

**Minutes of the Meeting
of the
Oakland University Board of Trustees
June 4, 1998**

Present: Chairman Rex E. Schlaybaugh, Jr.; Trustees David T. Fischer,
Louis Grech-Cumbo, Ann V. Nicholson, and James A. Sharp, Jr.

Absent: Trustees Henry Baskin and Dennis K. Pawley

I. Call to Order

Chairman Rex E. Schlaybaugh, Jr. called the meeting to order at 3:09 p.m. in the Gold Rooms of the Oakland Center.

II. Roll Call

Ms. Susan Gerrits, General Counsel and Secretary to the Board of Trustees, conducted a roll call vote. All Board members were present except Trustees Henry Baskin and Dennis K. Pawley.

III. President's Report – Report on "Creating the Future"

President Gary D. Russi reported the following information:

- Ms. Barbara Somerville, Ms. Carolyn Moss Hogan, and Mr. Forrest Wright were recognized as the February, May, and June Employees of the Month, respectively.
- The official Spring 1998 enrollment headcount is at a record 6,703 students. Undergraduate and graduate credits taken have also increased.
- The Campus Recreation Programs leadership team were recognized for their efforts in creating an outstanding program.
- The "Creating the Future" planning initiative has been completed and was extremely successful. All nine task forces have generated recommendations that will be presented to the Board of Trustees at the June 13 gala event. A bound booklet of all recommendations will be available to the Board and the campus community on that date.

IV. Consent Agenda

Chairman Schlaybaugh presented the following recommendations:

A. Approval of the Minutes of the Meeting of April 2, 1998

B. University Personnel Actions

New Appointments

Emrich, Kathleen A., Assistant Professor of Nursing, effective August 15, 1998 (\$52,000) (New appointment filling a vacant authorized position)

Golemba, Adine E., Special Instructor in Spanish, effective August 15, 1998 (\$30,000) (New appointment filling a vacant authorized position)

Sandor, Viviana, Assistant Professor of Engineering, effective August 15, 1998 (\$60,000) (New appointment filling a vacant authorized position)

Administrative Appointments

Dean - Effective August 15, 1998, through August 14, 2003:

<u>School</u>	<u>Dean</u>	<u>Term</u>
Engineering and Computer Science	Michael P. Polis	2 nd

(In addition, effective August 15, 1998, he will receive a salary adjustment equal to 4 percent of his base salary. This adjustment is a result of a review of market factors related to his position.)

Cigna, Ronald, Vice Provost for Information Technology, effective July 1, 1998 (\$96,000) (New appointment filling a vacant authorized position)

Change of Status

Fosu, Augustin K., from Professor of Economics and Chairperson, Department of Economics, to Professor of Economics, effective April 29, 1998

Sahu, Anandi P., from Associate Professor of Economics, to Associate Professor of Economics and Acting Chairperson, Department of Economics, effective April 30, 1998, through August 21, 1998

C. Meadow Brook Subdivision Financing Guarantee

D. Recommendation to Accept Gifts and Grants to Oakland University and the Oakland University Foundation for the Periods of February 1 through February 28, 1998, and March 1 through March 31, 1998

E. Approval of Degree Candidates List Dated April 28, 1998

Trustee David T. Fischer, seconded by Trustee Ann V. Nicholson, moved approval of the consent agenda. The motion was unanimously approved by those present.

V. Finance and Personnel Advisory Committee Report

Trustee Nicholson, Chair of the Finance and Personnel Advisory Committee, reported that the committee met on May 7, 1998, and recommended the following items for review and approval by the full Board.

A. General Fund Budget and Tuition and Fees Rate Increase for Fiscal Years 1998-99 and 1999-2000

Trustee Nicholson stated that this item requests the adoption of the 1998-99 General Fund Budget and a conditional approval of the 1999-2000 General Fund Budget. When the 1997-98 budget was approved, the 1998-99 budget was also conditionally approved as part of a three-year budgeting and tuition setting effort. With increased enrollment and state support, the budget proposal for 1998-99 was changed. The 1998-99 budget estimates reflect a 4 percent increase over 1997-98, and the 1999-2000 budget reflects a 3 percent increase over 1998-99. The budget also reflects salary adjustments for represented employee groups, and a 3.2 percent increase for non-represented employees consistent with the approved faculty increase for 1998-99. Distribution of that increase is based upon individual performance reviews.

Trustee Nicholson moved approval of the following recommendation:

WHEREAS, with the close of the current fiscal year a new General Fund Budget requires Board of Trustees approval and previously reviewed tuition and fees rates requires final approval; be it

RESOLVED, that the Board of Trustees approve the 1998-99 General Fund Budget at an expenditure level of \$94,449,487 and approved encumbrances and carry forwards from the June 30, 1998, fund balance. See Exhibit I for detail; and, be it further

RESOLVED, that the Board of Trustees conditionally approve the 1999-00 General Fund Budget at an expenditure level of \$98,245,050 and approved encumbrances and carry forwards from the June 30, 1999, fund balance. See Exhibit II for detail; and, be it further

RESOLVED, that the Board of Trustees approves a 1998-99 salary adjustment for non-represented employees effective July 1, 1998, of a 3.2% pool increase for each employee subgroup, as follows: Group I, Executives and Deans; Group II, Academic Administrators, Administrative-Professionals, and Contract Employees and Group III, Excluded Clerical-Technical and Miscellaneous Employees. The distribution for individual employees within subgroups will be based on an assessment of performance or merit; and, be it further

RESOLVED, that the Board of Trustees approve the attached schedule, Exhibit III, of Recommended Tuition and Fee Rates for fiscal years 1998-99 and 1999-00.

(Exhibits I, II, and III are on file in the Board of Trustees office.)

Trustee Fischer seconded the motion for approval of the recommendation.

Trustee James A. Sharp, Jr. stated his opinion that if the state appropriations exceeds predictions, the excess funds should be utilized for tuition reduction. Trustee Nicholson noted that the Board retains the option to reconsider tuition. Chairman Schlaybaugh concurred with Trustee Nicholson that the Board always has the opportunity to revisit the budget status and to allocate any additional state appropriations for various projects, including tuition reduction. He asked President Russi to provide an updated state appropriations report at the August meeting. Trustee Fischer and Chairman Schlaybaugh noted that, based on a survey conducted two years ago, students supported using excess funds to improve campus parking, lighting, and recreation.

Chairman Schlaybaugh thanked the administration for providing thorough information on the incentive programs. In response to several questions raised by Chairman Schlaybaugh, President Russi clarified that the incentive programs supplemental budget dollars are dedicated to the operations of each program for the next fiscal year; the incentive programs were placed under a supplemental budget because they were just initiated this year; and that this year's incentive activities would be paid in the next budget year. Chairman Schlaybaugh noted that the programs basically provide an incentive to the schools and college to develop degree programs off campus where revenue is shared. The net profit from those programs is distributed on a 75/25 percent

basis with 75 percent allocated to the Academic Affairs Division and 25 percent allocated to the General Fund. The programs also increase the FYES count, bringing in additional state appropriations. Chairman Schlaybaugh suggested that there should be a full discussion on this topic so the Board better understands the impact of the incentive programs, how they operate, and their parameters. He was concerned whether there is a "structural bias" to support the off-campus incentive programs to the detriment of on-campus programs.

Trustee Nicholson requested a breakdown on the cost per student, how it compares to previous years, and the driving force behind it. President Russi responded that the university reviews that information annually as it benchmarks it with peer institutions in the state. He noted that it was recently included in his testimony to the House and Senate, and that he would supply that information to the Board. Trustee Louis Grech-Cumbo agreed with the importance of benchmarking and forecasting student costs with peer groups. Trustee Fischer commented that the Board has previously reviewed that information, and learned that Oakland costs have increased less than the peer group. He stated that he feels very confident that Oakland University has done a great job of moderating tuition increases. Trustee Grech-Cumbo added that if the university experiences excess state appropriations, consideration should also be given to allocating it for deferred maintenance projects.

The motion was unanimously approved by those present.

B. Oakland Center Renovation Project Budget Adjustment

Trustee Nicholson stated that on February 5, 1998, the Board approved a renovation project for the lower level of the Oakland Center, in the amount of \$1,974,095. Since then, the architectural firm has identified unforeseen conditions associated with the mechanical systems, and the project manager has been advised to change the existing constant air volume system to a variable air volume ductwork system as part of the project. The change will result in significant energy improvements to the building's lower level heating, ventilation, and air conditioning system (HVAC) and will provide the ductwork for future air handling renovation work. The committee recognized that unforeseen conditions do happen during renovation projects and that it is a logical time to address the needed updates to the HVAC system.

Trustee Nicholson moved approval of the following recommendation:

WHEREAS, the Oakland Center lower level HVAC system has not been improved in thirty years; and

WHEREAS, HVAC improvements to the lower level will result in energy savings and improved comfort; and

WHEREAS, installation of VAV ductwork as part of the current lower level project will avoid major costs and service disruption in the future when the current air handling system undergoes renovation; now, therefore, be it

RESOLVED, that the budget for the Oakland Center renovation project be adjusted to include an additional \$248,000 (\$221,000 in construction costs and \$27,000 in fees) for a total project cost of \$2,222,095; and, be it further

RESOLVED, that the Board-approved internal loan, from the university's pooled cash, in the amount of \$1,324,095 be increased to \$1,572,095 with a borrowing rate adjusted semiannually; and, be it further

RESOLVED, that the loan repayment period will be increased from ten to thirteen years through an extension of the existing \$178,000 Oakland Center debt service; and, be it further

RESOLVED, that the Office of the General Counsel shall review all contracts prior to execution and that the contracts shall conform to all university policies.

Trustee Doyle seconded the motion for approval of the recommendation.

The motion was unanimously approved by those present.

C. Student Recreation and Athletic Center Budget Adjustment

Trustee Nicholson stated that the scope of work and budget for the Recreation and Athletic Center did not include the provision of arena score boards. It was assumed that those signs would be provided through corporate sponsorships. It is now proposed that the Athletic Department be given an internal loan of \$500,000 to purchase the score boards, to be repaid over a ten-year period through future corporate sponsorships. The Athletic Department's operating budget can accommodate this debt service.

Trustee Nicholson moved approval of the following recommendation:

RESOLVED, that the budget and scope of the Student Recreation/Athletic Center be increased by \$500,000 for the purpose of purchasing scoreboard equipment; and, be it further

RESOLVED, that the Vice President for Finance and Administration be authorized to execute contracts for the purchase of the scoreboard equipment; and, be it further

RESOLVED, that the purchase of the scoreboard equipment shall conform to all university purchasing policies.

Trustee Doyle seconded the motion for approval of the recommendation.

Trustee Fischer inquired about the corporate sponsorship efforts, and President Russi replied that the process has just begun through a marketing plan. Ms. Susan M. Aldrich, Interim Vice President for Finance and Administration, added that the Athletic Department has approached six potential sponsors.

The motion was unanimously approved by those present.

D. Contracting for Cleaning Services for the Student Recreation and Athletic Center

Trustee Nicholson reported that this item seeks Board approval to contract for cleaning services for the Student Recreation and Athletic Center. She noted that on December 12, 1996, the Board received a report summarizing a competitive Request for Proposal (RFP) process resulting in a contract with ARAMARK Corporation to provide cleaning services in the new Science and Engineering Building. The contract offered ARAMARK an opportunity to perform similar services in the new Student Recreation and Athletic Center and the new Animal Care Facility conditioned upon ARAMARK holding its proposed labor rates constant (subject to inflationary adjustments) and dependent upon ARAMARK's quality of service. ARAMARK's performance and proposal for the new building have been evaluated against the option of performing the work internally utilizing OU labor, supervision, supplies, and equipment. Based on the current contractual agreement and the savings in money and supervision, it is recommended that Oakland contract with ARAMARK for this service. The proposal is for a turn-key cleaning service using the same performance-based criteria that exists in the current arrangement for the Science and Engineering Building. The amount of the contract for one year is \$244,358.

Trustee Nicholson reported that the committee thoroughly discussed this matter. She then read the following statement into the record:

The committee discussed this matter at some length. The Board policy states that contracts over \$200,000 should normally be put out for bid, and we would ask that the Vice President for Finance and Administration keep this in mind when negotiating further contracts involving incentive add-ons such as this. Certainly, any potential add-ons which may be \$200,000 or more should be brought to the attention of the Board before the original contract is signed. That being said, the Finance and Personnel Advisory Committee recognizes that ARAMARK has provided

good quality service and has otherwise met the terms of its contract with Oakland University.

Trustee Nicholson moved approval of the following recommendation:

WHEREAS, the new Student Recreation and Athletics Center is expected to be ready for occupancy in July 1998; and

WHEREAS, a request for proposals process has been undertaken which has resulted in the initial contract for cleaning services in the Science and Engineering Building with the option for the cleaning services in the Student Recreation and Athletics Center; and

WHEREAS, this option has been thoroughly reviewed and recommended; now, therefore, be it

RESOLVED, that the Vice President for Finance and Administration be authorized to contract with the ARAMARK Corporation for the cleaning services in the new Student Recreation and Athletics Center building. The initial contract will be for one year in the amount of \$244,358 and will be renewable, at will, between OU and ARAMARK each year thereafter for three years provided each successive contract does not increase by more than the regional consumer price index; and, be it further

RESOLVED, that the Vice President for Finance and Administration be authorized to execute the cleaning services contract on behalf of the university.

Trustee Fischer seconded the motion for approval of the recommendation.

Trustee Grech-Cumbo asked if legal agreements or contracts must be reviewed by the General Counsel prior to Board action. Ms. Gerrits stated that generally the Board resolutions do require that contracts be reviewed by counsel before execution; however, the Board does not review the actual contract, which is usually executed after Board approval, because Board action is required prior to finalizing contract negotiations. Trustee Grech-Cumbo stated that if this contract had been reviewed by counsel before it came to the Board, and it was a violation of Board policy, counsel is obligated to inform the Board of the violation.

Trustee Sharp expressed his support for contracting with ARAMARK, but asked that a bid be conducted after a one-year period, since the add-on contract for the Recreation and Athletic Center is an extension of the original bid for the Science and Engineering Building contract. The Board expressed concerns about approving the add-on contract in excess of \$200,000 without a competitive bid process. Ms. Gerrits stated that in her

opinion, the Board is authorizing the contract to be entered into potentially for up to three additional years. Trustee Sharp expressed his opposition to that process, noting that it sets a bad precedent, and stressed the importance of rebidding the project.

Chairman Schlaybaugh clarified that the resolution gives the administration the ability to extend the contract without coming back to the Board, as long as it does not increase by more than the regional CPI. Trustee Grech-Cumbo asked if the original contract with the Science Building indicates an add-on period of three years. He proposed a revision to the motion stating that the contract will be rebid after a one-year term.

Chairman Schlaybaugh suggested approving a directive that the administration not execute a renewal year unless they return to the Board with a report on their recommendations.

After a lengthy discussion the Board decided to defer this item until the end of the agenda to allow time for Ms. Gerrits to review the legal ramifications of the ARAMARK contract with the Science Building.

VI. University Affairs Advisory Committee Report

Trustee Doyle, Chair of the University Affairs Advisory Committee, reported that the committee met on May 19, 1998, and recommended the following items for review and approval by the full Board.

A. Alfred G. Wilson and Matilda R. Wilson Awards and Human Relations Award

Trustee Doyle called on Dr. Mary Beth Snyder, Vice President for Student Affairs, to present this item. Dr. Snyder stated that the university has the honor of recognizing three of Oakland University's outstanding seniors who have been selected for the university's most prestigious awards. All three will be honored this evening at a dinner with President Russi and again on Saturday at commencement. Dr. Snyder presented the following recommendations:

A Resolution of Commendation to Mr. Bryan K. Barnett

WHEREAS, Mr. Bryan K. Barnett entered Oakland University as a freshman in the fall of 1993 from Oakland Christian High School, Auburn Hills, Michigan; and

WHEREAS, Mr. Barnett demonstrated academic achievement as a Golden Key National Honor Society member; and

WHEREAS, Mr. Barnett demonstrated leadership capabilities and commitment to the university through the governance process by serving as student body president, University Student Congress legislative member, and university senator; served as orientation group leader and admissions ambassador; served as a university committee member for a "Creating the Future" Task Force; started the Walt Disney College program on campus; and

WHEREAS, Mr. Barnett has been selected as the 1998 recipient of the Alfred G. Wilson Award given annually to a graduating senior who has maintained high academic standards, who has demonstrated extraordinary leadership capabilities and involvement in the Oakland University community, and who has expressed social concern; now, therefore, be it

RESOLVED, that the Board of Trustees expresses its appreciation to Mr. Bryan Barnett for his commitment to campus life at Oakland University; and, be it further

RESOLVED, that the Board of Trustees commends Mr. Bryan Barnett for the quality of his leadership and extends to him its best wishes for continued success in all of his future endeavors.

A Resolution of Commendation to Ms. Tierra Stamps

WHEREAS, Ms. Tierra Stamps entered Oakland University in the fall of 1994 from Renaissance High School in Detroit; and

WHEREAS, Ms. Stamps demonstrated academic achievement as a National Society of Black Engineers Student member while completing her degree in Engineering; and

WHEREAS, Ms. Stamps demonstrated leadership capabilities and commitment to the university and the greater community through her involvement as a volunteer for the Community Action Reaching Everyone, C.A.R.E.; served as a peer study leader for Enhanced Studies; served as an engineering peer leader for the Office of New Student Programs; served as a peer mentor for the Office of Equity; held offices of communications chair, treasurer, and conference planner for the National Society of Black Engineers; held membership in Eta Kappa Na and the International Council of Systems Engineers; and

WHEREAS, Ms. Stamps has been selected as the 1998 recipient of the Matilda R. Wilson Award given annually to a graduating senior who has maintained high academic standards, who has demonstrated extraordinary

leadership capabilities and involvement in the Oakland University community, and who has expressed social concern; now, therefore, be it

RESOLVED, that the Board of Trustees expresses its appreciation to Ms. Tierra Stamps for her commitment to campus life at Oakland University; and, be it further

RESOLVED, that the Board of Trustees commends Ms. Tierra Stamps for the quality of her leadership and extends to her its best wishes for continued success in all of her future endeavors.

A Resolution of Commendation to Ms. Bridget Green

WHEREAS, Ms. Bridget Green entered Oakland University as a freshman in the fall of 1993 from St. Alphonsus High School; and

WHEREAS, Ms. Green distinguished herself as a scholar and a leader committed to increasing unity and understanding between diverse groups of students; and

WHEREAS, Ms. Green demonstrated leadership capabilities and commitment to the university and the community through her active participation as a student liaison to the Board of Trustees, member of University Student Congress, resident assistant, orientation group leader, and assistant coordinator of Welcome Week, New Student Convocation committee member; served as trainer for high school students in Peer Resistance Skills; served as a member of the Forensic team, and involved herself in Women in Communications; and

WHEREAS, Ms. Green has been selected as the 1998 recipient of the Human Relations Award given annually to a graduating senior who has made an outstanding contribution to intergroup understanding and conflict resolution in the Oakland University community; now, therefore, be it

RESOLVED, that the Board of Trustees expresses its appreciation to Ms. Bridget Green for her commitment to campus life at Oakland University; and, be it further

RESOLVED, that the Board of Trustees commends Ms. Bridget Green for the quality of her leadership and extends to her its best wishes for continued success in all of her future endeavors.

Trustee Doyle, seconded by Trustee Sharp, moved approval of the recommendation. The motion was unanimously approved by those present.

Resolution Honoring Bridget N. Green, Student Liaison to the Oakland University Board of Trustees

WHEREAS, Ms. Bridget N. Green, a Senior majoring in Communications, was appointed as Student Liaison to the Oakland University Board of Trustees in June 1997, by the President upon recommendation of a screening committee, with her term of office ending June 30, 1998; and

WHEREAS, Ms. Green attended all scheduled open Board and many Committee meetings, providing a cross-section of student views and opinions and opening up the line of communication between the Board and the students; and

WHEREAS, Ms. Green communicated her Student Liaison responsibilities and made periodic Board activity reports to student groups; and

WHEREAS, Ms. Green at all times demonstrated leadership skills at the Board meetings in her role as Student Liaison; now, therefore, be it

RESOLVED, that the Board of Trustees wishes to recognize the fact that Ms. Green has served as Student Liaison with dedication and distinction; and, be it further

RESOLVED, that the Board commends Ms. Green for her outstanding academic achievements, diverse involvement in extracurricular activities at Oakland University, and service as a Student Liaison to the Oakland University Board of Trustees; and, be it further

RESOLVED, that a copy of this resolution be forwarded to Ms. Green to convey the esteem in which she is held by the Board of Trustees; and, be it further

RESOLVED, that the Board of Trustees publicly expresses its deep appreciation to Ms. Green and extends to her its best wishes for continued success in all of her future endeavors.

University Board of Trustees

WHEREAS, Mr. David S. Lingholm, a Senior majoring in Political Science, was appointed as Student Liaison to the Oakland University Board of Trustees in June 1997, by the President upon recommendation of a screening committee, with his term of office ending June 30, 1998; and

WHEREAS, Mr. Lingholm attended all scheduled open Board and many Committee meetings, providing a cross-section of student views and opinions and opening up the line of communication between the Board and the students; and

WHEREAS, Mr. Lingholm communicated his Student Liaison responsibilities and made periodic Board activity reports to student groups; and

WHEREAS, Mr. Lingholm at all times demonstrated leadership skills at the Board meetings in his role as Student Liaison; now, therefore, be it

RESOLVED, that the Board of Trustees wishes to recognize the fact that Mr. Lingholm has served as Student Liaison with dedication and distinction; and, be it further

RESOLVED, that the Board commends Mr. Lingholm for his outstanding academic achievements, diverse involvement in extracurricular activities at Oakland University, and service as a Student Liaison to the Oakland University Board of Trustees; and, be it further

RESOLVED, that a copy of this resolution be forwarded to Mr. Lingholm to convey the esteem in which he is held by the Board of Trustees; and, be it further

RESOLVED, that the Board of Trustees publicly expresses its deep appreciation to Mr. Lingholm and extends to him its best wishes for continued success in all of his future endeavors.

Trustee Sharp seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

Chairman Schlaybaugh commented that the student liaisons have been terrific additions to the Board and committee structure by providing unique perspectives that the Board often does not see when considering issues. He stated that he is very

pleased with the manner in which Ms. Green and Mr. Lingholm have represented the positions. Chairman Schlaybaugh presented a gift to each student liaison as a token of the Board's appreciation for their service.

Recommendation on the Education Specialist Program

Trustee Doyle reported that since the State of Michigan no longer requires certification for school administrators, it is now possible to change the Education Specialist Program requirements from 40 credit hours to 36 credit hours, bringing the credit requirements more in line with comparable programs offered by other Michigan universities. With this change, it is expected that even more students will be attracted to the program. The proposal has been reviewed and approved by the School of Education and Human Services Faculty Assembly, the Graduate Council, and the University Senate.

Trustee Doyle moved approval of the following recommendation:

RESOLVED, that the Board of Trustees approve a change in the number of credits required for graduation in the Education Specialist degree from 40 to 36.

Trustee Sharp seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

D. Amendment to Affirmative Action Policy for the Affirmative Action Plan Status Report

Trustee Doyle stated that current Board policy calls for an annual Affirmative Action Plan Status Report during the fall semester. Because of the changes the university is experiencing with the new computer system and for efficiency reasons, it is recommended that the report be presented in the winter term. A winter reporting cycle will enable the Office of University Diversity & Compliance to present an annual trend analysis that will offer a better indication of the hiring process.

Trustee Doyle moved approval of the following recommendation:

RESOLVED, that the Board of Trustees amend the Affirmative Action Policy by changing the fall term annual status reporting date to the winter term.

Trustee Sharp seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

County

Trustee Doyle reported that as part of the planning for the Recreation and Athletic Center, the architects determined that the existing easement conflicted with the optimal siting of the facility. An agreement was reached with Oakland County to change the course of the easement, and the sewer line was re-routed to conform to the new easement. To complete the transaction, the Board is being asked to formally grant a revised easement to Oakland County, in return for which Oakland county will vacate the abandoned portion of the existing easement.

Trustee Doyle moved approval of the following recommendation:

RESOLVED, that the President or the Vice President for Finance and Administration be authorized to execute an 18-foot wide sewer easement in favor of Oakland County, such easement to amend the existing easement in favor of Oakland County, with such easement described below:

A strip of land 18.0 ft. wide having a centerline described as: Beginning at a point distant N 89°10'26"E, 1099.73 ft. and S 01°53'12"E, 1434.51 ft. from the North ¼ corner of Section 13; thence S 81°24'41"E, 313.73 ft.; thence S 70°18'23"E, 301.34 ft.; thence S 70°17'52"E, 208.0 ft.; thence N 55°43'48"E, 78.0 ft.; thence S 32°23'34"E, 92.0 ft.; thence N 75°57'26"E, 168.81 ft.; thence S 55°40'25"E, 114.84 ft.; thence S 75°46'14"E, 312.0 ft. to the Point of Ending, which is also reference Point "D" of an easement recorded in Liber 4345, Page 364, Oakland County Records.

Trustee Sharp seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

F. Approval of Exterior Design of Classroom/Business Building

Trustee Doyle stated that in April 1998, the Board approved the schematic design for the Classroom/Business School Office Building contingent upon final Board approval of the exterior design. He noted that at the last committee meeting the architect made a presentation on the revised exterior design features of the building, and the committee recommended the final exterior design for review and approval by the full Board.

Trustee Doyle moved approval of the following recommendation:

RESOLVED, that the exterior design of the Classroom/Business School Office Building as presented to the Board on this date and on file with the Secretary to the Board of Trustees is approved.

Trustee Sharp seconded the motion for approval of the recommendation.

Trustee Fischer commented that the windows do appear to be larger in the new design and there is a different treatment to the building that enhances the appearance of the facility and meets the updated architectural vocabulary of the campus. With all of the campus development occurring, he recommended that the university update its land use policy to reflect that growth. Chairman Schlaybaugh agreed that the land use policy should be reviewed to include future land use projections.

The motion was unanimously approved by those present.

G. Authorization to Enter into an Agreement with Oakland University Foundation for Construction of a Golf Course

Trustee Doyle moved approval of the following recommendation:

RESOLVED, that the Oakland University Board of Trustees authorizes the Oakland University Foundation to construct an 18-hole golf course with design and construction cost of approximately \$4.5 million, on the property generally described in Attachment A; and, be it further

RESOLVED, that the improvements shall be deemed the property of the university; and, be further

RESOLVED, that the President or the Vice President for Finance and Administration shall negotiate and be authorized to execute an agreement with the Oakland University Foundation setting forth the specific terms and conditions under which the Foundation shall construct the golf course; and, be it further

RESOLVED, that the agreement shall be reviewed by the Office of General Counsel prior to execution and shall conform to all university policies; and, be it further

RESOLVED, that the university administration shall have the right to approve the design of the golf course and the construction methodology and contracting agreement; and, be it further

RESOLVED, that the agreement shall run concurrent with the time of construction, but not beyond January 1, 2001; and, be further

RESOLVED, that the total cost of the project, including without limitation, design, construction, and equipment, shall be paid by the Foundation; and, be it further

RESOLVED, that the university will dedicate the land improved for golf course purposes to that use until such time as the construction financing has been paid in full, but no longer than thirty-five years.

(Attachment A is on file in the Board of Trustees office.)

Trustee Sharp seconded the motion for approval of the recommendation.

Trustee Doyle called on Mr. David S. Disend, Vice President for University Relations, to comment on this project. Mr. Disend reported that, founded in the late 1950's, the Oakland University Foundation (OUF) provided a vehicle for the local community to become involved in what was then a satellite campus of Michigan State University, and provided a way for the community to make gifts to this campus. One of the most enduring partnerships between the OUF and the university has been the Katke Cousins Golf Course and President's Club relationship. The partnership has nourished both the university and the OUF for 25 years, bringing new friends to the university and providing significant financial support to the university community. The OUF considers the proposed golf course expansion to be timely; and, with Board approval, it is ready to undertake the project. The OUF is prepared to assume all financial costs associated with the golf course construction along with the responsibility for the timely completion of the project. Upon its completion, the OUF will give the course to the university. Mr. Disend stated that the OUF has substantial talent to undertake this project. Mr. Francis A. Engelhardt, Chairman of the OUF, has agreed to oversee the project. Mr. Engelhardt worked for Ford Land Company for many years and in that role oversaw the development and construction of the TPC Golf Course. As a working committee, Mr. Engelhardt would be joined by Mr. Harold Kutner, Vice President, World Wide Purchasing for General Motors, and Mr. Eddie Munson, Managing Partner of KPMG Peat Marwick. In its membership the OUF has significant expertise in banking, finance, and municipal finance, which it would also bring to bear on this project. Mr. Disend called on Mr. Engelhardt to comment on the project.

Mr. Engelhardt stated that OUF's sole role and mission is to support Oakland University, which evolves through fostering its image in the community and donating money to extend and enhance its academic excellence. OUF believes that the construction of a second golf course would accomplish both objectives. As Mr. Disend noted, Katke Cousins has been a great partnership between the university and the

OUF, generating over 1,400 donors to the OUF since its inception and over \$30 M, which has been passed on to the university. The OUF believes that an additional investment in a second course would invite a new section of members from the community, enable the OUF to expand the President's Club, and provide a new level of giving and financial support to the university. Mr. Engelhardt stated that the OUF is prepared to take on this project, and asks that the Board thoroughly consider the recommendation.

Chairman Schlaybaugh asked for a clarification on whether the university will be legally obligated in connection with the golf course construction or the financing. Ms. Gerrits replied that there would be no legal obligation on behalf of the university, that Oakland University will not grant a lien on the property, and that the university property will not be pledged as security for the loan. She also noted that the resolution merely recognizes a restriction on use for a period of up to 35 years for financing purposes. Ms. Aldrich added that the university will own the course upon its completion and it will be managed as an auxiliary in the same way as Katke Cousins.

Trustee Sharp commended the activities of the OUF on this endeavor. He complimented Mr. Engelhardt on his long-standing commitment to the university through his service as an OUF Board member and President's Club leader.

The motion was unanimously approved by those present.

Contracting for Cleaning Services for the Student Recreation and Athletic Center

Chairman Schlaybaugh, returning to the ARAMARK cleaning contract proposal, asked Ms. Gerrits to comment on the terms of the contract. Ms. Gerrits explained that she saw two issues: first, what commitments the university has with respect to its contract with ARAMARK; and, second, the level of authority the Board wishes to delegate to the administration with respect to the contract for the Recreation and Athletic Center. She noted that the university has entered into a contract with ARAMARK for a one-year period of time, renewable for three one-year periods solely at the option of the university. Ms. Gerrits stated that the university is not obligated to enter into the proposed amendment to the contract for the Recreation and Athletic Center for a period of longer than one year. If the Board wishes to delegate authority to the administration to contract for only a one-year period, Ms. Gerrits recommended that the resolution language be changed. The new contract will be an amendment to the current contract, and it provides for a 90 day cancellation clause without cause.

Chairman Schlaybaugh proposed approving the contract as an amendment to the original contract, with the request that the administration return to the Board in a timely fashion to recommend whether it should be competitively bid or renewed. Trustee

Grech-Cumbo commented that during and after the committee meeting, it was clearly identified that the bid process was not followed in this project. Operationally the administration has proven that it can get people to do the work; however, the question is whether the Board is going to approve the contract or rebid it. Ms. Aldrich suggested that the administration return to the Board in December to report on the university's experience with ARAMARK, and then the Board can direct the administration on whether there is a need for a RFP.

Trustee Fischer, seconded by Trustee Doyle, moved to amend the resolution to include the following language:

RESOLVED, that the administration shall return to the Board no later than the December 1998, Board meeting with a report on the university's experience to date with the contract; and, be it further

RESOLVED, that no contract extension shall be granted without approval of the Board of Trustees; and, be it further

The amendment to the motion was approved with five affirmative votes and one negative vote by Trustee Sharp. The underlying motion as amended was approved with five affirmative votes and one negative vote by Trustee Sharp.

Trustee Grech-Cumbo requested that in the future, if the Secretary to the Board of Trustees is aware that the university is taking actions in violation of Board policy, the Secretary must inform the Board. Ms. Gerrits stated that she understood Trustee Grech-Cumbo's concerns and that she will follow his directive.

VII. Other Items that May Come Before the Board

A. Consideration of Agreement with Public School Academy (Resolution to Revoke Turtle Island Learning Circle's Agreement to Organize and Administer a Public School Academy)

Dr. Russi called on Dr. Mary Otto, Dean of the School of Education and Human Services, to present this item to the Board. Dr. Otto stated that she is making a recommendation for Board approval on behalf of the Public School Academy Advisory Review Committee (PSAARC). She explained that the PSAARC consists of 14 university administrators and faculty members charged directly by President Russi to provide oversight to all of the charter schools authorized by the Board of Trustees. The oversight process includes on-site visitations to observe, to review paperwork, to examine contract compliance, to review school behavior, and to establish a working relationship between Oakland University and the school. School board meetings are attended by Ms. Angelete M. Melhado, Director of Urban Partnerships/PSA, and in the

fall of each year a lunch seminar is held for the public school academies, Michigan Department of Education staff members, and OU PSAARC members. At this meeting the attendees are updated on current PSA legislation, expectations of the schools' performance, and oversight policy changes. At the end of each year, after careful review of all of the schools, recommendations are made to the President on the PSA operations. In addition, an ongoing report is retained throughout the year on each PSA.

Dr. Otto stated that after thorough review, the PSAARC has decided to ask the Board to terminate the Turtle Island Learning Center (TILC) contract. She reported that Oakland visited TILC 15 times last year and attended 8 board meetings. In February 1998, the school was verbally informed by Ms. Melhado of PSAARC and community concerns. Ms. Melhado put those concerns in a formal letter to the school on February 24, 1998. Although TILC did respond, it was determined that the response was not sufficient to address the concerns. Thus, a meeting was scheduled on March 26, which was attended by members of the PSAARC, an OU faculty representative, TILC faculty, a management company representative, and legal counsel from both Oakland University and TILC. That meeting went very well and the university was hopeful that the concerns would be resolved. Dr. Otto sent a follow-up letter on April 2 stating very explicitly what was expected from TILC; however, after further review of TILC's implementation practices and subsequent visitations by Ms. Melhado and two OU faculty members, the PSAARC is recommending termination of the TILC contract. Dr. Otto commented on the importance of innovative and creative learning models, but noted that in this instance every opportunity has been taken to support and work with TILC. She added that the university has a responsibility to insure that the core curriculum requirements of the State of Michigan are being met in the schools that are authorized by the Oakland University Board of Trustees.

Trustee Doyle, seconded by Trustee Sharp, move approval of the following recommendation:

WHEREAS, on April 3, 1997, the Board of Trustees of Oakland University resolved to authorize Turtle Island Learning Circle as a public school academy; and

WHEREAS, on June 26, 1997, the Board of Trustees of the university entered into an Agreement to Organize and Administer a Public School Academy with Turtle Island Learning Circle; and

WHEREAS, the university has both the contractual right to revoke the Agreement, and the statutory right to revoke the Agreement pursuant to the Revised School Code, for Turtle Island's failure to abide by and meet the educational goals set forth in the Agreement; and

WHEREAS, the university's Public School Academy Advisory Review Committee has determined that Turtle Island has failed to abide by and meet the educational goals set forth in the Agreement; and

WHEREAS, the Board has heard the factual basis for the recommendation of the Committee, and having read the position of Turtle Island; now, therefore, be it

RESOLVED, that the Board approves the recommendation of the university's Public School Academy Advisory Review Committee; and, be it further

RESOLVED, that the Board hereby revokes the Agreement to Organize and Administer a Public School Academy with Turtle Island Learning Circle, effective June 30, 1998; and, be it further

RESOLVED, that the President or his designees, are hereby authorized and directed to take any other action as may be necessary and appropriate in connection with the revocation of the Agreement.

In response to a due process question posed by Trustee Sharp, Ms. Gerrits stated that both by law and by contract the university is under no obligation to give notice to a public school academy prior to termination of the contract. Despite that fact, however, the university did put TILC on substantial notice and gave the academy an opportunity to cure any defects. It is Ms. Gerrits' belief that, despite the fact that the university is under no obligation to afford due process to this academy, adequate process was afforded. Ms. Gerrits added that timing is crucial in this action because the effective date of the termination will be June 30, 1998, which will allow students to finish out this school year at TILC, but also will afford parents the opportunity to find alternative schools for their children for the next academic year.

The motion was unanimously approved by those present.

B. Report from the Board Chair
(Oakland University Board of Trustees Structure Reorganization and
Schedule of Meeting Dates for 1998-99)

Chairman Schlaybaugh referred to a proposed resolution distributed by Ms. Gerrits dealing with the reorganization of the Board of Trustees and its committee structure. He noted that with his term coming to a close, and after discussions with Trustee Doyle and President Russi on the inefficiencies of the current structure, he would like to propose moving to a "committee of the whole" structure that includes 10 Board meetings a year and eliminates the current committee meeting structure. The

reorganization will reduce the total number of meetings; but extend each Board meeting by one hour to accommodate the full agendas. Chairman Schlaybaugh stated that the new structure places a tremendous amount of responsibility upon the Board leadership and the administration to be sensitive to those issues that will need to be considered at more than one Board meeting for additional debate, discussion, and information gathering. The proposed structure will allow all of the trustees to become actively engaged in discussions on all of the items.

Trustee Sharp, seconded by Trustee Doyle, moved approval of the following recommendation:

Trustee Doyle moved approval of the following recommendation:

WHEREAS, the Board of Trustees is desirous of a more efficient meeting schedule; and

WHEREAS, the Board is seeking an opportunity for all trustees to participate in full discussions on each agendum item; and

WHEREAS, the current advisory committee structure does not present opportunities for full discussion of agendum items by all of the trustees; now, therefore, be it

RESOLVED, that the Finance and Personnel Advisory Committee and University Affairs Advisory Committee be dissolved; and, be it further

RESOLVED, that the Board of Trustees approves the following dates for the regular Board meetings for the university fiscal year 1998-99. The meetings will be held in the Gold Rooms of the Oakland Center, at 2:00 p.m. unless otherwise posted:

Thursday, August 6, 1998
Thursday, September 3, 1998
Thursday, October 1, 1998
Thursday, November 5, 1998
Thursday, December 3, 1998
Thursday, February 4, 1999
Thursday, March 4, 1999
Thursday, April 1, 1999
Thursday, May 6, 1999
Thursday, June 3, 1999

Trustee Sharp proposed maintaining the committee chairmanships to provide a point of focus on the items at the Board meetings. The Board deferred any decision on Trustee Sharp's proposal until the new Board leadership is elected.

The motion was unanimously approved by those present.

C. Student Liaison Report

Student Liaison David Lingholm reported on his observations in his role as student liaison. He noted that the notion that the Board is unapproachable was soon dispelled after he had an opportunity to meet with the Board members and discuss the student perspective on university issues. Mr. Lingholm stated that he has had a positive and interesting experience, and that he is pleased with his service to the Board, especially when he was able to contribute to and effect change. As student liaison, he has had numerous opportunities that most other students would normally not have, such as the opportunity to tour the charter schools. Mr. Lingholm added that he was also able to attend a Michigan Association of Governing Boards meeting. He concluded his report by introducing next year's student liaisons, Ms. La Shanda Evans and Ms. Linda Hickmott.

Student Liaison Bridget Green thanked the Board for allowing her to have a great experience. She commented that her misconception of the Board was also dispelled once she started her student liaison term. Ms. Green stated that it was obvious that input and responses from the student liaisons were welcome at the committee and Board meetings. They were heard by the Board and changes were made as a result of their input. Ms. Green stated that the individual meetings with several of the trustees were very beneficial in orienting them in their roles, and she encouraged the new liaisons to also meet with the trustees to build a relationship with them. Ms. Green commented on how the position opened her eyes and helped her understand the reasons for certain Board actions. It also offered her an "opportunity to get to know the university" and its future goals.

Chairman Schlaybaugh thanked the student liaisons for their great service to the university.

D. Requests to Address the Board

Chairman Schlaybaugh called on Dr. Robert Williamson, former Oakland University professor, who requested to address the Board. Dr. Williamson expressed his concerns about the electronic sign at the corner of Walton Blvd. and Adams Road. He stated that while Pepsi Cola, Target, and Ameritech Cellular are commendable

companies, he believes that having their advertisements on the sign at the corner of the campus is completely inappropriate. Dr. Williamson commented that the other campus signs have greatly improved greatly. He asked the Board to reconsider allowing those advertisers to appear on the electronic sign.

Chairman Schlaybaugh thanked Dr. Williamson for his comments.

Chairman Schlaybaugh called on Mr. Ali Zorkot, who also requested to address the Board. Mr. Zorkot stated that he was recently expelled from Oakland University. He stated that there was a misunderstanding, and he apologized to the administrators that he had contact with during that misunderstanding. Mr. Zorkot noted that he only has one semester of courses to take in order to graduate, and he asked the Board to give him the chance to complete his education. He stated that he will respect the rules and regulations of the university.

VIII. Closed Session to Consider a Periodic Personnel Evaluation

Ms. Gerrits stated that approval of a closed meeting is requested to consider a periodic personnel evaluation. Section 8 (a) of the Open Meetings Act (OMA) provides that a public body may meet in a closed session for this purpose. Section 7 of the OMA provides that a roll call vote of members elected or appointed and serving shall be required to call a closed session. Ms. Gerrits added that it is not expected that the Board will return to open session. Ms. Gerrits conducted a roll call vote as follows:

David J. Doyle	Yes
David T. Fischer	Yes
Louis Grech-Cumbo	Yes
Ann V. Nicholson	Yes
Rex E. Schlaybaugh, Jr.	Yes
James A. Sharp, Jr.	Yes

Ms. Gerrits stated that the motion carries.

IX. Adjournment

Trustee Sharp, seconded by Trustee Doyle, moved adjournment of the meeting.

The motion was unanimously approved by those present. The meeting adjourned into closed session at 5:45 p.m.

Submitted,



Susan Gerrits
General Counsel and
Secretary to the Board of Trustees

Approved,



Rex E. Schlaybaugh, Jr.
Chairman

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