

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

October 9, 1992

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, October 9, 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 Gordon Guyer at 11:50 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, John D. Shingleton, and Robert E. Weiss.

University officers present: President Guyer, Interim Provost Simon, Secretary Williams, General Counsel and Vice President Kurz, Vice Presidents Meyer, Pierre, Turner, and Wilkinson. Faculty Liaison representatives present: Dr. Norman Abeles, Dr. David Fisher, Dr. Sheila Grimes, and Dr. Dozier Thornton. Student Liaison representatives present: Angela Allen, Cara Cichowski, Erik Hendrickson, and Aron Mefford.

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

1. President Guyer introduced Board of Trustees candidate Dorothy Gonzales.
2. On a motion by Mr. Pridgeon, supported by Dr. Mawby, **THE BOARD VOTED to approve** the proposed agenda.
3. On a motion by Ms. Sawyer, supported by Mr. Shingleton, **THE BOARD VOTED to approve** the minutes of the Board meeting of July 24, 1992.
4. The following individuals addressed the Board of Trustees:
 - A. Mr. Thomas A. Toohey, creator of the non-profit organization TCN (The Children's Network), requested support from the University in his attempt to bring computer telecommunication to the classrooms of all K-12 school-age children in mid-Michigan.
 - B. Mr. Paul A. Rosenbaum, Attorney at Law, representing Dr. Gary Blanchard, Professor of Veterinary Medicine, asked the Board to carefully review the Hearing Committee recommendation regarding his client.
 - C. Mr. Sam Singh, student and co-coordinator of "Into the Streets," a national initiative designed to introduce students to community service, commented on the success of the 1991 program. He asked student organizations, staff, administration, and Board members to participate in this year's activities taking place the entire month of November.
 - D. Mr. Kurt Schmitz, representing the Student Environmental Action Coalition, urged the University to set a precedent by implementing a paper procurement policy that would be economically sound as well as environmentally responsible.
5. President Guyer 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 complaints 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 opinions dated September 15, 1992 and October 8, 1992, which opinions are 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 material exempt from discussion or disclosure by Section 8(h) of the Michigan Open Meetings Act which is of a personal nature, public disclosure of which would constitute a clear unwarranted invasion of individuals privacy.

Public
Participation

Request for
Executive
Session

October 9, 1992

Request for
Executive Session
continued

- D. To consider the purchase or lease of real property as authorized under Section 8(d) of the Michigan Open Meetings Act.

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

President Guyer announced the Board would go into Executive Session and reconvene at approximately 1:15 p.m.

6. The meeting of the Board of Trustees was reconvened by President Guyer at 1:30 p.m. in the Board Room.

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

University officers present: President Guyer, Interim Provost Simon, Secretary Williams, General Counsel and Vice President Kurz, Vice Presidents Meyer, Pierre, Turner, and Wilkinson. Faculty Liaison representatives present: Dr. David Fisher, Dr. Sheila Grimes, and Dr. Dozier Thornton. Student Liaison representatives present: Angela Allen, Cara Cichowski, Erik Hendrickson, and Aron Mefford.

7. The report of President Guyer included the following:

President's
Report

- A. As a follow-up to the report on enrollment presented by Dr. Simon to the Trustee Policy Committee, Dr. Guyer commented that in addition to his interest in MSU students he is personally visiting local high schools to meet with prospective students and counselors.
- B. The Presidential Debate committee has been reactivated and the support staff was complimented for its willingness to prepare the University for this event on October 19. Dr. Guyer is hopeful that at least 300 tickets will become available for student participation.
- C. Trustees have been invited to attend the rededication ceremony on Sunday, October 11, of the old Horticulture Building which has been refurbished to become the new home of the Department of Romance and Classical Languages.
- D. Nick Westermeyer, a former Spartan gymnast paralyzed in a training fall in 1991, has received the 1992 Division 1-A Award of Courage of the National Association of Collegiate Directors of Athletics for exemplary displays of courage and fortitude both on and off the field of play.
- E. Dr. Bruce Miller was commended for his leadership in the team effort of accomplishing a successful semester transition.
- F. The annual report of Ombudsman Joy Curtis was recently presented to President Guyer. He commented on the University's responsiveness to assisting students and the effectiveness and efficiency of Dr. Curtis in these interactions.
- G. It is reported in **Science** magazine that researchers from MSU and Monsanto Company have added a bacterial gene to potato plants to increase the starch content of the potato tubers. Since the starch replaces water, the potatoes will be more solid and absorb less oil when fried, offering less greasy potato chips and french fries.
- H. MSU and Western Michigan University will have a joint medical venture that will provide more opportunities for students in the health professions from both universities and also benefit the people of the Kalamazoo area.
- I. Comments were shared from a letter written by a doctoral student complimenting the quality of instruction of Dr. Allan Schmid of the Department of Agricultural Economics.
- J. The impressive qualities of Albertine and Ralph Votapek as world renowned pianists were praised by Dr. Guyer. He said this is what Michigan State is all about--great faculty and staff, and marvelous students--and he will try to keep Trustees apprised of their activities.

October 9, 1992

Personnel Actions

8. Personnel Actions

Appointments

A. Appointments

- 1) Grant, Joyce M., AY-Associate Professor, Department of Teacher Education, \$62,500, with Tenure, effective August 16, 1992.
- 2) Kaagan, Stephen S., AY-Professor, Department of Teacher Education, \$67,213, with Tenure, effective August 16, 1992.
- 3) Thompson, Charles L., AY-Associate Professor, Department of Teacher Education, \$62,500, with Tenure, effective August 16, 1992.
- 4) Tung, Wu-Ki, AY-Professor, Department of Physics and Astronomy, \$77,500, with Tenure, effective August 16, 1992.

Other Personnel Actions

B. Other Personnel Actions

Floden, Robert E.

- 1) Floden, Robert E., Associate Dean and Professor, Dean's Office, College of Education; Department of Teacher Education and Counseling, Educational Psychology and Special Education, to change title to Acting Dean and for a change in salary rate from \$86,698 to \$97,698, effective October 1, 1992.

Simon, Lou Anna K.

- 2) Simon, Lou Anna K., AN-Associate Provost, Office of the Provost; Professor, Department of Educational Administration, for a change in title to Interim Provost and Vice President for Academic Affairs and for a change in salary rate from \$109,580 to \$130,000, effective September 7, 1992.

Scott, David K.

- 3) Scott, David K., AN-Provost and Vice President for Academic Affairs; Professor, National Superconducting Cyclotron Laboratory; Department of Physics and Astronomy; Department of Chemistry, for a change in title to John A. Hannah Professor in Learning, Science and Society, effective September 7, 1992. This professorship is effective only during Dr. Scott's incumbency. Background information is included with the agenda material in the Office of the Secretary of the Board of Trustees.

Denbow, John E.

- 4) Denbow, John E., AN-Assistant Vice President for University Relations, and Director of Public Relations, Office of Vice President for University Relations; Public Relations, for a change in title to Vice President for University Relations and for a change in salary rate from \$85,500 to \$95,000, effective September 22, 1992.

Establish position
Associate Vice
President for
University Relations

- 5) It is recommended that an executive management position, titled Associate Vice President for University Relations, be established effective August 10, 1992.

Further, it is recommended that appointment approval and all other personnel actions related to this position be delegated to the President with the authority to redelegate in accordance with the plan for redelegation filed with the Board of Trustees.

Davis, Marylee

Davis, Marylee, AN-Executive Assistant to the President and Secretary of the Board of Trustees, President's Office; Secretary of Board of Trustees; Professor, Department of Educational Administration, to change title to Associate Vice President for University Relations, Office of the Vice President for University Relations, and for a change in salary rate from \$90,100 to \$92,000, effective August 10, 1992.

Williams,
Marcellette G.

- 6) Williams, Marcellette, AN-Projects Coordinator, Provost's Office; Associate Professor and Associate Chairperson, Department of English; Associate Director, English Language Center, to change titles to Executive Assistant to the President and Secretary of the Board of Trustees, President's Office; Secretary of Board of Trustees, and for a change in salary rate from \$52,510 to \$85,000, effective August 10, 1992.

October 9, 1992

Other Personnel
Actions continuedUniversity
Distinguished
Professor
Designation

7) University Distinguished Professor Designation

On June 9, 1989, the MSU Board of Trustees approved the establishment of the University Distinguished Professor designation; twenty-one individuals were approved with the designation on July 20, 1990. From a second nomination cycle, a standing advisory committee reviewed nominations and recommended fourteen candidates to the Provost. Based on these recommendations, the Provost and President now recommend approval of the University Distinguished Professor designation for the fourteen individuals listed below, to be effective October 1, 1992.

Martin J. Bukovac	Department of Horticulture
Carl K. Eicher	Department of Agricultural Economics
Katharine Clarke Hunt	Department of Chemistry
Anil K. Jain	Department of Computer Science
Veronica M. Maher	Dean's Office, College of Osteopathic Medicine; Departments of Microbiology and Public Health, and Biochemistry
J. Justin McCormick	Dean's Office, College of Osteopathic Medicine; Departments of Microbiology and Public Health, and Biochemistry
Penelope L. Peterson	Dean's Office, College of Education; Departments of Counseling, Educational Psychology and Special Education, and Teacher Education
David W. Robinson	Department of History; African Studies Center
David W. Rohde	Department of Political Science
Neal W. Schmitt	Departments of Psychology, and Management
Geneva Smitherman	Department of English
Christopher R. Somerville	Department of Botany and Plant Pathology; Plant Research Laboratory
James M. Tiedje	Departments of Crop and Soil Sciences, and Microbiology and Public Health
Alexander I. Tulinsky	Department of Chemistry

Interim Provost Simon presented and commented on the Appointments, Other Personnel Action of Dr. Robert E. Floden, and the University Distinguished Professor Designation items.

President Guyer presented the Other Personnel Actions and commented on the appointments of Dr. Lou Anna K. Simon, Dr. David K. Scott, Mr. John E. Denbow, Dr. Marcellette G. Williams, and establishment of an Executive Management position titled Associate Vice President for University Relations and the appointment of Dr. Marylee Davis.

On a motion by Mr. Weiss, supported by Ms. Cook, **THE BOARD VOTED to approve** the Appointments, Other Personnel Actions, and University Distinguished Professor Designations as listed above.

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

Dismissal of
Tenured Faculty
for Cause

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's Report of February 14, 1992, (including Minority Report dated March 6, 1992); Provost's Appeal of Preliminary Report, dated April 3, 1992; Respondent's Answer to Provost's Appeal of Preliminary Report, dated May 5, 1992; University Committee on Faculty Tenure Denial of Appeal, dated June 12, 1992; Hearing Committee's Final Report, dated June 1, 1992; The University Committee on Faculty Tenure Final Report and Recommendations, dated June 15, 1992 and enclosures; Provost's Written

October 9, 1992

Other Personnel
Actions continued
Dismissal of
Tenured Faculty
for Cause

Comments to President, dated July 2, 1992; Preliminary Response of President and Supporting Rationale, dated July 24, 1992; Provost's Memorandum to President DiBiaggio, dated August 7, 1992; Response of Dr. Gary Blanchard to Preliminary Response of Present [sic] and Supporting Rationale, dated September 23, 1992; and other portions of the record related to this matter which are made part of the minutes of the closed meeting of the Board of Trustees of this date,

NOW, THEREFORE, BE IT RESOLVED THAT:

- a. The "Findings of Fact" made by the Hearing Committee at pages 1-5 of their preliminary majority written report and the first paragraph on page 6 of their preliminary majority written report (as resubmitted on June 1, 1992 as their final report) are supported by substantial evidence and that the charges of misconduct made against the tenured faculty members as found by the Hearing Committee 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 August 26, 1992 and directs that the disciplinary action and remedial action recommended by the President in his August 26, 1992 "Response of President and Supporting Rationale" at pages 17-20 be implemented as set forth therein.

On a motion by Ms. Cook, supported by Mr. Pridgeon, **THE BOARD VOTED to approve** the resolution. The vote was unanimous (8-0).

Gift, Grant and
Contract Report

9. On a motion by Dr. Mawby, supported by Ms. Reinhold, **THE BOARD VOTED to approve** the Gift, Grant and Contract Report for the period June 27, 1992 through September 11, 1992, with a total value of \$36,577,549.36. The report is included with the Board Agenda in the Office of the Secretary of the Board of Trustees.

Dr. Pierre commented on the correlation of the list of faculty members receiving the University Distinguished Professor Designation and the grants received by those same faculty members.

Trustee Finance
Committee

10. The reports and recommendations of the Trustee Finance Committee were presented by Ms. Sawyer, Committee Chairperson, as follows:

Appointment of
Architects/Engineers
for Revitalization
of Michigan Animal
Agriculture

- A. Appointment of the following Architects/Engineers for specific phases of the Revitalization of Michigan Animal Agriculture:

Phase 1 - Appointment of BEI Associates, Inc., of Detroit, Michigan, as the Architect/Engineer for the Anthony Hall, Meats Laboratory and Dairy Plant Renovation.

Phase 2 - Appointment of Hobbs + Black, Associates, Inc., of Lansing, Michigan, as the Architect/Engineer for the Agriculture and Livestock Education Center.

Phase 3 - Appointment of Harley Ellington Pierce Yee Associates, Inc., of Southfield, Michigan, as the Architect/Engineer for the Animal Infectious Disease Containment Facility.

Phase 4 - Appointment of Capital Consultants, Inc., of Lansing, Michigan, as the Architect/Engineer for the Farm Buildings Renovations.

- B. Appointment of Albert Kahn Associates, Inc., of Detroit, Michigan, as the Architect/Engineer for the proposed Engineering Building Addition TWO.

- C. Acceptance of the audited financial statements for the year ended June 30, 1992.

- D. Investment of \$2 million with TCW's (Trust Company of the West) Commingled Debt and Royalty Funds IV. Funds for this investment are available in the internally invested cash of the Common Investment Fund and in the Common Fund Intermediate Cash Fund. This investment will take effect in late 1992.

- E. Adoption of the 1993-94 Budget Request Guidelines, including operating and Capital Outlay needs, for the University General Fund, the Agricultural Experiment Station, and the Cooperative Extension Service.

Appointment of
Architect/Engineer
for Engineering
Building Addition 2

Acceptance of
Audited Financial
Statements

Investment with
TCW

Adoption of 1993-94
Budget Guidelines

October 9, 1992

Trustee Finance
Committee cont.

- F. Establishment of the Bernice M. Bishop Faculty Enrichment as a fund functioning as an endowment.
- G. Establishment of the Robert and Janet Hafner Fund for Animal Health as a fund functioning as an endowment.
- H. Establishment of the Cecil R. and M. Beatrice Upham Scholarship as a fund functioning as an endowment.

Bernice M. Bishop
Endowment FundRobert and Janet
Hafner Endowment
FundCecil R. and
Beatrice Upham
Endowment Fund

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

- I. The Committee received a written report on the University's Real Property Holdings prepared by the Land Management Office for the Office of Vice President for Finance and Operations.
 - J. The Committee received a report on the status of the restructuring financing authorized by the Board at its July meeting.
11. The report of the Trustee Policy Committee was presented by Mr. Ferguson.
- A. Interim Provost Simon provided an Update on the Semester Transition and an Enrollment Report at the morning committee meeting. The Enrollment Report is included with the Board Agenda in the Office of the Secretary of the Board of Trustees.
 - B. A Report on Recycling was presented by Assistant Vice President Stephen Terry and Mr. Peter Pasterz and Ms. Tonia Baker from the office of Recycling and Waste Reduction.

Report on Real
Property HoldingsReport on status
of Restructuring
FinancingTrustee Policy
CommitteeUpdate on Semester
Transition and
Enrollment ReportReport on
Recycling

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

Chairperson's
Report

- A. Chairperson Pridgeon reported the Board met in public session on October 2 to interview four consultant firms and two candidates for the position of Executive Director of the Presidential Search Committee. At the conclusion of that meeting, Mr. Pridgeon appointed a committee of Dr. Mawby, Ms. Sawyer, Mr. Shingleton, and Mr. Weiss to present a recommendation at the October 9 Board meeting.

Dr. Mawby reported the subcommittee of the Board of Trustees charged with making a recommendation of an Executive Director for the 1992-93 Presidential Search Process forwards for approval the following recommendation: The Board of Trustees name Professor Bruce Miller as Executive Director: Presidential Search Process on a half-time basis beginning Monday, October 12, 1992.

Appointment of
Executive Director
of Presidential
Search

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

Dr. Mawby reported on the distinguished career of Dr. Miller as Professor and former Chairperson of the Department of Philosophy, and the recently completed successful assignment as Director of the Semester Transition team.

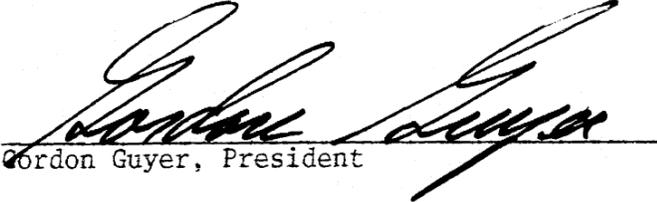
- B. Ms. Cook shared experiences of her summer vacation traveling with an alumni association tour to Eastern European countries. In particular, she commented how proud she was of Michigan State at an alumni event in Turkey with graduates of MSU Masters and Doctoral programs who reported what a significant difference their education at Michigan State has made in their lives.
- C. Mr. Weiss recognized the leadership and contributions of Dr. Judith Lanier to the University and the community. He thanked President Guyer for a wonderful first month and said his appointment is an outstanding happening for the University, community, and State. Once again, there is great enthusiasm for Michigan State.
- D. Trustees Weiss and Ferguson wished the team success in the football game to be played with the University of Michigan on Saturday in Ann Arbor.
- E. Mr. Ferguson complimented Provost Simon and Dr. Guyer as a team, and Mr. Shingleton agreed.

Trustees'
Comments

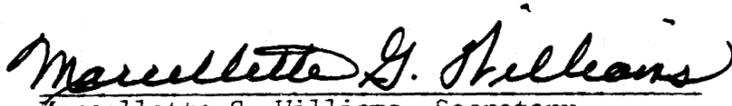
October 9, 1992

Trustees'
Comments
continued

- F. Dr. Mawby commented that educational activities are occurring in all 83 counties in the State under the impressive leadership of Dr. Imig. The Cooperative Extension Service is an amazing story of progress and exemplification of the land-grant mission making a difference in the lives of people and communities throughout the State.
- G. Mr. Pridgeon was impressed with the participation and dedication to the University evidenced in the recent People-to-People visits. He assured those who he met that things are going well at the University.
- H. President Guyer thanked Board members for their support of the University's administrative team.
13. The meeting was adjourned.



Gordon Guyer, President



Marcellette G. Williams, Secretary