

MINUTES OF THE MEETING  
OF THE  
MICHIGAN STATE UNIVERSITY  
BOARD OF TRUSTEES

May 16, 2008

President Simon called the meeting of the Board of Trustees to order at 9:35 a.m. in the Board Room.

Trustees present: Joel Ferguson, Melanie Foster, Dorothy Gonzales, Colleen McNamara, Donald Nugent, Faylene Owen, George Perles, and Scott Romney.

**University officers present:** President Simon, Provost Wilcox, Vice President Poston, Secretary Beekman, Vice President and General Counsel Noto, Vice Presidents Denbow, Gray, and Hudzik, Interim Vice Presidents Cash and Heil, Senior Advisor and Director Granberry Russell, and Senior Associate Vice President Maybank. **Faculty liaisons present:** Rebecca Henry, Jim Potchen, John Powell, and Spiro Rand. **Student liaisons present:** Jordan Robinson and Michael Webber.

All actions taken were by unanimous vote of the Trustees present, unless otherwise noted.

1. On a motion by Trustee Romney, supported by Trustee Gonzales, the **BOARD VOTED to approve** the agenda.
2. On a motion by Trustee Romney, supported by Trustee Foster, the **BOARD VOTED to approve** the minutes of February 22, 2008.
3. President's Report
  - A. Recognition of E. James Potchen and Geri Potchen

President Simon stated that the faculty, staff, and retirees have played an important role in the success of the Capital Campaign and on-going fund raising activities. She asked Trustee Ferguson to present Dr. E. James Potchen with the Theophilus C. Abbot Society plaque and explained that the award recognized monetary commitments to MSU between \$250,000 and \$499,999, or a documented planned gift of at least \$500,000.

Trustee Ferguson said that the award was just a small token of appreciation for the many contributions Dr. and Mrs. Potchen have made over the years.

Dr. Potchen thanked President Simon and the Board for the plaque. He indicated that MSU has been a big part of his life and will continue to be.

B. MSU Appoints New Assistant Vice President for Human Resources

President Simon asked Vice President Poston to announce the new appointment of the Assistant Vice President for Human Resources.

Vice President Poston said that Mr. Brent Bowditch has accepted the position. Mr. Bowditch is currently on the Human Resources staff at Purdue University. He will begin serving as MSU's Assistant Vice President for Human Resources on September 1, 2008.

C. MSU Innovation—Undergraduate Research and Arts Forum

President Simon asked Dr. Doug Estry, Associate Provost and Dean of Undergraduate Education, to comment on the undergraduate research forum.

Dean Estry stated that MSU undergraduate students are undertaking amazing research. The undergraduate research forum is an annual event showcasing that research. This year, over 500 MSU students presented research projects.

D. Three MSU Seniors Receive Sudler Prize in the Arts

President Simon said that three MSU seniors, John McLain Pray of Charlotte, Robert Parks of Grand Rapids, and Margaret McCall of Detroit, were recipients of the 2008 Louis Sudler Prize in the Arts. It is awarded annually to top college seniors from across the country who have demonstrated outstanding achievement in the area of performing and creative arts. Students are recommended for the award by faculty members from their home institutions.

E. Sorority and Fraternity Philanthropy

President Simon noted that Greek Week 2008 was a coming together of students who make up the 45 organizations of the Pan-Hellenic, Interfraternity, and Independent Greek Councils at MSU. Approximately 2,300 students participated in these events. Last year, a total of over \$228,000 was raised and donated to charitable organizations, including \$208,000 to the American Cancer Society via the Greek-only Relay for Life and \$5,000 each to Michigan Special Olympics, Make-A-Wish Foundation, a scholarship in the

name of Mary Beth Knox, and an organization called Share Laura's Hope.

President Simon stated that while the results for 2008 are not fully in, it is believed that the Greek-only Relay at MSU will be one of the top five largest earning Relay for Life programs in the country. The students deserve great thanks for their outstanding efforts.

F. Men's Golf Big Ten Championship and Coach of the Year

President Simon stated that the men's golf team captured its second consecutive Big Ten Championship at Forest Akers West Golf Course on April 27. In addition, first year head coach Sam Puryear was named the Big Ten Conference's Men's Golf Coach of the Year.

G. Women's Rowing Team Big Ten Championship

President Simon announced that the women's rowing team also won the Big Ten Championship. The fifth ranked Spartans head to the South/Central Regional May 17-18.

H. Joel Ferguson Honorary Degree

President Simon said that Adrian College presented Trustee Ferguson with an honorary degree at its commencement ceremony on April 27. It is recognition of the terrific role that Trustee Ferguson has played as a public servant. His actions exemplify those of a Land Grant scholar, a person of innovation, creativity, and determination, and the focus of public service for the good of the community.

4. There was no Public Participation on Issues Germane to the Agenda.

5. Personnel Actions

Provost Wilcox presented the following appointment:

Zimmer, Ronald W., AY—Associate Professor, Department of Educational Administration, \$105,000, with Tenure, effective August 16, 2008.

Trustee Owen **moved to approve** the appointment, with support by Trustee Foster.

Provost Wilcox said that Dr. Zimmer has a Ph.D. from the University of Kentucky. He has been a Visiting Assistant Professor at the Martin

School of Public Policy at the University of Kentucky and was an Associate Policy Analyst and Policy Analyst at the Rand Corporation from 1999 to present. His research interests include school reform, charter schools, and urban contexts.

**THE BOARD VOTED to approve** the appointment.

President Simon presented the following Personnel Actions:

It is recommended that the Executive Management position title of Vice President for Advancement be established effective May 16, 2008.

Further, it is recommended that appointment approval for this position be retained by the Board of Trustees and approval authority for all other personnel actions related to this position be delegated to the President.

It is recommended that the Executive Management position title of Associate Vice President for Advancement Services be established effective May 16, 2008.

Further, it is recommended that appointment approval and all other personnel actions related to this position be delegated to the President with authority from the President to redelegate to the Vice President for Advancement authority for personnel actions other than appointment.

It is recommended that the Executive Management position title of Associate Vice President for Alumni Relations and Executive Director of the MSU Alumni Association be established effective May 16, 2008.

Further, it is recommended that appointment approval and all other personnel actions related to this position be delegated to the President with authority for the President to redelegate to the Vice President for Advancement authority for personnel actions other than appointment.

Trustee Owen **moved to approve** the recommendations, with support by Trustee Foster.

**THE BOARD VOTED to approve** the recommendations.

Trustee McNamara exited the meeting and did not participate in the remainder of the meeting.

6. Gifts, Grants, and Contracts

Vice President Gray introduced Dr. Cris Sullivan, Associate Chair of the Psychology Department. As coordinator of MSU's Violence Against

Women Research and Outreach Initiative, Dr. Sullivan's presentation focused on the Initiative's research on violence against women and how that research has translated into positive action locally. (Appendix A)

7. Finance Committee

Trustee Nugent presented the Trustee Finance Committee Report and recommendations.

A. Authorization to Plan—Facility for Rare Isotope Beams

It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Facility for Rare Isotope Beams.

Trustee Nugent **moved to approve** the recommendation, with support from Trustee Foster.

Vice President Poston noted that this was in preparation for the submission of a grant proposal to the Department of Energy.

**THE BOARD VOTED to approve** the recommendation.

B. Bid and Contract Award (budget reduction) Spartan Village Apartments—Zone One Demolition—Phase II

It was recommended to the Board of Trustees that a contract in the amount of \$2,393,000 be awarded to Pitsch Companies and the budget be reduced from \$5,200,000 to \$4,800,000 for the project entitled Spartan Village Apartments—Zone One Demolition—Phase II.

Trustee Nugent **moved to approve** the recommendation, with support from Trustee Foster.

Trustee Foster asked why the budget for the project was double the amount of the bid.

Mr. Bob Nestle, University Engineer, said that MSU's Physical Plant would perform some of the work in addition to design fees and contingencies that are included in the budget.

**THE BOARD VOTED to approve** the recommendation.

C. Bid and Contract Award (budget adjustment) Erickson Hall—Exterior Restoration

It was recommended to the Board of Trustees that a contract in the amount of \$2,965,000 be awarded to Irish Construction Company and the budget be increased from \$2,100,000 to \$3,700,000 for the project entitled Erickson Hall—Exterior Restoration.

Trustee Nugent **moved to approve** the recommendation, with support from Trustee Romney.

Vice President Poston indicated that the cost increase was due to a construction drawing error: the structural supports that the architect intended to use would not be strong enough to support the curtain wall.

**THE BOARD VOTED to approve** the recommendation.

D. Bid and Contract Award—MSU Surplus Store and Recycling Center

It was recommended to the Board of Trustees that a contract in the amount of \$8,855,700 be awarded to Irish Construction Company for the project entitled MSU Surplus Store and Recycling Center.

Trustee Nugent **moved to approve** the recommendation, with support from Trustee Owen.

**THE BOARD VOTED to approve** the recommendation.

E. New Investment Manager—Sankaty Advisors, LLC

It was recommended to the Board of Trustees that Sankaty Advisors, LLP be selected as an investment manager.

Trustee Nugent **moved to approve** the recommendation, with support from Trustee Foster.

Trustee Romney abstained from voting due to his investments in other funds affiliated with Bain Capital.

**THE BOARD VOTED to approve** the recommendation.

F. New Investment Manager—U.S. Venture Partners

It was recommended to the Board of Trustees that U.S. Venture Partners be selected as an investment manager.

Trustee Nugent **moved to approve** the recommendation, with support from Trustee Foster.

**THE BOARD VOTED to approve** the recommendation.

President Simon stated that information about the University's projected 2008-09 fiscal year budget was available for review on MSU's website. She noted that MSU was continuing to work on simplifying the tuition and fees structure in order to address concerns of both full-time and part-time students. Expenses for healthcare and faculty salaries continue to be important issues, in addition to utility costs.

8. Policy Committee

Trustee Romney presented the Trustee Policy Committee Report and recommendations.

A. Adoption of Revision to the MSU Bylaws for Academic Governance, Section 4.9.1

It was recommended to the Board of Trustees that it approve revisions to the Michigan State University Bylaws for Academic Governance, Section 4.9.1. (Appendix B)

Trustee Romney **moved to approve** the recommendation, with support from Trustee Owen.

**THE BOARD VOTED to approve** the recommendation.

B. Repeal of the Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University

It was recommended to the Board of Trustees that it repeal the Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University. (Appendix C)

Trustee Romney **moved to approve** the recommendation, with support from Trustee Foster.

**THE BOARD VOTED to approve** the recommendation.

C. Approval of Contract Terms: *Star Tech*

It was recommended to the Board of Trustees that it approve the execution of a professional services contract with Star Tech, consistent with earlier public notice given at a Board meeting and

with the "Professional Services Contract Term Sheet" distributed to the Board. (Appendix D)

Trustee Romney **moved to approve** the recommendation, with support from Trustee Nugent.

**THE BOARD VOTED to approve** the recommendation.

- D. Notice of Intent to Negotiate a Contract with *Toxicogenomic Informatics & Solutions, LLC*, a Company in which a Faculty Interest Exists

Pursuant to State law, Trustee Romney gave public notice of the University's intent to negotiate contracts with *Toxicogenomic Informatics & Solutions, LLC*, a Michigan limited liability company based in Lansing. Dr. Lyle D. Burgoon, a Visiting Assistant Professor in the Department of Biochemistry and Molecular Biology and Pharmacology and Toxicology, and Dr. Timothy R. Zacharewski, a Professor in the Department of Biochemistry and Molecular Biology and the National Food Safety and Toxicology Center, each own, or have options to buy, an ownership interest which exceeds 1 percent of the company. Dr. Burgoon and Dr. Zacharewski are also officers in *Toxiogenomic Informatics & Solutions, LLC*.

9. Trustee Audit Committee

Trustee Perles said the Audit Committee had an overview of the Internal Audit Plan for 2008-09 and of the activities of the Office of Regulatory Affairs, which included the human research protection program, the animal care program, and environmental health and safety.

10. Trustees Comments

Trustee Ferguson stated that MSU was enjoying a great spring and that he looked forward to the next meeting.

Trustee Romney said he was impressed with the diligence of MSU in its work to keep costs down and to meet compliance requirements. He noted that there were so many examples of excellence across campus and that he was proud to see MSU accomplishing so much.

Trustee Owen introduced Dr. Rand Spiro, Faculty Liaison to the Board, as a new member of the liaison committee. She asked Dr. James Potchen, Faculty Liaison to the Board, to comment on energy conservation initiatives.



Dr. Potchen said the faculty are working to reduce excessive energy use on campus. There is a great opportunity to create substantial savings by reducing the amount of energy used.

Trustee Nugent thanked everyone involved in commencement events. The ceremonies are always very impressive for the students and parents that attend. Trustee Nugent noted that he and Chairman Ferguson had the pleasure of joining the first commencement exercise of the College of Music since it was named the College of Music.

Trustee Perles said a fundraiser at the Breslin Center for John Shinsky and his orphanage was attended by over 1,100 people and featured Terry Bradshaw as the speaker. Trustee Perles noted that guests enjoyed being in the Breslin Center and suggested that more large banquets be held there.

Trustee Gonzales said she was glad to see Trustee Perles recovering so quickly from surgery and wished him well.

Trustee Foster asked the student liaisons to the Board to introduce themselves.

Mr. Michael Webber, student liaison to the Board, said he was representing the Student Assembly for ASMSU.

Mr. Jordan Robinson, student liaison to the Board, said he represented the Council of Graduate Students.

Trustee Foster thanked them for their participation in the morning meeting. She thanked University Development for organizing the beam raising for the Secchia Center in Grand Rapids. The event was well attended.

## 11. Public Participation on Issues Not Germane To The Agenda

### A. MSU and Interlochen

Mr. John Stewart, State Representative and MSU Alumnus, said he wanted to speak about MSU and its relationship with the Interlochen National Arts Academy. He noted that Mr. John Bragle, MSU Alumnus, had been chosen as conductor and musical director of all choral activities at Interlochen. This is one of the few times that an MSU graduate has been chosen for this position. Mr. Stewart asked that MSU support the efforts of the Interlochen National Arts Academy and its new conductor and director.

J and Interlochen

John Bragle, conductor and musical director at the Interlochen  
onal Arts Academy, said that he hoped Interlochen students  
ld be visiting MSU's College of Music. He said he looked  
ard to working closely with MSU in his new position.

on by Trustee Romney and supported by Trustee Nugent, **THE**  
**'OTED to adjourn** at 10:45 a.m.

mitted,



**RESEARCH  
PRESENTATION  
TO THE MSU BOARD OF TRUSTEES**

**MAY 16, 2008**

**CRIS SULLIVAN  
COLLEGE OF SOCIAL SCIENCE**

Facilitated by the Office of the Vice President for  
Research and Graduate Studies

MICHIGAN STATE  
UNIVERSITY



*Violence Against Women*  
*Research & Outreach Initiative*



*May 16, 2008*

DR. CRIS M. SULLIVAN

DEPARTMENT OF PSYCHOLOGY

## || Importance of Researching Violence Against Women



**'violence against women'**  
is a  
pervasive and serious problem  
and includes  
sexual abuse, rape, intimate partner  
abuse (including woman battering),  
elder abuse, incest, sexual harassment,  
stalking, femicide, trafficking,  
prostitution, and dowry abuse.

## **Mental and Physical Health Consequences**

Depression      Post Traumatic Stress Disorder      Anxiety      Suicidal Thoughts  
Suicide Attempts      Emotional Detachment      Helplessness      Chronic Illness  
Nausea      Infertility      Stress      Sexual Transmitted Infection      Bladder Infection  
Miscarriage      Disordered Eating Behavior      Broken Bones      Substance Use  
Bruising      Muscle Cramps      Partial loss of Vision      Fear      Poor Appetite  
Partial loss of Hearing      Self-esteem      Sexual Dysfunction      Vaginal Bleeding  
Migraine Headaches      Stomach pain  
Chronic Back Pain      Broken Teeth  
Pregnancy Complications      Social Withdrawal  
Sleeping Problems      Flashbacks  
Confusion      Shock      Unplanned Pregnancy  
Chest Pains      Pelvic Pain      Fatigue  
Loss of Interest      Nightmares  
Self-blame      Intrusive Thoughts      Ulcers



## **VAWROI Core Faculty**

### **DEPARTMENT OF PSYCHOLOGY**

*N. Buchanan, D. Bybee, R. Campbell, & C. Sullivan*

### **SCHOOL OF SOCIAL WORK**

*A. Kennedy & S. Kubiak*

### **DEPARTMENT OF FAMILY & CHILD ECOLOGY**

*R. Parra-Cardona*

### **SCHOOL OF CRIMINAL JUSTICE**

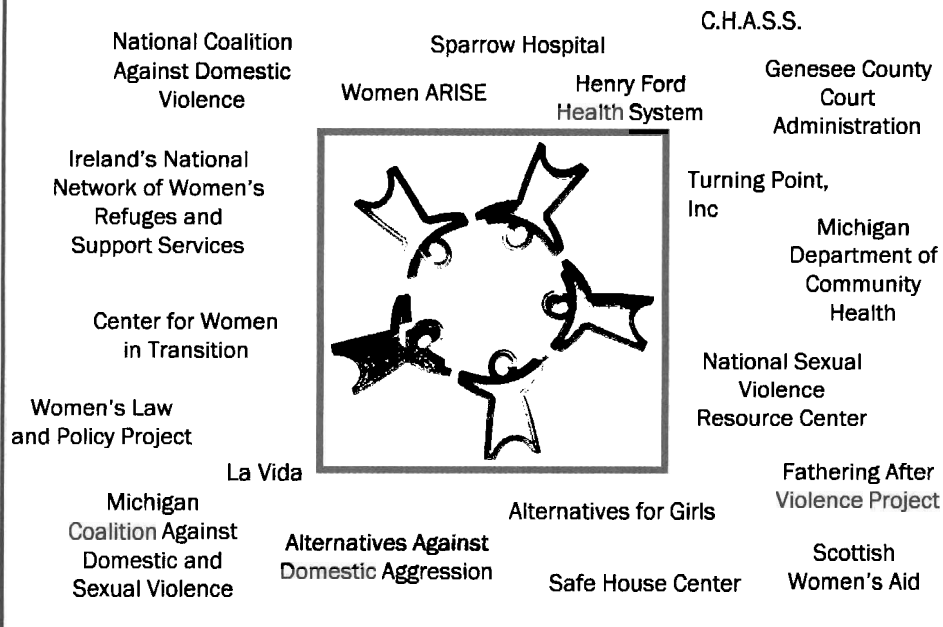
*C. Maxwell*

### **COLLEGE OF COMMUNICATION ARTS AND SCIENCES**

*L. Post*



## || Some of Our Community Partners



## || Some Current Research Projects

- Building a violence against women research infrastructure in a community setting
- Violence against women on college campuses
- Sexual Assault Nurse Examiner programs
- Intimate partner abuse in Asian communities
- Prosecution of intimate partner abuse and sexual assault
- Accountability and treatment for Latino men who batter
- Treatment for incarcerated women with a history of victimization
- Homeless pregnant or parenting adolescent women exposed to violence
- Sexual assault surveillance system



## Faculty Partners' Extramural Funding Sources



Over \$25 Million

National Institute of Mental Health, National Institute of Drug Abuse, Centers for Disease Control, National Institute of Justice, U.S. Department of Justice, Robert Wood Johnson Foundation, Michigan Department of Community Health, Center for Impact Research, Soros Foundation, Michigan Department of Corrections, National Sexual Assault Resource Center, Detroit Wayne County Community Mental Health Board, and others.

## Some Examples of Public Policy Impact

Expertise informed National Academy of Science's federal research agenda on violence against women  
(*C. Maxwell & L. Post*)

Research used as congressional evidence for new provision in Violence Against Women Act  
(*R. Campbell & C. Sullivan*)



Project will institutionalize screening, assessment, and referral of mental health needs for women entering the Wayne County Jail  
(*S. Kubiak*)

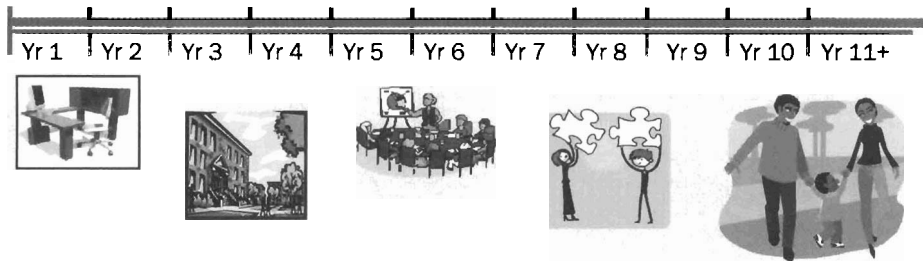
Research informed Illinois state policy protecting adolescents victimized by physical or sexual violence  
(*A. Kennedy*)

## NIMH Violence Against Women Translational Research Center

NIMH Developing  
Center Grant:  
\$5 Million

NIMH Advanced  
Center Grant  
\$10 Million

Grant  
Renewal  
\$10 Million



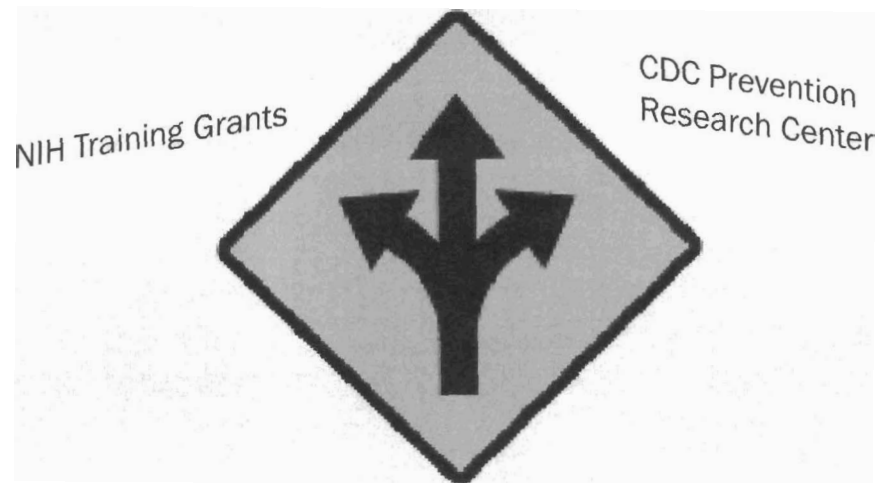
## Research Goals of the NIMH-Funded Center

1. Examine mental health outcomes of diverse groups of women who have experienced cumulative victimizations.
2. Test interventions/services designed to improve these mental health outcomes.
3. Collaborate with community partners and use findings to impact policy.





## || **Future Directions**



*MSU, a national and international leader  
in violence against women research*

Current Language

4.9.1. The Committee on Student Affairs shall have four faculty members selected by the Faculty Council. The committee shall have seven student members appointed as follows: *three ASMSU Student Assembly appointees, viz. the Chairperson of the ASMSU Student Assembly or a designee, an appointee of the Black Student Alliance with the approval of the ASMSU Student Assembly and a female appointee; two COGS appointees; and two ASMSU Academic Assembly appointees, viz. one college representative and one other ASMSU Academic Assembly member, one of whom should be non-white. The Vice President for Student Affairs and Services or a designee shall be a member with voice but no vote.*

Proposed Language

4.9.1. The Committee on Student Affairs shall have four faculty members selected by the Faculty Council. The committee shall have seven student members appointed as follows:

*Three ASMSU Student Assembly appointees, including the Chairperson of the ASMSU Student Assembly, or a designee; two COGS appointees; and two ASMSU Academic Assembly appointees. Committee appointees are expected to reflect the diversity of their constituencies. The Vice President for Student Affairs and Services, or a designee, and the University Ombudsman, shall be members with voice, but no vote.*

# Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University

## VI. RESEARCH AND CREATIVE ENDEAVOR *(Cont.)*

### INTERIM GUIDELINES FOR POTENTIAL CONFLICTS OF INTEREST IN ACADEMIC AREAS OF THE UNIVERSITY

*Commercialization by faculty/academic staff of their research poses special conflict of interest possibilities. These are dealt with through the following Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University approved by the Board of Trustees on October 22, 1982.*

#### I. Preamble

Universities have very important roles in the societies which support them. Among these roles is honest and candid assessment of ideas, facts, the state of knowledge and of assessments made by other groups or organizations. This important role of certifying the accuracy, validity or status of information is only possible if those who perform the task are, and are perceived to be, free from bias and conflicts of interest.

Further, faculty and academic administrators in accepting full-time University appointments thereby make a commitment to the University that is understood to be full-time. Every academic member of the University is expected to accord the University his or her primary professional loyalty, and to arrange outside obligations, financial interests and activities so as not to conflict with this overriding commitment to the University.

At the same time, involvement of University professionals in outside professional activities, both public and private, often serves not only the participants but the University as a whole and the public interest as well. Further, a land-grant university such as Michigan State University is expected to be broadly engaged in facilitating the application of knowledge to new and improved technologies and to meet the needs of society for its improvement and enrichment.

The potential for real and perceived conflicts of interest and conflicts of commitment that can arise when academic employees are simultaneously involved in more than one organization must be clearly identified by the individuals themselves and made known to their chairpersons, deans or other administrators so that any potentially detrimental influences can be avoided.

The University already has several sets of policies and procedures for guiding activities in these areas. Among these are the *Bylaws of the Board of Trustees*, the *MSU Faculty Handbook*, Faculty and University Rights in University Sponsored Instructional Materials, Michigan State University Patent Policy, Basic Policies for Sponsored Research and Consulting Relationships, *Outside Work for Pay*, and others. It is the academic employee's responsibility to be aware of the content of these policies and guidelines, and when in doubt, to refer the full details of the matter to an appropriate academic administrator.

The growing frequency with which current or prospective faculty research provides a point of departure for commercial development of a technology is bringing new exposure of academic employees to potential conflicts of interest and conflicts of commitment. The University wishes to encourage the emergence of new high technology industries while avoiding the problems that potential conflicts of

interest can bring. The following interim guidelines will provide a framework for handling these potential conflicts. Following review of these interim guidelines by appropriate academic governance committees, existing policies and guidelines will be amended to provide for these special cases.

## **II. Supplemental Guidelines and Procedures for Addressing Potential Conflicts of Interest and Conflicts of Commitment when Dealing with Firms in which MSU Faculty Have an Interest**

### **A. Definitions**

1. **Conflicts of Interest** are situations in which University employees may have an opportunity to influence University administrative, business or academic decisions in ways that could lead to personal gain or give improper advantage to others.
2. **Conflicts of Commitment** are situations in which a University employee's external activities, often valuable in themselves, and even when they result in no personal gain or improper advantage for others, nevertheless interfere improperly with his or her paramount obligations to students, colleagues and the University.

### **B. Proposed Guidelines and Procedures**

1. The applicable laws of the federal government and the state of Michigan and policies of the Board of Trustees of Michigan State University shall control University guidelines and practices for addressing potential conflicts of interest.
2. Where faculty are participating in a firm wishing to negotiate a patent or copyright license or a contract involving some of those faculty, full written disclosure is required of all aspects of any and all participating faculty member(s)' relationship with that firm. Such written disclosure must be provided by the faculty member(s) and/or the company before any agreements with the company can be completed. Disclosed information must be provided in writing to the department chairperson, dean and the University officers negotiating the particular agreement under consideration.
3. If disclosure reveals that the potential for conflicts of interest is of a *de minimis* nature, the cognizant University officers may proceed to negotiate agreements and to institute appropriate safeguards. If the disclosures reveal that the potential for other than *de minimis* conflicts of interest or conflicts of commitment are present, an agreement may not be completed without a formal prior report by the president to the Board of Trustees. If acceptable means can be assured for avoiding undesirable consequences of the conflict situations, the president shall inform the Board of the proposed procedures. The Board may delegate the decision to approve the agreement to the president or reserve it for themselves.
4. *De minimis* potential for conflicts of interest shall be deemed to exist if a), b) or c) prevail:
  1. There is only one MSU faculty member involved with the company and all five of the following are true:
    1. The faculty member and his or her immediate family cumulatively own or have options to buy less than five (5) percent of the company's voting stock,
    2. The faculty member holds no executive office in the company and is not a member

nor an officer of its Board of Directors,

3. The faculty member contemplates no consulting arrangement with the company that exceeds the University's upper limits on number of days per month or the upper limits for rates of pay for consultants of comparable expertise and experience in the field,
4. The faculty member agrees in writing to make no changes in any of these relationships during the period of any agreement between the company and the University without prior notice to and approval of the University,
5. The faculty member agrees to report annually to the chair, dean and cognizant University officer on the agreement concerning his/her relationships with the company.

- OR-

2. If there are two or more MSU faculty members with relationships to the company and all five of the following are true:
  1. They and their families collectively do not own or have options to buy more than thirty (30) percent, nor individually own or have options to buy more than five (5) percent of the company's voting stock,
  2. They hold no executive offices nor board memberships nor board office in the company,
  3. They contemplate no consulting agreements that exceed University limits on days per month or exceed the rate paid to other consultants of comparable expertise and experience in the field,
  4. They each agree in writing not to change their relationships with the company without notification of and prior approval by the University,
  5. They each annually report to the cognizant University officer responsible for managing the agreement with the company concerning their relationships with the company.

- OR

3. A faculty member agrees to reduce his/her appointment in the department during the period of potential conflict and this is approved by the chairperson, dean and provost.
5. Other than *de minimus* potential conflicts of interest are those situations which exceed the limits outlined in B.4. These are to be handled as stated in B.3.

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Next: Guidelines for Potential Conflicts of Interest Pertaining to Applications for NSF and PHS Research Support

## Conflicts of Interest, Faculty

*This policy was approved by the Board of Trustees on April 13, 2006.*

1. (a) As a modern research-intensive land-grant university, Michigan State University must maintain the trust of the general public which supports it and which it serves. For the University to do so, its faculty<sup>1</sup> must pursue their research, teaching, outreach, and service responsibilities with integrity and proper professional judgment in a manner consistent with the highest standards of their respective disciplines and in the best interests of the University. A faculty member's reputation for integrity and for exercising proper professional judgment can be seriously compromised, however, if the faculty member fails to avoid or disclose a conflict of interest. Moreover, an individual faculty member's unmanaged and unresolved conflicts of interest can undermine confidence in the university and, thus, harm its standing and that of its entire faculty.  
  
(b) This Policy addresses the disclosure, review, management, and resolution of conflicts of interest relating to the performance by faculty of their research, teaching, outreach, and service responsibilities at the University. For purposes of this Policy, a conflict of interest exists when a faculty member's financial interests or other opportunities for tangible personal benefit may compromise, or reasonably appear to compromise, the independence of judgment with which the faculty member performs his/her responsibilities at the University.
2. The President, in consultation with a joint subcommittee of the University Graduate Council (UGC) and the University Committee on Faculty Affairs (UCFA), will appoint a Faculty Conflict of Interest Information Officer (FCOIIO) to serve as a resource to faculty and administrators on defining and addressing conflicts of interest and to convene the Conflict Review Committee described in Paragraph 6.
3. Each faculty member is responsible for disclosing his/her own conflicts of interest in accordance with the procedure established under Paragraph 4(a).
4. (a) (i) The FCOIIO shall prepare a model college procedure for faculty members to report their own conflicts of interest.  
  
(ii) Any college that chooses not to adopt the model procedure may develop its own procedure for its faculty to report their conflicts of interest, provided that the Vice President for Research and Graduate Studies (VPRGS) approved the procedure after consulting with the FCOIIO.  
  
(b) The VPRGS shall establish a mechanism, after consulting with the FCOIIO, for investigating concerns or allegations regarding conflicts of interest on the part of faculty which are not self-reported.

5. (a) The conduct of research by faculty, particularly research involving human subjects, and efforts to commercialize intellectual property created by faculty present situations in which the disclosure and management of conflicts of interest are especially important. The University administrators charged to manage those areas shall, therefore, prepare disclosure processes, in consultation with academic governance, that accord with applicable legal requirements, including rules imposed by external funding sources, and that permit the timely assessment and resolution of conflicts of interest relating to research and to commercialization of intellectual property created by faculty.

(b) The University will not make expenditures on externally funded sponsored research or transfer rights in intellectual property to entities in which faculty have a financial interest unless all required disclosures have been made and any conflicts of interest identified as a result of the disclosures have been evaluated and resolved.

6. The VPRGS shall establish a Conflict Review Committee (CRC) composed of three faculty members from different disciplines, one of whom they will select as chairperson. The deans and the director of the National Superconducting Cyclotron Laboratory (NSCL), after consultation with the relevant faculty advisory body at the college/NSCL, will nominate faculty candidates. Final selection of the faculty members will be made by the joint subcommittee of the UGC and the UCFA. CRC members shall serve for staggered three-year terms. They may be reappointed to additional terms. The FCOIIO shall convene the CRC and may assist the CRC in its deliberations.

7. (a) When a faculty member self-reports a possible conflict of interest pursuant to the procedure established in Paragraph 4(a), the faculty member's unit administrator should review the disclosure with the faculty member's dean<sup>2</sup>. If the unit administrator and the dean agree that no conflict of interest exists, they shall inform the faculty member and the VPRGS of that determination in writing.

(b) (i) If any conflict of interest is identified as a result of the disclosures made by a faculty member under Paragraph 4(a), or as a result of a report made by another party and investigated pursuant to the mechanism established in Paragraph 4(b), the faculty member's unit administrator shall develop a written plan for the resolution or management of the conflict of interest in consultation with the faculty member, the FCOIIO, and, depending on the subject matter of the conflict, appropriate representatives of the central administration.

(ii) The plan shall be submitted, first, to the faculty member's dean for approval, then to the CRC for review and comment, and, finally, to the VPRGS, who may accept the plan or decide to implement another plan for the management or resolution of the conflict of interest.

(iii) If the dean does not approve the plan developed by the unit administrator, the dean may adopt a different plan for the management or resolution of the conflict of interest. In that event, both plans shall be submitted to the CRC for its review and comment. After receiving the recommendations of the CRC on the matter, the VPRGS shall decide on the plan for the management or resolution of the conflict of interest, and shall report his/her decision to the CRC, faculty member, unit administrator, and dean.

(iv) If the faculty member does not agree with the unit administrator's plan for the management or resolution of the conflict of interest, the faculty member may submit an alternative plan to the dean. The dean may accept the faculty member's plan, the unit administrator's plan, or formulate a different plan. The plans of the faculty member, unit administrator, and dean shall be distributed to the members of the CRC, which shall submit its recommendations on the matter to the VPRGS. The VPRGS shall decide on the plan for the management or resolution of the conflict of interest, and shall report his/her decision to the CRC, faculty member, unit administrator, and dean.

(v) In devising the plan to address the conflict of interest, the unit administrator, the dean, and the VPRGS shall seek to employ the least intrusive management techniques that will suffice to resolve the ethical and legal concerns arising from the conflict. Sometimes conflict of interest situations may be satisfactorily addressed through public disclosure of the faculty member's financial interest (or other opportunity for tangible personal benefit) that is the cause of the conflict of interest. On other occasions, stronger measures may be required to resolve or eliminate a serious conflict of interest.

8. The University encourages faculty authorship of instructional materials and does not discourage the use of faculty-authored materials in the faculty member's courses. To avoid the semblance of any conflict of interest, however, each academic unit should establish guidelines appropriate to its circumstances for the selection of instructional materials whose purchase by students results in a financial benefit to the faculty member who assigns those materials.
9. Each faculty member shall supply the appropriate administrators with all information necessary for those administrators to review, manage, and resolve any conflicts of interest involving that faculty member. The University shall respect the confidentiality of private financial and other private information supplied by faculty, and shall not release this information publicly unless it is legally required to do so, or unless the resolution or elimination of the conflict of interest requires the public disclosure of the information, or unless the faculty member consents to its public disclosure.
10. A faculty member who violates this Policy may be subject to disciplinary action as may apply to violations of other University policies.
11. Any member of the University community who knowingly files a false allegation that this Policy has been violated, or who knowingly provides false information to or intentionally misleads University officials who are investigating an alleged violation of this Policy, may be subject to disciplinary action.
12. The FCOIIO, in consultation with relevant administrators and appropriate faculty committees,



shall arrange for the preparation of a handbook for faculty, incorporating a list of frequently asked questions, explaining and interpreting this Policy. Assessment, management, and resolution of conflicts of interest should take into account the different norms, customs, and expectations of the various disciplines found among faculty in the University. Therefore, each college (or relevant non-college unit) is encouraged to prepare, in consultation with the FCOIIO, a supplement to the handbook, with frequently asked questions, that addresses conflict of interest issues specific to the disciplines and activities of the faculty of that college.

## **Appendix: Role, Appointment, and Evaluation of the Faculty Conflict of Interest Information Officer (FCOIIO)**

### 1. Role of the FCOIIO

- A. Serves as an information resource to faculty and administrators on defining and addressing conflicts of interest, as defined in the policy (Paragraph 2).
- B. Prepares a model college procedure to be used in establishing conflict reporting mechanisms (Paragraph 4(a)).
- C. Convenes the Conflict Review Committee (CRC) and assists the CRC in its deliberations (Paragraph 6)
- D. Arranges preparation of a handbook incorporating a list of frequently asked questions explaining and interpreting the Policy in consultation with relevant administrators and appropriate faculty committees (Paragraph 12).

### 2. Appointment of the FCOIIO

- A. The FCOIIO shall be appointed, preferably from the tenured faculty of Michigan State University, by the President after consultation with a joint subcommittee of the University Graduate Council (UGC) and the University Committee on Faculty Affairs (UCFA).
- B. The FCOIIO shall report to the President and shall keep the Provost and VPRGS informed about implementation of the Policy and about educational and other activities of his/her office.
- C. Should the FCOIIO recuse himself/herself from FCOIIO duties with regard to a particular conflict of interest, the President shall appoint a replacement after consultation with the chairperson of the Academic Subcommittee of UGC.

### 3. Evaluation of FCOIIO

- A. The FCOIIO shall submit a report annually to the UGC describing progress on the implementation of the Policy, relevant consultations with college faculty and administrators, the caseload of and topics addressed by the CRC, and educational and other activities by the FCOIIO.

B. The UGC shall evaluate the performance of the FCOIIO at intervals not to exceed five years pursuant to criteria established by the President, Provost, and VPRGS in consultation with the UGC. The UGC shall submit the results of this evaluation of the FCOIIO to the President, the Provost, and the VPRGS.

#### 4. Nature of Appointment and Other Matters

A. The FCOIIO shall serve at the pleasure of the President on a half-time basis for renewable terms of five years.

B. The Office of the VPRGS shall provide the FCOIIO with administrative support.

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1 Although “faculty” is used throughout for simplicity, this Policy applies to all individuals appointed with pay through the academic personnel system other than graduate assistants.

2 In this Policy, “dean” means deans of colleges and the equivalent unit administrators for faculty appointed in non-college units.

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Next: Health Assessment

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**PROFESSIONAL SERVICES CONTRACT TERM SHEET**

**Party:** Star Tech

**Contract:** Professional services contract for technical and engineering services for the design, service, and maintenance of high power electronic systems, including electronic timing circuits and a copper vapor laser.

**Term:** 12 months

**Payment:** Up to a maximum of \$12,000

**Use of University Facilities/Personnel:**

No University facilities or services will be utilized by Star Tech under the terms of the professional services contract. University employee John Brandon will be employed by Star Tech to perform the technical and engineering services negotiated under the professional services contract.

**Organization Type:** Michigan based sole proprietorship

**Personnel Interest:**

The spouse of John Brandon, a staff engineer in the National Superconducting Cyclotron Laboratory, is the sole proprietor of Star Tech. Star Tech intends to employ Mr. Brandon to perform the technical and engineering services negotiated under the professional services contract.