tax liability. I do not understand how we can continue to countenance this on the part of the State News. I foresee, someday, where a former employee of the State News could turn to Social Security wondering why he or she could not collect under the disability or the retirement provision based on employment with the State News. The longer we delay resolving this issue, the more difficult it will be cutting, once and for all, whatever vestige umbilical cord there is remaining.

Trustee Wilson: We received Vice President Turner's report on the State News and had a brief opportunity to read it. In addition to stating the issues, I think there ought to be some recommendation from the Administration as how best to deal with those issues. You are inviting the Trustees to address them and, in their own wisdom, decide some of these very critical matters. Here is an institutional paper that has been in existence for some time and the issues identified will have a serious impact upon the State News' continued viability, if the invitation to address those issues follows the direction implied in the report. I would like to have some definitive administrative recommendations as to how to deal with those issues.

Trustee Dade moved that the Administration develop a range of options for proposed solutions concerning the status of the State News, circulate those for reaction, and bring those options to the Board for its consideration at the next regular meeting. Seconded by Trustee Reed. Trustees Dade, Fletcher, Lick, Reed, and Sawyer voted Yes. Trustees Crim, Martin, and Wilson voted No. Approved by a vote of 5 to 3.

Trustee Fletcher: Dr. Mackey, did anyone other than myself react to the invitation you received to be a member of the St. Lawrence Hospital Board? Dr. Mackey answered: A number of Trustees reacted and, after considering all of the reactions, I decided not to accept the invitation.

In fairness, appreciation and respect to the other members of this Board, since from time to time there are press accounts of things taking place which lend to some obscurity and potential misunderstanding, I make the following statement in order to avoid this particular pitfall relating to the issue I addressed yesterday afternoon in requesting that we rescind the pay raise for Coach Perles. You will recall, again in an historical perspective, that I was opposed to the original contract. I was opposed to the settlement which resulted in paying \$175,000 to the Philadelphia Stars. I believe we are paying Coach Perles approximately \$20,000 more than we paid the former Coach and, therefore, whatever benefit we may have derived from this last season as far as increased

Administration to develop a range of options for proposed solutions concerning State News, circulate reaction, and present options to Board for consideration.

Trustee Fletcher, cont.

revenue was adequately compensated. I am not in favor of him receiving a pay raise, because I believe that Coach Perles misrepresented to this Board his legal ability to be able to contract with us. We paid a financial penalty as a result, while Perles has no financial penalty. While I think this is unfair, I recognize that my point of view is shared by no one else on the Board. Therefore, I will not pursue it further. As a matter of conscience and consistency, however, I believe the actions I took were correct.

Trustee Crim: I share some of Trustee Fletcher's concern on some matters. I have a question: How candid are we in responding to other institutions and organizations who request information about our employees, including former employees, within legal bonds? Because if we are not, how can we expect others to be candid with us when we are checking on the background of someone who is a potential employee here. This concerns me, and I would like to have some response to this point.

On another subject, and one on which Trustee Fletcher and I do not concur, relating to issues that pertain to George Perles I do not agree that Coach Perles misled anyone. I think that he had the full understanding of what he stated and we had people there on the scene who could check that out thoroughly as to what he represented relating to his employment availability. I know that Trustee Fletcher opposes his raise, but I think that in one season he has proven to me in more than just putting thousands of more people in the stadium that he is worth what he is being paid. His work is outstanding with young people that come to this University as athletes, scholars, and students, and they will take something away from this University more than just football. I already believe him to be comparable to the Joe Paternos. Whether we like it or anybody likes it (football), the athletic program is an integral part of any great university. The alumni, the students, and the general public expects it; it is the real world; and if you are going to have a program, you ought to have the best coach, and not just for coaching, but one with a concern for the athlete. I am afraid, that all too often, universities go for one and not the other. I think we have both in George Perles, and I think he is a rare individual. Not only does he fill the stadium, but I think that people who leave here who have played football for MSU will have a different future than if they had played for a different type of coach.

Trustee Reed: In December, we approved the Plant and Soil Sciences project which is going to be a great asset to this University and to the State. I mention this briefly since I received many phone calls expressing concern and interest following the delay in the groundbreaking ceremonies. I appreciate the hard work and efforts in keeping this project on schedule. I would appreciate having the Board kept informed on the Veterinary Medicine Clinic project.

Trustee Wilson: I would like to add a word to what Trustee Crim said. I do not think that it is necessary to talk a lot about George Perles but, as a former athlete at this University and as someone who can speak to the values that one should obtain from competition at this level, I believe that George and his entire staff have their priorities straight. I had the opportunity to participate in some of the recruiting sessions that were graciously attended by the Governor, Attorney General and others who all said the same thing about athletics at Michigan State, that home, academics and family are first and football is second. They are looking for class individuals, people who can make a substantial contribution to the reputation of the University both athletically and individually. I think they are really dedicated to that commitment so that the Don Colemans, Blanche Martins, and John Wilsons of the world can walk away from this institution very proud of their participation.

14. TRUSTEES' COMMENTS, cont.

February 2-3, 1984

Trustee Wilson, cont.

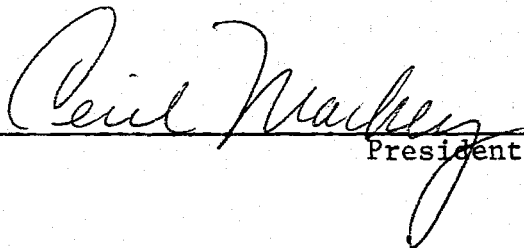
We heard a good report from PIRGIM. It appears that they are communicating well with Vice President Turner. In their letter to us, they raise another dilemma that I do not think we have addressed, and that is the policy that organizations which are separately incorporated may not use the collection procedures of the University. I think that they are relying upon the good faith of Vice President Turner's office and this Board. If there are additional barriers, I think we should address them at the earliest opportunity. This applies with equal force to the State News, including the separate incorporation issue.

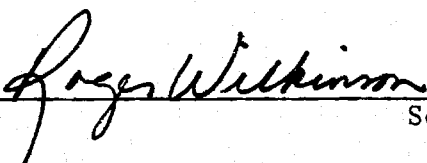
The other issue that triggered my interest was the article regarding security in the Residence Halls which appeared in the January 31 issue of the State News along with Major Badgley's comments. I think many of his recommendations and the general thrust of the article was valid, and we ought to proceed with some kind of plan to increase the security in our residential halls.

Trustee Sawyer: I, too, have some observations on Coach Perles. The way he interacts with student athletes is one of his strong points. This, to me, is a mark of a good coach. I have no problem with his salary increase or with the job he is doing. I wish him well during this recruiting week.

On the matter of the Bylaws, I am delighted that the Policy Manual is now completed and suggest we place some priority on review of the Board of Trustees Bylaws.

Adjourned at 3:45 p.m.

  
President

  
Secretary