# Minutes of the Meeting
# of the
# Oakland University Board of Trustees
# June 12, 1997

Present: Chairman Rex E. Schlaybaugh, Jr.; Trustees Henry Baskin, David J. Doyle, David T. Fischer, Louis Grech-Cumbo, Ann V. Nicholson, Dennis K. Pawley, and James A. Sharp, Jr. (Trustee Sharp arrived at the time indicated in the minutes)

## I. Call to Order

Chairman Rex E. Schlaybaugh, Jr. called the meeting to order at 3:08 p.m. in the Gold Rooms of the Oakland Center.

## II. Roll Call

Ms. Susan Gerrits, General Counsel and Secretary to the Board of Trustees, conducted a roll call vote. All Board members were present except Trustee James A. Sharp, Jr., who had informed Ms. Gerrits that he would be late. Ms. Gerrits confirmed that a quorum was present.

## III. President's Report

President Gary D. Russi reported the following information:

- Ms. Helen E. Woodman, Ms. Lois A. Roelse, and Ms. Marilyn D. Jereau were recognized as Employees of the Month for April, May, and June, respectively.

- At the request of the student body, an additional student representative has been added to the Senate Athletics Committee. The committee membership consists of four faculty members, two students, one staff member, and one external community member.

- Oakland University was recently named a *Best Buy* in the *Student Guide to America's 100 Best College Buys 1997-98* by John Culler and Sons. Oakland was ranked in the guide for its long-standing commitment to both quality and affordability.

- Oakland University's spring enrollment has surpassed prior years for the same semester and is up 6 percent over last year. Growth is anticipated in the summer and fall terms as well.

## V. Consent Agenda

Chairman Schlaybaugh asked Ms. Gerrits to present the consent agenda, which includes the following recommendations:

### A. Approval of the Minutes of the Meeting of April 3, 1997

### B. Approval of the Closed Minutes of the Meeting of April 3, 1997

### C. University Personnel Actions

Faculty Reappointments

The faculty agreement requires that certain reviews for possible reemployment and promotion be completed by August 15. These recommendations are brought forth by the President and Acting Vice President for Academic Affairs, following the standard review processes, including recommendations from specified faculty review bodies.

Reappointments (with Tenure)

Assistant Professor eligible for early promotion to the rank of associate professor, effective August 15, 1997:

| | | |
|---|---|---|
| Thomas W. Blume | Counseling | Reemploy and Promote |
| Geoffrey D.W. Wawro | History | Reemploy and Promote |

Assistant Professors eligible for promotion to the rank of associate professor, effective August 15, 1997:

| | | |
|---|---|---|
| Kevin E. Early | Sociology | Reemploy and Promote |
| Sarah L. Gibson | Curriculum, Instruction, and Leadership | Reemploy and Promote |
| Niels Herold | English | Reemploy and Promote |

| | | |
|---|---|---|
| Lee R. Mobley | Economics | Reemploy and Promote |
| Estela Moreno-Mazzoli | Spanish | Reemploy and Promote |
| Gregory A. Patterson | Dance | Reemploy and Promote |
| Sankar Sengupta | Electrical and Systems Engineering | Reemploy and Promote |
| Karen F. Sheridan | Theatre | Reemploy and Promote |
| Jacqueline H. Wiggins | Music | Reemploy and Promote |

(One Assistant Professor, Clementine Rice, originally scheduled for reemployment review is not presented for consideration in accordance with her request to withdraw her name from the review process. Her current appointment expires on August 14, 1998, and her employment at Oakland will terminate on that date.)

Associate Professor eligible for early reemployment with tenure, effective August 15, 1997:

| | | |
|---|---|---|
| Beth C. Marcoux | Physical Therapy | Reemploy |

Associate Professors eligible for reemployment with tenure, effective August 15, 1997:

| | | |
|---|---|---|
| William G. Keane | Curriculum, Instruction and Leadership | Reemploy |
| Michael P. Long | Human Resource Development | Reemploy |

Reappointments (Probationary) - Effective August 15, 1998, through August 14, 2000:

Assistant Professors eligible for reemployment to second, two-year probationary terms as assistant professor:

| | | |
|---|---|---|
| Elizabeth A. Cron | Counseling | Reemploy |
| Ken Elder | Physics | Reemploy |
| Todd Estes | History | Reemploy |
| Hyungju Park | Mathematical Sciences | Reemploy |

(One Assistant Professor, Margaret Christensen, originally scheduled for reemployment review is not presented for consideration by virtue of her resignation.)

Assistant Professors eligible for reemployment to final, two-year probationary terms as assistant professor:

| | | |
|---|---|---|
| Kay Keyu Li | Mechanical Engineering | Reemploy |
| Emmett N. Lombard | Political Science | Reemploy |
| Karen A.J. Miller | History | Reemploy |
| Ananda Sen | Mathematical Sciences | Reemploy |
| Catherine Vincent | Nursing | Reemploy |

New Appointments

Anderson, Robert, Assistant Professor of English, effective August 15, 1997 ($36,000) (New appointment filling a vacant authorized position)

Chapman, Sara E., Assistant Professor of History, effective August 15, 1997 ($35,000) (New appointment filling a vacant authorized position)

Cheng, Eddie, Assistant Professor of Mathematical Sciences, effective August 15, 1997 ($47,000) (New appointment filling a vacant authorized position)

Kissock, Madelyn J., Assistant Professor of Linguistics, effective August 15, 1997 ($38,000) (New appointment filling a vacant authorized position)

Machmut-Jhashi, Tamara, Assistant Professor of Art History, effective August 15, 1997 ($39,000) (New appointment filling a vacant authorized position)

Pfeiffer, Kathleen, Assistant Professor of English, effective August 15, 1997 ($36,000) (New appointment filling a vacant authorized position)

Sharma, Srinarayan, Assistant Professor of Management Information Systems, effective August 15, 1997 ($65,000) (New appointment filling a vacant authorized position)

Shively, Steven B., Assistant Professor of English, effective August 15, 1997 ($36,000) (New appointment filling a vacant authorized position)

Wendell, Douglas L., Assistant Professor of Biological Sciences, effective August 15, 1997 ($42,000) (New appointment filling a vacant authorized position)

Zeilstra-Ryalls, Jill Helen, Assistant Professor of Biological Sciences, effective August 15, 1997 ($42,000) (New appointment filling a vacant authorized position)

Emeritus Appointment

Daniels, David, Professor Emeritus of Music, effective August 15, 1997

Payne, Robert G., Professor Emeritus of Education, effective June 3, 1997

Administrative Appointment

Dean - Effective August 15, 1997, through August 14, 2002:

| School | Dean | Term |
|---|---|---|
| Health Sciences | Ronald E. Olson | 3rd |

Change of Status

Barnes, Carl F., Jr., from Professor of Art History and Archaeology, to Professor of Art History and Archaeology, and Acting Chairperson, Department of Art and Art History, effective June 23, 1997, through August 15, 1997

Hung, Michael Y.Y., from Professor of Engineering, to John F. Dodge Professor of Engineering, effective August 15, 1997, through August 14, 2002 ($10,000 annual stipend during term of appointment) (New appointment to the John F. Dodge Endowed Chair of Engineering)

Loh, Robert Nan K., from John F. Dodge Professor of Engineering and Director of the Center for Robotics and Advanced Automation, to Professor of Engineering and Director of the Center for Robotics and Advanced Automation, effective August 15, 1997

Wedekind, Gilbert L., from Professor of Engineering, to John F. Dodge Professor of Engineering, effective August 15, 1997, through August 14, 2002 ($10,000 annual stipend during term of appointment) (New appointment to the John F. Dodge Endowed Chair of Engineering)

Wood, Susan E., from Associate Professor of Art History, to Associate Professor of Art History and Acting Chairperson, Department of Art and Art History, effective April 28, 1997, through June 20, 1997

### D. Adoption of Academic Calendar for 1998-99 and Revision of the Academic Calendar for 1997-98

Dr. William W. Connellan, Acting Vice President for Academic Affairs, submitted the following resolution for Board approval:

> RESOLVED, that the Board of Trustees approves the academic calendar for 1998-99 and the revision for 1997-98 as presented in this agendum.

(The agendum is filed in the Board of Trustees Office.)

Ms. Gerrits noted an additional revision to the 1997-98 calendar changing the fall commencement date to September 7, 1997, and that the revision will be incorporated into the resolution.

### E. Recommendation for Approval of Degree Candidates List dated April 25, 1997

### F. Recommendation to Accept Gifts and Grants to Oakland University and the Oakland University Foundation for the Periods of February 1 through February 28, 1997, March 1 through March 31, 1997, and April 1 through April 30, 1997

### G. Oakland University Board of Trustees Meeting Dates

Ms. Gerrits submitted the following resolution for Board approval:

> RESOLVED, that the Board of Trustees approves the following dates for the regular Board meetings for the university fiscal year 1997-98. The meetings will be held

at the Oakland Center, Oakland University, Rochester, Michigan at 3:00 p.m. unless otherwise posted:

Thursday, August 7, 1997
Thursday, October 9, 1997
Thursday, December 4, 1997
Thursday, February 5, 1998
Thursday, April 2, 1998
Thursday, June 4, 1998

Trustee David T. Fischer, seconded by Trustee David J. Doyle, moved approval of the consent agenda. The motion was unanimously approved by those present.

## IV. Student Liaisons Report

Ms. Angela B. Dodson, concluding her term as Student Liaison, reported that the student liaison experience offered her a greater knowledge of university operations, particularly from a financial perspective. She summarized the following 1996-97 student liaison activities:

- A student liaison strategic plan was created to serve as a guideline for future liaisons.

- A graduate student survey was designed and completed by Ms. Judith A. Lango, Student Liaison, to assess important issues and concerns of graduate students.

- A meeting was held with representatives from student organizations to address important student issues.

- A meeting was held with Barnes & Noble and Mr. Hemant Mahamwal, Vice President of the Student Congress, resulting in the development of a student advisory group to the bookstore.

Ms. Dodson made the following proposals to enhance the student liaison role:

- Change the student liaison term from one year to two years to allow time for the liaisons to get up to speed on university issues and to make some contributions in their roles.

- Place the student liaison report on the Board of Trustees agenda of every meeting.

- Change the student liaison status to a voting position on the Board of Trustees.

Ms. Lango thanked the Board and the administration for their knowledgable assistance and for their inclusion of the student liaisons in the Board governance process. She commended the Board's commitment to the university, and stated that the professional expertise that the Board offers Oakland University is invaluable to the growth and future direction of the institution. She added that the Board members' sincere concern over how their actions will affect the students is a very important reflection of their dedicated leadership.

Chairman Schlaybaugh requested that Dr. Mary Beth Snyder, Vice President of Student Affairs, present Item VII, D, of the agenda at this time relative to the student liaisons' invaluable service to the Board.

## VII. University Affairs Advisory Committee Report

### D. Resolutions Honoring Ms. Angela B. Dodson and Ms. Judith A. Lango, Student Liaisons to the Oakland University Board of Trustees

Dr. Snyder stated that on December 1, 1994, the Board of Trustees approved a recommendation submitted by the Vice President for Student Affairs for the addition of two Student Liaison members to the Oakland University Board of Trustees. She noted that the role of a Student Liaison is to serve as a resource on student issues in open meetings of the Board, in a non-voting capacity.

Dr. Snyder submitted the following resolutions for Board approval:

**Resolution Honoring Angela B. Dodson, Student Liaison to the Oakland University Board of Trustees**

WHEREAS, Ms. Angela B. Dodson, a Senior majoring in Public Administration, was appointed as Student Liaison to the Oakland University Board of Trustees in June 1996, by the President upon recommendation of a screening committee, with her term of office ending June 30, 1997; and

WHEREAS, Ms. Dodson attended all scheduled open Board and many Committee meetings, providing a cross-section of student views and opinions and opening up the line of communication between the Board and the students; and

WHEREAS, Ms. Dodson communicated her Student Liaison responsibilities and made periodic Board activity reports to student groups; and

WHEREAS, Ms. Dodson at all times demonstrated leadership skills at the Board meetings in her role as Student Liaison; now, therefore, be it

RESOLVED, that the Board of Trustees wishes to recognize the fact that Ms. Dodson has served as Student Liaison with dedication and distinction; and, be it further

RESOLVED, that the Board commends Ms. Dodson for her outstanding academic achievements, diverse involvement in extracurricular activities at Oakland University, and service as a Student Liaison to the Oakland University Board of Trustees; and, be it further

RESOLVED, that a copy of this resolution be forwarded to Ms. Dodson to convey the esteem in which she is held by the Board of Trustees; and, be it further

RESOLVED, that the Board of Trustees publicly expresses its deep appreciation to Ms. Dodson and extends to her its best wishes for continued success in all of her future endeavors.

**Resolution Honoring Judith A. Lango, Student Liaison to the Oakland University Board of Trustees**

WHEREAS, Ms. Judith A. Lango, a graduate student in the Master of Public Administration program, was appointed as Student Liaison to the Oakland University Board of Trustees in June 1996, by the President upon recommendation of a screening committee, with her term of office ending June 30, 1997; and

WHEREAS, Ms. Lango attended all scheduled open Board and many Committee meetings, providing a cross-section of student views and opinions and opening up the line of communication between the Board and the students; and

WHEREAS, Ms. Lango communicated her Student Liaison responsibilities and made periodic Board activity reports to student groups; and

WHEREAS, Ms. Lango at all times demonstrated leadership skills at the Board meetings in her role as Student Liaison; now, therefore, be it

RESOLVED, that the Board of Trustees wishes to recognize the fact that Ms. Lango has served as Student Liaison with dedication and distinction; and, be it further

RESOLVED, that the Board commends Ms. Lango for her outstanding academic achievements, diverse involvement in extracurricular activities at Oakland University, and service as a Student Liaison to the Oakland University Board of Trustees; and, be it further

RESOLVED, that a copy of this resolution be forwarded to Ms. Lango to convey the esteem in which she is held by the Board of Trustees; and, be it further

RESOLVED, that the Board of Trustees publicly expresses its deep appreciation to Ms. Lango and extends to her its best wishes for continued success in all of her future endeavors.

Trustee Ann V. Nicholson, seconded by Trustee Doyle, moved approval of the recommendations. The motion was unanimously approved by those present.

Chairman Schlaybaugh presented Ms. Dodson and Ms. Lango with a small token of the Board's appreciation for their service.

President Russi then introduced Ms. Bridget Green and Mr. David Lingholm, who were present in the audience, as the new Student Liaisons for 1997-98.

## VI. Finance and Personnel Advisory Committee Report

Trustee Doyle, Chairman of the Finance and Personnel Advisory Committee, reported that the committee met on May 15, 1997, and recommended the following items for review and approval by the full Board.

### A. Amendment to Bylaws of the Board of Trustees

Trustee Doyle moved approval of the following proposed recommendation:

RESOLVED, that the Board amends Article IV, Section E of the bylaws by deleting the existing language and substituting in its place the following paragraph:

> The Board shall appoint, upon the recommendation of the President of the university, an attorney to serve as General Counsel at the pleasure of the Board. The General Counsel shall report to the President and shall be responsible for all legal matters for the Board of Trustees and the university. The General Counsel shall have the authority to retain outside legal counsel to provide legal services for the university, as needed. The General Counsel shall keep the Board informed of the status of all litigation to which the university is a party as well as other legal matters of significant import. The General Counsel shall have the authority to execute all legal documents including those required for purposes of litigation and/or court proceedings.

Trustee Henry Baskin seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

## B. Approval of 1997-98 Salary Adjustments for Non-represented Employees

Trustee Doyle moved approval of the following proposed recommendation:

> RESOLVED, that the Board of Trustees approves a 1997-98 salary adjustment for non-represented employees effective July 1, 1997, of a 3% pool increase for each employee subgroup, as follows: Group I, Executives and Deans; Group II, Academic Administrators, Administrative-Professionals, and Contract Employees and Group III, Excluded Clerical-Technical and Miscellaneous Employees. The distribution for individual employees within subgroups will be based on an assessment of performance or merit.

Trustee Baskin seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

## C. Department of Intercollegiate Athletics Operating Budget for the Fiscal Years Ending June 30, 1998, 1999, and 2000

Trustee Doyle stated that the Department of Intercollegiate Athletics projected budgets for the fiscal years ended June 30, 1998, 1999, and 2000, include funding from the university general fund along with revenue and expenses related to the auxiliary activities of the department. The budgets and Transition Business Plan also reflect the financial transactions that will occur during the move from NCAA Division II to Division I. Trustee Doyle noted that although budgets for three fiscal years are presented at this time, the administration will report annually on the actual operations results and significant changes based on market conditions.

Trustee Doyle moved approval of the following proposed recommendation:

> RESOLVED, that the Board of Trustees approves the Department of Intercollegiate Athletics Budgets for the years ending June 30, 1998, June 30, 1999, and June 30, 2000, with a budgeted net income of $21,084, $817, and $783, respectively, and an expenditure level not to exceed $1,966,000, $2,353,000, and $2,715,000, respectively; and, be it further
>
> RESOLVED, that any expenditure level in excess of the approved amount must be funded by a direct revenue increase, must have the prior approval of the President or his designee; and these amounts shall be reported on a periodic basis to the Board of Trustees.

Trustee Louis Grech-Cumbo seconded the motion for approval of the recommendation.

Chairman Schlaybaugh questioned where Oakland's athletic funding per student stands compared to a peer group, and Mr. Bissonnette replied that a peer group study of the Mid-Continent Conference was performed based on Oakland's move to Division I. The study benchmarked issues such as operation costs, organizational style and structure, and staffing levels, and Oakland's funding fell within the mid-range of the conference members.

Chairman Schlaybaugh inquired whether sufficient resources have been allocated towards compliance with the technical NCAA Division I eligibility requirements. Mr. Bissonnette stated that a compliance officer has been selected, who is also a coach, to insure that Oakland meets those requirements.

Chairman Schlaybaugh requested periodic progress reports to update the full Board on the Transition Plan. Mr. Bissonnette stated that the subcommittees and the full Board will be informed of the transition status.

The motion was unanimously approved by those present.

Trustee James A. Sharp, Jr. joined the meeting at this time.

### D. General Fund Budget and Tuition and Fees Rate Increase for Fiscal Years 1997-98, 1998-99, and 1999-00

Trustee Doyle reported that the committee thoroughly discussed the proposed General Fund Budget and tuition and fees increase for fiscal years 1997-98, 1998-99, and 1999-00. He commended the administration for completing the difficult task of developing a three-year proposal that offers the opportunity for long-term budget planning for the university, students, and parents. Trustee Doyle stated that a major focus of the committee discussion was on balancing the needs of the university with growth while holding tuition and fees low to keep Oakland affordable. Of the two tuition and fees proposals offered by Mr. Bissonnette, the committee and student liaisons recommended one that reduces the $95 athletic fee to $75, which will be effective in fiscal year 1998-99. The committee also recommended that the administration return to the committee and the Board early next year with information on where the institution stands with respect to state appropriations and enrollment growth, with the intention of reducing tuition if the revenues exceed expectations.

Trustee Doyle reported that the proposal requests support to borrow funds to complete construction projects, convert administrative computing systems, and fund other immediate university needs. A base increase for repayment of the debt has been incorporated into the General Fund Budget. For budget purposes it is assumed that the state appropriation will increase by 4 percent for 1997-98, 3.5 percent for 1998-99, and 3 percent for 1999-00. Tuition and fees would increase by approximately 3.9 percent each year for 1997-98, 1998-99, and 1999-00, plus a student recreation fee of $75 annually commencing with the 1998-99 fall and winter terms and $47.50 each for the spring and summer terms.

Trustee Doyle stated that general fund revenue from sources other than state appropriations and tuition and fees are expected to increase about 2 percent over the three-year period. State appropriations and tuition increases serve to fund employee compensation increases, which are projected at 3 percent for each year. A provision for inflation to meet the rising costs of operating expenditures is budgeted at 3.5 percent for the first year, 2 percent for the second year, and 5 percent for the final year.

Trustee Doyle added that the budget provides for a number of new initiatives including funding for the Science Building operation, chiller project, Recreation Center, financial aid, Division I Athletics transition, interest and principal debt repayment, Business School/Technology Office Building, administrative computing conversion, Oakland Center renovations, and the North Foundation Hall Student Center. In order to fund these initiatives, the resolution authorizes financing for 12 years with balanced budgets in each of the three years.

Trustee Doyle moved approval of the following proposed recommendation:

WHEREAS, with the close of the current fiscal year a new General Fund Budget requires Board of Trustees approval and new tuition and fees rates need approval including a new fee for operation of the Recreation Center effective fall, 1998; and

WHEREAS, the 1997-98 university General Fund Budget is premised on the initiation or continuation of projects that will require capital financing; be it

RESOLVED, that the Board of Trustees approve the 1997-98 General Fund Budget at an expenditure level of $88,766,728 plus approved encumbrances and carry forwards from the June 30, 1997, fund balance. See Exhibit I for detail; and, be it further

RESOLVED, that the Board of Trustees approve the 1998-99 General Fund Budget at an expenditure level of $93,212,845 plus approved encumbrances and carry forwards from the June 30, 1998, fund balance. See Exhibit II for detail; and, be it further

RESOLVED, that the Board of Trustees approve the 1999-00 General Fund Budget at an expenditure level of $97,220,097 plus approved encumbrances and carry forwards from the June 30, 1999, fund balance. See Exhibit III for detail; and, be it further

RESOLVED, that the Board of Trustees approve the attached schedule, Exhibit IV, of Recommended Tuition and Fee Rates for fiscal years 1997-98 through 1999-00; and, be it further

RESOLVED, that the President or Vice President for Finance and Administration (each an "Authorized Officer") acting in the best interest of the university is authorized to negotiate and enter into a twelve-year borrowing arrangement at a competitive interest rate in an amount not to exceed $11,650,000. Such borrowing may involve a public or private tax-exempt placement. An Authorized Officer may execute and deliver, as the act and deed of the Board, a note, order, loan agreement, trust agreement, trust indenture or other document consistent with the provisions of this authorization setting forth the terms of the indebtedness and the security therefor. The indebtedness shall be a limited and not a general obligation of the Board. The indebtedness shall be secured by the pledge of General Revenues (to be defined similarly to the definition in the Trust Indenture date June 1, 1995, between the Board and COMERICA Bank) as permitted by law and other contractual obligations of the university. An Authorized Officer shall not pledge the credit or create any liability on the part of the State of Michigan, or any Trustee, or any of their successors, or on the part of the Board other than as herein provided; and said indebtedness and any documents securing the same are not intended to and shall not create any indebtedness of the State of Michigan or the Board within the meaning of any state constitutional or statutory debt limitation or restriction. All documents related to the transaction shall be subject to the review of the university's General Counsel.

(Exhibits I, II, and III are filed in the Board of Trustees Office.)

Trustee Nicholson seconded the motion for approval of the recommendation.

Trustee Baskin raised a concern regarding the need for a campus master plan. Mr. Bissonnette stated that the current master plan was created in the early 1990's, and that the new building projects, such as the Business School/Technology Building, originate from that plan. Mr. Bissonnette noted that the association of physical buildings with academic programs plays an important role in master plan decisions, and he agreed with Trustee Baskin that the current plan should be revised to reflect that growth.

Trustee Baskin also initiated a discussion on the financial and operational aspects of the SCT Banner project, a resolution slated for discussion later in the meeting (Item VII.E.on the agenda). Mr. Bissonnette stated that the $4.5 million project cost covers hardware, infrastructure, and contract employees for the conversion process from the old mainframe system. He noted that a unique feature of the new discrete systems is that they may be changed or modified from time to time under the SCT Banner program, instead of requiring a major overhaul of the core computing components. Mr. Bissonnette added that SCT Banner program is the country's number one deliverer of computer services to higher education with a long-standing computing reputation.

Chairman Schlaybaugh clarified that the proposed $825,000 personnel budget portion of the SCT package will fund more than the two positions for the three-year project that were described in the introduction to the resolution.

Trustee Sharp concurred that the master plan should be updated and suggested setting a date for its completion. He also inquired whether the administration will return for Board approval on the specifics for the $11.6 million loan. Chairman Schlaybaugh responded that it is his understanding that, upon Board approval, the administration will be authorized to conclude the loan transaction without further Board review. Trustee Sharp expressed concern about signing away the Board's fiduciary responsibilities in this matter and asked that Trustee Doyle's remarks regarding possible tuition reduction in the budget out years be included in the General Fund Budget motion. Chairman Schlaybaugh stated that it is the administration's intent to return to the full Board prior to the 1998-99 and 1999-00 fiscal years to share information on state funding, enrollment, revenues, and expenses at that time and how these factors impact tuition.

Both Trustees Sharp and Baskin commented that they were uncomfortable with committing to a tuition increase beyond the 1997-98 fiscal year. There was a general discussion regarding the budget planning assumptions and the positive influence that revenue growth would have on moderating tuition increases and repayment of the $11.5 million debt.

Trustee Sharp moved approval of the following amendment to the recommendation:

> RESOLVED, that the administration shall make a presentation to the Board of Trustees prior to the commencement of each of the fiscal years 1998-99 and 1999-00, on the status of revenues and expenses, to include information on enrollment and state appropriations, and the appropriateness of any changes in the subsequent fiscal year budget;

Trustee Baskin seconded the motion for approval of the amendment to the recommendation. The motion was unanimously approved by those present.

Trustee Baskin questioned the language in the last paragraph of the resolution, noting that it appears to create individual liability for the trustees with respect to the $11.5 million obligation. Ms. Gerrits called on Mr. Robert H. Bunger, Assistant General Counsel, who assisted in drafting the resolution, to respond. Mr. Bunger stated that while he understood Trustee Baskin's concern, it was the intent of the language that the Board would only make the commitment that is otherwise stated in the resolution. Chairman Schlaybaugh expressed confusion with the language that the indebtedness is a limited and not a general obligation of the Board. He suggested replacing the word "Board" with "university" as an amendment to the recommendation, since it does not use the phrase "the Board of Trustees in its official capacity as an entity." Mr. Bunger agreed that it would be acceptable to substitute the word "university," noting that the title of the corporation is the "Board of Trustees of Oakland University," but that he believed that the term "Oakland University" would also suffice.

Trustee Baskin stated that he also wishes to review the loan document prior to execution. Trustee Fischer suggested that the loan agreement should be reviewed by the Finance and Personnel Advisory Committee. Mr. Bissonnette stated that there would be no problem with returning to the Board in August with a resolution on this issue for approval. He explained that the only negative aspect of the delay would be that the university will be contracting with SCT immediately after the meeting, and therefore will have to spend its own funds on the contract until the loan agreement is approved. The delay will result in lost interest accrual of under $10,000.

Trustee Sharp moved approval of the following amendment to the recommendation:

> RESOLVED, that the university is authorized to negotiate a twelve-year borrowing arrangement at a competitive interest rate in an amount not to exceed $11,650,000, with the actual terms and conditions subject to Board approval at a later meeting.

Trustee Baskin seconded the motion for approval of the amendment. The motion was unanimously approved by those present.

**E. Approval of Negotiated Agreement between Oakland University and Police Officers Association of Michigan, October 1, 1996 - October 1, 1999**

Trustee Doyle stated that on May 5, 1997, tentative agreement was reached with the Oakland University Police Officers Association and the Police Officers Association of Michigan on a three-year agreement (October 1, 1996 - October 1, 1999). The agreement applies to nine Oakland University police officers and the four police dispatchers represented by this union. The bargaining unit members have ratified the tentative agreement.

Trustee Doyle moved approval of the following proposed recommendation:

> RESOLVED, that the Board of Trustees approves the Agreement between Oakland University and Oakland University Police Officers Association and Police Officers Association of Michigan, October 1, 1996 - October 1, 1999. Changes from the Agreement which expired October 1, 1996, are set forth in the attached Appendix A, "Summary of Contract Changes," dated May 14, 1997, and Appendix B, "Contract Language Revisions."

(Appendices A and B are filed in the Board of Trustee Office.)

Trustee Fischer seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

At this time, Ms. Dodson pointed out that although the Board approved the amendments to the General Fund Budget, there was no approval of the full General Fund Budget recommendation. Chairman Schlaybaugh thanked Ms. Dodson for noticing this oversight, and stated that the Board will return to the item after Trustee Doyle completes the Finance and Personnel Committee report.

**F. Approval of Negotiated Agreement between Oakland University and AFSCME Local 1418, November 1, 1996 - October 31, 1999**

Trustee Doyle stated that on May 5, 1997, tentative agreement was reached with AFSCME Local 1418 on a three-year agreement (November 1, 1996 - October 31, 1999). The agreement applies to 112 Oakland University service-maintenance employees represented by this union. Trustee Doyle noted that ratification of the settlement by union members is pending.

Trustee Doyle moved approval of the following proposed recommendation:

> RESOLVED, that the Board of Trustees approves the Agreement between Oakland University and Local 1418 of Council 25 of the American Federation of State, County and Municipal Employees Union, AFL-CIO, November 1, 1996 - October 31, 1999. Changes from the Agreement which expired on October 31, 1996, are set forth in the attached Appendix A, "Summary of Contract Changes," dated May 14, 1997, and Appendix B, "Contract Language Revisions."

(Appendices A and B are filed in the Board of Trustees Office.)

Trustee Nicholson seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

**G. Vending Food Service Contract**

Trustee Doyle stated that the current vending food service provider, Aramark Vending Services (Aramark), has notified the university that their vending operations in this region have been sold. Aramark has given the required 90 day notice to withdraw from the current contract, which will now expire on June 13, 1997. Proposals for vending service were solicited from four major vendors servicing the Detroit area, and Metro Vending Services (Metro) presented the most competitive proposal.

Trustee Doyle moved approval of the following proposed recommendation:

WHEREAS, the provision of vended food and sundry items is necessary to adequately service the university community; now, therefore be it

RESOLVED, that the Vice President for finance and Administration be authorized to enter into a contract with Metro Vending Services, commencing June 14, 1997, or as soon as possible thereafter, and ending June 30, 2001, at an annual flat fee commission of $120,000 with a 40 percent commission on gross sales in excess of $390,000 and with other terms consistent with the Request for Proposal and the Metro Vending Response to the Request for Proposal, subject to the approval of the contract document by the General Counsel; and, be it further

RESOLVED, that the Vice President for Finance and Administration be authorized to enter into a month-to-month contract extension with Aramark Vending Services, or another provider, if necessary, to provide vending services after June 13, 1997, and until the new vending contract with Metro Vending Services would commence; and, be it further

RESOLVED, that the contract will be for a period not to exceed four years, with provisions for termination with appropriate notice and one two-year extension, if desired, by the university, with terms and conditions no less favorable to the university than those contained in the four-year contract.

Trustee Dennis K. Pawley seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

**D. General Fund Budget and Tuition and Fees Rate Increase for Fiscal Years 1997-98, 1998-99, and 1999-00**

Returning to the General Fund Budget item for a vote on the underlying resolution, Chairman Schlaybaugh asked for a motion.

Trustee Doyle moved approval of the following recommendation, which reflects the amendments previously approved in the meeting:

WHEREAS, with the close of the current fiscal year a new General Fund Budget requires Board of Trustees approval and new tuition and fees rates need approval including a new fee for operation of the Recreation Center effective fall, 1998; and

WHEREAS, the 1997-98 university General Fund Budget is premised on the initiation or continuation of projects that will require capital financing; now, therefore, be it

RESOLVED, that the Board of Trustees approve the 1997-98 General Fund Budget at an expenditure level of $88,766,728 plus approved encumbrances and carry forwards from the June 30, 1997, fund balance. See Exhibit I for detail; and, be it further

RESOLVED, that the Board of Trustees approve the 1998-99 General Fund Budget at an expenditure level of $93,212,845 plus approved encumbrances and carry forwards from the June 30, 1998, fund balance. See Exhibit II for detail; and, be it further

RESOLVED, that the Board of Trustees approve the 1999-00 General Fund Budget at an expenditure level of $97,220,097 plus approved encumbrances and carry forwards from the June 30, 1999, fund balance. See Exhibit III for detail; and, be it further

RESOLVED, that the Board of Trustees approve the attached schedule, Exhibit IV, of Recommended Tuition and Fee Rates for fiscal years 1997-98 through 1999-00; and, be it further

RESOLVED, that the university shall make a presentation to the Board of Trustees prior to the commencement of each of the fiscal years 1998-99 and 1999-00, on the status of revenues and expenses, to include information on enrollment and state appropriations, and the appropriateness of any changes in the subsequent fiscal year budget; and, be it further

RESOLVED, that the university is authorized to negotiate a twelve-year borrowing arrangement at a competitive interest rate in an amount not to exceed $11,650,000, with the actual terms and conditions subject to Board approval at a later meeting.

Trustee Baskin seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

At this time, the discussion returned to the issue of a revised master plan. Trustee Dennis K. Pawley questioned whether the university has the appropriate funding to conduct the engineering studies necessary for completion of a master plan. Mr. Bissonnette replied that the funds are not currently available and that such a task is a very comprehensive and time-consuming planning effort. He suggested updating the Board on the strengths and weaknesses of the current master plan and to proceed from there with the Board's direction.

Trustee Fischer moved approval of the following proposed recommendation:

> RESOLVED, that the administration present a review of the existing master plan to the Finance and Personnel Advisory Committee and University Affairs Advisory Committee to determine whether funds should be allocated towards revising the plan; and, be it further
>
> RESOLVED, that if either committee recommends that the campus master plan be revised, that such recommendation shall be presented to the full Board for approval.

Trustee Baskin seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

## VII. University Affairs Advisory Committee Report

Trustee Fischer, Chairman of the University Affairs Advisory Committee, reported that the committee met on May 20, 1997, and recommended the following items for review and approval by the full Board.

### A. Oakland University Trustee Academic Success Fund Proposal for 1997-98

Trustee Fischer stated that at the June 8, 1995, Board of Trustees meeting, the Board approved a resolution establishing the Oakland University Trustee Academic Success Fund (Fund) to utilize the proceeds from the sale of land to the City of Auburn Hills. The fund is tailored to achieve the goal of recruitment and retention of a diverse student body consistent with established applicable Board policies, through the use of scholarships and other programs. Current funds available for 1997-98 are $214,000, and the administration plans to request $100,000 from the Oakland University Foundation for scholarships. The funds will be used for the 1997-98 academic year to fund a total of 11 initiatives.

Trustee Fischer moved approval of the following proposed recommendation:

> WHEREAS, the Oakland University Trustee Academic Success Fund supports the university goal to recruit and retain an ethnically and culturally diverse student body; and
>
> WHEREAS, the Fund enhances students' skills, understanding and ability to effectively function across gender, racial, national, ethnic, and cultural lines; and
>
> WHEREAS, the Fund instills respect for diversity into all aspects of university life; and

WHEREAS, the Fund directly responds to the university's Strategic Plan 1995-2005 under Strategies 1, 3, 7, and 9; now, therefore be it

RESOLVED, that the Board delegates authority to the President, in conjunction with the Office of Equity, to expend up to $214,000 of the Trustee Academic Success Fund and $100,000 from the Oakland University Foundation, for a total of $314,000, for the scholarships, programs, and other initiatives described in Attachments A and B, for the 1997-98 academic year.

(Attachments A and B are filed in the Board of Trustees office.)

Trustee Grech-Cumbo seconded the motion for approval of the recommendation.

Trustee Sharp stated that while he supports the Fund budget request, he takes exception to the statement that it is tailored to achieve the goal of "recruitment and retention of a diverse student body." He recalled that when the program was originally approved by the Board, the focus was much broader than just recruitment and retention. There had been extensive discussion reflecting the need for initiatives that foster cultural dialogue and training among students. Chairman Schlaybaugh recommended amending the original resolution with Trustee Sharp's intent at a subsequent meeting.

The motion was unanimously approved by those present.

**B. Approval of New Degree Program of Master of Training and Development**

Trustee Fischer stated that the School of Education and Human Services designed a Master of Training and Development program this past year, and that it has been approved by the Assembly of the School, the Graduate Council, and the University Senate. The program will be self-supporting, with tuition revenues covering all direct costs associated with the program, and it will require one additional full-time faculty member.

Trustee Fischer moved approval of the following proposed recommendation:

RESOLVED, that the Board of Trustees approve a graduate program in training and development leading to the degree of Master of Training and Development.

Trustee Grech-Cumbo seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

### C. Alfred G. Wilson and Matilda R. Wilson Awards and Human Relations Award

Trustee Fischer reported that the Alfred G. and Matilda R. Wilson Awards are presented annually to an Oakland University senior man and woman who have contributed as scholars, leaders, and responsible citizens to the Oakland University community. First awarded in 1965, these honors were designed by Mrs. Matilda R. Wilson and Durwood Varner, Oakland's first Chancellor, to recognize those students who have achieved academic excellence, contributed to campus life, and demonstrated interest in the social problems of the community and society in general.

Trustee Fischer moved approval of the following proposed recommendation:

### A Resolution of Commendation to Mr. Garrick Byron Landsberg

WHEREAS, Mr. Garrick Byron Landsberg served four years in the military and entered Oakland University as a transfer student from East Carolina University in the fall of 1992; and

WHEREAS, Mr. Landsberg demonstrated academic excellence as an Honors College student while completing his degree in History; and

WHEREAS, Mr. Landsberg demonstrated leadership capabilities and commitment to the university through the governance process by serving as one of its first Student Liaisons to the Oakland University Board of Trustees, student body president and representative to the Ad Hoc Oakland University Intercollegiate Athletics Review Committee; served as an elected university student congress member, student activities funding board member, student program board member and disc jockey at the campus radio station; and

WHEREAS, Mr. Landsberg has been selected as the 1997 recipient of the Alfred G. Wilson Award given annually to a graduating senior who has maintained high academic standards, who has demonstrated extraordinary leadership capabilities and involvement in the Oakland University community, and who has expressed social concern; now, therefore, be it

RESOLVED, that the Board of Trustees expresses its appreciation to Mr. Garrick Byron Landsberg for his commitment to campus life at Oakland University; and, be it further

RESOLVED, that the Board of Trustees commends Mr. Garrick Byron Landsberg for the quality of his leadership and extends to him its best wishes for continued success in all of his future endeavors.

Trustee Fischer requested that the Board approve this recommendation in conjunction with the Matilda R. Wilson Award set forth below.

Trustee Fischer moved approval of the following proposed recommendation:

**A Resolution of Commendation to Ms. Rachel Yank**

WHEREAS, Ms. Rachel Yank graduated from Sterling Heights High School in Sterling Heights, Michigan, and entered Oakland University in the fall of 1992, and

WHEREAS, Ms. Yank demonstrated academic excellence as an Honors College student while completing her degree in Art History; and

WHEREAS, Ms. Yank demonstrated leadership capabilities and commitment to the university and the greater community by her involvement as an elected member of university student congress, a member of the student congress legislative affairs committee, student services and bylaws review committees; served as the senior class representative for the Honors College Council and presented at the student research symposium "Meeting of the Minds;" and has taken the spirit of volunteerism beyond the university and into the community through her work in the AmeriCorps program where in the Pontiac schools she tutored students with learning disabilities and worked to foster the development of clubs and organizations which will directly benefit the children of Pontiac; and

WHEREAS, Ms. Yank has been selected as the 1997 recipient of the Matilda R. Wilson Award given annually to a graduating senior who has maintained high academic standards, who has demonstrated extraordinary leadership capabilities and involvement in the Oakland University community, and who has expressed social concern; now, therefore, be it

RESOLVED, that the Board of Trustees expresses its appreciation to Ms. Rachel Yank for her commitment to campus life at Oakland University; and, be it further

RESOLVED, that the Board of Trustees commends Ms. Rachel Yank for the quality of her leadership and extends to her its best wishes for continued success in all of her future endeavors.

Trustee Sharp seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

## Approval of Athletic Department Application to Join Mid-Continent Conference and National Independent Swimming Conference

Chairman Schlaybaugh announced that the university has received a letter of invitation from the Mid-Continent Conference (Mid-Con) to become a member of that athletic conference as Oakland enters the Division I program. The members of that conference include Valparaiso, Buffalo, Western Illinois, University of Missouri-Kansas City, Youngstown State, Northeastern Illinois University, Chicago State, Oral Roberts University, and Southern Utah. Chairman Schlaybaugh introduced Dr. Jon Steinbrecher, Commissioner of Mid-Con, who requested to address the Board on the affiliation.

Dr. Steinbrecher stated that, acting under the authority of the presidents and chancellors of the member institutions, he is pleased to extend an offer of membership in the Mid-Con to Oakland University. The member institutions of Mid-Con are looking forward to having the opportunity to compete with Oakland University while working together to advance the collective institutions.

Chairman Schlaybaugh thanked Dr. Steinbrecher, and Ms. Gerrits distributed a recommendation to the Board concerning the authority of the university to affiliate with Mid-Con. President Russi reported on the process in reaching an athletic conference decision, and introduced Mr. Bissonnette to present the recommendation. Mr. Bissonnette stated that as part of the process to move to NCAA Division I-AAA, the university has to align itself with a viable athletic conference in order to maintain the competitive atmosphere that conferences attain. Having been offered the Mid-Con membership, the administration is recommending Board approval of the offer. Mr. Bissonnette noted that the resolution also provides for Oakland's swim teams to compete in the National Independent Swimming Conference.

Mr. Bissonnette presented the following recommendation to the Board for approval:

> RESOLVED, that the Board of Trustees authorizes the Vice President for Finance and Administration to accept the offer for membership with the Mid-Continent Conference and the National Independent Swimming Conference for the purpose of moving from NCAA Division II to NCAA Division I-AAA athletics.

Trustee Sharp, seconded by Trustee Baskin, moved approval of the recommendation. The motion was unanimously approved by those present.

Chairman Schlaybaugh excused President Russi from the meeting at this time to attend a press conference regarding the conference affiliation. Trustee Fischer continued with the University Affairs Advisory Committee report.

## C. A Resolution of Commendation to Ms. Christy Hicks

Trustee Fischer stated that the Human Relations Award is presented annually to a graduating senior who has contributed significantly to the improvement of intergroup relations on campus. The award has been presented intermittently since the 1970's and was reestablished as an annual award on February 1, 1990, by President Joseph E. Champagne in recognition of the need to foster interracial understanding and harmony.

Trustee Fischer moved approval of the following proposed recommendation:

WHEREAS, Ms. Christy Hicks entered Oakland University as a freshman in the fall of 1988 from North Farmington High School, Farmington Hills, Michigan; and

WHEREAS, Ms. Hicks distinguished herself as a scholar and a leader committed to increasing unity and understanding between diverse groups of students; and

WHEREAS, Ms. Hicks has demonstrated leadership capabilities and commitment to the university and the community by her two-year enlistment in the AmeriCorps program where in the City of Pontiac she designed and facilitated a conflict mediation training program for junior high students and her one-year enlistment in the VISTA program working with 4H Youth Programs; served as campus coordinator for the King/Chavez/Parks College Day program where pre-college students visit the campus and interact with faculty and students; served as president of the Basement Arts Review, a student organization of the Honors College, served as an Honors College Student Representative and participated in the student research symposium, "Meeting of the Minds;" and

WHEREAS, Ms. Hicks has been selected as the 1997 recipient of the Human Relations Award given annually to a graduating senior who has made an outstanding contribution to intergroup understanding and conflict resolution in the Oakland University community; now, therefore, be it

RESOLVED, that the Board of Trustees expresses its appreciation to Ms. Christy Hicks for her commitment to campus life at Oakland University; and, be it further

RESOLVED, that the Board of Trustees commends Ms. Christy Hicks for the quality of her leadership and extends to her its best wishes for continued success in all of her future endeavors.

Trustee Grech-Cumbo seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

## E. Purchase of Administrative Computer Systems

Trustee Fischer reported that university administrative computing systems have evolved rapidly in the past several years, and Oakland has been studying its options to take advantage of the power and flexibility of the new systems that are on the market today. The planning process was driven by the need for more effective ways for the university to provide students with access to admissions, financial, registration, advising, and academic records. The university's current administrative computing systems are mainframe-based, hard to maintain, and not designed for easy access by users. Other issues that prompted the planning process were the operating costs for the current system, the university's need to modify and redesign its business processes, and the need to find a solution for the year 2000 problem. As an important first step in planning for the new systems, the university developed a vision for utilization of administrative systems that would handle student records, human resource applications (payroll/personnel), and financial applications of the university. The system should provide the university with the means to serve its students more effectively and efficiently by providing students, faculty, and staff with easy and timely access to data needed for processing a variety of administrative functions.

Trustee Fischer stated that the university received proposals from 11 out of 39 vendors, and is recommending Systems and Computer Technology (SCT) Banner for the university's administrative computing services.

Trustee Fischer moved approval of the following proposed recommendation:

> RESOLVED, that the Oakland University administration be authorized to purchase from SCT a suite of software products, including the BANNER series for Student, Financial, and Human Resources, EDI.Smart and INAS support software, Oracle database software and Web support, BANNER Web software for Students, Faculty, Employees, and Executives, FOCUS report writer and FOCUSexpress for BANNER, and the BANNER Voice Response for student systems; and associated implementation, support, and training services from SCT; and, be it further
>
> RESOLVED, that the Oakland University administration be authorized to purchase a five-year technical currency service agreement from SCT; and, be it further
>
> RESOLVED, that the Oakland University administration be authorized to purchase the services of an on-site project coordinator from SCT for a period of two years; and, be it further
>
> RESOLVED, that the total set of agreements with SCT be limited to $1,660,500; and, be it further

RESOLVED, that the university be authorized to obtain computers through normal bid processes, over a four-year period, to support these applications, at a price not to exceed $580,750; and, be it further

RESOLVED, that the university be authorized to obtain additional equipment to expand its fiber backbone computer network to support the administrative systems over a three-year period through normal bid processes, at a price not to exceed $1,437,500; and, be it further

RESOLVED, that the university may provide supplemental temporary staff at a cost not to exceed $825,811; and, be it further

RESOLVED, that the Vice President for Finance and Administration is authorized to execute such contracts as are necessary to purchase the packages, services, and equipment described above; and, be it further

RESOLVED, that all contracts associated with these purchases shall be reviewed by the Office of the General Counsel prior to execution and shall conform to all university policies.

Trustee Doyle seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

Trustee Grech-Cumbo moved approval of the following proposed recommendation relative to the administrative computing system conversion process:

RESOLVED, that the Oakland University administration shall report to the Board of Trustees biannually on the implementation progress and performance of technology under the SCT administrative computing systems.

Trustee Sharp seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

**F. Authorization to Proceed with Classroom/Business School Office Building Project and Appointment of Architect**

Trustee Fischer reported that on October 3, 1996, the Board approved the submission of the university's Capital Outlay Budget Request to the State. Included in this request was the Classroom/Business School Office Building as the university's number one priority. In December 1996, the state legislature approved a capital program which included this $17.5 million project to be funded with a 75-25 percent cost sharing of State and university funds, respectively, subject to additional legislative action with respect to funding.

The proposed 60,000 gross square foot building will house the School of Business and an Applied Technology Institute. It will include general purpose classrooms, case classrooms, computer labs, faculty and administrative offices, video conferencing, multimedia computer labs and production facility, and a multimedia auditorium. Occupancy is anticipated for fall 2000. Trustee Fischer stated that after a thorough review process, the architectural selection committee is recommending the firm of Albert Kahn, Associates, Inc. for the project.

Trustee Fischer moved approval of the following proposed recommendation:

> RESOLVED, that the Vice President for Finance and Administration be authorized to negotiate and that the Vice President for finance and Administration or the President be authorized to execute a contract with Albert Kahn, Associates, Inc. for design of the Classroom/Business School Office Building; and, be it further
>
> RESOLVED, that the contract shall be reviewed by the Office of General Counsel prior to execution and shall conform to all university policies; and, be it further
>
> RESOLVED, that consistent with Board policy, the schematic design shall be presented to the Board for approval; and, be it further
>
> RESOLVED, that the total cost for design shall not exceed $1,000,000.

Trustee Sharp seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

Trustee Sharp commended the lobbying efforts of President Russi and the university community in securing funding for a major opportunity for growth such as this one.

## G. Approval of Schematic Plans - O'Dowd Hall Parking Lot Expansion

Trustee Fischer stated that on February 23, 1996, the Board approved a conceptual plan for 1,000 additional parking spaces and the implementation of the first phase of that plan. During the summer of 1996, nearly 600 new spaces were added to the parking lots at Varner and Vandenberg Halls. Approximately 250 spaces were taken out of service due to the construction of the Student Recreation/Athletic Facility. The administration is proposing a reconfiguration and expansion of parking lots 16 and 18 to the east of O'Dowd Hall to add approximately 170 spaces. At the completion of the Student Recreation/Athletic Facility and the associated site restoration work, there will be a net gain of 70 spaces in this area. The revised design improves vehicular access, reduces pedestrian/vehicular conflicts, and improves parking for special needs including handicapped and short-term parking.

Trustee Fischer moved approval of the following proposed recommendation:

> RESOLVED, that the Vice President for Finance and Administration be authorized to proceed with the completion of design consistent with project scope, budget, and the schematic design as presented to the Board on this date and on file with the Secretary of the Board of Trustees; to solicit competitive bids from qualified contractors; and that the Vice President for Finance and Administration or the President be authorized to execute a contract to construct the O'Dowd Parking Lot Expansion; and, be it further
>
> RESOLVED, that the contracts shall be reviewed by the Office of General Counsel prior to execution and shall conform to all university policies; and, be it further
>
> RESOLVED, that the total cost for construction shall not exceed $340,000.

Trustee Doyle seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

**H. Revision of Policy and Ordinance for Service and Sale of Alcoholic Beverages**

Trustee Fischer stated that the Board of Trustees Policy on Service and Sale of Alcoholic Beverages has not been amended for more than 12 years. During that time: (1) the university has developed substantial experience in the use of special (24 hour) liquor licenses; (2) the law has been changed to provide for regular Class C liquor licensing of the Meadow Brook Music Festival (MBMF); (3) the university has leased the MBMF grounds to a lessee who has obtained a Class C license; and (4) the coverage area of the university's Class C license for Meadow Brook Hall has been expanded.

Trustee Fischer moved approval of the following proposed recommendation:

> RESOLVED, that the Board of Trustees adopts the policy entitled "Service and Sale of Alcoholic Beverages," dated June 12, 1997, and included with this agenda item, to replace the existing policy; and, be it further
>
> RESOLVED, that the Board of Trustees adopts Ordinance 5.01, dated June 12, 1997, and included with this agenda item, to replace existing Ordinance 5.01; and, be it further

RESOLVED, that the second paragraph of the Board action of April 7, 1994 (limiting the service of spirits at MBMF to specially-reserved events) is repealed; and, be it further

RESOLVED, that the new policy is effective immediately and the ordinance shall be effective upon publication.

(The Service and Sale of Alcoholic Beverages Policy and Ordinance 5.01 are attached to this set of minutes.)

Trustee Doyle seconded the motion for approval of the recommendation. The motion was approved with seven affirmative votes and one abstention by Trustee Grech-Cumbo, who holds a Michigan Liquor Control Commission license.

## I. Revision of the Freedom of Information Act Compliance Policy

Trustee Fischer stated that at the inception of the Michigan Freedom of Information Act (FOIA) in 1977, the Board of Trustees established a policy to implement the Act at Oakland University. Recently, the legislature amended the act to provide for an internal appeal process when a FOIA request was denied. Before the law was amended, the only recourse available to a person, whose request for public records was denied, was to file a lawsuit in court. Trustee Fischer explained that the intent of the amended legislation is to provide individuals with some expeditious avenue of appeal short of a lawsuit. In order to comply with the amended legislation, it is recommended that the Board revise its policy to delegate authority to the President, or his/her designee, to hear appeals filed by individuals whose FOIA requests are denied. The proposed policy would replace the current Board policy.

Trustee Fischer moved approval of the following proposed recommendation:

BE IT RESOLVED, that Oakland University shall comply with the applicable requirements of Act 442 of the Public Acts of 1976, as amended, known as the Michigan Freedom of Information Act (FOIA); and, be it further

RESOLVED, that as provided by FOIA, the President may designate another individual to serve as FOIA coordinator and to accept and process requests for public records, and to approve any denial of a request; and, be it further

RESOLVED, that the President, or his/her designee, is hereby authorized on behalf of the Board to accept and determine a written appeal of a denial of a Freedom of Information Act request in accordance with Subsection 10(2) of FOIA; and, be it further

RESOLVED, that the Freedom of Information Act Compliance Policy established by the Board on March 17, 1977, is hereby rescinded; and, be it further

RESOLVED, that this action is effective immediately.

Trustee Baskin seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

## VII. Other Items that May Come Before the Board

### Appointment of Vice Provost

Chairman Schlaybaugh stated that Dr. William W. Connellan was appointed Acting Vice President for Academic Administration on June 8, 1995, to allow Dr. Russi to focus his efforts on presidential duties while serving as Interim President, until such time as a new Vice President for Academic Affairs and Provost was hired. On August 30, 1996, Dr. Connellan was appointed Acting Vice President for Academic Affairs. With the recent appointment of Dr. Dagmar Cronn as Vice President for Academic Affairs and Provost, Dr. Connellan is now being recommended for the position of Vice Provost. As Vice Provost, Dr. Connellan will retain his current AP level and salary and will report to the Vice President for Academic Affairs and Provost.

Chairman Schlaybaugh moved approval of the following recommendation:

WHEREAS, Dr. Cronn wishes to appoint a Vice Provost; now, therefore, be it

RESOLVED, that the Board of Trustees approves the appointment of Dr. William Connellan as Vice Provost.

Trustee Baskin seconded the motion for approval of the recommendation. The motion was unanimously approved by those present.

## IX. Closed Session to Discuss Collective Bargaining Strategy

Trustee Baskin, seconded by Trustee Sharp, moved to adjourn into closed session

Ms. Gerrits stated that approval of a closed meeting is requested to discuss collective bargaining strategy. Section 8 (c) of the Open Meetings Act provides that a public body may meet in a closed session for this purpose. Section 7 of the Open Meetings Act requires that a majority roll call vote of members elected or appointed and serving shall be required to call a closed session. It is not expected that the Board will return to open session. Ms. Gerrits conducted a roll call vote as follows:

| | |
|---|---|
| Henry Baskin | Yes |
| David J. Doyle | Yes |
| David T. Fischer | Yes |
| Louis Grech-Cumbo | Yes |
| Ann V. Nicholson | Yes |
| Dennis K. Pawley | Yes |
| Rex E. Schlaybaugh, Jr. | Yes |
| James A. Sharp, Jr. | Yes |

Ms. Gerrits stated that the motion carries.

## X. Adjournment

Trustee Fischer, seconded by Trustee Baskin, moved adjournment of the meeting. The motion was unanimously approved by those present. The meeting adjourned at 5:35 p.m.

Submitted,

Susan Gerrits

Susan Gerrits
General Counsel and
Secretary to the Board of Trustees

Approved,

Rex E. Schlaybaugh, Jr.
Chairman

# SERVICE AND SALE OF ALCOHOLIC BEVERAGES ON CAMPUS

Approved by the Board of Trustees on June 12, 1997

I. Service of alcoholic beverages at Meadow Brook Hall, Shotwell-Gustafson Pavilion, and Katke-Cousins Golf Course.

A. The Michigan Liquor Control Commission has granted a Class C conference center liquor license to Oakland University in the name of the Board of Trustees for use at Meadow Brook Hall, the Shotwell-Gustafson Pavilion, and Katke Cousins Golf Course, including Danny's Cabin and the Clubhouse ("Locations"). This license permits the service and sale of alcoholic beverages at regularly scheduled activities at these Locations.

B. All alcoholic beverages served at the Locations must be purchased from the Hall.

C. Organizations or individuals desiring to serve or sell alcoholic beverages on campus are encouraged to schedule their activities at the Hall or Pavilion.

II. Service of alcoholic beverages at the Meadow Brook Music Festival grounds.

Alcoholic beverages may be sold and served at the Meadow Brook Music Festival grounds at regularly scheduled events in accordance with the Michigan Liquor Control Commission license granted for that purpose.

III. Service of alcoholic beverages at other campus locations.

A. The University recognizes the occasional need to permit the limited service or sale of alcoholic beverages, in conjunction with programs, at locations other than the Locations mentioned above, in accordance with the law. State law permits the issuance of a special (24 hour) license by the Liquor Control Commission for the consumption of alcoholic beverages on State property when the license is approved by the governing body of the State property involved. The rules and regulations of the Michigan Liquor Control Act provide that five special (24 hour) liquor licenses may be issued to a nonprofit, religious, fraternal, civic or patriotic organization during a calendar year. The Board of Trustees, therefore, authorizes limited service and sale of alcoholic beverages in accordance with the law, under the following conditions:

1. Oakland University may be entitled under the law to five (5) special (24 hour) licenses per calendar year. A request for use of a special license in the name of the University shall be made to the vice president involved and must receive the approval of that vice president and of the President of the University ("President"), and comply with the requirements of this policy.

EXHIBIT A

2. The Oakland University Foundation may be entitled under the law to five special (24 hour) licenses per year, and, as a separate legal entity, may independently apply for special licenses. The Foundation may designate a University official to apply for a special license on behalf of the Foundation. When a license is granted in the name of the Foundation, the Foundation should obtain liquor event insurance. In any case involving the use of University property, the application must have the approval of the President.

3. The Meadow Brook Performing Arts Company, as a separate legal entity, may be entitled under the law to five special (24 hour) licenses per calendar year. The Company may request University authorization to serve or sell alcoholic beverages at five events during the year. The Meadow Brook Performing Arts Company must receive the approval of the President before applying for any license.

4. Certain other on-campus and off-campus entities that are legally separate from the University may be eligible under the law to be issued a special license by the Liquor Control Commission. Upon written request, the President may approve holding such an event on University property when the President deems such approval to contribute to the advancement of the University's principal business. The approval shall be in writing, shall be explicitly subject to this policy, and delivery of the approval shall be accompanied by a copy of this policy. The approval shall be contingent upon (1) the issuance of a special license, and (2) the provision of evidence of insurance satisfactory to the University's risk manager covering alcohol service at the event.

5. In approving any event request, the President shall approve the event Location, and alcohol service shall be strictly limited to that Location.

B. In order to comply with the law and maintain the integrity of the institution, it has been determined that special (24 hour) licenses should be limited as set forth above. The University shall not be responsible for any action of the Liquor Control Commission to deny any application for a license.

IV. Procedures regarding special (24 hour) licenses.

A. After an organization receives University approval to serve or sell alcoholic beverages, a special (24 hour) liquor license must be obtained from the Michigan Liquor Control Commission.

B. Persons or organizations making application for special liquor licenses are responsible for obtaining all necessary approvals, posting all required bonds, and paying all required license fees associated with the issuance of special liquor licenses.

C. All alcoholic beverages served or sold on campus pursuant to the issuance of a special liquor license must be purchased in accordance with the law.

D. Each organization receiving approval of a special license must comply with State law and all University rules and regulations.

V. Private residences on campus.

The prohibitions set forth above on the service of alcoholic beverages shall not prohibit the lawful possession and use of such beverages (1) in the private areas of University housing facilities including rooms, suites, apartments, and the private lounge provided to Meadow Brook Theatre actors as part of their residence arrangement; and (2) in private homes and on residential leaseholds. This provision does not permit the sale of alcoholic beverages in these areas.

VI. Service or sale of alcoholic beverages off-campus.

The service or sale of alcoholic beverages at an off-campus University-sponsored activity is prohibited unless the activity is conducted in accordance with the law. If the activity is not to occur at a regularly-licensed facility, the written approval of the President, or his designee, is required prior to conducting the activity. If the activity is not to occur at a regularly-licensed facility, and there is to be a charge for the activity or for alcohol service, then a special (24 hour) license is required in accordance with the provisions of this policy, and the approval of the President shall be contingent upon issuance of a license.

VII. Duration of policy.

A. This policy is revocable at any time at the discretion of the Board of Trustees. The Board authorizes the President to suspend the operation of this policy if the President determines that it is necessary in order to protect the institution from liability. Those events approved prior to the revocation or suspension action, and not made specifically subject to the revocation or suspension provisions, may be conducted in accordance with this policy and the law. During the period of revocation or suspension, no additional licenses will be authorized. All suspensions will be reported to the Board along with the rationale for the action at the next regularly scheduled meeting following the suspension.

B. The Board or the President has the authority to revoke any previously authorized licensed event prior to its occurrence, even if a license is granted by the Liquor Control Commission, if in the opinion of the Board or the President the event will not be conducted in accordance with the rules and regulations of the University, or the law, or if such event could create potential liability to the institution.

June 12, 1997

## Ordinance

5.01 Unlawful Use of Alcoholic Beverages. The following provisions govern the general possession, consumption, and distribution of alcoholic beverages on the campus. Additional rules and regulations which are not inconsistent with these provisions may be promulgated by the President or a designee, or the President may restrict the use of alcoholic beverages on campus as the President deems to be in the best interest of the safety and welfare of the university community.

(1) A person who is less than 21 years of age shall not possess or consume any alcoholic beverage on the campus.

(2) No person shall provide any alcoholic beverage to another person on campus who is less than 21 years of age.

(3) No person shall consume, possess, or distribute any alcoholic beverage on the campus except as established by this section. The lawful possession and lawful and responsible use of alcoholic beverages shall be permitted:

(a) in private homes and leaseholds on campus;

(b) in private areas of University housing facilities including rooms, suites, apartments, and the private lounge provided to Meadow Brook Theatre actors as part of their residence arrangement;

(c) during scheduled and university-approved activities at campus facilities that are regularly licensed for alcoholic beverage use, under the rules applicable to those facilities;

(d) during activities at another location when the President or the President's designee specifically approves in writing alcoholic beverage use at the activity, and when a special liquor license is in effect at the location.

The use of alcoholic beverages shall not be deemed to be responsible if it causes material impairment of the senses, judgment or physical abilities of the user or if it causes the user to create a disturbance which interferes with the normal and uninterrupted use of the campus.

(4) It shall be a misdemeanor for a person to be intoxicated on the campus and acting in a manner that endangers directly the health or safety of another person or property or causes a disturbance which interferes with the normal and uninterrupted use of the campus.

policies\ord5.01

EXHIBIT B