Minutes of the Meeting of the Oakland University Board of Trustees April 8, 1992

Present: Chairman Howard F. Sims; Trustees Larry Chunovich, Andrea Fischer, Phyllis Law Googasian and James A. Sharp, Jr.

Absent: Trustees David Handleman, L. Brooks Patterson and Stephan Sharf

Chairman Howard F. Sims called the meeting of the Oakland University Board of Trustees to order at 4:08 p.m. in the Gold Rooms of the Oakland Center.

Approval of March, 1992, Minutes

Trustee Phyllis Law Googasian, seconded by Trustee Larry Chunovich, moved approval of the minutes of the special meeting of March 3, 1992, the meeting of March 11, 1992, and the closed meeting of March 11, 1992. The motion was voted on and unanimously carried.

Report on Gifts and Grants to Oakland University for the period of February 1, 1992, through February 29, 1992, and to the Oakland University Foundation for the same period

Mr. Paul Osterhout, Director of Development, reported that the gifts and grants to Oakland University for the month of February totaled $875,864.94 and the gifts and grants to the Oakland University Foundation totaled $36,246.38.

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

Faculty Promotions

Mr. Keith Kleckner, Senior Vice President for Academic Affairs and Provost, made the following recommendation:

> RESOLVED, that the Board of Trustees approve the following personnel actions which have been formulated by the Provost with the advice of the deans and faculty colleague review bodies in accordance with the specified tenure review process:

Associate Professors with tenure considered for promotion to the rank of professor, effective August 15, 1992:

Arts and Sciences

R. Douglas Hunter	Biological Sciences	Promote
Tadeusz Malinski	Chemistry	Promote
Subbaiah Perla	Mathematical Sciences	Promote
Flavio Varani	Music	Promote

Business Administration

Albert L. Lederer	Management Information Systems	Promote
Howard S. Schwartz	Management	Promote

Trustee Chunovich, seconded by Trustee Phyllis Law Googasian, moved approval of the recommendation. The motion was voted on and unanimously carried.

Marriott Food Service Contract

Mrs. Wilma Ray-Bledsoe, Vice President for Student Affairs, stated that this item was brought before the Board in February, 1992, and it was requested by the Board at that time that specific attention should be given to insuring that the contract extension will enable a thorough review of modifying existing retail outlets to include brand name concepts. In addition, student satisfaction concerns have been reviewed.

Mrs. Ray-Bledsoe then made the following recommendation:

WHEREAS, the current contract with Marriott Corporation for provision of food service for the main campus allows for modification of financial arrangements if the configuration and volume of business and/or enrollment levels change; and

WHEREAS, Marriott will provide, by no later than March 1, 1993, a comprehensive study of the feasibility of modifying existing retail outlets to include brand name concepts; and

WHEREAS, significant changes have occurred in business volume and enrollment that have negatively affected food service revenue; now, therefore, be it

RESOLVED, that after review by the Vice President for Student Affairs, the Vice President for Finance and Administration is authorized to amend the existing Marriott Food Service agreement to extend its terms through June 30, 1996, and to incorporate the modifications outlined in items 1-3 of the document titled "Marriott Food Service Agreement Report." The proposed contract terms will be reviewed by the university's Office of the General Counsel.

Trustee Chunovich, seconded by Trustee Sharp, moved approval of the recommendation. The motion was voted on and unanimously carried.

Faculty Personnel Actions

Mr. Kleckner made the following recommendations:

Appointments

Ari, Sitaramayya, Associate Professor of Biomedical Sciences with tenure, effective August 15, 1992 (new appointment, filling a vacant authorized position in the Eye Research Institute)

Hoffmann, John M., Adjunct Assistant Professor of Industrial Health and Safety, effective January 1, 1992, through August 14, 1994 (new appointment to an honorary position)

Mathieson, Kieran, Assistant Professor of Management Information Systems, effective August 15, 1992 (new appointment, filling a vacant authorized position)

Ondrisek, Barbara R., Adjunct Instructor in Industrial Health and Safety, effective January 1, 1992, through August 14, 1994 (new appointment to an honorary position)

Tersigni, Anthony R., Adjunct Assistant Professor of Health Behavioral Sciences, effective January 1, 1992, through August 14, 1994 (renewal)

Vaughn, Clarence B., Clinical Professor of Physical Therapy, effective January 1, 1992, through August 14, 1994 (renewal)

Leaves of Absence

Butterworth, Francis M., Professor of Biological Sciences, leave from September 1, 1992, through April 28, 1992 (with no pay)

Hansen-Smith, Fay M., Assistant Professor of Biological Sciences, sabbatical leave from January 4, 1993, through April 28, 1993 (with full pay)

Thompson, Kristine A., Special Instructor in Physical Therapy, sick leave from February 12, 1992, through April 12, 1992 (with full pay)

Weng, Tung H., Professor of Engineering, sabbatical leave from January 4, 1993, through December 18, 1993 (with half pay)

Trustee Chunovich, seconded by Trustee James A. Sharp, Jr., moved approval of the recommendations. The motion was voted on and unanimously carried.

Discussion on the status of the Memorandum of Understanding between Oakland University and the City of Auburn Hills regarding the widening of Squirrel Road

Mr. John De Carlo, Interim President, stated that representatives from the City of Auburn Hills and Mr. Robert Bunger, Assistant General Counsel, are present to address the Squirrel Road widening issue and the related Memorandum of Understanding. Mr. Robert Bunger then summarized the highlights of the agreement.

Mr. Bunger reported that the University would agree to sell approximately 23 1/2 acres of land to the city for $4 per square foot, and the existing road right-of-way along Squirrel Road will be deeded to the city. The university would provide a temporary grading easement for the period of road construction. The university would dedicate $750,000 of the purchase price of approximately $4.1 million to a scholarship fund for the award of two four-year scholarships per year for a period of five years for residents of the City of Auburn Hills. In addition, the university would provide one additional four-year scholarship for a limited period from other funds. Subsequent to the five-year period, the university would receive $500,000 of the $750,000 corpus for use at its discretion, and the remaining $250,000 would continue to be used for the purpose of scholarships for Auburn Hills residents. The university would control the scholarship process. Mr. Bunger stated that as part of the construction project, the city will provide either replacements or monetary compensation to the university for signs, fences, trees and parking spaces. Also, as part of the road realignment, the university would receive at no cost a small parcel of land of approximately 1,500 square feet from Chrysler Corporation, because land that is currently on the west side of the road will end up on the east (Oakland's) side of the road. The university will also agree that Chrysler may transfer land which the university previously owned to the city for road purposes. The university will also provide three small drainage easements extending onto its property and a water line easement where the city will install a water tap available to the university as needed. The university would pay for the cost of providing the tap, but as part of the easement the city would maintain the tap. At this time, the administration does not anticipate a need to connect with the water line, but during the Science Building construction process there may be a need for such access. Mr. Bunger noted that the series of referenced exhibits have all been reviewed and recommended by the Office of Campus Facilities and Operations.

Chairman Sims asked if the Memorandum of Understanding was consistent with the past direction of the Board. Mr. Bunger responded affirmatively. Mr. Bunger referenced an alternate resolution that was distributed to the Board prior to the meeting, and he indicated that it is being recommended in order to give the Trustees time to review all of the related documents and to be comfortable with them. The resolution reads as follows:

> WHEREAS, the City of Auburn Hills desires to purchase from Oakland University approximately 23.5 acres of land for the purpose of widening Squirrel Road; and
>
> WHEREAS, the Oakland University Board of Trustees is willing to sell such land to the City subject to certain terms and conditions; and
>
> WHEREAS, the parties have developed a document titled Memorandum of Understanding, included with this resolution, that sets forth the proposed framework of the transaction; and

WHEREAS, an earlier proposed Memorandum of Understanding was reviewed by the Finance and Personnel Committee, and the Committee found that document incomplete in several respects; and

WHEREAS, the current Memorandum of Understanding, which is attached, was provided to the Trustees at a time that did not permit for adequate review and was not in accordance with the Board Committee's time schedule for review; and

WHEREAS, the City states that it is essential to its retention of state funds for construction and to the maintenance of its construction schedule that the Oakland University Board of Trustees during April, 1992, express its intent to sell the land; now, therefore, be it

RESOLVED, that subject to the review and concurrence of the Chairman of the Board and of the Chairman of the Finance and Personnel Committee, the Vice President for Finance and Administration is authorized to execute the Memorandum of Understanding provided with this agendum item, or an amended document that (1) contains the same general terms and conditions, (2) is no less favorable to the interests of the University, and (3) clearly defines the drainage easements to be granted, the City road right-of-way to be released to the University, the Exhibits to be included, and the compensation for lost parking spaces.

(A copy of the Memorandum of Understanding is attached.) Mr. William Hampton, City Attorney for Auburn Hills, stated that Mr. Bunger's comments reflect the understanding that the city has reached with the university administration. He stated that the city is very appreciative of the cooperation of the university staff. Mr. Hampton advised that advertising commenced for contracting and bidding on April 3 due to project time constraints.

Mr. Khales Dahr, Senior Architect, Oakland University, reviewed the road realignment and the drainage easements for the Trustees with a visual aid.

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

License Agreement with Oakland County for Upgrading of Waste Water Meter Sites

Mr. Ray Harris, Associate Vice President for Finance and Administration, stated that for approximately 20 years Oakland County has operated two waste water meter sites on university property, and the county is now interested in upgrading the meter equipment from a mechanical to a computer-based system. He noted that the administration is recommending a license agreement with the county to permit the upgrade of the equipment. The grant licenses will be at no cost to the University, and the university will benefit from having upgraded equipment at both sites including a rain gauge that will provide useful rain data. He concluded that this action will foster good relations with the county.

Mr. Harris made the following recommendation:

> RESOLVED, that Mr. Robert J. McGarry, the University's Vice President for Finance and Administration, is authorized to grant two nonexclusive, revocable licenses to Oakland County for the upgrading of meter site #2 at Lonedale Road and meter site #9 at the Athletic Field.

Trustee Sharp, seconded by Trustee Chunovich, moved approval of the recommendation. The motion was voted on and unanimously carried.

Agreement between Dr. Sandra Packard and Oakland University

Chairman Sims stated that the Agreement between Dr. Sandra Packard and Oakland University has been reviewed by the Finance and Personnel Committee of the Board, and Dr. Packard's attorney is satisfied with the proposed version of the contract.

Trustee Chunovich then moved approval of the following recommendation:

> RESOLVED, that the Board of Trustees authorizes the Chairman of the Board to execute this agreement on behalf of the Board, naming Dr. Sandra Packard as President of Oakland University and Professor of Education, with tenure, effective June 15, 1992, and setting forth the terms and conditions of her appointment.

Trustees Googasian and Sharp seconded the motion which was voted on and unanimously carried. (A copy of the contract is on file in the Office of the Board of Trustees.)

Discussion of Provision of Alcohol at the Meadow Brook Music Festival

Chairman Sims stated that this item has been deferred until the May, 1992, meeting of the Board.

Trustee Googasian stated that the University Affairs Committee expected this item would be discussed at today's meeting, but she stated that there is sufficient concern on behalf of the committee regarding the impact of the acquisition of a liquor license by the promoter on the Festival. She stated that the committee felt that there were still too many questions which must be answered prior to a discussion by the full Board.

Affirmative Action Report

Ms. Catherine Rush, Director of the Office of Equal Opportunity and Assistant to the President, reported that throughout 1990-91, the university continued its progress in hiring women and minority faculty. During that period, 56 percent of faculty hires were women, 15 percent were Blacks and 3 percent were Hispanic. Over the last four years, 49 percent of faculty hires have been women and 10 percent have been Blacks. Twenty six Administrative/Professional (AP) staff were hired in 1990-91 of which 65 percent were women, 15 percent were Blacks and 8 percent were members of other minority groups. Over the last two years, 60 percent of the AP hires were women, 26 percent were Blacks and 6 percent were members of other minority groups. Ms. Rush stated that this data reflects diligent efforts made by faculty and staff search committees to "recruit, identify and attract women and persons from diverse ethnic and racial backgrounds to Oakland University." She also noted the commitment of the university faculty and administration toward "achieving the goal of having a truly multicultural environment."

Ms. Rush stated that often hiring opportunities occurred in units where a numerical goal was not identified as a result of the presence of women and minorities already in that unit; however, this fact should not diminish the impact these hires have in enhancing the diversity of the university community. She stated that the university hiring freeze will substantially limit the opportunities to demonstrate the same level of progress in meeting affirmative action goals. Ms. Rush reported that hiring opportunities for faculty have been reduced considerably over the last year. Also, the hiring freeze, layoffs and movement of some non-instructional staff into vacancies in other units have resulted in limited hiring in non-instructional positions. While these initiatives are clearly necessary to meet the university's budget constraints, they may have significant impact on our affirmative action efforts.

Ms. Rush referred to the written report previously submitted to the Trustees which summarized activities undertaken to update the affirmative action plan and monitor the status of affirmative action efforts in the university community. Two new action areas identified for next year are the monitoring of retention rates for staff and a review of the results of implementation of the merit pay plan for APs to insure that it is nondiscriminatory. She stated that she and her staff appreciate the high level of support received from the Board, faculty staff and students in their efforts to achieve the objectives of the university's equal opportunity and affirmative action policies.

Chairman Sims thanked Ms. Rush for her report.

Other items that may come before the Board

Budget Status Report and President's Contract

Trustee Chunovich stated in the past, the Board has only had a few months to review the budget for the ensuing fiscal year. He noted that this year the Finance and Personnel Committee has had a number of months to review budget plans, programs and revenue sources. Based on the current year and projections for 1992-93, the Finance and Personnel Committee may be recommending cuts in the budget of approximately $2.2 million. This action is necessary due to the fact that there is not a projected increase in state assistance to higher education which affects approximately two thirds of the university's budget. Without an increase in revenue from the state, the tuition issue must also be addressed. Trustee Chunovich stated that he is sorry to report that even with the budget cuts there is a possibility for a double-digit tuition increase. He noted that the committee will continue to review all areas toward the creation of a reasonable tuition action which will balance the budget.

Trustee Chunovich stated that he wished to apprise the Board and the community that the committee is spending an "enormous amount of time" reviewing every aspect of the budget in detail, and it is considering some additional cuts in order to balance with a single digit tuition increase. He stated that the committee's intent is clearly to minimize any adverse impact to educational opportunities for students.

Trustee Fischer stated that if anyone in the university community has an idea regarding an appropriate cost savings measure which may not have reached the Board, he or she should feel free to notify the Office of the President or the Office of the Board of Trustees. She stated that she preferred that budget cuts should come from non-academic areas in order to avoid an adverse impact on student life on campus and to avoid compromising the academic integrity of the institution.

Trustee Googasian stated that one of the provisions in the agreement with Dr. Packard is that she has chosen to reside in Sunset Terrace. Trustee Googasian noted that moving the president into Sunset Terrace for use on a daily basis and for entertaining on behalf of the university means that the university will incur some major repair costs. She noted that the roof must be repaired due to numerous leaks, and the thermal windows also may need to be replaced. She stated that she does not want the new president "saddled with accusations" on spending money on Sunset Terrace. She added that if the community and the Board wish to have the new president reside there, it must be improved.

Trustee Fischer stated that if the Trustees have to raise tuition close to ten percent this year, she "will not approve a large allocation of funds to renovate Sunset Terrace to standards which may or may not be necessary, particularly in these economic times." She stated that a development committee should be established for the purpose of raising money to repair Sunset Terrace.

Trustee Googasian stated that Trustee Sharp had recommended the creation of such a committee in the University Affairs Committee meeting earlier in the day. She stated that it would be ideal if the university could avoid renovation expenditures; however, it is important that the community is aware that the house is not in condition for day-to-day use at this time. She added that "the building deserves to be put back in shape, since it belongs to the university."

Chairman Sims stated that he understands that an assessment of the repairs needed at Sunset Terrace has been made, and he called upon Mr. Alan Miller, Assistant Vice President for Campus Facilities and Operations. Mr. Miller stated that his division has performed a facility audit and is presently developing the cost estimates for repairs which should be ready within one week. He noted that the roof is a major item, the windows may need work and the repair list, in general, is quite lengthy.

Trustee Sharp asked about the climate control system. Mr. Miller stated that Sunset Terrace is not centrally air conditioned but it does have window units, some of which are inoperative. He stated that a determination will have to be made as to whether a central air system should be installed. He noted that there is a rather large air-handling system within the building, and central air should be considered.

Trustee Sharp requested that the list should be presented to the Board as soon as possible.

Trustee Fischer asked if there was a plan to sell the Munster Road house. Chairman Sims stated that this issue will be brought forth in the future. Trustee Fischer recommended that action should be taken soon, since families who choose to move look to do so in the late spring or summer.

Trustee Chunovich stated that caution should be used in the sale of the Munster Road house, since it may take some time to refurbish Sunset Terrace, and if it is not done by June 15, Dr. Packard may have to reside in the Munster Road house until Sunset Terrace is habitable.

Trustee Chunovich then briefly reviewed the recently approved contract with Dr. Packard. He stated that Dr. Packard's employment is effective June 15, 1992, and she will reside in Sunset Terrace, and the university is committed to bring the residence up to a livable condition and to maintain the building. There is a clause relative to the annual performance evaluation of the president and the cabinet. The compensation for the 1992-93 school year is $132,000 which determination was made based on the previous contract with President Champagne in 1990-91 with two years of increases at five percent. Insurance, retirement benefits, holidays, sick leave and disability are identical to all of those provided at the executive level, and an annual physical is required. A car will be provided to Dr. Packard.

The president will serve at the pleasure of the Board as an "at will" employee and can be terminated with or without cause simply by action of the Board with or without prior notice to the president. Her involvement in other professional activities and/or additional employment must be approved by the Board on a case by case basis. Dr. Packard will be reimbursed for reasonable moving expenses, and she must submit all of her business expenses to be audited by the Finance and Personnel Committee of the Board.

Advisory Committee on Intercollegiate Athletics

Mr. De Carlo stated that in January, 1992, he announced several initiatives, one of which was to establish an Advisory Committee on Intercollegiate Athletics. He reviewed the membership of the committee comprised of "busy and talented individuals willing to participate in a review process of intercollegiate athletics at Oakland and to assure compliance with university rules and regulations and NCAA regulations." Mr. De Carlo expressed his appreciation to the following individuals for agreeing to serve on the committee: Professor Daniel Braunstein, School of Business Administration; Professor Glenn Jackson, School of Engineering and Computer Science; Professor William Macauley, College of Arts and Sciences; Professor Michael Riley, Eye Research Institute; Professor Dyanne Tracy, School of Education and Human Services; Mr. Jack Wilson, Associate Vice President for Student Affairs; and Mr. Paul Hartman, Athletic Director, who will serve as an ex officio member.

Mr. De Carlo stated that Dr. Packard concurred with the creation of such a committee, and he noted that the committee held its first meeting on April 7, 1992.

Forensics Announcement

Chairman Sims stated that the Oakland University Forensics team has placed in the top 20 in the nation for the last nine years. A pre-national showcase will be held at the Varner Studio Theatre on Thursday, April 9, 1992, to which the Board has been invited.

Trustee Fischer commended Dean John Urice, College of Arts and Sciences, for the Forensics team's accomplishments. Dean Urice thanked Trustee Fischer and stated that it is "a shared enterprise with Student Affairs and the Department of Rhetoric, Communications and Journalism."

Michigan Association of Governing Boards Awards Convocation

Trustee Googasian stated that it always gives her pleasure to congratulate people, and she is especially pleased that on Monday, April 6, 1992, the Michigan Association of Governing Boards held its Annual Awards Convocation in East Lansing. Two distinguished professors from Oakland University, Dr. Michael Hung, Professor of Engineering, and Dr. David Lau, Assistant Professor of Communications, were honored as were two outstanding students from Oakland, Ms. Tara Clairissa Gardner and Mr. David Edward Nykanen. Trustee Googasian expressed the Board's congratulations to these award recipients.

There being no further items for discussion, Trustee Sims, seconded by Trustee Fischer, moved adjournment of the meeting. The motion was voted on and unanimously carried. The meeting was adjourned at 5:01 p.m.

Submitted,

Catherine Gianakura Rogg

Catherine Gianakura Rogg
Administrative Assistant
Board of Trustees

Approved,

Howard F. Sims
Chairman
Board of Trustees