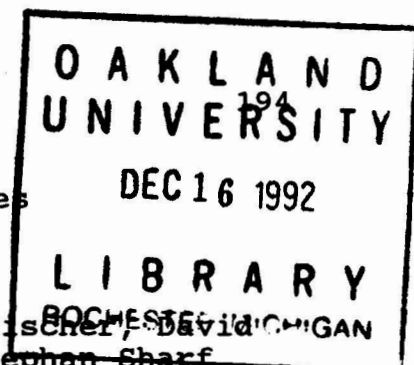


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Minutes of the Meeting  
of the  
Oakland University Board of Trustees  
November 5, 1992



Present: Trustee Andrea L. Fischer, David Fischer, David CHIGAN Handleman, L. Brooks Patterson, Stephan Sharf, James A. Sharp, Jr., and Howard F. Sims

Absent: Trustee Larry W. Chunovich

Chairman Howard F. Sims called the meeting to order at 3:13 p.m. in the Gold Rooms of the Oakland Center.

Approval of the Minutes of the Meeting of October 1, 1992

Trustee David Handleman, seconded by Trustee L. Brooks Patterson, moved approval of the proposed Minutes of the Meeting of October 1, 1992. The motion was voted on and unanimously carried.

Report of the Ad Hoc Nominating Committee for Selection of the Chairman and Vice Chairman of the Board of Trustees

Chairman Sims stated that at the October 1, 1992, Board meeting, an Ad Hoc Nominating Committee to reconsider the nominations process for the position of Chairman and Vice Chairman of the Board was established. He then stated that the committee recommends the nomination of Trustee James A. Sharp, Jr., for the position of Chairman and Trustee Stephan Sharf for the position of Vice Chairman.

Trustee Patterson, seconded by Trustee Andrea Fischer, moved approval of the nomination of Trustee Sharp as Chairman of the Board. Chairman Sims called for further nominations, there being none, Trustee Andrea Fischer, seconded by Trustee Patterson, moved that the nominations for the position of Chairman be closed. The motion was voted on and unanimously carried.

A roll call vote was taken and the results were as follows:

Trustee Andrea Fischer	Yes
Trustee David Fischer	Yes
Trustee David Handleman	Abstain
Trustee L. Brooks Patterson	Yes
Trustee Stephan Sharf	Yes
Trustee James A. Sharp, Jr.	Yes
Trustee Howard F. Sims	Yes

The motion was carried with a majority vote of the Board, and Trustee Sims then turned the chairmanship over to newly elected Chairman James A. Sharp, Jr.

Chairman Sharp called for a motion in support of the nomination of Trustee Stephan Sharf as Vice Chairman. Trustee Andrea Fischer, seconded by Trustee Sims, moved approval of the nomination of Trustee Sharf. Trustee Sims, seconded by Trustee Andrea Fischer, moved that the nominations be closed. The motion was voted on and unanimously carried.

A roll call vote was taken, and the Trustees unanimously approved Trustee Sharf as Vice Chairman of the Board.

Chairman Sharp stated that he wished to express his deep appreciation to the Trustees for the honor that they have bestowed upon him to serve as Chairman. He stated that he realized that "the Board has gone through a somewhat arduous period in this selection process, but I am certain that out of this experience we will all work together in the interest of this great institution which deserves the full support of each member of this Board." He stated that his style is to operate in a consultative manner and to seek the expertise and involvement of all Board members in all matters, and he asked for the Trustees' support. He thanked the Board again for its trust, and he stated that he looked forward to working with the Trustees during the coming year.

Trustee Handleman stated that because of the length of time that he has served the Board in many capacities and because of his interest and commitment to the university which he has demonstrated in many ways, he finds himself "somewhat concerned over this nomination process." He stated that "the practice in the past worked extremely well, but in the interest of the university, I am willing to work toward a more formal resolution of this issue."

Chairman Sharp expressed the Board's gratitude to Trustee Sims for serving as the Chairman for the past two years, and he requested that the Secretary of the Board prepare a resolution of appreciation for adoption by the Board at its next meeting. He also asked that the Ad Hoc Nominating Committee, which consists of Trustees Andrea Fischer, Handleman, Patterson and Sims, continue to work toward the development of a specific policy for the nomination of the Chairman and Vice Chairman for Board review and action. He asked that the committee meet and report its findings to the Board in a timely manner.

#### President's Report

President Sandra Packard stated that the university community will want to join the Board in a formal resolution of commenda-

tion for Trustee Sims' service as Chairman, and she expressed the appreciation of the faculty, staff and students for his leadership. She stated that the university anticipates leadership of equal quality and ability from Chairman Sharp, and she congratulated Trustee Sharf.

President Packard then congratulated Trustee Patterson on behalf of the institution for his recent election as Oakland County Executive.

President Packard commenced her report by reviewing statistics from the annual report of the President's Council, State Universities of Michigan regarding tuition. She stated that nationwide, the average tuition increase for this past year was 9.8 percent. She referred to several charts which were displayed on a screen for the Trustees' information and noted that over a nine-year period, Oakland University was 13th out of 15 public institutions in tuition increases at an average increase of 5.85 percent; over five years, Oakland was the 14th lowest with an average of 7.93 percent; and, over the last three years, Oakland was the 13th lowest with a 7.63 percent average increase. She also reported that Oakland has gone from being the fifth highest to the eighth highest in costs among its sister institutions in the period from 1984 to 1992. She stated that Oakland has achieved this ranking while maintaining academic quality.

Other statistics President Packard noted included the average entering freshman grade point average at Oakland of 3.2 and ACT composite average of 22.1. She then shared library facts noting that 511,000 people used the library in 1991-92 with 365,000 books and journals circulated or used in the library.

President Packard reported that Professor Tadeusz Malinski of Chemistry received a \$73,355 grant from Beaumont Research Institute for "The Effect of Insulin on Nitric Oxide Metabolism," and Professor Michael D. Sevilla, also of Chemistry, received \$150,000 from the U.S. Department of Energy for "Mechanisms for Radiation Damage to DNA."

President Packard stated that in fulfilling the community service aspect of Oakland's mission, the School of Education and Human Services undergraduate and graduate students through internships, practica and clinical experiences contributed 169,778 hours of service to schools, human service agencies and businesses. Student interns provided training and development services to forty one businesses and corporations, counseling and support

programs to eighty-two human service agencies including hospitals, counseling centers, youth assistance programs and teaching and counseling services to elementary and secondary schools in twenty school districts.

President Packard then noted the following faculty and staff accomplishments, recognizing that there were many more than she had the time to present:

Professor Jacqueline Lougheed of Curriculum, Instruction and Leadership has been recognized by Governor John Engler and the Michigan Legislature with a special tribute in recognition of her lifetime contributions on behalf of Alpha Delta Kappa, women's leadership issues and many aspects of teaching professionalism.

Associate Professor Wilma Garcia of Rhetoric, Communications and Journalism, recently received the Michigan College English Association's Distinguished Service Award. Ms. Renee Hampton, Co-director and Instructor of the Summer Journalism Camp has been named Assistant to the Publisher of The Flint Journal.

Assistant Professor Charles Marks is collaborating with scientists at Henry Ford Hospital's Heart and Vascular Institute on exercise responses in heart transplant and congestive heart failure patients.

Ms. Kate Lark, Director of Risk Management and Contracting, has been elected President of the Michigan Universities Self Insurance Corporation, a corporation with \$15 million in assets which provides insurance coverage to member organizations.

President Packard reviewed the coming events on campus which include Meadow Brook Theatre's production of "Mass Appeal" through November 22; performances of "Cloud Nine" by the Department of Music, Theatre and Dance; a concert entitled Impressions and Diversions by Oakland composers on November 7; and a performance by the Oakland University Concert Band on November 13. Also, as related to the presidential inauguration scheduled for November 13, a symposium called "Education, Technology and the 21st Century" was scheduled for November 12 and a poetry reading by Oakland's resident poet, Edward Haworth Hoeppner also on November 12.

President Packard also noted that Oakland University was approached by President George Bush's administration as a possible site for the Bush Rally on Sunday, November 1, 1992. Once the Palace was chosen as the location due to weather concerns if the event were held at the Festival grounds, Oakland was given 500 tickets to the rally and 344 of those tickets were distributed to students in less than 24 hours. She congratulated Vice President Wilma Ray-Bledsoe and her staff for getting the tickets out to the students.

President Packard also reviewed two new publications which included a monthly activities calendar and a "brag" sheet about Oakland.

Chairman Sharp asked for a resolution commending the faculty, staff and students who volunteer time to the community. Trustee Andrea Fischer, seconded by Trustee Patterson, moved a formal commendation of all members of the university community who engage in volunteer work off campus. The motion was voted on and unanimously carried.

#### Faculty and Administrative Personnel Actions

Dr. Ronald Horwitz, Acting Vice President for Academic Affairs, made the following recommendations:

##### New Appointments

The University recently completed an audit of its faculty personnel files. Two initial appointments did not come to the Board of Trustees for approval. Therefore, we are bringing these actions to the Board at this time to correct this oversight.

Gilbert, Steven W., Associate Professor of Education without tenure, effective August 15, 1990 (new appointment filling a vacant authorized position)

Hartzer, Michael K., Assistant Professor of Biomedical Sciences, effective August 15, 1989 (formerly a visitor filling a vacant authorized position) [The Board approved a final, two-year probationary term as Assistant Professor of Biomedical Sciences effective August 15, 1992, at its August 14, 1991, meeting.]

Administrative Appointments

Swartz, Ronald M., appointed as Acting Department Chair of Human Development and Child Studies, effective September 16, 1992, through August 14, 1993

Change of Status

Eliezer, Isaac, from Professor of Chemistry and Associate Dean, College of Arts and Sciences, to Professor of Chemistry, effective January 1, 1993

Miller, Donald M., from Professor of Education and Chair, Department of Human Development and Child Studies, to Professor of Education effective September 16, 1992

Sabbatical Leaves

Eliezer, Isaac, Professor of Chemistry, sabbatical leave from January 4, 1993, through April 28, 1993 (with full pay)

Special Levels

Paragraph 78 of the Faculty Agreement provides that Oakland may provide additional levels for individual faculty members. The following individuals are proposed for additional levels.

Das, Manohar K., Associate Professor of Engineering, \$1,641

Doane, David P., Professor of Quantitative Methods, \$1,528

Gu, Reh-Jyh, Associate Professor of Engineering, \$1,641

Henke, John W., Jr., Associate Professor of Marketing, \$1,504

Hovanesian, Joseph D., Professor of Engineering and Chair, Department of Mechanical Engineering, \$1,494

Kheir, Naim A., Professor of Engineering and Chair, Department of Electrical and Systems Engineering, \$1,494

Kleiman, Robert, Associate Professor of Finance, \$1,514

Murphy, Kevin J., Associate Professor of Economics,  
\$1,551

Parameswaran, Ravi, Professor of Marketing and Manage-  
ment information Systems, \$1,527

Stano, Miron, Professor of Economics and Management,  
\$1,504

Trustee Sims, seconded by Trustee Andrea Fischer, moved approval of the recommendations. The motion was voted on and unanimously carried.

**Adoption of Academic Calendar, 1994-95**

Dr. Horwitz presented the 1994-95 Academic Calendar. He noted that the calendar acknowledges an unusual set of circumstances where Labor Day comes late in September and the Jewish holidays come early. The University Senate Steering Committee determined that classes should begin the Tuesday evening following Labor Day, rather than Tuesday morning, in order to afford those students of the Jewish faith the opportunity to celebrate the first day of the holiday and to accommodate the large number of students who work during the summer allowing them enough time to return from summer jobs which tend to go through Labor Day.

Dr. Horwitz then made the following recommendation:

RESOLVED, that the Board of Trustees approves the academic calendar for 1994-95 as presented in this agenda.

(The 1994-95 Academic Calendar is on file in the Office of the Registrar, the Office of the Vice President for Academic Affairs and the Office of the Board of Trustees.)

Trustee Sims, seconded by Trustee Andrea Fischer, moved approval of the recommendation. The motion was voted on and unanimously carried.

**Consolidated Computer Maintenance Contract**

Dr. Horwitz reviewed the recommendation for consolidated computer maintenance of non personal computers on campus. He reviewed the three major bidders for the maintenance contract, and he noted

that in the Digital Equipment bid there is no additional charge for various upgrades which will be made available to the university. Computer and Information Services determined that mandatory upgrades would cost approximately \$25,000, and the cost of the bids have been adjusted to include this figure.

Dr. Horwitz noted that the administration recommends the Digital Equipment bid which is \$6,000 higher than Bell Atlantic; however, the total value of the upgrades which Digital will make available amounts to approximately \$100,000 as opposed to the \$25,000 noted above. Furthermore, the University has dealt with Digital Equipment, and a good portion of the equipment on campus is from Digital. He noted that there would be no additional cost to the university, since the dollars to pay for the consolidated maintenance contract will come from existing maintenance dollars currently in the operating budget of the institution.

He then made the following recommendation:

RESOLVED, that the university be authorized to execute a three-year computer maintenance agreement commencing January 1, 1993, with Digital Equipment Corporation at an annual price of \$112,731. The agreement contains a maximum annual inflation factor of 6 percent. The total university expenditure authorized for the three-year period is \$394,470, including a contingency for equipment changes and the inflation allowance.

Trustee Sharf expressed concern that it appeared that Digital Equipment was not the lowest bidder. Trustee Andrea Fischer stated that other factors had to be taken into account in this matter; however, prior experience should not have been listed as a deciding factor.

President Packard stated that the intention was to go with the low bidder, but when the software issue arose the administration attempted to renegotiate and it reviewed the cost of necessary upgrades. Of \$100,000 in software upgrades, only \$25,000 worth of upgrades are essential. This results in a difference in bids of \$6,000. The administration determined that the remaining \$75,000 in upgrades would be worth the additional \$6,000.

Trustee Andrea Fischer, seconded by Trustee David Fischer, moved approval of the recommendation. The motion was voted on. Trustee Sharf voted against the resolution, but the motion passed with six votes of approval.

**Approval of 1993-94 Operating Budget Request for Submission to the Executive Office of the State of Michigan**

Mr. Harris stated that each fall the university is asked by the state to submit its request for annual operating needs for the following year. He then reviewed the 1993-94 Operating Budget Request with an expenditure level of \$74.3 million which is approximately \$6.8 million greater than the estimated budget for 1992-93. The additional funding would come only from an increase in state appropriation. No tuition or fees are considered.

Mr. Harris noted that the programmatic needs of twelve program revisions total \$3.4 million. The first eight program revisions are expansions or new programs. The last four are for support of existing programs such as the balance of the operating monies of the relatively new Kresge Library wing and state support of general fund activities. Non-programmatic requests of \$3.6 million provide for an employee compensation increase and a four percent inflationary increase in non-compensation costs.

Mr. Harris then made the following recommendation:

RESOLVED, that the Board of Trustees approve the 1993-94 Operating Budget Request to the State of Michigan in the amount of \$74,336,300 as described in the detailed material accompanying this action.

(This material is on file in the Office of the Board of Trustees and the Office of Finance and Administration.)

Trustee Sims, seconded by Trustee Andrea Fischer, moved approval of the recommendation. The motion was voted on and unanimously carried.

**Early Redemption of Oakland University Revenue Bonds of 1970**

Mr. Harris reported that the low interest rates of 1992 raised the issue as to whether the university should retire the outstanding 1970 housing revenue bonds on Vandenberg Hall and save a significant amount of interest payments. At present, the university has \$2,755,000 in outstanding housing bonds, and on December 15, 1992, Residence Halls is scheduled to make a principal payment of \$102,500 plus accrued interest. Two reserves were established for this bond issue, a Debt Service Reserve and a Repair and Replacement Reserve which had market values as of June 30, 1992, of \$413,876 and \$316,820. The payment from Residence Halls plus the reserves would result in a maximum new financing

need of approximately \$1,950,000. The administration recommends that the university fund early redemption of the Housing Revenue Bonds of 1970 with university pooled cash rather than to refinance and establish a schedule whereby the Residence Halls program will repay the funds over an eight-year period at the interest rates earned by the university on short-term investments.

Mr. Harris then made the following recommendation:

RESOLVED, that the Acting Vice President for Finance and Administration be authorized to instruct Society Bank, Trustee for Oakland University Housing Revenue Bonds of 1970, to give notice of call for redemption of all outstanding bonds as of December 15, 1992; and, be it further

RESOLVED, that the Acting Vice President for Finance and Administration be authorized to use pooled cash to fund the redemption of Oakland University Housing Revenue Bonds of 1970, estimated at \$1,950,000 after application of funds in the Debt Service Reserve and the Repair and Replacement Reserve; and, be it further

RESOLVED, that an internal amortization schedule be adopted whereby the Residence Halls program will repay the university the net cash outlay for the early redemption of Housing Revenue Bonds of 1970 over a period of approximately eight years at the average interest rate the university would have earned on short-term investments for each six-month period ending June 15 and December 15.

President Packard stated that the pooled cash that Mr. Harris referred to is the daily cash flow. Reserve monies can be used for repair items that arise. She noted that this redemption of bonds is very low risk for the institution.

Trustee Sims, seconded by Trustee Andrea Fischer, moved approval of the recommendation. The motion was voted on and unanimously carried.

Trustee David Fischer asked if there were any other bonds outstanding. Mr. Harris responded that there is one other bond series of \$1,000,000 with rates of approximately 5.7 percent. He

noted that this bond series will be reviewed also, but nothing can be done before its next scheduled payment date.

The motion was voted on and unanimously carried.

Recommendation to Accept Gifts and Grants to Oakland University and the Oakland University Foundation for the period of September 1 through September 30, 1992

Dr. Margo King, Assistant Vice President for University Relations, reported that the gifts to Oakland University and the Oakland University Foundation totaled \$208,105.53. She noted a gift from General Motors Corporation of \$50,545 and one from Mrs. Harold G. Warner of \$26,025 in memory of the late Mr. Harold G. Warner. The university received research grants totalling \$1,122,266 for total external support for the month of September at \$1,330,371.53.

Trustee Sims, seconded by Trustee Andrea Fischer, moved acceptance of the gifts to Oakland University for the month of September. The motion was voted on and unanimously carried.

Report on Presidential Inauguration scheduled for November 13, 1992

Dr. King then reported that the plans for the Inauguration are proceeding very well. She acknowledged that the Inauguration Committee has been working very hard, and she is pleased to be a part of the group. She noted that the campus and community interest has been excellent with 683 people responding, not including students. She also noted that at this time, the costs are approximately \$17,000; however, all of the figures are not yet complete, and the institution has received donations slightly exceeding this amount. She added that it appears that the inauguration will be funded entirely by donations.

Trustee David Fischer stated that he was appointed Board liaison for the Inauguration Committee, and it has "been enjoyable to work with Dr. King and to see the students, faculty and staff put forth a unified effort" on the project. He noted that many committee members are "donating their personal time and are literally doing all of the physical work themselves." He congratulated the committee.

Dr. King thanked Trustee Fischer on behalf of the committee.

Other items that may come before the Board

Chairman Sharp then called on Dr. Paul Pearsall who requested permission to address the Board regarding his son Scott's experiences as a student at Oakland.

Chairman Sharp stated that he is somewhat aware of the general situation regarding Mr. Scott Pearsall, and he noted that the Board is not an appeal body. He also stated that as Chairman, he cannot make a decision other than refer the issue to one of the Board committees for review or to the administration.

Dr. Pearsall stated that he comes to the Board in three roles: 1) as a taxpayer requesting the Board's help and support for all students; 2) as a psychologist and university educator for 30 years, hopefully to be of some help to Oakland University; and 3) as a parent. He stated that he and his family have had a "great deal of loyalty to Oakland for several years." He noted that his son, Scott, who has cerebral palsy, has been an Oakland student for two and a half years and has "encountered some outstanding, creative and caring teachers who are deeply concerned for the welfare of the students." He stated that he believes it may be "too late for Scott," but he hopes his comments may help other students at the institution. Dr. Pearsall stated that in Scott's two and a half years at Oakland, he has made 233 phone calls to the university and has been in more than 37 meetings with various faculty and administrators, including the president. He has come home many evenings in "total despair, agony and rejection." Dr. Pearsall stated that he is not asking for anything, but he feels that the Board should at least be informed of the situation and his family's concerns.

Dr. Pearsall stated that he was not involved in his son's situation with Oakland for the first two years. He noted that it is very difficult for a parent to know when to step out of a child's life when he is a university student, and it is doubly difficult when the child has an impairment. He stated that he loves his son dearly and knows what he has gone through at Oakland, and he would like to help other students from suffering in the same way. He stated that there has been "a defensiveness regarding the issue of atypical students rather than a learning atmosphere" at the institution. "Each time Scott would raise a concern, there was an issue of doing things right, but not often doing the right thing." Dr. Pearsall stated that on July 21, 1982, the Board of Trustees approved its mission statement which had "four essential ingredients." He noted areas in which the university has failed its missions of instruction, research, public service and student

development in the case of his son. Dr. Pearsall stated that he hoped the Board would not dismiss his comments as those of an "angry parent." He added that he knows some of the Trustees and is aware that there is concern for this issue on their part. He stated that he hoped they would agree that this issue should be reviewed.

Dr. Pearsall stated that the university investigation by the Director of the Office of Equal Opportunity, Ms. Catherine Rush, placed the blame on Scott, and "did not raise one area where the institution could have done better."

Chairman Sharp asked that Dr. Pearsall refrain from personalizing his comments. Dr. Pearsall requested that the Board acknowledge "that something terrible happened to a student here, a student went home in tears, a student who has a lot to give." He asked that one Board member be a "leader" and, with "deep concern for Oakland's future and his son's future," make a motion that the entire situation encountered by his son be investigated by an independent source. He suggested that this individual be from the media, the North Central Accreditation Association or someone of the university's choosing, not for legal purposes, but to review the situation and "see that the terrible suffering my family and my son went through at your college never happens again." He stated that he appreciated the Board's patience and time.

Chairman Sharp stated that Dr. Pearsall's comments were very well stated and received, and he clearly understands the pain that Dr. Pearsall is trying to express. He referred the issue to the administration to consider the action Dr. Pearsall requested.

Trustee Patterson stated that he is not familiar with the Pearsall matter being new to the Board, but he has known Ms. Catherine Rush for fifteen years. He stated that "she is a sensitive, thoughtful and genuinely concerned individual, and I have the utmost confidence in her."

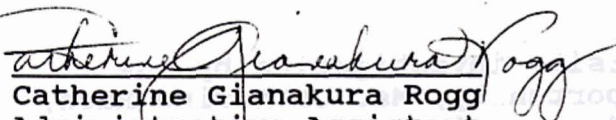
Dr. Pearsall responded that "this is the typical reaction of the institution, respecting the campus rather than the students."

There being no further items for discussion, Trustee Patterson, seconded by Trustee David Fischer, moved adjournment of the

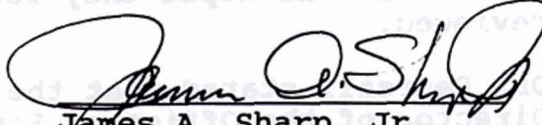
meeting. The motion was voted on and unanimously carried. The meeting was adjourned at 4:15 p.m.

Submitted,

Approved,



Catherine Gianakura Rogg  
Administrative Assistant  
Board of Trustees



James A. Sharp, Jr.  
Chairman  
Board of Trustees