

MINUTES OF THE MEETING  
of the  
OAKLAND UNIVERSITY  
BOARD OF TRUSTEES  
May 14, 1986

Present: Trustees Donald Bemis, Phyllis Law Googasian, David Handleman, Patricia Hartmann, Alex Mair, Ken Morris, and Wallace Riley

Absent: Trustee Howard Sims

Chairman Wallace Riley called the meeting to order at 5:07 p.m. in Lounge II of the Oakland Center. He noted for the record that this is a regular meeting, notice of which has been appropriately posted.

Approval of minutes of April 9, 1986

Mr. Riley asked for any additions or corrections to the proposed minutes. There were no additions or corrections. Mrs. Hartmann, seconded by Mr. Handleman, moved to approve the minutes. The motion was unanimously carried.

Approval of recommendation to accept gifts and grants to Oakland University--March 15 through April 14, 1986

Mr. Robert Swanson, Vice President for Developmental Affairs, brought the Board's attention to the gift total of \$52,185.50. He stated that \$18,230.50 of the total represents gifts made to Oakland University through the Oakland University Foundation and designated by the donors to specific projects and programs.

Mr. Keith Kleckner, Senior Vice President and Provost, drew the Board's attention to the \$60,000 grant from the State Department of Education to Oakland's School of Human and Educational Services to support "EESA Title II Higher Education Competitive and Cooperative Grants Program", which is a science program for public school teachers.

He also pointed out the \$51,123.00 grant from the National Institutes of Health in general support of the institution, and the \$76,475.00 grant from the NIH in support of the work of Dr. John Reddan, Professor of Biological Sciences and Adjunct Professor of Biomedical Sciences. This grant represents the 18th year of NIH support of Dr. Reddan's work.

Mr. Kleckner drew the Board's attention to two additional grants from NIH in support of Dr. Venkat Reddy and the Eye Research Institute, which constitute the second installment of the major core grant approved by the Board in 1985. Mr. Riley introduced Dr. Reddy and congratulated him on being Oakland's most "consistent grantee." Dr. Reddy stated that he and the Eye Research Institute are fortunate to receive grants during these difficult funding times.

President Joseph E. Champagne stated that the research activities of Dr. Reddy and the Eye Institute recently enjoyed extensive press coverage in both Detroit newspapers and in The Eccentric and The Observer.

Mr. Kleckner noted the \$32,400.00 grant from the Wayne-Oakland Library Federation in support of the Reference Hotline, which is available to Oakland County libraries. The County supported this service using pass-through monies from the State. When the State discontinued channelling the funds through the County and started giving it directly to the individual libraries, the County declined to continue funding this service. The Wayne-Oakland Library Federation has not only picked up the funding, but has increased it, and Oakland is pleased to be able to continue the reference service. He also pointed out the grant of \$12,500.00 from Wayne State University to the Ken Morris Labor Studies Center.

Mrs. Hartmann, Chair of the University Affairs Committee, stated that the gifts and grants were studied by the Committee and it recommends acceptance with gratitude. She moved, seconded by Mr. Morris, to accept the gifts and grants to the University totaling \$382,319.50. The motion was unanimously carried.

Acceptance of report of gifts and grants to the Oakland University Foundation--March 15 through April 14, 1986

Mr. Swanson stated that the report of \$51,019.00 in gifts and grants to the Oakland University Foundation is an informational item and requires no action by the Board. He noted that the efforts of the President's Club Steering Committee under the leadership of Mr. Fred Houghten have been very effective, resulting in the acceptance of 74 new members in the President's Club since January 1, 1986. The Club currently has a total of 816 members. The 74 new members constitute pledges, in the aggregate, of approximately \$925,000.

Chairman Riley suggested that some special event or tribute should be considered for the 1,000th member.

Approval of faculty personnel actions

Mr. Kleckner drew the Board's attention to the appointment of Mr. David Cooper as the Director of the Ken Morris Labor Studies Center. Mr. Cooper has very impressive credentials in working with both labor organizations and academic institutions.

Mr. Morris stated that he is very pleased with the appointment of Mr. Cooper and believes he will make his "mark" at Oakland.

Mr. Kleckner asked approval of the following faculty personnel actions:

Appointment

Cooper, David N., Associate Professor of Education with tenure and Director, Ken Morris Labor Studies Center, effective July 1, 1986

Folland, Sherman T., Assistant Professor of Economics, effective August 15, 1986

Ito, Rikuma, Adjunct Professor of Management, effective August 15, 1986, through August 14, 1991

Montenegro, Patricia G., Instructor in Spanish, effective August 15, 1986

Peacock, Eileen, Assistant Professor of Accounting, effective August 15, 1986

Change of Status

Henry, Egbert W., from Professor of Biological Sciences to Professor of Biological Sciences and Acting Chair, Department of Biological Sciences, effective January 6, 1986, through December 13, 1986 [Supersedes previous Board action of December 11, 1985, which changed Mr. Henry's status to Professor of Biological Sciences and Acting Chair, Department of Biological Sciences for the period January 6, 1986, through April 25, 1986]

Stano, Miron, from Associate Professor of Economics and Management, to Associate Professor of Economics and Management and Acting Chair, Department of Management Information Systems and Quantitative Methods, effective May 5, 1986, through August 21, 1986

Leave of Absence

Bragg, Louis R., Professor of Mathematical Sciences, sabbatical leave from August 26, 1986, through April 25, 1987 (with 75% pay)

Brooks, Richard W., Associate Professor of Philosophy, sabbatical leave from January 5, 1987, through April 25, 1987 (with full pay) [Supersedes previous Board action of April 9, 1986, which placed Mr. Brooks on sabbatical leave from August 26, 1986, through April 25, 1987 (with half pay)]

Callewaert, Denis M., Professor of Chemistry, sabbatical leave from August 26, 1986, through December 13, 1986 (with full pay)

Gamboa, George J., Associate Professor of Biological Sciences, from August 26, 1986, through April 25, 1987 (with half pay)

Gorlin, Alice C., Associate Professor of Economics, part-time (20%) leave from August 26, 1986, through April 25, 1987 (with prorated pay)

Harrison, Algea O., Associate Professor of Psychology, sabbatical leave from January 5, 1987, through April 25, 1987 (with full pay)

Orton, Lawrence D., Associate Professor of History, from August 26, 1986, through April 25, 1987 (with no pay)

Schimmelman, Janice G., Assistant Professor of Art and Art History, sabbatical leave from August 26, 1986, through December 13, 1986 (with full pay)

Tucker, Richard P., Professor of History, from August 26, 1986, through April 25, 1987 (with no pay)

Mr. Morris, Chair of the Finance and Personnel Committee, stated the Committee's concurrence with the recommendation and moved approval. The motion was seconded by Mr. Bemis and was unanimously carried.

Approval of extension of TIAA alternatives to employee groups other than faculty

Mr. Robert McGarry, Vice President for Finance and Administration, stated that in January, 1985, the Board approved offering to the faculty two retirement plan alternatives to TIAA. The

proposals are the tax deferred annuity plans of the Fidelity Mutual Fund Group and the Equitable Insurance Company. (Details on the plans are on file in the Office of the Vice President for Finance and Administration.) At that time President Champagne indicated that he wished to give the plan one year's operation before making a decision on whether to offer the same alternatives to other employee groups. Based upon the past year's experience, the Employee Relations Department recommends that the University proceed to offer the alternative plans to other interested employee groups. Mr. McGarry asked approval of the recommendation set forth below.

RESOLVED, That, subject to union concurrence where applicable, Oakland University shall offer the retirement fund options currently available to eligible faculty employees to all other employees who are also eligible to participate in the TIAA/CREF plan.

Mr. Morris moved, seconded by Mrs. Googasian, approval of the recommendation as presented.

Mr. Bemis stated that when this subject was reviewed by the Finance and Personnel Committee, he expressed concern about the need for a "sign-off" provision from the employees acknowledging that the choice of plan is the employee's personal decision. Mr. Bemis said that he discussed the matter with the Office of the General Counsel. Mr. John De Carlo, Secretary to the Board of Trustees, Vice President for Governmental Affairs, and General Counsel, stated that his office will review the documents prepared by the Employee Relations Department in order to make certain that all parties are protected as requested by Mr. Bemis and by the Finance and Personnel Committee.

Mr. Riley called for a vote and the motion was unanimously carried.

#### Approval of proposed faculty hiring procedure

President Champagne stated that a substitute motion for the adoption of a faculty hiring procedure was distributed to the Board, and that this item was discussed by the appropriate Board committees. As a result of additional input that has been received in the past week from the Provost's office regarding minor procedural revisions, especially in regard to the hiring of part-time faculty, a deferment of action until the June 11, 1986, Board meeting was requested. The administration feels strongly about the item, and wishes to convey to the university community that a specific policy relative to faculty hiring procedures will be implemented. Therefore, it is recommended that the Board adopt a resolution indicating the administration's intention of

bringing to the Board at the June meeting a more refined document than currently exists. The President then read the substitute recommendation.

WHEREAS, On May 21, 1981, the Oakland University Board of Trustees adopted a policy of nondiscrimination and affirmative action in all hiring and employment decisions; and

WHEREAS, This policy is applicable to all employee groups, including all faculty employees; and

WHEREAS, The adoption of a hiring procedure regarding faculty employees will facilitate the implementation of the Board's policy; now therefore be it

RESOLVED, That the Board of Trustees instructs the University administration to submit a Faculty Hiring Procedure to the Board of Trustees at its meeting of June 11, 1986, for adoption.

Mr. Kleckner stated that, in conferring with the Department Chairs on the implementation of the policy, some suggestions have been made to strengthen the policy.

Mrs. Hartmann moved, seconded by Mr. Morris, to approve the substitute recommendation as presented. The motion was unanimously passed.

#### Approval of repair of northwest parking lot

Mr. McGarry stated that the northwest parking lot is the University's oldest and is in very poor condition. It needs major reconstruction, consisting of excavation, replacement of certain areas, resurfacing and restriping. The restriping will create up to 300 additional parking spaces.

Mr. Morris stated that the Finance and Personnel Committee discussed the fiscal issues involved and recommends approval of the recommendation.

Mrs. Hartmann stated that the University Affairs Committee agrees with the recommendation of the Finance and Personnel Committee, and read the following recommendation:

RESOLVED, That the Board of Trustees authorizes the Vice President for Finance and Administration to enter into a contract for repairing, resurfacing, and restriping the northwest parking lot at a total project cost not to exceed \$200,000. The award shall be made to the

lowest qualified bidder and shall be in compliance with University contract and affirmative action policies; and be it further

RESOLVED, That funding will be provided from the Transportation Use Fee Account.

Mrs. Hartmann moved, seconded by Mr. Mair, approval of the recommendation as read. The motion was unanimously carried.

#### Approval of reinstatement of baseball program

President Champagne stated that changes in the athletic program have been discussed at the Board meetings during the past several months. At the April 9, 1986, meeting, the Board of Trustees voted to discontinue wrestling as an intercollegiate sport. Under the Great Lakes Intercollegiate Athletic Conference (GLIAC) rules, Oakland is required to replace wrestling with another sport in order to participate in Conference activities. The University had a successful baseball program for about eight years which was terminated in 1980 for budgetary reasons. The administration believes that at this time the University has the resources to adequately finance a baseball program. During its discussions of this matter, the Finance and Personnel Committee requested cost projections before making a decision on the reinstatement of baseball. That information has been supplied and the Committee acted at its meeting of May 7 and recommends the reinstatement of baseball.

Mrs. Hartmann reported that the University Affairs Committee discussed the programmatic aspects at considerable length over a period of three months and concurs with the recommended action. She moved approval of the following recommendation:

The Board of Trustees authorizes the reinstatement of men's baseball at Oakland University. The program shall be subject to the same budgetary review procedures governing all other athletic programs at the institution. The program shall be implemented as soon as possible as determined by the Director of Athletics subject to the specific approval of the President.

Mr. Morris supported the motion and indicated that there were reservations raised in the meeting of the Finance and Personnel Committee in regard to the reinstatement of this program. However, in order to comply with the rules of the Conference, an athletic program must be implemented to replace the one being discontinued. The other options were football and track, and it was clear that they would be more expensive than a baseball program. The Finance and Personnel Committee therefore concurred with the recommendation.

Mrs. Googasian stated that the Finance and Personnel Committee also discussed the possibility of adding an appropriate women's sport to replace the discontinued wrestling program. It is the understanding of the Committee, based on statements from the Director of Athletics, that there is no demand at this time for an additional women's sport at Oakland. The Committee's consideration of the question of male/female balance of sports teams at Oakland should be noted.

Mr. Bemis stated that Oakland conducts seven male sports and four female sports, and he wished to be assured that this fact would not be a problem under Title IX. The Board was assured by Mr. Paul Hartman, Director of Athletics that the introduction of an additional male sport was a proper action.

Mr. Riley stated that nine sports are required by the Conference, but there is no reason why Oakland could not have more than nine. If there was interest in a women's softball team it could be started.

Mr. Bemis stated that one of the most popular women's sports is golf. He inquired if any consideration has been given to this activity.

President Champagne asked Mr. Paul Hartman, Director of Athletics, to comment on women's golf. Mr. Hartman replied that the golf coach, Mr. Ken Allard, indicated to him yesterday that there were only three women interested in playing golf on a University team at this time.

Mr. Bemis commented that an important concept to be considered in the area of equal opportunity in women's sports programs is the need to build and develop an interest in sports activities. Mr. Hartman noted that women's soccer is probably the most popular women's sport on campus, but at Oakland women's soccer is a club sport rather than a varsity sport.

Mrs. Hartmann added that the University Affairs Committee urges that if the baseball program is undertaken, it should be done with "vigor" so that it is not dropped for lack of interest or participation.

Mr. Riley called for the vote, and the motion was unanimously carried.

Mr. Riley then asked Mr. Hartman to step forward. Mr. Riley presented Mr. Hartman with an official major league baseball autographed by all of the Trustees to be used in the first Oakland championship baseball game.

Liquor Control Commission rules relating to contributions to University programs and events

Mr. De Carlo stated that the Michigan Liquor Control Commission (LCC) promulgated new regulations concerning the conditions under which producers and distributors of alcoholic beverages may promote or advertise their products on university campuses. The Commission will permit the underwriting of certain activities if such action does not directly promote the drinking of intoxicating beverages, but merely recognizes the sponsor's contribution, and if the sponsorship has the prior approval of the LCC and has been approved by the governing board or the governing board's designee. For example, Oakland has programs at the Meadow Brook Music Festival where an independent contractor sponsors a concert and also receives funds from a vendor of alcoholic beverages as a co-sponsor. The Festival may receive funds from the contractor permitting the co-sponsorship by the vendor of alcoholic beverages if that sponsorship is approved by the LCC, and by the Board of Trustees or its designee. The President has broad powers granted by the Board bylaws and the administration believes that those powers would include approving the sponsorship of such activities. However, since the LCC has a specific requirement for Board or Board designee approval, it is important that this condition is brought to the attention of the Board of Trustees.

Although the LCC rule concerning promotional activities by producers and distributors is new, the University has a history of occasionally permitting promotional activities. For example, the University administration has found it in the University's best economic interest, on occasion, to permit beer companies to serve as "sponsors" of specific Meadow Brook Music Festival "pop" programs conducted by Brass Ring, a private concert promoter. Sponsorship involves such things as flying a banner above the stage and giving recognition in newspaper advertising.

The following recommendation will authorize the President to take that action on behalf of the Board of Trustees:.

RESOLVED, That the Board of Trustees confirms that the general grant of authority made to the President pursuant to the Board Bylaws contains the specific authority to make determinations concerning the receipt of financial assistance from producers and distributors of alcoholic beverages for events occurring on campus. Approval may be granted by the President for the receipt of such gifts when it is in the best interest of the University and in accordance with the law.

Mr. Bemis moved, seconded by Mr. Morris, to approve the recommendation as presented.

Mrs. Hartmann stated that the University Affairs Committee recommends approval of the recommendation, as long as it does not include advertising or encouragement of consumption of alcoholic beverages.

Mrs. Googasian asked what the principal motivation was behind the LCC's establishing this new regulation. Mr. De Carlo responded that the Commission was concerned about some of the activities on college and university campuses that went beyond mere advertising. As a result of those activities and due to the national movement to control the consumption of alcoholic beverages, the LCC decided to address this particular problem. The LCC's original rules were very broad, and during the course of the hearings, the liquor interests agreed to restrict their campus activities and initiate educational programs. In the course of the hearings, the LCC determined that advertising should not be totally prohibited and that the sponsorship of events would be permissible, subject to the previously mentioned approval process.

President Champagne stated that the procedure consists of two steps: first, application is made to the LCC which indicates that the event complies with the law and second, the President determines if the event is appropriate to the University. The LCC is the first "filter", and this step is the change in past practice.

Mr. Riley called for a vote, and the motion was unanimously carried.

#### Consideration of Board meeting dates for fiscal 1986-87

Mr. Riley stated that the list of proposed Board meeting dates for fiscal 1986-87 submitted to the Trustees is informational and adoption of the dates will take place at the June 11 meeting. The proposed meeting dates are the second Wednesdays of each month at 5:00 p.m.

Mrs. Googasian expressed her concern with the 5:00 p.m. meeting time in that this arrangement provides the Trustees with the "temptation" to schedule functions later in the evening after the Board meeting. This at times creates a conflict if the Board meeting is longer than usual. She noted the importance of the Board's functions and expressed a concern that no action be taken that would shorten the amount of time required to sufficiently discuss and consider all of the agenda items. She asked the Board members to individually evaluate the meeting time before adopting the dates for 1986-87.

Mrs. Hartmann added that the 5:00 p.m. meeting time, on the other hand, allows the Trustees to attend at least part of the Board meeting and attend an additional critical meeting later in the

evening, if necessary. She added that the 5:00 p.m. meeting time has, in her opinion, resulted in better attendance at the Board meetings.

Mr. Riley stated that the following meeting dates will be considered at the June 11, 1986, Board meeting:

Wednesday, July 9, 1986  
Wednesday, August 13, 1986  
Wednesday, September 10, 1986  
Wednesday, October 8, 1986  
Wednesday, November 12, 1986  
Wednesday, December 10, 1986  
Wednesday, January 14, 1987  
Wednesday, February 11, 1987  
Wednesday, March 11, 1987  
Wednesday, April 8, 1987  
Wednesday, May 13, 1987  
Wednesday, June 10, 1987

The meetings would be scheduled at 5:00 p.m. unless there is a change.

Other items that may come before the Board

Mr. Riley asked if there were any further comments or new business from the audience or from the Board members. There were none. Mr. Riley then asked President Champagne if he wished to make a report. President Champagne stated that he did not have any items to report.

Mr. Riley stated that the Board wished to conduct a closed session and the Open Meetings Act provides in Section 8 that a public body may meet in a closed session for the purpose of consulting with its attorney regarding trial strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body. [Section 8.(e)] In addition, the Board of Trustees may meet in closed session to discuss the written opinion of legal counsel. A closed session is requested to discuss pending Workers' Compensation litigation and cases, and the written opinion of counsel.

Section 7 of the Open Meetings Act provides that:

- (1) A two-thirds roll call vote of members elected or appointed and serving shall be required to call a closed session, except for closed sessions permitted under section 8(a), (b), (c), and (g). The roll call vote and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

Mr. Bemis moved, seconded by Mrs. Googasian, to enter into closed session. Mr. Riley read the roll.

Roll Call:

Donald Bemis	<u>yes</u>
Phyllis Law Googasian	<u>yes</u>
David Handleman	<u>yes</u>
Patricia Hartmann	<u>yes</u>
Alex Mair	<u>yes</u>
Ken Morris	<u>yes</u>
Wallace Riley	<u>yes</u>
Howard Sims	<u>absent</u>

The motion was unanimously carried to hold a closed session to discuss pending litigation and the opinion of legal counsel.

The meeting was adjourned at 5:50 p.m.

Approved,

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John De Carlo, Secretary  
Board of Trustees

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Wallace D. Riley, Chairman  
Board of Trustees