

Minutes of the Special Meeting  
of the Oakland University Board of Trustees  
November 20, 1986

Present: Trustees Donald Bemis, Phyllis Law Googasian, David Handleman, Alex Mair, and Howard Sims

Absent: Trustees Patricia Hartmann, Ken Morris, and Wallace Riley

Chairman David Handleman called the meeting to order at 5:50 p.m.

Smoking Ordinance

Mr. John De Carlo, Secretary to the Board of Trustees, Vice President for Governmental Affairs, and General Counsel, informed the Trustees that the State of Michigan has passed a law that prohibits smoking in public places. The law becomes effective January 1, 1987. The law provides that smoking is prohibited in public places unless a set of rules and standards are established that authorize smoking in specific areas. The Act also requires that each institution establish policies for the implementation of the law. In the event that a Board meeting is not held in December, the administration makes the following recommendation:

WHEREAS, There is a possibility that the Board of Trustees will not convene in a formal session prior to January 1, 1987; and

WHEREAS, Legislation has been passed regulating smoking in public buildings which legislation will be effective January 1, 1987; now therefore be it

RESOLVED, That the Board grants to the President the authority to establish and implement a temporary smoking policy for the Oakland University campus in accordance with Public Acts 96 and 198 of 1986, on the condition that such temporary policy will be subject to the prior approval of the Board of Trustees University Affairs Committee; and be it further

RESOLVED, That the temporary policy will be subsequently submitted to the full Board of Trustees at its next regularly scheduled meeting for possible amendment or ratification in order to enact a final policy.

Mr. De Carlo stated that the President appointed a Smoking Policy Committee made up of four University staff members. The Committee has drafted a "rather strict" policy which provides that there will be no smoking in most buildings, with exceptions for public corridors and certain designated areas.

Trustee Sims, seconded by Trustee Mair, moved to accept the recommendation. The motion was unanimously carried.

### Closed Session

Mr. De Carlo stated that:

Section 8(a) of the Open Meetings Act states that a public body may meet in a closed session to consider material exempt from discussion or disclosure by State law. A closed meeting may be held under the Act to consider a periodic evaluation of a public officer or an employee if requested by that individual. President Joseph E. Champagne has stated that he will request a closed session for his periodic evaluation.

Section 7 of the Open Meetings Act provides that:

- (1) A roll call vote of members elected or appointed and serving shall be required to call a closed session. 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. A majority vote of the full Board is required for approval.
- (2) A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session. These minutes shall be retained by the clerk of the public body, shall not be available to the public, and shall only be disclosed if required by civil action filed under section 10, 11, or 13. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

President Joseph E. Champagne requested that the Board enter into a closed session for his evaluation and to adjourn the open meeting.

Mr. De Carlo called the roll for a vote on the approval of a closed session for the evaluation of the President:

Roll Call:

-	Donald Bemis	<u>Yes</u>
-	Phyllis Law Googasian	<u>Yes</u>
-	David Handleman	<u>Yes</u>
-	Alex Mair	<u>Yes</u>
-	Howard Sims	<u>Yes</u>

A closed meeting was authorized for the personal evaluation of the President.

Trustee Law Googasian, seconded by Trustee Sims, moved to adjourn the open meeting. The motion was unanimously carried.

The open meeting adjourned at 5:55 p.m.

Approved,

  
John De Carlo, Secretary  
Board of Trustees

David Handleman, Chairman  
Board of Trustees

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