

Minutes of the Meeting
of the
Oakland University Board of Trustees
February 3, 1994

Present: Chairman James A. Sharp, Jr.; Trustees ~~Andrea I.~~ Fischer, David T. Fischer, David Handelman, Rex E. Schlaybaugh, Jr., Stephan Sharf, and Howard F. Sims

Absent: Trustee Larry Chunovich

Chairman James A. Sharp, Jr. called the meeting to order at 3:20 p.m. in the Gold Rooms of the Oakland Center.

Consent Agenda

President Sandra Packard presented the following recommendations:

a. Approval of the Minutes of the Meeting of the Board Retreat of December 2, 1993

b. Approval of the Minutes of the Meeting of December 2, 1993

c. Approval of the Minutes of the Closed Meeting of December 2, 1993

d. University Personnel Actions

Reappointment (Probationary) - Effective August 15, 1994, through August 14, 1996:

1. Assistant Professor eligible for reemployment to a final, two-year probationary term as assistant professor:

Mathieson, Kieran D.	Management Information Systems	Reemploy
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Emeritus Appointments

White, William, Professor Emeritus of Journalism, effective February 3, 1994 (This recommendation requires an exception to the requirement that Emeritus faculty be employed by Oakland University for 10 years. Professor White, though serving only seven years, was the founding faculty member of the Journalism program at Oakland University and his service to Oakland University capped a distinguished teaching career.)

Hollingsworth, Stanley W., Professor Emeritus of Music,
effective February 3, 1994

Change of Status

Graham, Lisa J., from Instructor in History, to Assistant
Professor of History, effective December 1, 1993 (\$32,750)
(This action is taken as a result of Ms. Graham's completion
of her Doctor of Philosophy degree.)

Minor, Billy J., from Associate Professor of Education to
Associate Professor of Education and Acting Chairperson,
Department of Human Resource Development, effective January
3, 1994, through June 23, 1994

Moore, Kathleen H., from Associate Professor of Chemistry to
Associate Professor of Chemistry and Acting Chairperson,
Department of Chemistry, effective January 3, 1994, through
April 27, 1994

Schmitz, Nancy A., from Assistant Dean of Students, to
Assistant Dean of Students and Acting Dean of Students,
effective January 10, 1994 (\$200 per month additional com-
pensation until the new Vice President for Student Affairs
is selected and Dr. David E. Herman returns to his position
as Dean of Students.)

Sick Leave

Payne, Robert G., Associate Professor of Education and
Chairperson, Department of Human Resource Development, sick
leave from November 15, 1993, through February 28, 1994
(with full pay) (This is a continuation of a sick leave
approved by the Board on December 2, 1993, covering the
period of November 15, 1993, through December 20, 1993.
Professor Payne will not be able to return to work until
February 28, 1994.)

Leaves with No Pay

Mittelstaedt, Mary E., Assistant Professor of Nursing, part-
time (50%) leave from January 3, 1994, through April 27,
1994 (with prorated pay) (To continue work on her doctoral
studies at Michigan State University in East Lansing, Michi-
gan. Ms. Mittelstaedt was on a similar part-time leave with
no pay during the Fall, 1993 semester.)

Retirement

De Carlo, John H., Senior Vice President, General Counsel, and Secretary to the Board of Trustees, effective January 31, 1994

Pierson, Manuel H., Assistant Vice President of Student Affairs for University-School Relations, effective January 31, 1994

Rahman, Munibur, Professor of Hindu-Urdu, effective August 14, 1994

Resignation

Dawson, James E., Associate Professor of Music, December 31, 1993

e. Recommendation to Accept Gifts and Grants to Oakland University for the Period November 1 through November 30, 1993

The report dated February 3, 1994, from Mr. David S. Disend, Vice President for University Relations, was recommended for acceptance.

f. Meadow Brook Subdivision Financing Guarantee--A Report

The report, dated February 3, 1994, from Mr. Paul E. Bissonnette, Vice President for Finance and Administration, on two Meadow Brook Subdivision financing guarantees in the amounts of \$61,575 and \$66,000, was recommended for acceptance.

Trustee David Handleman, seconded by Trustee David Fischer, moved approval of the consent agenda. The motion was unanimously carried.

The President recognized the 27 years of outstanding service of Dr. Manuel H. Pierson, Assistant Vice President of Student Affairs for University-School Relations, who retired on January 31, 1994, noting the testimonies of students whose lives have been enriched through his guidance.

2. Resolution Honoring Mr. John De Carlo, Senior Vice President, General Counsel, and Secretary to the Board of Trustees

President Packard recommended the following resolution honoring Mr. John De Carlo, Senior Vice President, General Counsel, and

Secretary to the Board of Trustees, who retired on January 31, 1994, and recognizing his more than twenty-four years of service to Oakland University, including a year of service as Interim President.

WHEREAS, Mr. John De Carlo was appointed Assistant Chancellor for Professional Performing Arts at Oakland University in October, 1969; and

WHEREAS, during Mr. De Carlo's twenty-four years of dedicated employment at Oakland University, he has served as Secretary to the Board of Trustees, Vice President for Public Affairs, General Counsel, and Senior Vice President for Governmental Affairs; and

WHEREAS, Mr. De Carlo served as Interim President of Oakland University for the period of the 1991-92 fiscal year; and

WHEREAS, Mr. De Carlo has been at all times dedicated to representing the best interests of Oakland University in Lansing, in the surrounding community, and on campus, through his relationships with three governors, members of the Michigan Senate and House, senior officials of the executive branch, municipal officials, members of the corporate and labor communities, and benefactors of Oakland University; and

WHEREAS, Mr. De Carlo's efforts were central to achieving legislation establishing Oakland University as an autonomous institution, and to obtaining funding for the Public Safety and Services Building, O'Dowd Hall, the Kresge Library addition, and the new Science and Engineering Building; and

WHEREAS, Mr. De Carlo has provided valued and perceptive counsel to members of the Board of Trustees; to Chancellor Durward B. Varner, President Donald D. O'Dowd, Interim President George T. Matthews, President Joseph E. Champagne, and President Sandra Packard; and to other university officials; and

WHEREAS, Mr. De Carlo has strongly supported and guided the university's endeavors in professional artistic performance, theatre, and visual art, and provided responsible fiscal oversight of the Meadow Brook Festival and Theatre during periods when he was responsible for those activities; now, therefore, be it

RESOLVED, that the Board of Trustees and President Sandra Packard on behalf of the faculty and staff of Oakland University extend their appreciation to Mr. John De Carlo for his tireless efforts and unstinting service on behalf of Oakland University; and, be it further

RESOLVED, that the Board of Trustees, the President and the university community extend to Mr. and Mrs. De Carlo their best wishes for continued success and happiness; and, be it further

RESOLVED that the Board of Trustees recognize Mr. De Carlo's exceptional service as Vice President, Interim President, and Senior Vice President by granting to him lifelong status as Senior Vice President Emeritus; and be it further

RESOLVED, that a copy of this resolution be forwarded to Mr. De Carlo to convey the appreciation of the Board of Trustees and the university community.

Trustee Howard F. Sims, seconded by Trustee David Fischer, moved approval of the recommendation. The motion was unanimously carried.

President Packard invited Mr. De Carlo to make any remarks he cared to make.

Mr. De Carlo stated that he is truly honored by the Board's recognition and considers it a privilege to have served Oakland University for the past 24 years. He expressed gratitude to his colleagues at the university for their assistance through the years.

Chairman Sharp presented Mr. De Carlo with a copy of the resolution and stated that the signed and framed resolution would be delivered to him as soon as possible.

Trustee Handleman offered his congratulations to Mr. De Carlo and commented that it is commendable that Mr. De Carlo has maintained his "integrity and wisdom through all the idiosyncrasies of the previous presidents."

The assemblage gave Mr. De Carlo a standing ovation.

3. Reorganization of Board of Trustees Office

President Packard stated that Mr. De Carlo held the positions of Senior Vice President for Governmental Affairs, Secretary to the

Board of Trustees, and General Counsel. Since it is not possible to replace him with one individual, the President made the following recommendation to the Board:

BE IT RESOLVED, that the positions of Secretary to the Board of Trustees and General Counsel and Director of Governmental and Public Relations be established; and that the President conduct searches to fill these positions; and that the President in each case make a recommendation to the Board concerning appointment to these positions; and, be it further

RESOLVED, that Mr. Robert H. Bunger, Assistant General Counsel, be appointed Acting Secretary to the Board of Trustees and Assistant General Counsel, with a salary increment of \$400.00 per month during the period of the acting appointment, effective February 1, 1994; and, be it further

RESOLVED, that Ms. Susan Gerrits, Assistant General Counsel II, be appointed Acting General Counsel and Assistant General Counsel II, with a salary increment of \$700.00 per month during the period of acting appointment, effective February 1, 1994.

The President highly recommended Mr. Bunger and Ms. Gerrits for the acting positions, and added that their services in acting roles would not disqualify them from becoming candidates for the regular positions.

Trustee Handleman, seconded by Trustee Andrea L. Fischer, moved approval of the recommendation. The motion was unanimously carried.

President Packard announced an immediate search for the position of Director of Governmental and Public Relations. The search committee will consist of a member of the Board and university representatives. The President will consult with the Board on the procedure for filling the positions of Secretary to the Board of Trustees and General Counsel and will present a recommendation to the Finance and Personnel Advisory Committee at a future meeting.

Trustee Andrea Fischer volunteered to serve on the search committee for the position of Director of Governmental and Public Relations.

4. Resolution Concerning Transfer of Endowment Funds from South Africa Free Fund

Mr. Bissonnette noted that this resolution was brought to the Board at the December 2, 1993, meeting by the Investment Advisory Committee, but the resolution failed to pass. On February 1, 1994, the issue was reconsidered by the committee. Mr. James Seymour, Vice President for The Common Fund, made a presentation at that meeting and recommended that the university shift all funds from the South Africa Free Fund to the Equity Fund.

Mr. Bissonnette then made the following recommendation:

RESOLVED, that the Board of Trustees authorize the transfer of the equity portion of the university endowment investment with The Common Fund from the South Africa Free Equity Fund to the Equity Fund.

Trustee Handleman, seconded by Trustee David Fischer, moved approval of the recommendation. The motion was carried with six affirmative votes; a dissenting vote was cast by Trustee Sims.

5. Other Items that May Come Before the Board

Detroit College of Law Discussion

Chairman Sharp stated that Oakland University has been approached by the Detroit College of Law (DCL) to consider a collaborative endeavor between the two institutions. While the discussions are in a very preliminary stage, the collaboration may involve Oakland University providing educational opportunities in Detroit and DCL providing educational opportunities in Oakland County. Through the sharing of expertise, resources, and programs, such a collaboration would benefit present and future students of both institutions as well as the citizens of this region and the State. Chairman Sharp stated that with the consent of the

Trustees, he would appoint a small committee to consider DCL's inquiry. If the committee determines that it is in the university's best interest to proceed, subcommittees representing constituent groups on and off campus will be formed to develop specific details for possible collaboration. Any proposed agreement would be brought to the Board for review and approval.

Chairman Sharp and Trustee Rex E. Schlaybaugh, Jr. volunteered to serve on the committee.

Trustee Handleman expressed concern regarding DCL moving out of the City of Detroit. Such a move could have a negative impact on the city. He inquired whether the Mayor of Detroit or other officials have been contacted concerning the proposal.

Trustee Andrea Fischer stated that, in her opinion, it is DCL's responsibility to check with the City of Detroit. It is in the university's best interest to consider the DCL proposal.

Trustee Sims recommended that the charge to the committee should be in two stages: first, a consideration of the potential benefits to Oakland University, then a report on the possible details of such a collaboration.

Trustee Andrea Fischer stressed the urgency of proceeding quickly, and stated that the questions could be pursued in conjunction with one another.

Trustee David Fischer stated that a decision on the benefits of such an association rests on how much involvement is anticipated.

Trustee Sharf agreed that involvement plays a big role in determining the benefits.

Trustee Schlaybaugh inquired if Trustee Sims would concur that if the committee determined there are worthwhile objectives, then it should proceed to the next step before reporting to the Board. He expressed concern regarding the delay factor in the preliminary stages.

Trustee Sims responded that it is important for the committee to present an interim report of potential benefits to the full Board, but that this need not stop the discussion process.

There was a brief discussion concerning Oakland's position vis-a-vis "competitors" for a DCL relationship.

President Packard stated that partnership agreements with other institutions of higher learning are consistent with the university's mission.

Chairman Sharp asked for a motion to form a committee to negotiate the DCL issue.

Trustee Schlaybaugh, seconded by Trustee Andrea Fischer, moved to form a committee. The motion was unanimously carried.

Charter Schools Discussion

Chairman Sharp stated that the Board has received a request from the League of Catholic Women of Detroit to consider chartering Casa Maria School in Detroit. He noted that two questions should be addressed: 1. Should Oakland consider any involvement at all with the charter school program? 2. If so, what criteria should be applied when considering specific charter school relationships?

Trustee Andrea Fischer, seconded by Trustee Handleman, moved to form a committee on charter schools and that Trustee Sims serve on the committee. The motion was unanimously carried.

Chairman Sharp stated that the President will appoint the other members of the committee.

Approval of a Closed Session

Trustee David Fischer, seconded by Trustee Andrea Fischer, moved approval of a roll-call vote for the purpose of a closed session to discuss collective bargaining strategy and legal opinion of counsel. Mr. Robert H. Bunger, Acting Secretary to the Board of Trustees, called the roll of the Board for a closed session, which was unanimously approved.

The meeting was recessed at 3:40 p.m., and the trustees convened in closed session in the Meadow Brook Room of the Oakland Center.

The Board meeting reconvened at 4:20 p.m. In the absence of Chairman Sharp, Vice Chairman Sharf called on Mr. Michael Petroni, an Oakland University student, who had asked to address the Board.

Mr. Petroni stated that he is currently on the Steering Committee of the Gay and Lesbian Alliance (GALA) organization at Oakland University. He informed the Board of GALA's request for an amendment in the university's equal opportunity policy to include sexual preference. At the November 3, 1993, and December 1, 1993, University Affairs Advisory Committee meetings, GALA representatives had stated that without the protection offered by the inclusion of sexual preference, there is no basis for recourse in instances of discrimination against students who identify themselves as gay or lesbian.

Mr. Petroni explained the process GALA followed before bringing the matter to the Board. GALA gained the support of the University Student Congress and the University Residence Hall Council on the issue. He also said he consulted President Packard and

Professor Sharon L. Howell, Associate Professor of Communications, who provided guidance on how to present the matter to the Board of Trustees. Ms. Catherine Rush, Director of Equal Opportunity, conducted an informal survey of Michigan universities to discover their stance on the matter. Mr. Petroni stated that currently approximately 15 Michigan universities have sexual orientation in their policies, among them are Michigan State University, University of Michigan, and Central Michigan University.

Mr. Petroni stated that he believes the change would enhance the diverse university climate. He commented that since the faculty bargaining agreement insures this protection, it seems logical that the students should be afforded the same protection. He concluded by requesting a possible time commitment for a Board response and thanked the Board for the opportunity to address it.

President Packard informed Mr. Petroni that the Board did not have a January Board meeting. Therefore, the University Affairs Advisory Committee met today for the first time since the December 1, 1993, meeting. The committee has not been insensitive to the issue, they simply have not had a meeting to discuss the issue. Further, they asked the General Counsel for more information. The university counsel is in the process of seeking additional information and will present it to the committee when obtained.

Mr. Petroni thanked the President for clarification of the matter.

Vice Chairman Sharf thanked Mr. Petroni for expressing his concerns.

President's Report


President Packard stated that she had planned to share some overhead transparencies with the Board summarizing university budgetary information, but given time constraints would forego the opportunity. She noted that the information was recently presented to the University Senate and was provided to the Trustees in paper packets.

The President announced that at 9 a.m. on February 4, 1994, Oakland University will host the first of two Senate Higher Education Appropriations Subcommittee hearings for the 1994-95 higher education appropriations legislation. She noted the meeting was open for all to attend.


The President reported that Oakland's intercollegiate athletic program has had a successful year. Oakland's women's basketball team is now first in the conference, and the men's basketball team is second. This year the men's and women's swimming teams are ranked first by the College Swimming Coaches Association of America, and once again they will be participating in the national championships in Canton, Ohio, in March. The women's team will be defending their national championship for the fifth time.

There being no further items for discussion, Trustee Handleman, seconded by Trustee Schlaybaugh, moved adjournment of the meeting and the motion was unanimously carried. The meeting was adjourned at 4:35 p.m.

Submitted,


Rhonda G. Saunders
Acting Administrative Assistant
Board of Trustees

Approved,


James A. Sharp, Jr.
Chairman
Board of Trustees