

**Minutes of the Meeting
of the
Oakland University Board of Trustees
October 6, 1994**

Present: Chairman David T. Fischer; Trustees Andrea L. Fischer, Ann S. Nicholson, Rex E. Schlaybaugh, Jr., James A. Sharp, Jr., and Howard F. Sims

Absent: Trustees David Handleman and Louis R. Ross

Chairman David T. Fischer called the meeting to order at 3:12 p.m. in the Gold Rooms of the Oakland Center.

Welcome to New Trustees

Chairman David Fischer introduced Ms. Ann S. Nicholson as a new member of the Board of Trustees replacing Trustee Larry Chunovich. Ms. Nicholson is the Coordinator of the Read Right Program at PVS Chemicals, Inc. and is very involved in civic and philanthropic activities.

Chairman David Fischer noted that Mr. Louis R. Ross, Vice Chairman of the Board of Directors and Chief Technical Officer of the Ford Motor Company, and President of the Oakland University Foundation, is another new trustee replacing Trustee Stephan Sharf. Mr. Ross was not able to attend the meeting due to a scheduling conflict.

Both Ms. Nicholson and Mr. Ross have accepted seats on the University Affairs Advisory Committee.

Chairman David Fischer also introduced Mr. David Lewis, present in the audience, who was the Oakland University Board Chairman from 1978 to 1980.

Consent Agenda

President Sandra Packard presented the following recommendations:

a. Approval of the Minutes of the Meeting of August 4, 1994

b. Approval of the Minutes of the Closed Meeting of August 4, 1994

c. Approval of the Minutes of the Retreat Meeting of August 23, 1994

d. University Personnel Actions

Appointments

Hoerr, William A., Assistant Professor of Education, effective August 15, 1994 (\$37,000) (New appointment filling a vacant authorized position)

Long, Michael P., Associate Professor of Education, effective August 15, 1994 (\$43,000) (New appointment filling a newly authorized position)

Nesbary, Dale K., Instructor in Political Science, effective August 15, 1994 (\$38,750) (New appointment filling a newly authorized position)

Pan, Guohua, Assistant Professor of Mathematical Sciences, effective August 15, 1994 (\$40,000) (New appointment filling a vacant authorized position)

Schellenbach, Cynthia J., Assistant Professor of Psychology, effective August 15, 1994 (\$36,500) (New appointment filling a newly authorized position)

Wiggins, Jacqueline H., Assistant Professor of Music, effective August 15, 1994 (\$32,500) (New appointment filling a vacant authorized position)

Wiggins, Robert A., Assistant Professor of Education, effective August 15, 1994 (\$37,000) (New appointment filling a newly authorized position)

Xia, Yang, Assistant Professor of Physics, effective August 15, 1994 (\$41,500) (New appointment filling a vacant authorized position)

Change of Status

Lauer, Thomas W., from Associate Professor of Management Information Systems, to Associate Professor of Management Information Systems and Acting Chairperson, Department of Decision and Information Sciences, effective August 15, 1994, through August 14, 1995

Pelfrey, Sandra H., from Associate Professor of Accounting, to Associate Professor of Accounting and Acting Chairperson, Department of Accounting and Finance, effective January 3, 1995, through April 26, 1995

Shantz, David W., from Associate Professor of Psychology, to Associate Professor of Psychology and Acting Chairperson, Department of Psychology, effective August 15, 1994, through August 14, 1995

Leave with no pay

Brown, Judith K., Professor of Anthropology, part-time (20%) leave from September 1, 1994 through April 26, 1995 (with prorated pay) (To complete a grant proposal concerning the relationship of older women with their younger female kin for submission to the Guggenheim Foundation as well as the National Institute on Aging.)

Sabbatical Leaves

Abdel-Aty-Zohdy, Hoda S., Associate Professor of Engineering, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To conduct research on Integrated Systems: Mixed-Mode simulations, and circuit models for new electronic devices, to be used with SPICE like simulators (SABER or CAzM), with Professor R.W. Dutton, Director for Research at the Center for Integrated Systems, Stanford University, Stanford, California.)

Harrison, Algea O., Professor of Psychology, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To write on the topic of children, especially Black Americans, who have had a parent die from AIDS.)

Horning, Alice S., Professor of Rhetoric and Linguistics, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To investigate the hypothesis that readers and writers meet in text in ways that are shaped by underlying features of their personalities.)

Liboff, Abraham R., Professor of Physics, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To conduct laboratory research involving the completion and use of a set-up to study changes in free intracellular calcium in cellular monolayers exposed to weak ELF (extremely low frequency) magnetic fields, using ultra-violet excitation and CCD detection.)

Lilliston, Lawrence G., Associate Professor of Psychology, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) [To work on a book and some articles based on his study of psychosocial development of children reared in three new religion movements: the Hare Krishnas (a quasi-Hindu group) the Church Universal and Triumphant, (a New Age Group) and the Family (a fundamentalist Christian communal group.)]

Parameswaran, Ravi, Professor of Marketing and Management Information Systems, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To conduct a feasibility study on an alternate holistic approach to marketing research for possible development of a research text.)

Peacock, Eileen, Associate Professor of Accounting and Chairperson, Department of Accounting and Finance, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To study analogical reasoning with the purpose of developing a research program applying it to decision making in accounting.)

Rooney, Phyllis A., Associate Professor of Philosophy, sabbatical leave from January 3, 1995, through April 26, 1995 (with half pay) (To complete her book, "Reason, Gender, and Culture.")

Russell, Joel W., Professor of Chemistry, from January 3, 1995, through April 26, 1995 (with full pay) (To continue his research on means to enhance the teaching and learning emphasis on introductory/general chemistry.)

Splete, Howard H., Professor of Education, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To gather information regarding career development practices and career counseling as implemented in New Zealand.)

Tracy, Ronald L., Associate Professor of Economics, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To complete his project analyzing the expenditure patterns of fragmented families.)

Tsui, Sze-Kai, Professor of Mathematical Sciences, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To conduct research on operator algebra and control theory.)

Walia, Satish Kumar, Associate Professor of Biological Sciences, sabbatical leave from January 3, 1995, through April 26, 1995 (with full pay) (To analyze field data, attain new insight in the process of in-situ bioremediation and design new studies in the area of microbial biotechnology.)

Sabbatical Leaves Withdrawn

Loh, Robert Nan K., John F. Dodge Professor of Engineering and Director of the Center for Robotics and Advanced Automation, sabbatical leave from September 1, 1994, through April 26, 1995 (with half pay)

[Supersedes previous Board action of April 7, 1994. This action is taken at Mr. Loh's request.]

Vishnubhotla, Sarma R., Associate Professor of Engineering, sabbatical leave from September 1, 1994, through December 17, 1994 (with full pay)

[Supersedes previous Board action of April 7, 1994. This action is taken at Mr. Vishnubhotla's request.]

Sick Leave

Payne, Robert G., Associate Professor of Education, sick leave from November 15, 1993, through May 31, 1994 (with full pay)

[This action supersedes Board action of April 7, 1994 which placed Mr. Payne on a sick leave from November 15, 1993, through March 7, 1994.]

Resignations

Lederer, Albert L., Professor of Management Information Systems and Chairperson, Department of Decision and Information Systems effective August 14, 1994 (Resigned to accept a position at University of Kentucky)

Sakkalis, Panajiotis, Associate Professor of Mathematical Sciences, effective August 14, 1994 (Resigned to pursue research activities)

e. Appointment of a Dean of the School of Nursing

Dr. Gary D. Russi, Vice President for Academic Affairs, submitted the following resolution for Board approval:

RESOLVED, that the Board of Trustees appoint Dr. Justine J. Speer to the position of Dean for the School of Nursing and Professor of Nursing with tenure effective January 3, 1995, at an initial salary of \$105,000 (One Hundred Five Thousand Dollars), with terms and conditions of employment consistent with those normally accorded to academic deans.

f. Recommendation for Approval of Degree Candidates List dated August 19, 1994

g. Recommendation to Accept Gifts and Grants to Oakland University and the Oakland University Foundation for the Period of July 1 through July 31, 1994

h. Meadow Brook Subdivision Financing Guarantee

Mr. Paul E. Bissonnette, Vice President for Finance and Administration, reported the university had guaranteed payment on a promissory note for a mortgage in the Meadow Brook Subdivision in the amount of \$37,740.00 for Baruch and Lili Cahlon.

i. Meadow Brook Hall Food Service Contract

Mr. Paul E. Bissonnette, Vice President for Finance and Administration, submitted the following resolution for Board approval:

RESOLVED, that the "Food Service Contract Between Oakland University and Cregar Enterprises" be renewed by written agreement through May 1, 1996; and, be it further

RESOLVED, that the Board of Trustees authorize the Vice President for Finance and Administration to execute such an agreement.

j. 1995-96 Operating Budget Request (PRRs) for Submission to the Executive Office of the State of Michigan

Mr. Bissonnette submitted the following resolution for Board approval:

RESOLVED, that the Board of Trustees approve the 1995-96 Operating Budget Request to the State of Michigan in the amount of \$79,497,779, as described in the detailed material accompanying this action.

Trustee Howard F. Sims requested a more thorough presentation on the recommendation for the appointment of a Dean of Nursing, since the university has waited patiently for several years for the position to be filled.

Responding to Trustee Sims request, President Packard stated that Dr. Speer, candidate for appointment as Dean of the School of Nursing, currently serves as Dean and Professor of the School of Nursing at the University of Louisville, Kentucky. She has also served as Assistant Dean of Graduate Studies at Wayne State University and Chair of Community Health Nursing at Wayne State University. Dr. Russi added that he is very pleased to recommend Dr. Speer, who brings to Oakland a "breadth and depth of experience" that is greatly needed in the School of Nursing. He noted that while at Wayne State University, Dr. Speer was heavily involved in research and student advocacy. Dr. Russi stated that in the search process the university was assisted by a consultant firm that identified the top candidates around the country, with Dr. Speer emerging as the best of the top candidates.

Trustee Sims then noted inconsistent language on page 2, Priority #2 Minority Student Scholarships, of the 1995-96 Operating Budget Request (PRRs) for Submission to the Executive Office of the State of Michigan. He requested a written clarification of that section to be drafted by Dr. Russi and incorporated in the resolution. Subsequent to the meeting, Dr. Russi submitted the following revised language for this item:

The university has made a commitment for minority scholarships for students enrolling in its Academic Opportunity Program--a program primarily for disadvantaged, first generation students not normally admissible to the university. This request will enable the university to offer up to 100 scholarships to support and enrich the Academic Opportunity Program.

Trustee Sims, seconded by Trustee Schlaybaugh, moved approval of the consent agenda with a clarification to be made to PRR Priority #2. The motion was unanimously carried.

President's Report

President Sandra Packard introduced Dr. Mary Beth Snyder, Oakland's new Vice President for Student Affairs. She noted that Dr. Snyder was Dean of Students at Iowa State University where she was well-regarded by the campus community. Dr. Snyder is already working diligently on a number of student projects.

President Packard reported the following information to the Board:

- Oakland University received notification from the United States Department of Education that the institution's official 1992 default rate on student loans is 6.7 percent, under the Federal Stafford Loan and Federal Supplemental Loans for Students Programs. The loans consist of 40 borrowers in default and 500 borrowers in repayment, placing Oakland below the 20 percent default rate above which specific default reduction measures are required.
- In accordance with Board policy, the President reported an authorized contract of \$140,500 which has been awarded to White Construction Company, a local minority design/build firm, to modify the Belgian Barn to accommodate storage for the Meadow Brook Theatre Property Shop and Department of Music, Theatre and Dance. The modifications are necessary since those departments are being displaced by the construction of the Science and Engineering Building.
- The Oakland University Foundation has awarded \$58,000 in scholarships to 33 minority students.

●Planned gifts of \$100,000 have been made by Oakland University Foundation Director, Mr. Henry Price, to benefit the Kresge Library Enduring Legacy Campaign, and by retired faculty member, Dr. Stanley Hollingsworth, to benefit the Department of Music, Theatre and Dance. Chrysler Corporation has contributed \$142,000 in support of the Schools of Engineering and Computer Science and Business Administration.

●The October campus lecture opportunities are as follows:

October 11, Ninth Annual Business Forum, 12 noon, Shotwell-Gustafson Pavilion --
Speaker: Richard Notebaert, Ameritech Chairman and Chief Executive Officer,
"Breakthrough: The Change for Survival and Success"

October 13, Eighth Annual Hammerle Lecture, 3:30 p.m., 201 Dodge Hall --
Speaker: Thomas Banchoff of Brown University, "The Fourth Dimension and
Interactive Computer Graphics"

October 17, 2:30 p.m., Crockery, Oakland Center, Speaker: Terry Waite, "The Test
of Humanity: Resolving Conflict," sponsored by Student Life Lecture Board,
University Student Congress, and Student Program Board

●In the last issue of "U.S. News and World Report," Oakland University was ranked 17th in academic reputation among the 119 top midwestern regional colleges and universities. The ranking was higher than all other Michigan public regional universities. Oakland also ranked in the top tier of 30 midwestern colleges and universities for factors ranging from academic quality of the entering freshman class to the percentage of faculty with Ph.D.'s.

●President Packard reported on a visit of university presidents, which she attended, to Monterrey and Saltillo, Mexico. During the trip, seven institutions of higher education were visited in hopes that they will visit Oakland University in an effort to develop student/faculty collaboration and research opportunities.

●The President called on Ms. Joyce A. Esterberg, Program Manager of Placement and Career Services, who spoke on a new program called "AmeriCorps Oakland," which Ms. Esterberg designed, developed, and is currently directing. The program is part of President Clinton's new Domestic Peace Corp projects. Oakland received one of nine grants provided for Michigan. The program's main objective is to work with the youth of Pontiac in an effort to reduce youth violence. Ms. Esterberg and a team of 40 Oakland University students will be working with agencies such as the Oakland County Probate Court, Youth Assistance, Pontiac Junior High Schools, Camp Oakland, North Oakland Boys and Girls Clubs, Lighthouse, and City of Pontiac Parks and Recreation. Ms. Esterberg invited the trustees to

attend the launch luncheon of the "AmeriCorps Oakland" project on November 1, 1994, at Meadow Brook Hall from 1:30 p.m. to 3:30 p.m.

President Packard officially presented the new scepter or mace to Chairman David Fischer, which she and her husband, Dr. Martin Packard, donated to the university for use in official university ceremonies. The mace will be housed in the lobby of Kresge Library.

Resolutions Honoring Trustees Larry Chunovich, Stephan Sharf, and James A. Sharp, Jr.

President Packard presented the following resolutions to the Board for approval:

A RESOLUTION HONORING LARRY CHUNOVICH

WHEREAS, Trustee Larry Chunovich was appointed to the Board of Trustees on March 10, 1987, by Governor James Blanchard; and

WHEREAS, his distinguished tenure as a Trustee concluded on September 2, 1994, and the Board of Trustees wishes to recognize the contributions to the university by Trustee Chunovich; and

WHEREAS, Trustee Chunovich has served the university in numerous ways such as Chair of the Board's Finance and Personnel Advisory Committee and Chair of the university's Advisory Presidential Search Committee; and

WHEREAS, Trustee Chunovich has always accepted assignments willingly on behalf of the institution, taking his stewardship as a Trustee seriously, and has provided this Board and the university with the wisdom that he has gained through his distinguished career; now, therefore, be it

RESOLVED, that the Board of Trustees, President Sandra Packard, and the entire university community publicly express their appreciation and gratitude to Mr. Larry Chunovich for his service as a Trustee; and, be it further

RESOLVED, that Mr. Larry Chunovich be designated as Trustee Emeritus with all the attendant rights and privileges of this position; and, be it further

RESOLVED, that the Trustees and President Sandra Packard extend to Mr. Larry Chunovich and his wife, Keitha, their best wishes for continued happiness and the hope that they will continue their association with the university; and, be it further

RESOLVED, that a copy of this resolution be provided to Trustee Chunovich to convey the esteem in which he is held by the Board of Trustees and the university community.

A RESOLUTION HONORING STEPHAN SHARF

WHEREAS, Trustee Stephan Sharf was appointed to the Board of Trustees on March 12, 1987, by Governor James Blanchard; and

WHEREAS, his distinguished tenure as a Trustee concluded on September 27, 1994, and the Board of Trustees wishes to recognize the contributions to the university by Trustee Sharf; and

WHEREAS, Trustee Sharf has served the university in numerous ways such as Chair of the University Affairs Advisory Committee, as a director of the Oakland University Foundation, and as Vice Chair of the Board during the 1992-94 period; and

WHEREAS, Trustee Sharf has always accepted assignments willingly on behalf of the institution, taking his stewardship as a Trustee seriously, and has provided this Board and the university with the wisdom that he has gained through his distinguished career; now, therefore, be it

RESOLVED, that the Board of Trustees, President Sandra Packard, and the entire university community publicly express their appreciation and gratitude to Mr. Stephan Sharf for his service as a Trustee; and, be it further

RESOLVED, that Mr. Stephan Sharf be designated as Trustee Emeritus with all the attendant rights and privileges of this position; and, be it further

RESOLVED, that the Trustees and President Sandra Packard extend to Mr. Stephan Sharf and his wife, Rita, their best wishes for continued happiness and the hope that they will continue their association with the university; and, be it further

RESOLVED, that a copy of this resolution be provided to Trustee Sharf to convey the esteem in which he is held by the Board of Trustees and the university community.

A RESOLUTION HONORING JAMES A. SHARP, JR.

WHEREAS, the term of Trustee James A. Sharp, Jr. as Chairman of the Oakland University Board of Trustees concluded at the August 4, 1994, meeting of the Board; and

WHEREAS, Trustee Sharp has served two terms as Chairman of the Board of Trustees from November 5, 1992 to August 4, 1994; and

WHEREAS, Trustee Sharp has also served the Board as a member of the Board's University Affairs Advisory Committee, the Board's Investment Advisory Committee, the Advisory Presidential Search Committee, and the Blue Ribbon Strategic Planning Steering Committee, and has contributed his knowledge and insight, expending many hours on the responsibilities associated with all of these duties; and

WHEREAS, Trustee Sharp has spent countless hours coordinating the Board's activities and advising the university; and

WHEREAS, Trustee Sharp has provided valuable assistance to the university in its relationship with the legislature and other governmental entities; now, therefore, be it

RESOLVED, that the Board of Trustees, President Sandra Packard and the entire university community publicly express their appreciation and gratitude to Trustee James A. Sharp, Jr. for the many hours of dedicated service he has rendered as the Chairman of the Board of Trustees; and, be it further

RESOLVED, that the Board of Trustees wishes at this time to recognize Trustee Sharp's outstanding service as Chairman and as a Board member through the official adoption of this resolution; and, be it further

RESOLVED, that a copy of this resolution shall be provided to Trustee Sharp to convey the esteem in which he is held by the Board of Trustees, President Sandra Packard and the university community.

Chairman David Fischer, on behalf of the Board, commended the three trustees for their dedication and devotion to the university.

Trustee Sims, seconded by Trustee Schlaybaugh, moved approval of the recommendations. The motion was unanimously carried.

Ratification of Faculty Collective Bargaining Agreement with the American Association of University Professors (AAUP)

Dr. Russi recommended the following resolution in support of the AAUP collective bargaining agreement, pending ratification by the union:

RESOLVED, that the Board of Trustees hereby approves the 1994-97 contract between Oakland University and the Oakland Chapter of the American Association of University Professors, with the effective date of August 15, 1994, through August 14, 1997. The approval of the Board is contingent upon ratification of the agreement by the faculty union.

Dr. Russi recognized Mr. William W. Connellan, Associate Vice President for Academic Affairs, who served as the chief negotiator for the new contract.

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

Proposal to Provide Cable Television Service to Residence Halls

Mr. Bissonnette stated that the administration is prepared to negotiate and enter into an agreement with a cable television provider. He recommended the following resolution to the Board for approval:

RESOLVED, that the Board of Trustees authorize the Vice President for Finance and Administration to negotiate and execute:

1. An agreement with a cable provider to install and operate a cable television network within the residence halls, and
2. An easement agreement, if required, for the installation of cable in an underground conduit in accordance with construction specifications approved by the university;

and, be it further

RESOLVED, that the agreements shall be approved by the University's General Counsel prior to execution.

Trustee Sims requested that the following be added at the end of the second "RESOLVED" clause:

. . . and that the agreements shall be within the limits and policies previously approved by the Board of Trustees.

Trustee Sims also suggested that in the future the same language be included in resolutions whenever there is delegated authorization to execute contracts.

Trustee Sims, seconded by Trustee Andrea Fischer, moved approval of the recommendation with the additional language. The motion was unanimously approved.

Recreation and Athletic Center Planning Report, Request for Authorization to Proceed and Request for Reimbursement

Dr. Mary Beth Snyder, Vice President for Student Affairs, stated that in December of 1993, the Board approved a feasibility study for a student recreation center project, which action was consistent with the strategic initiative to promote student recruitment, retention, and success with outstanding instructional, residential, and recreational facilities.

Mr. Bissonnette stated that in September of 1993, the administration was advised by the University Affairs Advisory Committee to review the capital outlay program and to prioritize projects. As a result of that review, the student recreation center emerged as the top priority project under a category of bond-indebtedness funding. It was also determined that the university could continue on a parallel process of funding immediate needs, such as ADA and deferred maintenance projects, while moving the institution ahead with projects such as the recreation center. Mr. Bissonnette noted that, upon Board approval of the resolution, Mr. David Lewis would serve as bond counsel for the project. The recreation center portion of the project would be funded from a special student fee, while the athletic facility portion would be funded from the general fund.

Mr. Paul Brailsford, of Brailsford Associates, Inc., summarized his feasibility study findings with a slide presentation and recommended alternatives for addressing Oakland's sports and recreation needs. He noted that the process included an existing facility review; market, financial, and site analyses; student and university community interviews; and implementation strategies.

Mr. Michael Simon, President of the University Student Congress, and Ms. Judy Weigand, Residence Halls President, spoke in favor of a student recreation center. Mr. Simon noted that the addition of a student recreation center would create improvements in social growth of students, campus involvement, sense of unity and community, support and respect for athletic programs, and student enrollment. Ms. Wiegand stated that approximately 85 percent of residence halls students support a new recreation center. A recreation center would increase student occupancy of the residence halls.

Dr. Snyder recommended the following resolution for approval by the Board:

RECREATION AND ATHLETIC CENTER

WHEREAS, there is a serious need to improve the recreation and athletic facilities for Oakland University students as confirmed by a feasibility study; and

WHEREAS, opinion surveys have demonstrated student, faculty, and staff support for such a facility; and

WHEREAS, the cost estimates for such a facility and financing estimates are within an acceptable range to proceed; now, there be it:

RESOLVED, that the President of Oakland University, or designee, be authorized to seek architectural services from qualified architectural firms to plan and design a combined recreation and athletic center at Oakland University as proposed in the consultant's report with the design to be brought to the Board for its review at a future date; and be it further

RESOLVED, that the President of Oakland University, or designee, be authorized to initiate the process necessary to finance the above mentioned project through the issuance of tax exempt bonds by Oakland University in accordance with applicable law in an amount not to exceed \$37,000,000 to be repaid through user fees charged to students, the Oakland University General Fund and other users of the facility; and now be it further

RESOLVED, that the president of Oakland University, or designee, be authorized to implement a schedule of student and user fees to fund the bond payments and operating expenses for the facility to commence, with the expected occupancy date currently estimated to be 1998. The fee schedule will be included with the University budget starting in the year of building occupancy.

REIMBURSEMENT RESOLUTION OF OAKLAND UNIVERSITY

WHEREAS, Oakland University (the "University") contemplates the issuance of tax-exempt bonds in an amount not to exceed \$37,000,000 (the "Bonds"), the proceeds of which will be used to (a) construct a recreation and athletic facility for the University, (b) fund capitalized interest with respect to such construction project, and (c) pay costs of issuance with respect to the Bonds (collectively, the "Project"); and

WHEREAS, the University desires to have the option of reimbursing itself from bond proceeds to the extent that the University expends moneys from the Plant Fund or other funds and accounts within the General Fund on the Project; and

WHEREAS, this resolution is intended to constitute "official action" of the University within the meaning of Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code of 1986, as amended; now, therefore be it

RESOLVED, that it is the official intent of the University to preserve the right to reimburse itself from Bond proceeds for costs expended on the Project; and be it further

RESOLVED, that the funds and accounts from which expenditures on the Project may be made are the Plant Fund or other funds and accounts within the General Fund of the University.

Trustee Schlaybaugh, seconded by Trustee Andrea Fischer, moved approval of the resolution.

Trustee Sims requested that the first resolution of the recommendation include the language, "and recommend to the Board of Trustees proposals for," after the word "seek." He also requested that in the third resolution, in lieu of the word "implement," the language, "recommend to the Board of Trustees," should be added.

President Packard clarified that student fees will not be levied until the building is complete and ready for occupancy.

Trustee Schlaybaugh wished the minutes to note that of the options proposed the Finance and Personnel Advisory Committee supports the Lepley expansion recommendation, recognizing that other factors could be discovered as the project moves forward that would change that preference.

Trustee Sims, seconded by Trustee Schlaybaugh, moved approval of the recommendation. The motion was unanimously carried.

Conveyance of O'Dowd Hall from the State Building Authority of Michigan to Oakland University

Ms. Susan Gerrits, Acting General Counsel, stated that this resolution is a request by the State Building Authority to convey, by quitclaim deed, the O'Dowd Hall property back to

Oakland University. In 1979, Oakland deeded the property to the Michigan State Building Authority to permit the Building Authority to obtain bonds for the construction of O'Dowd Hall. The bonded indebtedness for O'Dowd Hall has now been liquidated, and the State Building Authority is prepared to deed the land, with the building contained thereon, back to the university as required by the lease document, thus restoring ownership of the facility to the university.

Ms. Gerrits recommended the following resolution to the Board for approval:

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF OAKLAND UNIVERSITY REQUESTING AND APPROVING
CONVEYANCE OF PROPERTY FOR THE CLASSROOM - OFFICE BUILDING**

WHEREAS, the State Building Authority (the "Authority"), a statutory body corporate created under provisions of 1964 PA 183, as amended, is authorized to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage and maintain buildings, necessary parking structures or lots and facilities and sites therefor for use by the State or any of its agencies including institutions of higher education created pursuant to Sections 5, 6 and 7 of Article VIII of the Michigan Constitution of 1963; and

WHEREAS, the Authority has previously acquired the Classroom-Office Building and the site upon which it was constructed (the Classroom-Office Building and the site together are the "Facilities") and the Authority leased the Facilities to the University and the State of Michigan (the "State") pursuant to a lease dated April 1, 1979 (the "Lease"); and

WHEREAS, under the terms of the Lease, the Authority agreed to convey title to the Facilities to the University upon request by the University after the Bonds which financed the Facilities (the "Bonds" as defined in the Lease) and any additional bonds or other obligations as provided in the Lease are paid in full or provision for the payment thereof is made as provided in the Lease for consideration of one (\$1.00) Dollar and the assumption by the University of all monetary obligations and legal responsibilities for the operation and maintenance of the Facilities; and

WHEREAS, the Bonds have been paid in full and all conditions established by the Lease as conditions precedent to conveyance of title to the Facilities by the Authority to the University have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY THAT:

1. The University hereby requests that the Authority convey title to the Facilities by Quitclaim Deed to the University.
2. The consideration for the conveyance of the Facilities shall be one (\$1.00) Dollar and the assumption by the University of all monetary obligations and legal responsibilities for the operation and maintenance of the Facilities.
3. The conveyance of the Facilities pursuant to the terms and conditions set forth above is approved and the President and Treasurer are authorized and directed to execute any documents to accomplish the conveyance in such form as may be requested by the Authority and approved by counsel for the University.
4. All ordinances, resolutions and orders or parts thereof in conflict with this resolution are, to the extent of such conflict, repealed.
5. This resolution shall be effective immediately upon its adoption.

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

Closed Session

Trustee Sims, seconded by Trustee Schlaybaugh, moved to recess into a closed session to discuss written legal opinion of counsel and to consult with the university attorney regarding trial or settlement strategy in connection with specific pending litigation. 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 by the six trustees present. The public meeting recessed at 4:27 p.m., and the trustees convened in closed session in the Meadow Brook Room of the Oakland Center.

Trustee Schlaybaugh left the meeting after the closed session.

The public Board meeting reconvened at 5:38 p.m.

Joining as Amicus in MSU Open Meetings Act Appeal (Federated Publications, Inc. v Board of Trustees of Michigan State University)

Mr. Bunger read the following resolution to the Board for its consideration:

RESOLVED, that the Board of Trustees approves the submission by the university of a motion for leave to file brief amicus curiae and an amicus curiae brief in support of Michigan State University's position concerning the Open Meetings Act in the case of Federated Publications, Inc. v Board of Trustees of Michigan State University.

Trustee Sharp, seconded by Trustee Sims, moved approval of the recommendation. The motion was unanimously carried.

Other Items that May Come Before the Board

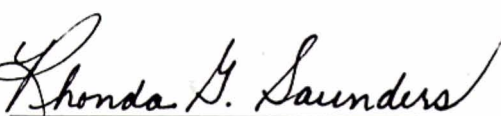
Students Delayne E. Gratopp, Jackie O'Connor, Sean Kosofsky, and Susan Harden of Gay and Lesbian Alliance (GALA) and Michael Simon, President of the University Student Congress, addressed the Board seeking inclusion of the term "sexual orientation" in the Equal Opportunity Policy of the university. Board members responded that the issue is still in the fact-finding stages and that the General Counsel's office has performed research and reported results of that research to the Board in a confidential legal memorandum. Chairman David Fischer stated that the matter would be referred to the University Affairs Advisory Committee.

President Packard stressed that any gay and lesbian students with specific discrimination concerns should seek recourse through the Equal Opportunity Office or through her. She added that the university, to the best of its legal ability, intends to insure that gay and lesbian students are treated with respect and dignity on campus.

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

The meeting adjourned at 6 p.m.

Submitted,



Rhonda G. Saunders
Administrative Assistant
Board of Trustees

Approved,



David T. Fischer
Chairman
Board of Trustees