



OAKLAND UNIVERSITY SENATE

Oakland University Senate

Fifth Meeting
February 13, 2003

Minutes

Members present: Aubry, Bazaz, D. Berven, K. Berven, Clark, Coppin, Didier, Eberwein, Etienne, Gardner, Graves, Grossman, Hansen-Smith, Haskell, Henke, Hildebrand, Jarski, Kamil, Khapoya, Klemanski, Latcha, Long, Mabee, Machmut-Jhasi, Mann, Metzler, Moudgil, Mukherji, Papazian, Polis, Porter, Rozek, Russell, Schott-Baer, Schwartz, Schweitzer, Sen, Sevilla, Sieloff, Vincent, Willoughby

Members absent: Alber, Bertocci, Downing, Eberly, Frick, Giblin, Goldberg, Haddad, LeMarbe, McNair, Olson, Osthaus, Otto, Schmidt, Sethi, Smith, Surrey, Tomina, Zingo

Summary of actions:

1. Information Items: (a) Budget Update - Mr. Moudgil; (b) Cooley Law School Update - Mr. Moudgil; (c) Athletic Facilities Prospects - Mr. Mehl; (d) General Education Update - Ms. Awbrey; (e) Graduate Certificate Programs Approved.
2. Roll call. Approval of the minutes of January 2003. (Mr. Schwartz, Mr. Latcha) Approved.
3. Motion from the *ad hoc* Vision Committee to adopt a vision statement. (Mr. Henke, Ms. Eberwein) Approved.
4. Motion to revise the membership of the Academic Standing and Honors Committee. (Ms. Schott-Baer, Mr. Latcha) Approved.
5. Resolution to support a partnership with Cooley Law School (Mr. Schwartz, Mr. Latcha) Approved following approval of a motion to waive the second reading (Ms. Schott-Baer, Mr. Porter)
6. Procedural motion to staff a Senate Standing Committee (Mr. Coppin, Mr. Mann)
7. Sense of the Senate Resolution requesting that the OU Board of Trustees hold its formal and informal sessions in public. (Mr. Mann, Mr. Russell) Approved following approval of a motion to waive the second reading (Mr. Polis, Mr. Latcha)

Budget update:

The Provost called the meeting to order at 3:10 and launched into a number of information items, the first being an update on the budget situation facing the university. Before he left office former Gov. Engler signed an executive order for a 2% cut and it is expected that Gov. Granholm will add an additional 1.5% to that amount, resulting in a 3.5% cut for this fiscal year. However, next year will likely be even more difficult; the President thinks the cuts may be in the 10-15% range, given the state deficit. The problems are not limited to Michigan; budget cuts are a fact of life in all the states. Oakland has been fortunate in that it hasn't had to make any cuts yet but that will soon change. The Deans and unit heads have been planning for various scenarios and amounts and, while this year the 3.5% cut may be eked out of one-time

purchases, next year's cuts will probably affect the base budgets. Mr. Moudgil urged the faculty to be involved in the discussions and to consider thoughtfully what the priorities should be and how units should handle the necessary cuts. He indicated this would be a good time to look at programs and determine which are the most important to maintain.

Mr. Polis asked if this would be an across-the-board cut and the Provost responded that would generally be the case, that the decision-making is being decentralized and given to the units, that the university administration would not be telling units what to cut, but would be involved in decisions that might have an impact on other units. Mr. Polis stated that across-the-board cuts are not necessarily the best approach, that it avoids making choices at the administrative level. Mr. Moudgil responded that the choice is what is to be cut, that the units will choose what is important for them to maintain and what to let go; in some cases travel may be expendable, in others not. Following up on Mr. Polis query, Mr. Sevilla asked if the administration might adjust the across the board cuts to provide more support for integral program and activities; the Provost concurred that this would be the case. In response to Mr. Polis's concern, Mr. Moudgil asked that alternatives to the across-the-board cuts be sent to him, that this budget cutting process was still in the development stages and that changes could be made.

Cooley Law School

Mr. Moudgil then provided the latest information regarding Cooley Law School. Both Cooley and Oakland continue to develop plans to enlarge the scope of the relationship, especially the masters programs. Also, with regard to the law program, there are three pieces to this prospective relationship:

1. The first year student cohort --these students are now taking most of their classes at Oakland.
2. Satellite program--this would allow students to take a full two years at Oakland.
3. Branch campus--all three years would be taught at Oakland.

These proposals all require the approval of the American Bar Association. We are currently between 1 and 2 now and have received, as promised, funds representing 8% of the gross tuition in Academic Affairs. The demand for this program in Oakland County is high and so are hopes that this will all work out.

Athletics update:

At the last Senate meeting Mr. Mehl provided an update on our student athletes accomplishments since the move to Div. I and talked about some future plans. Mr. Mehl returned to the Senate today to provide additional information about developments since last month. At its most recent meeting the Senate Athletics Committee approved the addition of men and women's track; the funding for this will come from NCAA distribution funds. Also Mr. Mehl reported success in his efforts to find external funding for the improvement of the outdoor facilities; the donors are a number of individuals with sports related interests in the area; this will not just involve a one time improvement but will also include an endowment to help maintain the facilities. There will be no cost to the university, no additional land will be required. He indicated that he would be working with Academic Affairs and the legal office as these relationships develop. Mr. Moudgil asked him to also keep the Campus Development and Environment Committee informed of their plans. Mr. Mehl concluded by saying that these opportunities arose quickly and that he expects to see some significant development in the next few weeks involving bringing additional money to the campus.

General Education:

Mr. Moudgil then called on Ms. Awbrey for an update on general education. Ms. Awbrey stated that, following advice from the Senate and other groups, the Task Force has developed a simpler framework and is taking it to the academic units to get their feedback.

Certificate Programs:

The Provost then read the following into the minutes for the official record:

Upon the recommendation of the Schools of Business Administration, Health Sciences, and Nursing and after review and approval by the Graduate Council, the following graduate level certificates are approved for implementation, coding, advertising, and student enrollment:

[Post Masters Graduate Certificate Program in General Management](#) (SBA)

[Graduate Certificate Program in Orthopedics](#) (SHS)

[Graduate Certificate Program in Neurological Rehabilitation](#) (SHS)

[Graduate Certificate in Teaching and Learning for Rehabilitation Professionals](#) (SHS)

[Graduate Certificate in Nursing Education](#) (SON)

Ms. Hildebrand then proceeded with the roll call, following which the [Minutes](#) of the January 16, 2003 Senate meeting were approved (Moved Mr. Schwartz, seconded, Mr. Latcha)

Vision Statement

The Senate then proceeded to consider the first item of old business, a motion from the *ad hoc* Vision Committee to adopt a vision statement. (Mr. Henke, Ms. Eberwein) Mr. Gardner asked what measures would be used to show that we are fulfilling our vision. Ms. Schweitzer suggested that the success of our graduates might apply. Mr. Henke responded that a vision statement provides direction and that the goals and objectives that derive from the vision statement should be measurable, but that one would not be measuring anything directly against a vision statement. Mr. Moudgil remarked that the vision statement along with the *Oakland 2010 Profile* will be useful in the development of the capital campaign. Mr. Polis wondered what one would say to a potential donor who might ask what Oakland's distinctive role is. Mr. Moudgil responded that case statements being prepared by the Deans have more focused information and would provide that information. The Senate then proceeded to approve the motion:

MOVED that the Senate recommend to the President that the following statement be adopted as the vision statement for Oakland University:

Oakland University fulfills its distinctive role among Michigan public universities by steadily enhancing an intellectual and ethical environment that prepares students to lead and serve in the local and world communities.

Committee membership change:

Next, the second item of old business, a motion listed below to revise the membership of the Academic Standing and Honors Committee was approved without further discussion:

MOVED that the membership of the Academic Standing and Honors Committee be as follows:

Five faculty; three students (non voting); the Director of the Academic Skills Center, *ex officio*, the Vice President for Academic Affairs (or designee), and the Vice President for Student Affairs (or designee), all non-voting.

Cooley Law School:

The first item of new business, a resolution to support a partnership with Cooley Law School was moved by Mr. Schwartz, seconded by Mr. Latcha. The Provost explained that developments regarding the law school may arise where decisions would need to be made quickly without allowing for Senate consultation. While he is committed to keeping the Senate informed, this motion would provide him with Senate support to proceed in those cases where time is of the essence, to permit him to "seize the moment." Mr. Schwartz added that the Steering Committee felt this was an academic issue that should be voted on by the Senate. Mr. Grossman asked if the *ad hoc* committee supports this motion and the Provost responded yes. Ms. Schott-Baer, seconded by Mr. Porter then moved to waive the second reading, a motion approved with the required 3/4 majority.

Mr. Polis asked if the university has considered all the costs involved, the need for space, the value of the time of OU individuals working on this. Mr. Moudgil indicated that they have and that he would not support this endeavor if it cost the university money. Some space may be allotted to Cooley, but once they are here it will be considered an Oakland program run by Cooley. He added that space will not be given away at the cost of Oakland programs; that, because of the new Education Building, there is currently space in O'Dowd that is empty and available. Mr. Polis wanted assurances that none of Oakland's programs could use that space and Mr. Moudgil responded that it is space not currently being used. Mr. Grossman asked what might be the next step with regard to the Senate. Mr. Moudgil indicated that this resolution from the Senate will help Cooley make its case with the ABA in its attempts to establish a satellite here at Oakland. If it gets to the point of a branch campus, then it will come back to the Senate since a branch will require more resources. Also it may involve OU faculty but any money for a branch will have to come from Cooley. Mr. Khapoya commented that Cooley is eager to proceed and commended the Provost for his willingness to keep the Senate informed of what is happening in this arena. The Senate then voted unanimously in favor of the following:

MOVED that the Senate supports the continuing development of a partnership between Oakland University and the Cooley Law School.

Senate Committee appointment:

A procedural motion to appoint Floyd Willoughby as a replacement for Kevin Nathan on the Academic Conduct Committee was approved, following a motion by Mr. Coppin and a second by Mr. Mann. Mr. Moudgil expressed sorrow and sympathy for Kevin's family and friends.

Good and Welfare:

Mr. Russell raised a question about the case studies mentioned earlier in connection with the capital campaign and asked for additional information. Mr. Moudgil responded that, due to scheduling conflicts, he was unable to have VP Goeppe attend this meeting. He will arrange to have her come to the next meeting if possible.

Board of Trustees meetings

Mr. Mann expressed his concern about the Board of Trustees meetings not being held so that

the public might attend. Mr. Moudgil commented that he had read in the student paper concerns about this but thought there might be legal issues involved and said he didn't know if it would be appropriate for the Senate to get involved.

Mr. Mann, seconded by Mr. Russell, proposed the following motion:

MOVED that the Senate request that the Oakland University Board of Trustees hold its formal and informal sessions in public, open to the university community, except where closure would be permitted under the Michigan Open Meetings Act.

Mr. Russell announced that he had petitions regarding this from the *Oakland Post* available and invited faculty to sign. Mr. Moudgil thought there was a legal ruling from the Attorney General dealing Oakland University's Board of Trustees ability to meet under certain circumstances, and that it would not be possible to override this ruling. Mr. Russell stated that the motion simply asks the Board to obey the law. Mr. Polis stated that we would like the Board to hold open meetings period, never mind whether or not there is a ruling from the Attorney General.

Mr. Russell stated that the Board met [Jan.15] without any announcement of the meeting; when the fact that a meeting was going on became obvious, interested parties were told it was just an informational meeting and were denied access. A quorum of the Board was present. When the General Counsel was asked why no one was informed, he stated that the Board can identify those people it wants to attend. Following the parliamentarian's advice, Mr. Polis, seconded by Mr. Latcha, moved to waive the second reading. Mr. Henke wondered what would happen to the motion, would it be forwarded to the Board or simply get buried in the toms of the Senate minutes. While he agrees in principle with Mr. Russell, he didn't see the value of the motion and thought it might prove divisive if we sent it to the Board. Mr. Moudgil added that he's been trying to bring constituencies together, and that, while he can bring this motion to the Board's attention, it is, after all, up to them how they respond. Mr. Sevilla commented that the university community has a deep interest in the procedures of the Board and its decision-making processes since their decisions affect the university as a whole; what the Senate would like is transparency and telling the Board this isn't antagonistic. Perhaps we could put in an addendum that we "humbly request?" Mr. Porter wondered if a lawyer could be consulted as to whether or not the Board meeting was legal. Unfortunately Mr. Zambardi had left the meeting and so was unable to respond. Ms. Eberwein suggested that, as a matter of procedure, it might better be framed as a "sense of the Senate resolution"; both the mover and seconder agreed to this change. Mr. Porter asked if we could notify the *Oakland Post* to show the student body the Senate is also taking action; Ms. Hildebrand pointed out a *Post* reporter in the audience. The motion to waive the second reading was then approved as was the slightly amended main motion, both unanimously:

MOVED a sense of the Senate resolution that the Senate request that the Oakland University Board of Trustees hold its formal and informal sessions in public, open to the University community, except where closure would be permitted under the Michigan Open Meetings Act.

With no further business, the Senate concluded its meeting with a motion to adjourn.

Submitted by

Linda L. Hildebrand
Secretary to the University Senate

3/11/03

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