

**Minutes of the Meeting
of the
Oakland University Board of Trustees
April 7, 1994**

Present: Chairman James A. Sharp, Jr.; Trustees Larry Chunovich, David T. Fischer, David Handleman, Rex E. Schlaybaugh, Jr., Stephan Sharf, and Howard F. Sims

Absent: Trustee Andrea L. Fischer

Chairman James A. Sharp, Jr. called the meeting to order at 3:25 p.m. in the Gold Rooms of the Oakland Center.

President's Report

President Sandra Packard acknowledged the extraordinary efforts of many persons and organizations during and after the fire in Dodge Hall of Engineering on March 14, 1994. She recognized Chief Mark Walterhouse of the Auburn Hills Fire Department, Chief H. W. Thornton of the Rochester Hills Fire Department, and Chief William Nelson of the Troy Fire Department, and had these officials stand as she presented the following recommendation honoring them for their service:

WHEREAS, a fire broke out in Dodge Hall of Engineering during the late evening hours of Monday, March 14, 1994, and the early morning hours of Tuesday, March 15, 1994; and

WHEREAS, fire fighting units from the Auburn Hills, Rochester Hills and Troy fire departments responded to an alarm for assistance from Oakland University and its Department of Public Safety and Police; and

WHEREAS, the potential for more serious damage to the building and to the safety of Oakland University students and staff was held in check due to the speedy response of the Auburn Hills, Rochester Hills and Troy fire departments; and

WHEREAS, Oakland University's success in meeting its mission depends on good neighbors and friends like the Auburn Hills, Rochester Hills and Troy fire departments; and

WHEREAS, Oakland University's commitment to its surrounding community and the State of Michigan can only be strengthened by working together; now, therefore be it

RESOLVED, that the Board of Trustees, the President, faculty, staff and students of Oakland University are grateful for the Auburn Hills, Rochester Hills and Troy fire departments and for the professionalism, care and promptness of the fire fighters who responded to the March 14 alarm; and, be it further

RESOLVED, that the Board of Trustees and President Sandra Packard publicly express their deep appreciation to the Auburn Hills, Rochester Hills and Troy fire departments; and, be it further

RESOLVED, that a copy of this resolution be forwarded to the Auburn Hills, Rochester Hills and Troy fire departments to convey the appreciation of the Board of Trustees and the entire university community.

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

Chairman Sharp expressed appreciation to those fire fighters injured in the line of duty and stated that their dedication was truly commendable.

President Packard also made the following recommendation:

WHEREAS, fire broke out in Dodge Hall of Engineering during the late evening hours of Monday, March 14, and the early morning hours of Tuesday, March 15; and

WHEREAS, the Department of Public Safety evacuated the building, coordinated emergency response teams, and facilitated communication between the fire departments and university administrators; and

WHEREAS, Environmental Health and Safety and Risk Management supported fire fighters with information on hazardous materials components and worked with the insurance adjustors; and

WHEREAS, Plant Engineering, Plant Maintenance and Heating Plant located utility shutoffs while the building was on fire, cleaned the building for the re-opening and shut down and restarted utilities through the Central Heating Plant; and

WHEREAS, the AFSCME Union rallied all members from many units within the union to assist with the clean up and worked throughout the night to clean the building for re-opening; and

WHEREAS, Laboratory Managers acted as resource people for the emergency response team and supplied information on the contents of the labs; and

WHEREAS, faculty called in the alarm, held classes elsewhere and worked together to assess damage to research projects; and

WHEREAS, the Deans and their staff of the College of Arts and Sciences and the School of Engineering and Computer Science coordinated communication to students and faculty about dislocations associated with the fire; and

WHEREAS, the Registrar relocated classes while the building was closed, clerical support staff normally assigned to Dodge Hall worked in alternate locations and notified staff and students of the building closing, and the telephone department relocated the switchboard; now, therefore, be it

RESOLVED, that Oakland University is grateful for the efforts of all individuals who participated in responding to the fire and resuming operations after the fire; and, be it further

RESOLVED, that the Board of Trustees and President Sandra Packard extend their sincere appreciation to all involved members of the university community for their professionalism, dedication and the commitment of many hours in response to this emergency situation; and, be it further

RESOLVED, that a copy of this resolution be published in *The OU News* to convey the appreciation of the Board of Trustees and the President to the university community.

Trustee David Fischer, seconded by Trustee Larry Chunovich, moved approval of the recommendation. The motion was unanimously carried.

The President reported that Professor Virinder Moudgil was the first to notice the fire and acted quickly in calling in the fire alarm, and was responsible for having the gas shut off. President Packard extended thanks to Professor Moudgil.

The President then reported on various student athletic accomplishments. She congratulated the students and staff of the Women's and Men's Swimming and Diving Teams, who placed first in the NCAA Division II National Championship, and the Women's and Men's Basketball Teams, who placed first in the Great Lakes Intercollegiate Athletic Tournament. The President noted that they exemplify the scholar-athlete model for which Oakland University is known and respected. Those persons present were recognized by name.

President Packard introduced Mr. Michael Simon, a Communications major, as the new University Student Congress President commencing on July 1, 1994. She noted that Mr. Simon has served as the Congress Director of Public Relations and Director of Legislative Affairs, as a member of the Student Program Board, as an Orientation Group Leader, and as a member of the Oakland University Forensics Team.

Consent Agenda

President Packard presented the following recommendations:

a. Approval of the Minutes of the Meeting of March 3, 1994

b. Approval of the Minutes of the Closed Meeting of March 3, 1994

c. University Personnel Actions

Promotions

Associate professors with tenure considered for promotion to the rank of professor -
Effective August 15, 1994:

Kevin T. Andrews	Mathematical Sciences	Promote
Charles C. Cheng	Mathematical Sciences	Promote
J. Curtis Chipman	Mathematical Sciences	Promote
Carol Halsted	Dance	Promote
Alice S. Horning	Rhetoric and Linguistics	Promote
Sharon L. Howell	Communication	Promote
Janice G. Schimmelman	Art History	Promote

Assistant professor eligible for early reemployment and promotion to the rank of
associate professor with tenure, effective August 15, 1994:

Andrei Slavin	Physics	Promote
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Emeritus Appointment

Rahman, Munibur, Professor Emeritus of Hindu-Urdu, effective August 15, 1994

Change of Status

Barnes, Carl F., from Professor of Art History and Archaeology, to Professor of Art History and Archaeology and Acting Chairperson, Department of Art and History, effective May 2, 1994 through June 23, 1994

Leaves with no Pay

Barnard, John, Professor of History, part-time (50%) leave from August 15, 1994 through August 14, 1995 (with prorated pay)

Vincent, Catherine, Assistant Professor of Nursing, part-time (50%) leave from August 15, 1994 through August 14, 1996 (with prorated pay)

Professional Development Leave

Venkateswaran, Uma Devi, Assistant Professor of Physics, professional development leave from January 3, 1995 through April 26, 1995 (with full pay)

Sabbatical Leaves

Barclay, Lizabeth A., Associate Professor of Management and Chairperson, Department of Management and Marketing, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Braunstein, Daniel N., Professor of Management and Psychology, sabbatical leave from September 1, 1994 through April 26, 1995 (with half pay)

Buffard-O'Shea, Nicole B., Assistant Professor of French, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Burke, Richard J., Professor of Philosophy, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Condic, Kristine Salomon, Associate Professor, University Library, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Gamboa, George J., Professor of Biological Sciences, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Grossman, Jerrold W., Professor of Mathematical Sciences, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Grudzien, Thaddeus A., Associate Professor of Biological Sciences, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Hamilton, Barbara B., Associate Professor of Rhetoric, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Hoepfner, Edward Haworth, Assistant Professor of English, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Horwitz, Ronald M., Professor of Finance, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Hunter, R. Douglas, Professor of Biological Sciences, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Klemanski, John S., Associate Professor of Political Science, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Krompart, Janet A., Professor, University Library, sabbatical leave from September 1, 1994 through December 17, 1994 (with half pay)

Kulkarni, Devadatta M., Assistant Professor of Mathematical Sciences, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Kulwicki, Anahid, Assistant Professor of Nursing, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Latcha, Michael A., Associate Professor of Engineering, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Loh, Robert Nan K., John F. Dodge Professor of Engineering and Director of

the Center for Robotics and Advanced Automation, sabbatical leave from September 1, 1994 through April 26, 1995 (with half pay)

Mabee, Barbara, Associate Professor of German, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Miller, Donald M., Professor of Education, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Moore, Kathleen H., Associate Professor of Chemistry, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Papazian, Mary Arshagouni, Assistant Professor of English, sabbatical leave from September 1, 1994 through April 26, 1995 (with half pay)

Severson, Mark W., Associate Professor of Chemistry, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Shillor, Meir, Professor of Mathematical Sciences, sabbatical leave from September 1, 1994 through April 26, 1995 (with half pay)

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

Wang, Stuart S., Professor of Mathematical Sciences, sabbatical leave from September 1, 1994 through December 17, 1994 (with full pay)

Sick Leave

Marney, John, Professor of Chinese, sick leave through March 7, 1994 (with full pay) (This action supersedes Board action of March 3, 1994)

Payne, Robert G., Associate Professor of Education and Chairperson, Department of Human Resource Development, sick leave from November 15, 1993 through March 7, 1994 (with full pay) (This action supersedes Board action of February 3, 1994)

Retirement

Miller, Steven R., Associate Professor of Chemistry, effective December 31, 1994

Mosher, Jane U., Assistant Director of Cultural Affairs for Community Relations, effective April 30, 1994

d. Acceptance of Gifts and Grants to Oakland University and Acceptance of the Report of Gifts and Grants to the Oakland University Foundation for the Period of February 1 to February 28, 1994

e. Resolution Recommending Michigan Liquor Control Commission Approval of a Class C License with a New Entertainment Permit for Arena Associates, Inc.

The following recommendation was submitted by Mr. Robert H. Bunger, Acting Secretary to the Board of Trustees, for Board approval:

BE IT RESOLVED, that a request from Arena Associates, Inc. for a new full year Class C license with entertainment permit to be located at Meadow Brook Music Festival, Oakland University, Rochester, Michigan, 48309, Oakland County, be considered for approval. It is the consensus of this legislative body that the application be recommended for issuance; and, be it further

RESOLVED, that this approval is subject to the contractual limitations required by Oakland University in its agreement with Arena Associates, Inc.

Trustee Chunovich, seconded by Trustee Rex E. Schlaybaugh, Jr., moved approval of the consent agenda.

Trustee Howard F. Sims questioned several faculty promotion recommendations in the University Personnel Actions that did not receive unanimous support from university.

President Packard noted that differences of opinion are not uncommon when recommendations come forward, and that the President has the final responsibility to weigh candidate strengths and weaknesses against established standards and make a recommendation to the Board.

Trustee David Fischer noted that the Finance and Personnel Advisory Committee determined at its April 4, 1994, meeting that the University Personnel Actions are to be submitted to the committee one month prior to submittal to the Board, to allow time to thoroughly consider the proposed actions.

Chairman Sharp stated that if the 30 day period is missed, the University Personnel Actions are not to be published until the Finance and Personnel Advisory Committee has resolved any and all questions that may arise.

President Packard stated that the administration this month utilized the procedure that has historically been used to determine promotions. She agreed that advancing committee review by one month is appropriate.

Trustee Sims asked the President for a special report providing the President's perspective on the case in which the President "overrode the negative recommendations of the three highest levels" below her. He also requested that in the future the Board be apprised of each individual who was considered for promotion at any review level, whether or not the individual case is presented to the Board for action.

Trustee Schlaybaugh agreed with Trustee Sims that adequate time must be provided for a complete review of faculty personnel actions.

The motion to approve the consent agenda was unanimously carried.

Policies Concerning Donor Recognition and Fees for Gifts

Mr. Disend presented the following resolution for Board approval:

RESOLVED, that the policy on Fees for Gifts dated April 7, 1994, and enclosed with this agenda item be adopted with immediate effect; and, be it further

RESOLVED, that the policy on Donor Recognition dated April 7, 1994, and enclosed with this agenda item be adopted with immediate effect.

The referenced policies read as follows:

**OAKLAND UNIVERSITY
FEES FOR GIFTS
POLICY**

April 7, 1994

PURPOSE

To educate the Oakland University community about the potential ethical problems involved in third party payments for gifts and to outline the procedure for dealing with such situations.

DEFINITIONS

Finder's Fees: A payment made to an individual who has motivated a donor to make a gift to Oakland University.

The university believes that finders' fees paid to attorneys, CPAs, or other paid advisors of a donor are an inherent conflict of interest. Payment from the university would mean that the donor's paid advisor is no longer providing independent counsel to the donor.

Because of the potential conflict of interest and the ethical problems that might cause, no one at the university is authorized to agree to make or take such payments. Requests for such payments are to be brought to the attention of the Vice President for University Relations.

**OAKLAND UNIVERSITY
DONOR RECOGNITION
POLICY**

April 7, 1994

PURPOSE

To provide a means of acknowledging commitments to Oakland University by granting recognition status in association with other donors.

DEFINITIONS

Recognition Amount The total amount of cash, non-cash, matching gifts, active pledge balances (on any five year pledges), and any irrevocable planned gift. Recognition amount applies to all individuals, families, corporations, foundations, and organizations that are donors of record to Oakland University.

The organizations defined below are collectively referred to in this section as donor recognition societies, and recognize a donor's cumulative giving to Oakland University.

Founders Society

A grouping for recognition purposes of donors with recognition amounts to the university of \$1 million or higher.

Charter Society

A grouping for recognition purposes of donors with recognition amounts to the university of at least \$500,000 but less than \$1 million.

Meadow Brook Society

A grouping for recognition purposes of donors with recognition amounts to the university of at least \$250,000 but less than \$500,000.

<u>President's Council</u>	A grouping for recognition purposes of donors with recognition amounts of at least \$100,000 and less than \$250,000.
<u>Matilda R. Wilson Society</u>	A grouping for recognition purposes of donors with recognition amounts to the university of at least \$50,000 and less than \$100,000.
<u>Alfred G. Wilson Society</u>	A grouping for recognition purposes of donors with recognition amounts between \$25,000 and \$49,999, with cumulative cash gifts totaling a minimum of \$15,000.
<u>President's Club</u>	A grouping for recognition purposes of individual donors who have made cumulative cash gifts to the university totaling a minimum of \$15,000.
<u>Heritage Society</u>	A grouping for recognition purposes of individual donors who have created bequests, other revocable forms of gifts, and gifts of life insurance to the university.

The recognition levels defined below are collectively referred to in this section as annual fund donor recognition levels. Each level or club is defined as a renewable means of recognition. Recognition is not cumulative from year to year.

<u>University Club</u>	\$10,000+ - 24,999
<u>Oakland Club</u>	5,000 - 9,999
<u>Pioneers' Club</u>	2,500 - 4,999
<u>Ambassadors</u>	1,000 - 2,499

Matching Gifts Gifts made by businesses that match the voluntary contributions of the firm's employees or other eligible participants. Matching may be done on a one-to-one, two-to-one, or other basis.

The Division of University Relations administers university-wide donor recognition societies and clubs in accordance with policies adopted by the Board of Trustees.

Recognition to a corporation, foundation, family, or organization is to the particular entity. However, each entity may designate one or more individuals to represent it in accepting recognition.

Corporation and foundation gifts which match employee donations are credited for recognition purposes to both the employee and the matching entity.

Eligibility for membership in the Alfred or Matilda Wilson Societies (cumulative giving totaling \$25,000 or \$50,000 or more, respectively) requires the purchase of a whole life insurance policy equal to three (3) times the entering threshold rule (\$75,000 for the Alfred Wilson Society, \$150,000 for the Matilda Wilson Society). Premium payments maintained for five (5) years on the policy and a cash contribution of half the amount necessary to enter the society will permit the policy purchasers to become eligible for induction into the Society. Payments must be continued for the life of the policy in order for recognition on this level to be continued on this basis.

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

Deferred Payment Plan for Student Tuition and Fees

Mr. Paul E. Bissonnette, Vice President for Finance and Administration, made the following recommendation to institute a voluntary deferred payment plan for student registration:

RESOLVED, that the Board of Trustees approves the implementation of a \$30 Deferred Tuition Payment Fee effective Fall semester, 1994.

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

Ratification of Emergency Contract for Restoration of Dodge Hall Following a Fire

Mr. Bissonnette asked the Board to ratify the emergency contracting action that was orally authorized by both Chairman James A. Sharp, Jr. and Vice Chairman Stephan Sharf following the Dodge Hall fire to permit immediate cleanup and repair work to begin. He noted that the fire damage is covered under the university's MUSIC agreement for liability and fire insurance, except for a \$50,000 deductible, which the university has prefunded at \$45,000. He presented the following recommendation:

RESOLVED, that the Board of Trustees ratify the contract with Quality Construction/Inrecon in the amount of \$250,000 for fire damage repair in Dodge Hall of Engineering.

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

Request to Dispose of Property

Mr. Bissonnette made the following recommendation to allow the university to dispose of three small pieces of property whose value is exceeded by the continuing cost of taxes:

RESOLVED, that the Vice President for Finance and Administration be authorized to cease paying taxes on all parcels described as:

Birmingham Legal Description: Lot 216 except South 40 feet Quarton Lake Estates, according to the plat thereof as recorded in Liber 14 of Plats, Pages 6, 6A, 6B, Oakland County Records.

Farmington Hills Legal Description: Lot 685, Grand River Crest No. 2, as recorded in Liber 30 of Plats, Page 2, Oakland County Records.

Auburn Hills Legal Description: Lot 22, Hitchman's Squirrel Road Estates, according to the plat thereof as recorded in Liber 67 of Plats, Page 5, Oakland County Records.

and to forfeit the properties for delinquent taxes.

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

Replacement of University Telephone System

Dr. Gary D. Russi, Vice President for Academic Affairs, made the following recommendation to enter into a purchase agreement to replace the university's analog telephone switch with a digital switch:

RESOLVED, that the Board of Trustees authorize the university to enter into a purchase agreement with Rolm for the acquisition of a new telephone system, and to enter into a five-year agreement with Rolm for the maintenance of the system. The purchase price is not to exceed \$883,000.

Trustee Sims, seconded by Trustee David Fischer, moved approval of the recommendation.

Trustee Sharf recommended that due to today's rapidly changing technology, an analysis of leasing versus purchasing a university telephone switch should be performed.

Mr. James H. Graham, Director of Electronic Systems Operations, stated that the leasing option was not reviewed. Funds for purchase have been aggregated through the years to replace the equipment, so leasing the equipment was not anticipated. Mr. Graham added that initially the university received some prices on a Rolm leasing option for three to five years on a lease/purchase basis.

Trustee David Fischer requested information on a negotiated leasing option, anticipated upgrades from Rolm whether as a purchase or a lease, and whether the lease would be direct from Rolm, as opposed to a third-party lease.

Trustee David Fischer, seconded by Trustee Sharf, moved to table this recommendation so that an analysis of leasing versus purchasing can be made and brought back to the Board. The motion was unanimously carried.

Other Items that May Come Before the Board

Students Michael Petroni, President of GALA; Dalayne Elyse; Becky Mertes; and Philip Lupo addressed the Board concerning nondiscrimination on the basis of sexual orientation.

Chairman Sharp appointed a committee consisting of Trustees Rex E. Schlaybaugh, Jr. and Andrea L. Fischer to perform fact finding on the sexual orientation issue and to report their findings and recommendations to him.

Chairman Sharp stated that students and employees at Oakland University have a right to be judged on merit, not on irrelevant criteria. Not only is this the law, it is also the firmly held belief of every member of the Board and the administration. Any student or employee who believes that decisions with respect to his or her education or employment within the university are being made in an arbitrary or capricious manner should report such discrimination to Oakland's Office of Equal Opportunity. Students should be aware, as well, that the university has recognized GALA as a student organization which provides support for gay and lesbian students and education about gay lifestyles. While Oakland cannot control the speech of its students, the university does have the power and the authority and the responsibility to respond to criminal actions, such as assault and destruction of property, as well as reports of activity which may pose a threat to the health and safety of the campus community. Students who are victims of such threats or crimes are urged to report them to the Oakland University Department of Public Safety and Police. The university police have a

legal obligation to respond to all reports of crime or potential violence, regardless of the beliefs or sexual orientation of the parties involved. He concluded that he hoped the issue can be brought to a mutually satisfactory resolution in the very near future.

Chairman Sharp called on Ms. Amy Rickstad, University Student Congress President, who had requested to address the Board.

Trustee Chunovich, who stated he supported Ms. Rickstad's stand on a trustee position, excused himself from the meeting at this time.

Ms. Rickstad read from the material she had supplied to the trustees on the arguments for creating a non-voting student seat on the Board of Trustees. She reported that through research, the University Student Congress has discovered that there are three possibilities for a non-voting student seat on the Board.

The first possibility is a shared governance policy where the students, subject to responsibilities and powers of the Board, the President, and the faculty, would be active participants in the immediate governance of and policy development for the institution. The Student Congress felt this policy was extreme in its intentions.

The second possibility would be a voting student seat on the Board, either initiated by a constitutional amendment or student application for a seat once it becomes vacant. After discussions with the Governor's Office and further research, the Student Congress decided against this course because it would be too cumbersome a task. Also, it is inherently contradictory to expect a student to serve a term of eight years.

The third possibility is a non-voting student seat, for a term of one year, which does not conflict with the State Constitution. The Student Congress decided this was the best route to follow and is proposing that a resolution similar to that of Saginaw Valley State University be drafted and submitted to the Board for their approval.

Ms. Rickstad noted that this position could be filled by the President of the University Student Congress or his or her designee; by nominations for the position, which would be submitted to the Board for their approval; or by an election in conjunction with the Student Congress elections at the end of each winter semester. She asked for the Board's consideration of these proposals.

Chairman Sharp asked if there were any other items to come before the Board.

Trustee Sharf stated that since he could not attend the last meeting when the Meadow Brook Music Festival issue was presented, he now wished to stress the importance of commencing

negotiations in July or August, 1994, for the future operation of the Festival. He noted that bookings must be done at least six months ahead of the season, so the earlier that negotiations begin to find a long-term contractor to operate the Festival, the better the situation will be.

Chairman Sharp inquired about the entertainment calendar for this year, and President Packard responded that some of the bookings include Ray Charles, Tower of Power, Emmy Lou Harris, Charlie Daniels, and the Indigo Girls. She added that Arena Associates is trying to book a symphony for several concerts as well, since the Detroit Symphony Orchestra already has a full schedule.

Trustee Sims, seconded by Trustee Handleman, moved adjournment of the meeting, and the motion was unanimously carried. The meeting was adjourned at 4:45 p.m.

Submitted,

Approved,



Rhonda G. Saunders
Administrative Assistant
Board of Trustees



James A. Sharp, Jr.
Chairman
Board of Trustees