

Minutes of the Meeting
of the
Oakland University
Board of Trustees
May 6, 1982

The meeting was called to order by Vice Chairman Ken Morris at 7:30 p.m. in Lounge II of the Oakland Center.

Present: Vice Chairman Ken Morris, Trustees David Handleman, Patricia B. Hartmann, Alex C. Mair, Wallace D. Riley and Howard F. Sims

Absent: Trustees Richard H. Headlee and Arthur W. Saltzman

Introduction of New Board of Trustee Member, Wallace D. Riley

Vice Chairman Morris introduced Mr. Wallace D. Riley who was appointed as a member of the Board of Trustees by Governor William G. Milliken to complete the term of Mr. Marvin L. Katke who resigned, effective February 15, 1982. Mr. Riley was welcomed by all of the Trustees.

Approval of Minutes of February 17, 1982

Vice Chairman Morris requested approval of the minutes of the Board meeting of February 17, 1982, as presented to the Trustees.

Mr. Sims offered a motion for approval of the minutes. Mr. Mair seconded the motion which was voted on and approved by all of the Trustees present.

Acceptance of Gifts and Grants

Vice Chairman Morris requested the Board's acceptance of the gifts and grants totaling \$689,889.52 for the months of March and April. (Copies of the complete lists of gifts and grants are on file in the Office of the Secretary to the Board of Trustees and the Office of the Vice President for Development.)

Vice Chairman Morris requested comments from Mr. Robert W. Swanson, Vice President for Development, on the gifts and grants.

Mr. Swanson called the Board's attention to the \$10,425 gift from former Board member, Mr. Marvin L. Katke, and Mrs. Katke; and the \$50,000 gift from the Estate of Elizabeth Hughes Gossett for the establishment of a library collection.

Mrs. Hartmann moved that the gifts and grants be accepted with thanks. Mr. Mair seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Personnel Actions

Vice Chairman Morris presented the following faculty personnel actions for the Board's approval:

Appointments

Block, Duane L., Consulting Professor of Health Sciences, effective August 15, 1982 through August 14, 1984

Chu, Joseph P., Clinical Assistant Professor of Health Sciences, effective August 15, 1982, through August 14, 1984

Eckert, David W., Clinical Assistant Professor of Health Sciences, effective August 15, 1982, through August 14, 1984

Erickson, Martin A., Adjunct Professor of Engineering, effective August 15, 1982, through August 14, 1984

Fink, Daniel, Clinical Assistant Professor of Health Sciences, effective August 15, 1982, through August 14, 1984

Harry, Joann, Adjunct Clinical Instructor in Nursing, effective August 15, 1982, through August 14, 1984

James, Geraldine Y., Clinical Instructor in Medical Technology, effective August 15, 1982, through August 14, 1984

Kava, Kristie S., Clinical Instructor in Physical Therapy, effective August 15, 1982, through August 14, 1984

Klosinski, Deanna D., Clinical Instructor in Medical Technology, effective August 15, 1982, through August 14, 1984

Meyer, Kenneth R., Clinical Associate Professor of Health Sciences, effective August 15, 1982, through August 14, 1984

Appointments (Continued)

Miller, Donald M., Professor of Education and Associate Dean of Education, effective August 15, 1981. Due to an oversight, this item was not included on the September 9, 1981 Board agenda.

Mohan, Jean, Adjunct Clinical Instructor in Nursing, effective August 15, 1982, through August 14, 1983

Pipp, James C., Clinical Instructor in Physical Therapy, effective August 15, 1982, through August 14, 1984

Ng, May C., Clinical Assistant Professor of Health Sciences, effective August 15, 1982, through August 14, 1984

Silver, Robert R., Consulting Professor of Health Sciences, effective August 15, 1982, through August 14, 1984

Wagner, Christian C., Assistant Professor of Engineering, effective August 15, 1982

Walcott, Richard J., Clinical Instructor in Industrial Health and Safety, effective August 15, 1982, through August 14, 1984

Wienbrauck, Deborah, Clinical Instructor in Medical Technology, effective August 15, 1982, through August 14, 1984

Changes of Status

Morse, Donald E. from Professor of Rhetoric and English and Chair, Department of Rhetoric to Professor of Rhetoric and English and Chair, Department of Rhetoric, Communications, and Journalism, effective December 16, 1981

Sayre, C. Franklin, from Assistant Professor of Art and Art History to Assistant Professor of Art and Art History and Acting Chair, Department of Art and Art History, effective June 28, 1982, through August 19, 1982

Schimmelman, Janice G., from Assistant Professor of Art and Art History to Assistant Professor of Art and Art History and Acting Chair, Department of Art and Art History, effective May 3, 1982, through June 24, 1982

Changes of Status (Continued)

Tepley, Norman, to continue as Professor of Physics
and Acting Chair, Department of Physics,
effective April 25, 1982, through August 19, 1982

Leaves of Absence

Casstevens, Thomas W., Professor of Political Science
and Chair, Department of Political Science,
sabbatical leave from September 1, 1982, through
April 23, 1983

Cheng, Charles C., Associate Professor of Mathematical
Sciences, sabbatical leave from September 1, 1982,
through April 23, 1983

Chipman, John C., Associate Professor of Mathematical
Sciences, sabbatical leave from September 1, 1982,
through December 18, 1982

David, Indra M., Associate Professor of the Library,
sabbatical leave from August 15, 1982, through
August 14, 1983

Eberwein, Jane D., Associate Professor of English,
sabbatical leave from September 1, 1982, through
April 23, 1983

Eberwein, Robert T., Associate Professor of English,
sabbatical leave from September 1, 1982, through
December 18, 1982

Fitzsimmons, Thomas, Professor of English, leave from
January 3, 1983, through April 23, 1983

Hoffman, William C., Professor of Mathematical Sciences,
sabbatical leave from January 3, 1983, through
April 23, 1983

Hollingsworth, Stanley W., Associate Professor of Music,
sabbatical leave from September 1, 1982, through
December 18, 1982

Lindemann, Charles B., Associate Professor of Biological
Sciences, sabbatical leave from September 1, 1982,
through December 18, 1982

Leaves of Absence (Continued)

Malm, Donald G., Professor of Mathematical Sciences
and Chair, Department of Mathematical Sciences,
sabbatical leave from September 1, 1982, through
April 23, 1983

McCarthy, Thomas R., Assistant Professor of Economics,
leave from September 1, 1982, through April 23, 1983

McKinley, John M., Professor of Physics, leave from
September 1, 1982, through April 23, 1983

Roy, Arun, Professor of Biological Sciences, sabbatical
leave from September 1, 1982, through December 18, 1982

Schwartz, Nathan H., Assistant Professor of Political
Science, sabbatical leave from September 1, 1982,
through December 18, 1982

Schwartz, Nathan H., Assistant Professor of Political
Science, leave from January 3, 1983, through
April 23, 1983

Stricker, Diane B., Special Instructor in Management,
leave from September 1, 1982, through April 23, 1983

Tucker, Richard P., Professor of History, leave from
September 1, 1982, through April 23, 1983

Varani, Flavio, Associate Professor of Music, sabbatical
leave from January 3, 1983, through April 23, 1983

Wallace, W. Donald, Associate Professor of Physics,
sabbatical leave from September 1, 1982, through
April 23, 1983

Wu, Yel-Chiang, Professor of Mathematical Sciences,
sabbatical leave from September 1, 1982, through
April 23, 1983

Mr. Sims moved that the faculty personnel actions be
approved. Mr. Handleman seconded the motion which was voted on and
approved by all of the Trustees present.

Approval of Department Chairperson

Vice Chairman Morris presented the following recommendation for the Board's approval:

That Professor Edward J. Heubel be appointed Chairperson of the Department of Political Science, effective April 26, 1982, for a term expiring August 14, 1985.

Vice Chairman Morris called upon Mr. George F. Feeman, Acting Associate Provost, to comment on this recommendation.

Mr. Feeman stated that this recommendation carried the effective date of April 26, 1982 rather than the usual August 14 date because the current Chairman had requested this action.

Mr. Mair moved that the recommendation be approved. Mrs. Hartmann seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Candidates Recommended to Receive Bachelor's and Master's Degrees as of December 19, 1981

Vice Chairman Morris recommended approval of the candidates for bachelor's and master's degrees as of December 19, 1981. (The list of candidates is on file in the Office of the Secretary to the Board of Trustees.)

Mr. Riley moved that the recommended candidates be approved with congratulations. Mrs. Hartmann seconded the motion which was voted on and approved by all of the Trustees present.

Approval of the 1982-83 Residence Halls Rates

Prior to presenting the recommendation on the residence halls rates to the Board for consideration, Vice Chairman Ken Morris requested that Ms. Wilma Ray-Bledsoe, Vice President for Student and Urban Affairs, comment on the item.

Ms. Ray-Bledsoe stated that the recommendations presented to the Board had been reviewed by the Board Audit and Finance Committee, and that the student body had been apprised of the proposed rates. Ms. Ray-Bledsoe then introduced Ms. Eleanor Lewellen, the new Director of Residence Halls who is an alumna of Oakland University. Ms. Lewellen was formerly at the University of Iowa, and came to this institution from the University of Detroit where she served as Director of Residence Halls. Ms. Ray-Bledsoe also

introduced Ms. Nancy Wagoner Anderson, Business Manager of Residence Halls. Ms. Ray-Bledsoe stated that if there were detailed questions on the recommended residence halls rates either of these persons was prepared to answer inquiries. Ms. Ray-Bledsoe stated that the past year was financially successful for the residence halls but it is anticipated that the occupancy rate for the coming year will be slightly lower because of the competition from private apartments in the area.

Vice Chairman Morris then presented the following recommendation.

Based on the amount of revenue generated in each program option, the weighted average increase in residence halls rates is 9.35%.

It is therefore recommended that the Board of Trustees approve the following increase in residence halls rates:

1. Regular Academic Year current Room and Board rate is \$2,135.
Recommended increase \$210. (9.8%)

Total rate for 1982-83 Academic Year would be \$2,345.

2. Regular Academic Year current Room Only is \$1,340.
Recommended increase \$133. (9.9%)

Total rate for 1982-83 Academic Year would be \$1,473.

3. Regular Semester current Single Room premium is \$240.
No increase is recommended.

Total rate each Semester for 1982-83 would remain \$240.

4. Current Spring or Summer session Room and Board rate is \$560.
Recommended increase \$35. (6.3%)

Total rate for Summer 1982 or Spring 1983 sessions would be \$595.

5. Current Spring or Summer session
Room Only rate is \$346.
Recommended increase \$20. (5.8%)

Total rate for Summer 1982 or Spring 1983 sessions would be \$366.

6. Current Spring or Summer session
Single Room is \$120.
No increase is recommended.

Total rate for Summer 1982 or Spring 1983 would remain \$120.

7. Current George T. Matthews Court Apartments
rate is \$265 per month.
Recommended increase \$10 per month. (3.8%)

Total rate for 1982-83 would be \$275 per month.

Mr. Handleman moved that the recommendation be approved.
Mr. Sims seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Summer Session Tuition and Fees Schedule for 1982-83

Vice Chairman Morris presented the following recommendation for the Board's approval:

It is recommended that the Board of Trustees approve the attached schedule of proposed Summer Session Tuition and Fees for 1982-83. (See Attachment A.)

In response to Vice Chairman Morris' request for comments, Mr. Robert J. McGarry, Vice President for Administrative Affairs, noted that the foregoing recommendation is supported by six months of effort by the University Executive Committee on the Budget. Mr. McGarry noted that the tuition increase is to be effective only for Summer 1982, and that subsequently the Board would be presented with a tuition adjustment for the balance of the academic year. Mr. McGarry stated that the fees (Oakland Center, graduation, application and transcript) were recommended for the full 1982-83 academic year. Mr. McGarry added that the proposed tuition and fee schedule had been reviewed and approved by the Audit and Finance Committee.

President Joseph E. Champagne stated that normally tuition charges were adopted for the full year. However, since State revenue for next year is unknown at this time, and because there are so many economic uncertainties, it would be speculative to set tuition for a full year. Such an action would be unfair to students and to the institution. Therefore, the "one-step-at-a-time" approach is being used to permit these decisions at the time when revenue information is available. The tuition and fee recommendation for the balance of the year will be presented at the July meeting.

Vice Chairman Morris inquired if the fees and tuition charges were posted and publicized.

President Champagne replied that the information is disseminated.

Mrs. Hartmann moved that the recommendation be approved. Mr. Mair seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Administrative Changes

Vice Chairman Morris called upon President Champagne to present the recommendation on administrative changes.

President Champagne stated that in April 1981 the Board of Trustees approved an organizational structure for Oakland University. Since that time a number of events have happened such as further State budget cutbacks with a decline in operating revenue. Therefore, for this and a variety of other reasons, President Champagne felt it important to make certain administrative reassignments. He then presented the following recommendation:

It is recommended to the Board of Trustees that:

1. Vice President McGarry be retitled from Vice President for Administrative Affairs to Vice President for Finance and Administration and Treasurer to the Board of Trustees;
2. Vice President Swanson be retitled from Vice President for Development and Treasurer to the Board of Trustees to Vice President for Developmental Affairs;
3. Mr. Robert Dearth be retitled from Assistant Vice President and Director of Cultural Affairs within the Division of Development to Director of Cultural Affairs within the Office of the President.

4. Mr. Corey Van Fleet, Director of Athletics within the Division of Student and Urban Affairs, be administratively moved with the same title to the Office of the President;
5. Mr. Keith Kleckner be retitled from Vice President for Academic Affairs and Provost to Senior Vice President for University Affairs and Provost.

It is further recommended that these actions take effect immediately and that the salaries of the affected persons not be changed by these actions.

President Champagne explained the rationale for the various changes. He noted Mr. McGarry's change in title would more accurately reflect the fact that he is now the chief financial officer of the University since the various financial and administrative operations, including the management of the investment portfolio, are under his jurisdiction. President Champagne stated that the upcoming University development activities will demand more of Mr. Robert Swanson's time. Thus, his title change reflects these duties. President Champagne said he felt the Office of the President should be directly involved in the various Meadow Brook activities, and this was reflected in Mr. Robert Dearth's transfer.

President Champagne said that because of the University's financial problems, athletics will have to depend more and more on external support and fund-raising efforts. He felt that having Mr. Corey Van Fleet transferred to the Office of the President would facilitate a greater coordination of athletic development with other aspects of University development.

Finally, when Mr. Keith Kleckner was appointed Vice President for Academic Affairs and Provost, he had pointed out that this officer was regarded as the most senior officer of the University other than the President. This appointment would signal both externally and internally this fact.

President Champagne further stated that if the foregoing recommendation was approved, he would immediately ask that Vice Presidents Kleckner and Ray-Bledsoe begin a thorough review of the administrative structures of the Divisions of Academic Affairs and Student and Urban Affairs to determine the potential consolidation of functions within the two divisions in order to improve service to students as well as to achieve greater administrative efficiencies.

Mrs. Hartmann moved that the recommendation be approved. Mr. Sims seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Bank Disbursement Authorization Change

Vice Chairman Morris called upon President Champagne to present the recommendation on this item.

President Champagne stated that since Mr. Robert J. McGarry has been designated Treasurer to the Board of Trustees, it is necessary to change the various bank authorizations for previously established Oakland University bank accounts. President Champagne then presented the following recommendation for the Board's approval:

WHEREAS, on the following dates the named banks were designated by resolution of the Board of Trustees as depositories;

- (A) Community National Bank and National Bank of Detroit on October 13, 1970,
- (B) Pontiac State Bank on March 13, 1971,
- (C) Michigan National Bank on February 20, 1980;
and

WHEREAS, Robert W. Swanson as Treasurer to the Board was granted certain authority regarding the payment and withdrawal from these accounts and whose signature was to be certified to the banks; and

WHEREAS, Robert W. Swanson's duties no longer require his appointment as Treasurer; and

WHEREAS, Robert J. McGarry is appointed Treasurer: now therefore be it

RESOLVED, That the authority granted to Robert W. Swanson as Treasurer is rescinded; and be it further

RESOLVED, That Robert J. McGarry shall have the same authority as Treasurer to act under the above-cited resolutions as formerly held by Robert W. Swanson and that such authority is effective immediately on the passage of this resolution; and be it further

RESOLVED, That the resolutions referenced above are not altered in any way other than by the substitution of Robert J. McGarry as Treasurer.

Mr. Handleman moved that the resolution be approved. Mrs. Hartmann seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Energy Conservation Measures

Vice Chairman Morris called upon Mr. McGarry to explain the recommendation on energy conservation measures.

Mr. McGarry stated that the proposed recommendation was another University effort to reduce expenses. There have been two previous energy-saving projects, one in Dodge Hall and one in Varner Hall. The present proposal would modify temperature control systems in Wilson Hall. The total cost is estimated at \$42,000, and would cost Oakland University approximately \$21,000 with a matching grant from the State. The payback period to the University is estimated at 17 months.

Mr. Sims inquired if part of the request had already been accomplished.

Mr. McGarry stated that the project was in process since it was necessary to make the presentation to the State by April.

Mr. McGarry then presented the following recommendation for the Board's approval:

RESOLVED, That the Vice President for Finance and Administration is directed to engage an engineering firm to prepare a technical audit, develop the plans and specifications for the implementation of the energy conservation measures; and be it further

RESOLVED, That the Board of Trustees authorizes the Vice President for Finance and Administration to request funds from the State which are available through the National Energy Conservation Policy Act; and be it further

RESOLVED, That the Board of Trustees authorizes the expenditure of approximately \$21,000 of University funds on the condition of an equal matching grant; and be it further

RESOLVED, That the Vice President for Finance and Administration is authorized to award the construction contract to the lowest qualified bidder in an amount not to exceed the total available funding authorized by the energy management grant.

Mr. Mair moved that the recommendation be approved. Mr. Handleman seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Authorization for Cooperative Effort Between Oakland University and the Rochester YMCA

Vice Chairman Morris requested that President Champagne present the background information and recommendation on the YMCA proposal.

President Champagne stated that one of the problems that faces Oakland University is adequate athletic facilities, in both intramural and intercollegiate activities. There is a shortage of space for the size of the student body. In addition, there is more and more interest in health maintenance programs. He noted that several months ago North Oakland County YMCA representatives met with University representatives to discuss the possibility of a joint facility on the University campus. Such a facility would be available to both the University and the community at large. The University already has established physical education activities with community groups.

A committee composed of President Champagne, and Messrs. Robert McGarry, Corey Van Fleet, and Jack Wilson from the University met formally with YMCA personnel to determine if it was feasible to pursue this objective. It was determined that discussions should be continued. President Champagne explained that the basic facility envisioned was for a 53,000 square foot building to be located near the softball field which is relatively close to Walton Boulevard. This location would be accessible to University staff and students, as well as to the community at large. President Champagne requested the Board's authorization to begin official discussions and presented the following recommendation:

RESOLVED, That the President of Oakland University and/or his designees are authorized to negotiate an agreement of understanding with the Rochester Branch of the North Oakland County YMCA for consideration by the Board of Trustees for the possible location and construction of a facility on the campus of Oakland University; and be it further

RESOLVED, That such agreement shall set forth the legal status of the parties regarding the use and control of University property including the design and legal title of the structure, and shall also stipulate the basic management provisions regarding the programs to be conducted to insure University use of the facility and adequate protection of University programs, processes, and rights; and be it further

RESOLVED, That appropriate provisions shall be made to control and insure that the use and maintenance of the property shall be in conformance with applicable policies and regulations of the Board of Trustees and Federal and State law; and be it further

RESOLVED, That this agreement shall be presented to the Board of Trustees of Oakland University for approval and final execution prior to a formal agreement assigning land and authorizing construction of this project.

President Champagne added that approximately \$5 million would have to be raised by the YMCA, and that Oakland University would not be involved in the fund-raising project other than for support. The institution would make the land available in some fashion to be agreed upon by the two parties, with other management arrangements agreed to consistent with University policies and procedures.

President Champagne stated that he did not wish to engage in specific discussions without approval from the Board of Trustees. He stated that representatives from the YMCA were at the meeting, and introduced Mr. Charles Crissman and Mr. John McClure, General Director of the North Oakland YMCA.

Mr. Morris asked, "How will the \$5 million be raised?"

Mr. Crissman said it was "a challenge, and we anticipate support from the United Fund Drive, and the community".

President Champagne noted that though this is designated a YMCA, that it was his understanding that any person regardless of sex, age, race, or religion would be welcomed.

Mr. Riley asked if the Board would have an opportunity to see the preliminary and final plans before approval and execution.

President Champagne assured him that when there was a workable plan and documents, they would be brought to the Board, and that no formal action would be taken without the Board's authorization.

Mr. Handleman moved that the recommendation be approved. Mr. Riley seconded the motion which was voted on and approved by all of the Trustees present.

Approval of Workers' Compensation Settlement Authority

Vice Chairman Morris requested that Mr. John De Carlo, Secretary to the Board of Trustees, present the background information on this item.

Mr. De Carlo stated that on May 20, 1981, the Board of Trustees approved the 1981-82 budget which also authorized a change in the institution's workers' compensation program to a self-insured plan. Previously the University purchased an insurance policy which provided protection against all claims. Mr. De Carlo said that the administration determined that it was fiscally more appropriate for the University to become self insured. Therefore, authorization for the administration to make settlements, not to exceed \$9,000, is sought in order to expedite cases in the interest of the University. The settlements would be reported to the Board.

Vice Chairman Morris then presented the following recommendation for the Board's approval:

RESOLVED, That when it is in the interest of the University the President and/or University Counsel of Oakland University are hereby authorized to settle any workers' compensation case where the amount of settlement is \$9,000 or less. The Board shall be informed of all settlements at the next regularly scheduled meeting after settlement of the claim.

Mr. Riley moved that the recommendation be approved. Mrs. Hartmann seconded the recommendation which was voted on and approved by all of the Trustees present.

Approval of Amendment to University Senate Constitution

Vice Chairman Morris called upon President Champagne for an explanation on this item.

President Champagne reminded the Trustees that when he attended the University's Board meeting for the first time, he stated that he was "uncomfortable" in the position of presiding officer over the governing body to whom he reported. He asked to be relieved of this duty, stating that he preferred that the Board act independently, and that he speak when requested. Similarly with respect to the University Senate, he has been the presiding officer, and again he has felt very uncomfortable in that role. In fact, psychologically, he felt that many times there was a conflict of interest in presiding over matters which would be recommended to him for action. President Champagne stated that he believed that the faculty generally agreed with his recommendation that the Provost should preside at Senate meetings. President Champagne then requested the Board's approval of the following recommendation:

It is recommended that the Board of Trustees approve the following amendment to change the wording of Article IV, section vii., of the Constitution of the Oakland University Senate from:

The presiding officer of the Senate shall be the President or, in his absence, the Provost of the University, or some other designated representative of the President. The President shall appoint a secretary of the Senate and a parliamentarian. A copy of the minutes of all Senate meetings shall be made available by the secretary of the Senate to the Board of Trustees at the Office of the Secretary to the Board.

to (new language underlined):

The presiding officer of the Senate shall be the Provost or, in his absence, a designated representative of the Provost. The Provost shall appoint a secretary of the Senate and a parliamentarian. A copy of the minutes of all Senate meetings shall be made available by the secretary of the Senate to the Board of Trustees at the Office of the Secretary to the Board.

Mr. Handleman left the meeting at this time.

Mrs. Hartmann moved that the resolution be approved. Mr. Mair seconded the motion which was voted on and approved by all of the Trustees present.

Recommendation on Board Meeting Dates for 1982-83 Fiscal Year

Vice Chairman Morris asked Mr. De Carlo to comment on the Board meeting dates for the 1982-83 fiscal year.

Mr. De Carlo noted that the dates would be presented at the June meeting for adoption, but that he was submitting the proposed dates at this time in order to ascertain whether or not there would be any conflicts for the upcoming year. The proposed dates are as follows:

Wednesday - July 21, 1982
Wednesday - August 18, 1982
Wednesday - September 15, 1982
Wednesday - October 20, 1982
Wednesday - November 17, 1982
Wednesday - December 15, 1982
Wednesday - January 19, 1983
Wednesday - February 16, 1983
Wednesday - March 16, 1983
Wednesday - April 20, 1983
Wednesday - May 18, 1983
Wednesday - June 15, 1983

Approval of Settlement of Litigation Between Avon and Pontiac Townships Regarding Sewer Usage and Capital Unit Charges

Vice Chairman Morris requested that Mr. De Carlo present the background information and the recommendation in connection with this issue.

Mr. De Carlo stated that this matter had been discussed at previous Board meetings and was the subject of litigation between the University and Pontiac and Avon Townships regarding the sewer and capital charges to the University. For the past year extensive negotiations have been conducted with Pontiac and Avon Townships to resolve these issues. The discussions have been productive and amicable, and Mr. De Carlo stated that he was pleased to present the following recommendation which should resolve all of the issues between the parties:

WHEREAS Oakland University has been involved in litigation against Oakland County, Pontiac Township and Avon Township regarding sewer service to the University and related capital charges and usage fees; and

WHEREAS a settlement of this litigation has been negotiated and recommended to the Board of Trustees under which Oakland University would pay a total of \$155,491.67 for capital charges and usage fees incurred through December 31, 1981 and at the standard rates established by Pontiac Township and Avon Township thereafter; and

WHEREAS the Board of Trustees recognizes that the proposed settlement is fair and equitable and in the best interest of Oakland University; it is therefore

RESOLVED, That University and retained legal counsel are hereby authorized to implement the proposed settlement and terminate the pending litigation and the President, or his designee, is authorized to sign all necessary agreements.

Mr. Riley moved that the recommendation be approved. Mr. Sims seconded the motion.

Mr. Riley inquired if there had been any discussion as to future rates.

Mr. James L. Howlett, University Counsel, replied that the townships' rates would be applicable to the University as well as to all users in the townships.

The motion was voted on and approved by all of the Trustees present.

President Champagne commended Mr. James Howlett and Mr. John De Carlo for their efforts in arriving at a fair and equitable settlement. He added that extensive time was involved in resolving the issues and while the settlement may appear to be large, it covers an extensive period of use along with added structures that are now connected to the sewer system.

President's Report

Vice Chairman Morris called upon President Champagne for his report.

President Champagne noted that the first matter concerned a "catch-up" item relating to the establishment of the proposed Executive Committee of the Board of Trustees. President

Champagne stated that at the February 1982 meeting the Board had adopted a resolution redefining the structure of the Audit and Finance Committee, the Personnel Policy Committee, and the University and Development Committee. At that time he had suggested that an Executive Committee of the Board be created which would be empowered to act between regularly scheduled Board meetings on emergency matters. The actions of this committee would require Board approval at a subsequent meeting. He noted that delegated authority to the Executive Committee by the Board could be acted upon, but this action would require a specific resolution of delegation prior to a decision by the committee. For example, President Champagne cited the proposed Swim Club facility construction matter as an item where he would have sought the guidance of the Executive Committee. He said he would have felt "more comfortable" to have discussed this matter with the committee to get a sense of the Board's feeling as to whether or not his proposed actions were correct. He also cited the establishment of the board and room rates which needed to be in place so that the administration could provide contracts to students in a timely fashion. These contracts were issued with a contingency clause that the rates were subject to ratification by the Board.

President Champagne stated the proposed composition of the Executive Committee would be the Chairs of the three Board committees plus the Chairman of the Board. President Champagne said that after considerable discussion at the last Board meeting, the resolution had been reworded, consistent, he hoped, with the Board's comments. He presented the following resolution for the Board's consideration:

WHEREAS, the Board of Trustees of Oakland University wishes and intends to establish a procedure under which emergency matters may receive consideration in the absence of a formal meeting of the Board; and

WHEREAS, the Board wishes to assist the administration in carrying out the necessary responsibilities to maintain the operation of the University in critical and emergency situations; it is therefore

RESOLVED as follows:

1. The Chairman of the Board or the President after consultation with the Chairman, if available, or the Vice Chairman when appropriate, may call a meeting of the Executive Committee to consider matters of a critical or emergency nature which cannot reasonably be deferred until the next regularly scheduled meeting of the Board.

2. Minutes shall be kept of the meeting of the Executive Committee. It is the understanding and expectation of the Board of Trustees that any action which is adopted at the meeting will, if required by law or Board policy, be ratified and approved at the next succeeding meeting of the Board of Trustees, provided, however, that this understanding and expectation shall not be considered to be binding upon any member of the Board of Trustees, and shall not be considered to be a delegation of legislative authority to those present at any such meeting. This provision shall not preclude the appropriate delegation by the Board of Trustees from time to time of full authority for the Executive Committee to act on certain specific matters.
3. The President and administrative officers of the University are authorized to take such administrative action as may be necessary and appropriate to implement and carry out the action directed by the Executive Committee with the understanding that such action may require ratification by the Board of Trustees. If the Board of Trustees should fail for any reason to ratify any such action, it shall direct such modification or rescission of any administrative action taken as may be necessary.

Vice Chairman Morris noted that the Trustees had had an opportunity to read the resolution and requested a motion for adoption.

Mr. Mair moved that the recommendation be approved. Mrs. Hartmann seconded the motion.

Mr. Sims questioned whether or not the examples of matters that the President would take to the Executive Committee would come within the charge of current standing committees of the Board.

President Champagne acknowledged that this was correct and that, in fact, the item of the residence halls rates was presented to the Audit and Finance Committee. If the Board felt comfortable with the decision-making process on such matters, he had no problem in continuing the present practice. He never

intended that the Executive Committee would be "a policy committee". President Champagne added that if there was no "enthusiasm" for an Executive Committee, and if the Board felt "uncomfortable" with the concept, then the recommendation should not be adopted.

Mr. Riley said he was not uncomfortable with the recommendation being too broad. He felt that if there was to be an Executive Committee, then it should have the authority to act in emergency situations, and not be constrained by subsequent actions of the Board. There should be an appropriate delegation of authority to the committee.

President Champagne said that he would feel uncomfortable in bringing a recommendation to the Board to establish an Executive Committee with broad authority whereby four members of the Board would be excluded from the process of deliberation. Also, this might be moving in the direction of violating the intent of the open meetings law. President Champagne said that perhaps the various matters could just be referred to the standing committees.

Mr. Riley disagreed saying that the standing committees could not take the same action as an Executive Committee could.

Vice Chairman Morris added that while the examples previously cited undoubtedly could go to the standing committees, he could visualize circumstances that might occur on the campus such as disturbances or confrontations where it would be appropriate to have such a structure in place so that the President could rely on additional help for consultation and advice. He felt there ought to be an opportunity for deliberation on an emergency basis when it was not feasible for everyone to get together.

Mr. Sims said he perceived that it was not an objection to an Executive Committee, but the following concerns:

1. That an Executive Committee not be used instead of the committee structure which is already there with specific charges; and
2. Even more to the point, the definition of an emergency.

Mr. Sims suggested that perhaps the recent difficulty in obtaining a Board quorum had contributed to this concern. However, he wondered if sometimes matters become an "emergency" because

of deferred action, and could be avoided with advanced planning. He felt an Executive Committee should not be over used. Mr. Sims said he thought the Board was expressing some reservations and notes of caution.

Mrs. Hartmann wondered if an Executive Committee would be any more accessible than the whole Board. She questioned whether or not an Executive Committee would be as good as it was envisioned.

President Champagne inquired if he might call together the chairs of the committees of the Board as an informal vehicle for obtaining advice when he felt it necessary.

Mr. Riley stated that such could always be done. What was needed was for the Board to delegate power to act to an Executive Committee.

Mr. Sims stated that unless the Board was convened to delegate the power, it could not be done.

Mr. Riley commented that either "you have confidence or you don't". He said he would have no objection to having experienced people make a decision on an emergency basis. That was the function of an Executive Committee.

Mr. Sims asked the General Counsel, Mr. John De Carlo, if the Board could broadly delegate.

Mr. De Carlo responded, "No, you cannot broadly delegate". Parameters or limits need to be established since the Board cannot delegate its legislative authority. For example, if the question relates to setting the tuition rate, specific guidelines would have to be given to the committee so that it in effect was carrying out the Board decision.

Mr. Riley suggested that perhaps an item such as the energy management matter which was ratified this evening would be an item that could have been handled by an Executive Committee.

Mr. Sims replied that there was already a committee with that charge without convening an Executive Committee.

President Champagne stated that the committee structure has been utilized frequently, and he was very pleased that it was working so well.

Mrs. Hartmann inquired why the same problem would be brought to the University and Development Committee and then to an Executive Committee.

President Champagne replied that sometimes issues would cut across several committees, and that the matter could be discussed in an Executive Committee for its guidance and concurrence. He stated that it was not his purpose to seek a broad base of authority for the Executive Committee. He was suggesting that it be given "specific authority on specific issues." For instance, if it were litigation, the Board could say, "You have the authority" to resolve this problem. If a matter "cuts across committee lines" or there is an emergency between meetings where it is not clear as to whether or not the President has the administrative authority to act, or even if he felt he might have the administrative authority to act, he would appreciate discussing the matters with a Board committee.

Vice Chairman Morris added that such a process would provide administrative flexibility.

Mr. Sims noted that there seemed to be a problem in coming up with specific examples that do not fit the already established committee structure. He said he could accept the idea of emergency issues, but did not believe that a good case had been made for delegating certain things that did not already fall within the charge of the committees.

Vice Chairman Morris commented that the more he thought about the subject, the more he felt that in an organization of this size and complexity there was a need for some degree of flexibility as to the disposition of issues. He said telephone contact just was not the same as having two, three or four people meeting as a committee to discuss an item of major importance. He saw nothing wrong with the committee process.

Mr. Sims commented that there was nothing that prohibited that committee review under the current system.

President Champagne said he did not wish to be in the position of "picking" which Trustees he was going to obtain advice from, and wished to have a formal structure.

Mr. Sims noted that the Board would not be voting on the creation of an Executive Committee on a very enlightened basis at this time.

Vice Chairman Morris stated that there were certainly different points of view and he called for a vote on the recommendation to bring the matter to closure.

Mr. Riley said he wished to offer an amendment to the recommendation, and that was to delete the following provision from paragraph 2 of the resolution:

"provided, however, that this understanding and expectation shall not be considered to be binding upon any member of the Board of Trustees, and shall not be considered to be a delegation of legislative authority to those present at any such meeting."

Mr. Riley asked if that could be done.

Mr. Howlett responded that he did not believe so since a public body has greater limitations on its right to delegate authority than a private corporation. A public corporation cannot delegate its legislative authority. It can only delegate ministerial authority. There is a distinction in the law between the two categories of delegation. The decision-making power is legislative authority and cannot be delegated. Furthermore, the Open Meetings Act requires that such authority be exercised at an open public meeting by a quorum of a public body. He recommended that the resolution should not be amended as suggested, at least not without a legal review.

There was no second to the amendment.

Mr. Riley moved to table the original resolution as proposed. Mr. Sims seconded the motion which was voted on and approved by all of the Trustees present.

Vice Chairman Morris stated that as a result of this action, there was an opportunity to consider this matter, if desired, at some future time.

Approval of University Swim Club Construction Project

Vice Chairman Morris called upon President Champagne to present the background information and recommendation on the University Swim Club construction project.

President Champagne stated that he sought ratification of actions that he had taken as explained in the material provided to the Board members. He noted that for a number of years the

University has been operating the Swim Club which is near the golf course pro shop. He said that the pool is well constructed and has been used by faculty, staff and some community members for years based upon a fee for use. He noted, however, that the County Health Department has notified the University of certain sanitation problems, such as a lack of shower facilities. This year the possibility of constructing appropriate facilities to meet the health code was explored, but when it was estimated that the cost would be \$50,000, President Champagne rejected the project because it did not seem a wise investment. A decision was made to close the Swim Club. However, a number of members suggested that if the cost of the project could be reduced, they would be willing to find a way to pay for the project through fees. This suggestion sent the administration "back to the drawing board" with very specific guidelines as to cost and sanitation requirements. A budget was established and Crest Contractors was the low bidder at \$20,600 with an additional \$4,000 for various connection fees and other permit charges.

President Champagne said that he authorized construction so that the Swim Club could open on June 1 as planned. The method for financing the project is to assess a surcharge of \$100 to each of the Swim Club members payable in one year; or \$120 if paid in two years at \$60 per year. There would be a \$100 initiation fee for all new members. President Champagne said that given the membership and the fact that there always has been a slight contingency fund for capital repairs, it is hoped that the investment can be amortized within one year, or at most within two years. Therefore, President Champagne said he authorized the project, and is requesting the Board's approval of the following recommendation:

RESOLVED, That the Board of Trustees ratifies the actions taken by the President related to the University Swim Club Bathhouse project; and be it further

RESOLVED, That the contract awarded to the lowest qualified bidder, Crest Contractors, is ratified by the Board of Trustees.

Mrs. Hartmann moved that the recommendation be approved.

Mr. Sims seconded the motion.

Mr. Sims asked if the University has established policies to assure that bidders comply with University affirmative action and equal opportunity requirements.

President Champagne replied that minority bids were specifically solicited, and requested that Mr. George Karas respond to Mr. Sims' question.

Mr. Karas noted that the University had received six bids, two of which were from minorities.

Mr. Sims explained that what he wished to inquire about was the University's policy in connection with the affirmative action practices of the proposed awardee.

President Champagne asked Mr. Karas if he was convinced that the contractor, Crest, uses all of the appropriate policies in terms of equal opportunity.

Mr. Karas responded, "Yes".

Mr. Riley asked about the source of initial funds to undertake the project.

President Champagne explained that the University operates a series of rental home units on its property which generates funds. An escrow account for maintenance and repair of these houses has been established and the money will be borrowed internally from that account, and repaid in one year. He stated that no State appropriated funds would be used.

The motion was voted on and passed by all of the Trustees present.

President's Report

Vice Chairman Morris called on President Champagne for his report to the Board.

President Champagne brought the Board's attention to the Proposal and Grant Summary, July 1, 1981 - March 31, 1982, which was distributed to the members of the Board. A copy of this report is on file in the Office of the Secretary to the Board of Trustees.

President Champagne said he also wished to apprise the members of the Board on the status of fiscal affairs in Lansing as they relate to the University. The Governor's recent Executive Order reduction for the 1981-82 fiscal year cut \$2.7 million which is to be repaid in the first quarter of the 1982-83 fiscal year which begins October 1, 1982. President Champagne stated that he had asked Mr. Gerald Miller, the State Budget Director, if he could give any assurances that these funds would be restored,

and Mr. Miller responded that there "was no assurance". President Champagne said there was every reason to believe that the Legislature would do everything in its power to restore the money. However, it is a difficult fiscal situation. President Champagne assured the Trustees that the administration would monitor the situation very closely and keep them informed.

President Champagne said he wished to comment on the reports from the Committee on Academic Mission and Priorities (CAMP) and the Committee on Student and Urban Affairs Mission and Priorities (SUAMP). President Champagne created these committees last fall to evaluate the programs of the University and to recommend, to him, which programs should be sustained; which should be given additional resources; and which should be curtailed or reduced, given the fact that the University's budget continues to decline.

President Champagne said that both committees had submitted their reports by March 15 which are now being publicly discussed. He said that some minor decisions have been made and have been administratively acted upon. The University Senate is reviewing the recommendations and will present its report on June 4. The University Congress conducted a public hearing with the President. It was emphasized by President Champagne that the reports were advisory to him because he administratively appointed the committees. He commented that if there are actions to be taken such as administrative consolidations, reductions or eliminations, he would review such proposals with the Board for approval. He stressed that the reports are still advisory but are very helpful, and have stimulated a good degree of public debate within and without the University. President Champagne said that he has received a number of comments, and feels comfortable that the process that has been followed has been "open". He has also been pleased with the University community's response. President Champagne noted that during the summer months, specific recommendations may be brought to the Board as a result of these reports.

Vice Chairman Morris thanked the President for his report.

Vice Chairman Morris asked if there were any comments from the audience.

Mr. Laszlo Hetenyi, Dean of the School of Performing Arts, announced that at the Michigan Foundation for the Arts awards presentation, five artists had been chosen. Of these five, the only musician recognized was Mr. Flavio Varani of Oakland University.

President Champagne also called attention to a publication distributed to the Board which was prepared by the Education Alumni Association and the School of Human and Educational Services. The publication is related to the President's commitment that "public service is vital to university life".

Mr. Sims moved that the meeting be adjourned. Mrs. Hartmann seconded the motion which was approved by all of the Trustees present. The meeting was adjourned at 9:10 p.m.

Approved,

John De Carlo, Secretary
Board of Trustees

Ken Morris, Vice Chairman
Board of Trustees

Date _____

Oakland University
Proposed 1982-83 Tuition and
Fee Schedule Effective Summer Term 1982

5/6/82

	1981-82 Rate	Changes	1982-83 Rate	Percent Increase
1. <u>Tuition per semester credit hour:</u>				
a. Michigan residents:				
Undergraduate: Lower	\$ 36.00	\$ 5.00	\$ 41.00	13.9%
Undergraduate: Upper	40.00	7.50	47.50	18.8%
Graduate	60.00	11.00	71.00	18.3%
b. Non-residents:				
Undergraduate: Lower	95.00	15.00	110.00	15.8%
Undergraduate: Upper	102.00	18.00	120.00	17.6%
Graduate	120.00	22.00	142.00	18.3%
c. Competency credit exam fee:				
Undergraduate: Lower	18.00	3.00	21.00	16.7%
Undergraduate: Upper	20.00	4.00	24.00	20.0%
Graduate	30.00	6.00	36.00	20.0%
All Non-residents	50.00	10.00	60.00	20.0%
d. Off-campus:				
Undergraduate: Lower	41.00	6.00	47.00	14.6%
Undergraduate: Lower-Early College Study Program	36.00	5.00	41.00	13.9%
Undergraduate: Upper	44.50	8.00	52.50	18.0%
Graduate	62.00	13.50	75.50	21.8%
2. <u>General service fee per semester (on-campus students)</u>				
a. Undergraduates taking 10 credits or more:				
Oakland Center Allocation	\$ 20.00	\$ 3.00	\$ 23.00	15.0%
Activity Allocation	7.50	-	7.50	-
Transportation Use Alloc.	6.00	-	6.00	-
Enrollment Allocation	20.00	-	20.00	-
Athletic Allocation	5.00	-	5.00	-
Health Service Allocation	6.00	-	6.00	-
Total	\$ 64.50	\$ 3.00	\$ 67.50	4.7%
b. Undergraduates taking less than 10 credits:				
Oakland Center Allocation	\$ 10.00	\$ 1.50	\$ 11.50	15.0%
Activity Allocation	6.00	-	6.00	-
Transportation Use Alloc.	3.00	-	3.00	-
Enrollment Allocation	20.00	-	20.00	-
Athletic Allocation	3.50	-	3.50	-
Health Service Allocation	3.50	-	3.50	-
Total	\$ 46.00	\$ 1.50	\$ 47.50	3.3%
c. Graduates taking 8 credits or more:				
Oakland Center Allocation	\$ 20.00	\$ 3.00	\$ 23.00	15.0%
Transportation Use Alloc.	6.00	-	6.00	-
Enrollment Allocation	20.00	-	20.00	-
Health Service Allocation	6.00	-	6.00	-
Total	\$ 52.00	\$ 3.00	\$ 55.00	5.8%

Oakland University
Proposed 1982-83 Tuition and
Fee Schedule Effective Summer Term 1982

5/6/82

	<u>1981-82</u> <u>Rate</u>	<u>Changes</u>	<u>1982-83</u> <u>Rate</u>	<u>Percent</u> <u>Increase</u>
d. Graduates taking less than 8 credits:				
Oakland Center Allocation	\$ 10.00	\$ 1.50	\$ 11.50	15.0%
Transportation Use Alloc.	3.00	-	3.00	-
Enrollment Allocation	20.00	-	20.00	-
Health Service Allocation	3.50	-	3.50	-
Total	<u>\$ 36.50</u>	<u>\$ 1.50</u>	<u>\$ 38.00</u>	<u>4.1%</u>
3. <u>Special course fees per course:</u>				
ED 455	\$ 35.00	-	\$ 35.00	-
ED 597	50.00	-	50.00	-
Applied Music:				
Individual Instruction	85.00	-	85.00	-
Group Instruction	25.00	-	25.00	-
4. <u>Other Fees:</u>				
Application Fee	\$ 15.00	\$ 5.00	\$ 20.00	33.3%
Graduation Service Fee	15.00	5.00	20.00	33.3%
Late Registration	25.00	-	25.00	-
Late Addition-of-Course (Per Course Added)	10.00	-	10.00	-
Reissue of Diploma	15.00	5.00	20.00	33.3%
Transcript Issuance Fee	2.00	1.00	3.00	50.0%
5. <u>Summary comparison of on-campus tuition and fee costs (exclusive of special course fees):</u>				
a. Undergraduate Michigan resident student taking an 8 credit hour load for summer session:				
1) Lower Division:				
Tuition	\$ 288.00	\$ 40.00	\$ 328.00	13.9%
General Service Fee	42.25	1.50	43.75	3.6%
Total	<u>\$ 330.25</u>	<u>\$ 41.50</u>	<u>\$ 371.75</u>	<u>12.6%</u>
2) Upper Division:				
Tuition	\$ 320.00	\$ 60.00	\$ 380.00	18.8%
General Service Fee	42.25	1.50	43.75	3.6%
Total	<u>\$ 362.25</u>	<u>\$ 61.50</u>	<u>\$ 423.75</u>	<u>17.0%</u>
b. Graduate Michigan resident student taking an 8 credit hour load for summer session:				
Tuition	\$ 480.00	\$ 88.00	\$ 568.00	18.3%
General Service Fee	36.00	1.50	37.50	4.2%
Total	<u>\$ 516.00</u>	<u>\$ 89.50</u>	<u>\$ 605.50</u>	<u>17.3%</u>

Oakland University
Proposed 1982-83 Tuition and
Fee Schedule Effective Summer Term 1982

5/6/82

	<u>1981-82</u> <u>Rate</u>	<u>Changes</u>	<u>1982-83</u> <u>Rate</u>	<u>Percent</u> <u>Increase</u>
c. Non-resident undergraduate student taking an 8 credit hour load for summer session:				
1) Lower Division:				
Tuition	\$ 760.00	\$120.00	\$ 880.00	15.8%
General Service Fee	42.25	1.50	43.75	3.6%
Total	\$ 802.25	\$121.50	\$ 923.75	15.1%
2) Upper Division:				
Tuition	\$ 816.00	\$144.00	\$ 960.00	17.6%
General Service Fee	42.25	1.50	43.75	3.6%
Total	\$ 858.25	\$145.50	\$1,003.75	17.0%
d. Non-resident graduate student taking an 8 credit hour load for summer session:				
Tuition	\$ 960.00	\$176.00	\$1,136.00	18.3%
General Service Fee	36.00	1.50	37.50	4.2%
Total	\$ 996.00	\$177.50	\$1,173.50	17.8%