

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

February 10, 1995

The Trustee Finance Committee and the Trustee Policy Committee meetings were held in the Board Room of the Administration Building beginning at 9:00 a.m. on Friday, February 10, 1995. Minutes of the 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 McPherson at 10:07 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 Hesse, Acting General Counsel Kiley, Vice Presidents Denbow, Greenleaf, Pierre, and Wilkinson, and Acting Vice President June. Faculty Liaison representatives present: Etta Abrahams, Maureen McDonough, Charles Nelson, Susan Selke, and Dozier Thornton. Student Liaison representatives present: Jim Sterns, Laurin Stine, Brad Thaler, and Jamal Ware.

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

1. On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the proposed agenda.
2. On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the minutes of the Board meetings of October 26, 1994, December 9, 1994, and December 14, 1994.
3. The President's report included the following:
 - A. President McPherson commented on the Governor's proposed State appropriation which is recommended to be a 3 percent increase across the board for public four-year institutions. The Governor has recommended an additional \$10.4 million above the 3 percent for MSU, one of three universities to receive additional money. President McPherson stated the appropriation must be used for the ongoing operation of the University and that the additional \$10.4 million will be used for equipment and technology to address pressing teaching and learning needs. The University is absolutely committed to the multi-year tuition guarantee approach and to live within the inflation adjusted tuition and appropriations.
 - B. Provost Simon introduced Professors Walter Verdehr and Elsa Verdehr from the School of Music. The School of Music has a set of very strong programs which the Verdehrs have been a part of since the 1960s. Each has a prominent reputation as a soloist and with a colleague, Gary Kilpatrick, form the internationally renown Verdehr Trio. They have extraordinary heavy teaching loads, perform summer concerts in Wharton Center as well as nationally and internationally, conduct activities for youth, and have developed video tapes to be used for instruction. Professor Walter Verdehr commented on a series done with WKAR-TV which has been purchased by the State Department for embassies in the world to make available to each country. Seventy-five composers from world wide were commissioned for the series; in particular, the American composers included five Pulitzer prize winners. The Verdehrs are grateful to Michigan State, and delighted to have been here for so many years.
 - C. The Cesar E. Chavez Collection was established in the Main Libraries First Floor wing on February 7, 1995. The material is a collection of Chicano and Puerto Rican materials including books, video, audio and booklets. Only selected items are located on the first floor, with the rest of the collection located with similar material in the Libraries. In addition to establishing the collection, 22 LUPE scholarships were awarded at another ceremony.
 - D. Vice President Terry Denbow has appointed Nancy Brent as Interim Director of Public Relations. Ms. Brent has been the Associate Director since 1986. President McPherson complimented Mr. Denbow and the University Relations staff for steadily becoming more proactive with Michigan State in the media.

President's
Report

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4. There were no requests for public participation on issues germane to the agenda.
5. Personnel Actions were presented by Provost Simon:

A. Appointments

- 1) Detjen, James T., AY-Professor and John S. and James L. Knight Chair in Environmental Journalism, School of Journalism, \$70,000, with Tenure, effective February 16, 1995.
- 2) Pathak, Dorothy R., AN-Associate Professor, Department of Family Practice; Dean's Office, College of Human Medicine, \$62,000, with Tenure, effective January 3, 1995.
- 3) Hruby, Raymond J., AN-Professor, Department of Biomechanics, \$90,000, with Tenure, effective January 1, 1995.
- 4) Sears, Phillip, AN-Professor, Department of Large Animal Clinical Sciences, \$80,000, with Tenure, effective January 16, 1995.
- 5) Straw, Barbara, AN-David J. Ellis Swine Professor, Department of Large Animal Clinical Sciences, \$90,000, with Tenure, effective January 16, 1995.
- 6) Noto, Robert, AN-Vice President for Legal Affairs and General Counsel, \$120,000, Executive Management, effective April 15, 1995 to April 14, 2000.

President McPherson recommended the appointment of Mr. Robert Noto as Vice President for Legal Affairs and General Counsel. Mr. Noto currently is the Associate General Counsel and Deputy Secretary at New York University and has been there for many years serving in various legal functions. Provost Simon presented the academic appointments and commented on the significance of those appointments.

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

- B. Information Reports of Academic Personnel Actions of December 14, 1994 and January 18, 1995 were distributed with the Board Agenda and are included with the agenda materials in the Office of the Secretary of the Board of Trustees.

6. The Gift, Grant and Contract Report was presented by Vice President Pierre for the period of November 12, 1994 through January 13, 1995. The report is a compilation of 205 Gifts, Grants and Contracts, and 40 Consignment/Non-Cash Gifts with a total value of \$28,040,038.64. 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.

7. Trustee Finance Committee reports and recommendations were presented by Trustee Traxler, Committee Chairperson, as follows:

A. Bids and Contract Awards

- 1) It was recommended that a contract in the amount of \$413,100 be awarded to Kares Construction Company, Inc., of Lansing, Michigan, and that a budget in the amount of \$590,000 be established for the project entitled: Holden Hall - Student Radio Station.
- 2) It was recommended that a contract in the amount of \$670,166.74 be awarded to Walter Toebe Construction Company, of Wixom, Michigan, and that a budget in the amount of \$779,800 be established for the project entitled: Kalamazoo Street Bridge Reconstruction Over the Red Cedar River.
- 3) It was recommended that Clark Construction Company of Lansing be appointed as construction manager for the development of a food court in the International Center and the establishment of a project budget of \$500,000.

On a motion by Mr. Traxler, supported by Dr. Mawby, **THE BOARD VOTED to approve** the Bids and Contract Award recommendations.

Public
Participation
Germane to Agenda
Personnel Actions
Appointments

Information
Reports

Gift, Grant and
Contract Report

Trustee Finance
Committee

Bids and
Contract Awards

Holden Hall -
Student Radio
Station

Kalamazoo Street
Bridge
Reconstruction

Develop Food
Court in
International
Center and
establish budget.

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Trustee Finance
Committee cont.Funds Functioning
as EndowmentsRobert C. Davis
Family Fund for
AgricultureRobert C. Davis
Family Fund for
Agriculture
Overseas Studies

B. Funds Functioning as Endowments

- 1) It was recommended to establish the Robert C. Davis Family Endowed Fund for Agriculture as a fund functioning as endowment.
- 2) It was recommended to establish the Robert C. Davis Family Endowed Fund for Agriculture Overseas Studies as a fund functioning as endowment.

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

Inclusion of
Fidelity
Investments and
Vanguard Group in
Base Retirement
Plan

- C. It was recommended that Fidelity Investments and The Vanguard Group be included in the University's Base Retirement Plan for the investment and transfer of funds by individuals covered by contracts with Operating Engineers Local 547, the Clerical-Technical Union, and AFSCME Local 1585.

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

Policy on
Rotation of
External Auditors

- D. It was recommended to adopt the following policy on rotation of external auditors:

It shall be the policy of the Board of Trustees to rotate auditors periodically. The auditors selected shall be appointed annually for a period of six years. At the expiration of the sixth year, the then current auditor shall not be eligible for reappointment.

While the Board reserves the right, notwithstanding this policy, to change auditors at any time, the Board recognizes that both the University and the audit firm selected make substantial initial investments at the beginning of the audit relationship and that both parties anticipate recovery of their costs over the six-year period. Therefore, the Board does not intend to deviate from this policy so long as the service and the fees of the auditors are satisfactory.

The first rotation under this policy shall occur following the audit of the fiscal year ending June 30, 2001.

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

Information
ReportsTuition and Fee
Planning for
1995-96Report on Long-
Term Investment
Pool Performance

- E. The Finance Committee received the following information reports:

- 1) The Committee discussed a report from Provost Simon and Vice President Wilkinson on Tuition and Fee Planning for 1995-96 which reviewed inflation projections for the upcoming year.
- 2) The Committee received a report from Vice President Wilkinson on the University's long-term investment pool performance which noted that for fiscal year 1994, Michigan State University's performance ranked 11th of 383 universities reporting in the annual NACUBO Endowment Study. Results for the three-year period ending in 1994 placed Michigan State University 28th of 364 universities, and for the five-year period ending in 1994, Michigan State University placed 8th of 326 universities.

Trustee Policy
Committee

8. The Trustee Policy Committee report and recommendations were presented by Committee Chairperson Cook as follows:

Amendments to
Bylaws for
Academic
Governance -
voting membership
of Athletic
Council

- A. It was recommended to approve amendments to the University Bylaws for Academic Governance, Section 5.2 - Athletic Council.

The key features of the proposed revisions are:

- 1) The voting membership of Athletic Council. The SpARC report recommends 10 voting members (6 faculty, 2 alumni, 2 students of whom 1 should be an athlete). University Committee on Academic Governance (UCAG) proposed an increase in faculty representation to 8 to ensure faculty control of Athletic Council, and in student representation to 3, 1 of whom must be a graduate student.
- 2) Clarification of ex officio status. These proposed revisions clearly state that ex officio members may not vote. This recommendation is in line with the general meaning of ex officio and the practice at MSU on other committees.

Clarification of
ex officio status

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- 3) A process for selecting student members. The Academic Assembly, the Student Assembly, and the Council for Graduate Students will each be involved in developing slates of nominees. From these slates, the President must appoint one student athlete and one graduate student.
- 4) A process for review of the faculty athletic representative. The proposed revisions indicate that a review must occur not less frequently than every 5 years and shall involve the advice of the voting members of Athletic Council.
- 5) A guideline for minimizing awards of athletic tickets and trips to voting members.

The Proposed Revisions to the Bylaws for Academic Governance document is included with the agenda materials.

- B. It was recommended to approve the College of Nursing Practice Plan which contains policies, rules and procedures governing faculty clinical practice.

The College of Nursing Practice Plan is proposed as an enabling tool in the implementation of the Faculty Group Practice. Client services are an essential component of the educational, research and service programs of the College. In the current and emerging climate of health care, nursing services are increasingly reimbursable as discrete services. Income from practice is proposed to be used to enhance the educational, research and service programs of the College of Nursing. Therefore, the Nursing Practice Plan containing the policies, rules and procedures governing faculty clinical practice has been developed.

The College of Nursing Faculty Group Practice under the policies of the Practice Plan is expected to provide expert and exemplary clinical nursing services. These services are intended to demonstrate to students continuous quality improvement and research-based approaches to providing care in the communities they serve. Students will have opportunities to participate in innovative approaches to nursing services. The clinical practice will allow students to integrate knowledge and skills in a clinical setting and provide an environment for ongoing research and scholarship.

The College of Nursing Practice Plan is included with the agenda materials.

- C. It was recommended to approve the Human Health Programs Faculty Appointment System as revised.

The Human Health Programs (HHP) Faculty Appointment System was developed and approved by the Board of Trustees in 1991 to provide an appointment system to aid in the recruitment and retention of clinician faculty in the Colleges of Human Medicine and Osteopathic Medicine. At that time, there was an intent to extend this system to include similar appointments in the College of Nursing. The HHP document has now been revised to include the College of Nursing. Section 6.0 has been added to the document to provide an amendment procedure.

The revisions incorporated in the HHP document are endorsed by the College of Human Medicine, College of Osteopathic Medicine and the College of Nursing. Additionally, the University Committee on Faculty Affairs and the University Committee on Faculty Tenure endorsed these revisions on January 24, 1995 and January 25, 1995, respectively.

The proposed changes in the HHP Faculty Appointment System are recommended to be effective February 10, 1995.

The Human Health Programs Faculty Appointment System document is included with the agenda materials.

On a motion by Dr. Mawby, supported by Mr. Shingleton, **THE BOARD VOTED to approve:** A) the Amendments to the Bylaws for Academic Governance, B) the College of Nursing Practice Plan, and C) the Human Health Programs Faculty Appointment System. These three documents are on file with the agenda materials in the Office of the Secretary of the Board of Trustees.

Trustee Policy Committee cont.

Amendments to Bylaws for Academic Governance cont.

Selection of Student Members

Review of Faculty Athletic Representative

Minimizing Awards of tickets and trips

College of Nursing Practice Plan

Human Health Programs Faculty Appointment System

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Trustee Policy
Committee cont.

- D. Committee Chairperson Cook reported on the Trustee Policy Committee work session held on Thursday, February 9. She commended committee members for their energy and interest in the proposed agenda items. The Policy Committee expects to visit the Writing Center in the future.

Chairperson's
Report and
Trustees' Comments

9. Chairperson's Report and Trustees' Comments

- A. Chairperson Mawby remarked it is a privilege to serve as a member and Chairperson of the Board of Trustees. He is proud of the many positive developments and events that are happening at the University. In his view, good discussions have taken place with students, faculty, and staff and the concept of a law school affiliation has been addressed with thorough deliberation. Dr. Mawby expressed appreciation to the law resource group and urged moving forward expeditiously in developing a recommendation for the consideration and action of the Board of Trustees.

He commented on the departure of Douglas Wood, Dean of the College of Osteopathic Medicine, and Merrily Dean Baker, Director of Intercollegiate Athletics, and thanked them for their leadership and service to the University.

Trustee Mawby reminded Board members of the President's State of the University Address and Awards Convocation on February 21. He is pleased former Trustees have been invited to attend. He also reminded everyone that ANR week takes place early in March.

Trustees' Comments

B. Trustees' Comments

- 1) Trustee Cook supported Chairperson Mawby's comments regarding an affiliation with the Detroit College of Law.
- 2) Trustee Nugent is looking forward to the July Board of Trustees meeting taking place in Traverse City.
- 3) Trustee Shingleton commented on the Governor's recommendation for the University and thanked Steve Webster for his assistance. He commended Don Bowersox and Steve Terry for their work with the law school affiliation which is a marvelous achievement to make Michigan State a greater university and greater contributor to the citizens of Michigan. He looks forward to a tour of the Writing Center.
- 4) Trustee Weiss stated that Dean Wood and Athletic Director Baker have been gracious to him and his family members and are good representatives of the University. He thanked President McPherson and the Law Resource Group for the DCL initiative and Steve Webster for his daily assistance with the Legislature.

Public
Participation

10. The following individuals addressed the Board of Trustees:

- A. Rondy Murray, staff member and President of the Clerical-Technical Union, reported that Union representatives would like to meet with Board members to share perspectives on issues facing employees. She believes much can be accomplished when groups work together with constructive cooperation. There is a shared goal of making Michigan State University the best place to study, teach, and work and Ms. Murray is confident there will be an increasingly cooperative and constructive way of doing so in the months ahead.
- B. Karen Keyworth, Kay Bofaris, and Janine Sinno addressed different issues related to the Islamic religion and the Muslim Community in the Lansing-East Lansing area. Karen Keyworth thanked Trustee Dorothy Gonzales, Nancy Mark, Provost Lou Anna K. Simon, Mary Jane Wilson, Vice Provost Paul Hunt, Steve Meuche, and others for their positive response to a recent concern about WKAR-TV programming. Kay Bofaris, representing the Islamic Center, reported there are 2,200 members of the Muslim Community in the greater Lansing-East Lansing area. She would like Michigan State to offer a more extensive curriculum on ethnic religions and, in particular, the Islamic religion. Janine Sinno, an MSU employee and former Ph.D. student in Human Ecology, reported the Islamic Center has an open door policy to the MSU community. International Muslim students are warmly welcomed to join the Islamic Center community. Financial and moral support is provided to assist students and their families with the transition to the East Lansing area.

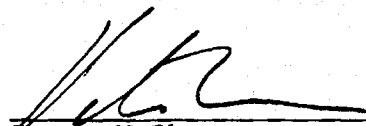
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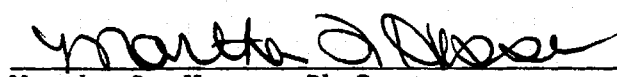
Request for
Executive
Session

11. President McPherson announced there had been a request for the Board of Trustees to meet in Executive Session to consult with its attorney "to consider material exempt from discussion or disclosure by state or federal statute." The session is exempt from disclosure under Section 8(h) of the Michigan Open Meetings Act.

On a motion by Dr. Mawby, supported by Mr. Shingleton, A ROLL CALL VOTE was conducted by Secretary Hesse. The motion passed unanimously for the Board to meet in Executive Session.

12. The meeting adjourned for Executive Session. Following the Executive Session, Board Members were joined at lunch by Executive Advisory Council members, Faculty Liaisons, and Student Liaisons.


Peter McPherson
President


Martha L. Hesse, Ph.D.
Secretary