

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

April 24, 2009

President Simon called the meeting of the Board of Trustees to order at 9:40 a.m. in the Board Room.

Trustees present: Dianne Byrum, Joel Ferguson, Melanie Foster, Colleen McNamara, Donald W. Nugent (by telephone), Faylene Owen, George Perles, and Diann Woodard.

University officers present: President Simon, Provost Wilcox, Vice President Poston, Secretary Beekman, Vice President and General Counsel Noto, Vice Presidents Denbow, Gray, Groves, Hudzik, June, and Webster, Senior Advisor and Director Granberry Russell, and Acting Executive Director Cash. Faculty liaisons present: Mark Largent, Deborah Moriarty, Jim Potchen, Alvin Smucker and Rand Spiro. Student liaisons present: Kristy Currier, Kyle Dysarz, Manish Madan, Rachel Naegele, Maweza Razzaq, and Michael Webber.

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

1. On a motion by Trustee Foster, supported by Trustee Woodard, the **BOARD VOTED to approve** the agenda.
2. On a motion by Trustee Owen, supported by Trustee Foster, the **BOARD VOTED to approve** the minutes of the Board meeting of February 13, 2009.
3. Board of Trustees Award Presentations

Trustees Ferguson and Foster presented the Board of Trustees Award to the following students:

1. Stephanie L. Barth—Major: Advertising; 4.0 GPA
2. Chelsea K. Duggan—Major: Nutritional Sciences; 4.0 GPA
3. Aylysh B. Gallager—Major: Economics; Member of the Honors College; 4.0 GPA

4. Amanda E. Harris—Major: Biology; Member of the Honors College; 4.0 GPA
5. Jennifer M. Hurst—Major: Finance; Member of the Honors College; 4.0 GPA
6. Meghan E. Jacokes—Major: Anthropology; Member of the Honors College; 4.0 GPA
7. Sameer S. Khatri—Major: Human Biology; 4.0 GPA
8. Alicia N. Kramer—Major: Physiology; Member of the Honors College; 4.0 GPA
9. Ruth Kuo—Major: Nutritional Sciences; Member of the Honors College; 4.0 GPA
10. Amanda R. Leach—Major: Nutritional Sciences; Member of the Honors College; 4.0 GPA
11. Meagan O. Mackey—Major: Physiology; 4.0 GPA
12. Blair E. Morley—Major: Nursing; Member of the Honors College; 4.0 GPA
13. Christine E. Sheffler—Major: Communicative Sciences and Disorders; Member of the Honors College; 4.0 GPA
14. Craig A. Smith—Major: Physiology; Member of the Honors College; 4.0 GPA
15. Erin E. Sutton—Major: Education; Member of the Honors College; 4.0 GPA

#### 4. President's Report

##### A. Commencement

President Simon congratulated the Board of Trustees Award recipients and noted that Archbishop Desmond Tutu, Nobel Peace Prize recipient, will deliver the convocation address. Dan Rather, journalist and former CBS News anchor, will address the advanced degree candidates. Wallace Jefferson, Chief Justice of the Texas Supreme Court, will receive an honorary doctorate of law. Jefferson, a graduate of MSU's James Madison College, is the first African American judge elected to the Texas Supreme Court.

B. FRIB Award for Martin Waymire

President Simon said that the 2008 public education campaign that supported MSU's successful effort to house the FRIB at MSU is a finalist for the nation's top award for public relations excellence, the Silver Anvil. The FRIB campaign also captured a top Pinnacle Award in the category of Community Relations at the annual Pace Awards. Congratulations to the Martin Waymire team and Heather Swain, Geoff Koch and his team at the cyclotron, Steve Webster, and the many other members of Team MSU who contributed to this success.

C. Truman and Udall Scholarship Nominees

President Simon stated that MSU has four Truman Scholarship nominees: Marci Baranski, a junior majoring in biochemistry in Lyman Briggs College and a member of the Honors College; Daniel Blue, a junior majoring in international relations in James Madison College and a member of the Honors College; Megan Kursik, a junior majoring in social relations and policy in James Madison College and a member of the Honors College; and Nadar Zohdy, a junior majoring in international relations in James Madison College and a member of the Honors College.

President Simon noted that MSU also has four Udall Scholarship nominees: Marci Baranski, as previously mentioned; Autumn Mitchell, a junior majoring in linguistics in the College of Arts and Letters and a member of the Honors College; Alyse Egner, a junior majoring in engineering in the College of Engineering and a member of the Honors College; and Ashley Ryerse, a junior majoring in social work in the College of Social Science and a member of the Honors College.

D. Three MSU Students Receive Goldwater Scholarships

President Simon said that three students from MSU's College of Natural Science and the Honors College have been named Goldwater Scholars for 2009-10. Jessica Muir and Nathan Sanders, both juniors, are majoring in physics and astrophysics. Tory McCoy is a junior majoring in mathematics and geological sciences.

E. MSU Partners with Detroit's Cass Technical High School in Robotics Competition

President Simon stated that MSU admissions and engineering representatives were at Cass Technical High School in Detroit on March 13-14 for the FIRST (For Inspiration and Recognition of Science and Technology) robotics competition. This was the first time that Cass Tech partnered with MSU in presenting the event. About 2,500 students from more than 50 Detroit area schools took part.

F. 2009 NCAA Wrestling Champion

President Simon congratulated Franklin Gomez for winning a National Championship in the 130 pound weight class on March 21, at the NCAA Wrestling Championship. This marks the 25<sup>th</sup> time a Spartan has claimed an individual national title in wrestling.

G. Men's and Women's Basketball

President Simon said that the men's basketball team's appearance in the Final Four at this year's NCAA Tournament provided an opportunity not only to showcase the strength of MSU's basketball program, but also to spotlight the programs and people that make MSU a world-class university. The MSU women's basketball team made its ninth NCAA Tournament appearance and competed in its third Sweet 16. President Simon thanked the coaches and student-athletes of both teams for an outstanding basketball season.

H. CCHA Awards Show

President Simon noted that MSU hockey senior Jeff Lerg received four honors at the CCHA Awards Show on March 19. Lerg was named the co-recipient of the ninth annual Mike and Marian Ilitch Humanitarian Award as the CCHA's top citizen. In addition to earning Second Team All-CCHA honors, he was also MSU's Perani Cup winner, and MSU's representative for the Scholar Athlete Award.

I. National Debate Tournament

President Simon said that the MSU Debate Team finished its 2008-09 season on a strong note, qualifying two teams for elimination rounds at the National Debate Tournament and reaching the Sweet 16 round. In addition to the Debate Team's success at the Tournament, MSU's strong, season-long results were recognized by the Cross-Examination Debate Association, which named MSU Debate as the 'sweepstakes' winner for the East Region.

J. Aubrey Radcliffe

President Simon noted the death of former Trustee Aubrey Radcliffe and requested a moment of silence to reflect on Dr. Radcliffe's many contributions to MSU. Dr. Radcliffe served as an MSU Trustee from 1973 to 1981. He was an MSU alum and a strong student advocate throughout his tenure on the Board.

K. Student Liaison Transitions

President Simon indicated that the end of the academic year marks a time of transition for the student liaisons to the Board. She noted that this has been a terrific group of students and stated that she looks forward to working with the incoming liaisons.

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

6. Personnel Actions

Provost Kim Wilcox presented the following personnel actions:

Blake, Robert W., AN—Professor, Department of Animal Science; Center for Latin American and Caribbean Studies, \$167,500, with Tenure, effective April 15, 2009.

Raven, Matt R., AY—Professor, Department of Community, Agriculture, Recreation and Resource Studies, \$106,364, with Tenure, effective August 16, 2009.

Sanchez-Blake, Elvira E., AY—Associate Professor, Department of Spanish and Portuguese, \$59,000, with Tenure, effective April 15, 2009

Boughman, Janette W., AY—Associate Professor, Department of Zoology, \$80,000, effective August 16, 2009.

Mishra, Aneil K., AN—Professor, School of Labor and Industrial Relations, \$155,500, with Tenure, effective June 15, 2009.

Vice President Gray presented the following personnel action:

Hunt, Paul M., AN—Associate Vice President, Office of the Vice President for Research and Graduate Studies; Professor, Department of Chemistry; for appointment to the new position of Senior Associate Vice President for Research and Graduate Studies, effective May 1, 2009, and Professor, Department of Chemistry.

Trustee Owen **moved to approve** the recommendations, with support from Trustee Byrum.

Provost Wilcox said that Professor Blake has been a member of the Department of Animal Science at Cornell University since 1986 and Director of the Latin American Studies Program there since 2007.

Provost Wilcox stated that Professor Raven has been in the Department of Agricultural Information Science and Education at Mississippi State since 1994. He has also been a Professor in the School of Human Science and Director of the User Services and Center for Teaching and Learning.

Provost Wilcox said that Professor Sanchez-Blake has been a Senior Lecturer at Cornell University since 2002. She has taught a variety of courses, including Spanish language, Latin American studies, and Hispanic literature.

Provost Wilcox said that Professor Boughman has been an Assistant Professor in the Department of Zoology at the University of Wisconsin since 2002.

Provost Wilcox stated that Professor Mishra has been an Associate Professor in the Babcock Graduate School of Management at Wake Forest since 1998.

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

#### Gifts, Grants, and Contracts

Vice President Gray presented the Gifts, Grants, and Contracts Report for the period January 31, 2009 through April 10, 2009. The total value for this period is \$83,327,759.

Trustee Ferguson **moved to approve** the report, supported by Trustee Foster.

Vice President Gray said that gifts and grants have increased by 8.5 percent this year. This is a remarkable achievement and a credit to the hard work of MSU faculty.

**THE BOARD VOTED to approve** the Gifts, Grants, and Contracts Report.

Vice President Gray introduced Dr. Andy Amalfitano, Osteopathic Heritage Professor in the College of Osteopathic Medicine. Dr. Amalfitano discussed his translational research program. (Appendix A)

8. Finance Committee

Trustee Owen presented the Trustee Finance Committee Report and recommendations.

A. 2009-10 Housing and Dining Rate Recommendations

It was recommended to the Board of Trustees that it adopt the basic residence hall room and board rate of \$7,395 for freshman, transfer and returning students who select the silver unlimited meal plan for the 2009-10 academic year.

It was recommended to the Board of Trustees that it adopt rates for University Apartments of \$700 per month for a one bedroom apartment and \$774 per month for a two bedroom apartment, and the rate of \$663 per month for a one bedroom apartment in University Village, effective August 1, 2009.

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

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

B. Endowment Spending Policy

It was recommended that the Board of Trustees amend its Investment Policy to reduce the endowment spending rate from the current level of 5.75 percent of the average market value of the Common Investment Fund as calculated for the twenty quarters of the five calendar years prior to the beginning of the fiscal year in which the spending is expected to occur ("Average CIF Value") to 5.0 percent of the Average CIF Value.

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

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

Trustee Nugent exited the meeting.

C. New Investment Manager—The Vanguard Group, Inc.

It was recommended to the Board of Trustees that it select The Vanguard Group, Inc. as an investment manager.

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

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

D. Identity Theft Prevention Program—Red Flags Rule

It was recommended that the Board of Trustees adopt the Identity Theft Prevention Program (“Program”) in compliance with the Red Flags Rule. (Appendix B)

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

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

E. Long-Term Lease with The Van Andel Research Institute

It was recommended to the Board of Trustees that it approve the execution of a lease with Van Andel Research Institute (“VARI”) for approximately 21,806 square feet of finished research laboratory space in VARI’s building in Grand Rapids for an initial term of ten years with two optional extension terms of five years each, upon such other terms and conditions as may be acceptable to the Vice President for Finance and Operations and Treasurer.

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

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

F. Department of Energy Access Agreement

It was recommended to the Board of Trustees that it authorize the administration to negotiate and execute an agreement between Michigan State University and the United States Department of Energy (DOE) allowing the DOE to have, at no cost to the DOE, access to land, buildings and other facilities comprising the Facility for Rare Isotope Beams (FRIB) as constructed on the Michigan State University campus, with provisions acceptable to the administration and a term coextensive with DOE’s support of FRIB development and operations.



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

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

- G. Authorization to Plan—Utility Distribution—Repairs and Improvements between Chestnut Road and Red Cedar Road along Stadium Drive

It was recommended to the Board that it authorize the Administration to plan for the project entitled Utility Distribution—Repairs and Improvements between Chestnut Road and Red Cedar Road along Stadium Drive.

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

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

- H. Bid and Contract Award (budget adjustment) Giltner Hall—Roof Replacement

It was recommended to the Board of Trustees that a contract in the amount of \$999,760 be awarded to CEI Michigan, LLC and the budget be increased from \$1,700,000 to \$1,740,000 for the project entitled Giltner Hall—Roof Replacement.

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

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

- I. 2009-2010 Budget Development

President Simon noted that there is continued budget uncertainty at the State level with deficits being announced for the current fiscal year. There is a House bill that contains a three percent reduction to MSU's general fund budget, the Agriculture Experiment Station and MSU Extension budgets, but includes some stimulus money to offset those reductions for one year. The possible stimulus amount for MSU was approximately \$80 million over a three year period, as reported by the Governor's office. Given the uncertainty of the State's budget and the need to solve a number of other problems, MSU access to the stimulus money is unclear, as well as how that might impact tuition.

President Simon stated that MSU is developing a financial aid package that will support the enrollment of new and returning students. MSU's budget planning will move aggressively using financial aid as a tool to preserve access. MSU will continue to value a student body that represents the entire State of Michigan. MSU will make every effort to provide individual families with the tuition and financial aid information they need as far in advance as possible.

9. Policy Committee

Trustee McNamara presented the Trustee Policy Committee Report and recommendations.

A. Revisions to the Policies on Granting Tenure and Operating Principles of the Tenure System

It was recommended to the Board of Trustees that it approve the revised policies on Granting Tenure and Operating Principles of the Tenure System. (Appendix C)

Trustee McNamara **moved to approve** the recommendation, with support from Trustee Ferguson.

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

B. Approval of Contract Terms: *BoroPharm, Inc.*

It was recommended to the Board of Trustees that it approve the execution of a contract with *BoroPharm, Inc.*, consistent with earlier public notice given at a Board meeting and with the "Contract Term Sheet." (Appendix D)

Trustee McNamara **moved to approve** the recommendation, with support from Trustee Ferguson.

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

C. Notice of Intent to Negotiate a Contract with *Scinstrument, Inc.*, a Company in which a Faculty Interest will Exist

Pursuant to State law, Trustee McNamara gave public notice to the full Board during the Committee's report of the University's intent to negotiate contracts with *Scinstrument, Inc.*, a business which is in the final stages of being incorporated in Michigan. Dr. Ning Xi, a faculty member in the Department of Electrical and Computer

Engineering, and his immediate family, intend to hold an ownership interest which exceeds 1% of the company. Dr. Xi also intends to be an officer of the company.

As contract negotiations progress, more detailed information about the proposed contracts with *Scinstrument, Inc.* will be provided to the Committee for its review at future meetings in accordance with State law.

#### 10. Audit Committee

Trustee Perles said that representatives of Plante Moran, MSU's external audit firm for this year's annual audit, reviewed their audit approach for the coming year with the Audit Committee. Discussions included a review of the audit scope, upcoming audit issues, required disclosures, and the audit timeline.

Trustee Perles noted that the General Counsel's office provided an update to the Audit Committee on current litigation, trends in litigation, and changes in the type of litigation the University is experiencing. Trustee Perles thanked Vice President for Legal Affairs and General Counsel Noto and his staff for their good work.

#### 11. Trustee Comments

Trustee Ferguson thanked Vice President Gray for showcasing MSU's outstanding faculty through the research presentations at each meeting. Trustee Ferguson noted that the actions of each individual Board member reflect and add to the stature of the group. He acknowledged Trustee Perles for his 22 years of involvement with Special Olympics and for his receiving the Duffy Daugherty Award and being honored by the Chief Okemos Boy Scouts. Trustee Ferguson congratulated Trustee Perles on his awards and thanked him for his commitment to the community.

Trustee Ferguson noted that Trustee Owen has been involved with the Children's Miracle Network for many years. He thanked her for her work on that important committee and noted that she and Larry Owen were honored at the Hillel Future Leaders Tribute. Trustee Ferguson recognized the importance of Trustee Owen's contributions and leadership within the community.

Trustee Byrum noted that the Faculty Liaison committee had a rigorous discussion dominated by budget issues. She asked Dr. Potchen, Faculty Liaison to the Board, to remark. Dr. Potchen said that the faculty are interested in maintaining the quality of the institution. The

recommendation of the faculty has been to be more aggressive with salaries to attract and retain outstanding faculty members.

Trustee Owen thanked Vice President Poston for his assistance with her transition to Chair of the Finance Committee.

Trustee Woodard thanked the departing student liaisons for their work and stated that she looks forward to working with the new group of students.

Trustee Perles said he enjoyed working with the newest members of the Board, Trustees Byrum and Woodard.

Trustee Foster thanked the student liaisons for their hard work and contributions over the past year. She asked that the liaisons introduce themselves and their successors.

Trustee Foster thanked the anonymous donor for the \$10 million gift. She noted that it could not have come at a better time.

## 12. Public Participation on Other Issues

### A. Animal Circus

Ms. Beth Rhodes, a member of Students Promoting Animal Rights (SPAR), said that the group presented documentation of animal abuse within the Royal Hannaford Circus to the Board in April 2008. At that time, SPAR asked the Board to ban animal circuses from MSU. Ms. Rhodes thanked the Board for the time and attention it devoted to this issue. She stated that the Royal Hannaford Circus chains and restrains animals so they are unable to move freely, ignores many of their veterinary needs, and has been cited on many occasions for violations of the Animal Welfare Act. Ms. Rhodes noted that both the Humane Society of the United States and the American Society for the Prevention of Cruelty to Animals condemn animal circuses. She asked the Board to take a progressive stand against cruelty and for compassion by not allowing animal circuses at MSU.

### B. Animal Circus

Mr. Mitch Goldsmith, Vice President of SPAR, said that animal circuses routinely fail to meet minimal legal standards for animal care as established by the Animal Welfare Act. The United States Department of Agriculture repeatedly cites animal circuses for serious instances of non-compliance with federal and state animal welfare laws, including failure to provide adequate veterinary care,

causing physical and emotional harm, and failure to provide adequate shelter. Mr. Goldsmith noted that these abuses are not solely associated with the Royal Hannaford Circus, but are industry norms found in animal circuses.

C. Animal Circus

Mr. Drew Winter, President of SPAR, stated that the days of circuses as family fun were over. As society has progressed, it has shed antiquated practices and the sphere of compassion has been widened. Mr. Winter said that the East Lansing community is realizing what 50 U.S. cities and six countries have already: animal circuses are an inherently cruel industry. Mr. Winter asked the Board to permanently ban animal circuses from MSU.

D. Animal Use Contract

Mr. Greg Thon, MSU student, stated that the contract requirements for events do provide for protection of animals. Mr. Thon asked that the various groups interested in animal welfare work together to promote understanding and safety. Mr. Thon said he believed the animal use contract assembled by MSU is a good example of the continued commitment to animal welfare on campus.

E. Music Therapy Program

Ms. Phyllis Shance, MSU staff member, asked the Board to reverse the decision to place a moratorium on the admission of new students to the music therapy program. She noted that the music therapy program at MSU is the oldest of its kind in the world. MSU is where the formal training of music therapists began. Ms. Shance stated that due to its historical significance alone, the program should be saved. She said that it is more than a historical program with sentimental value. It is a program that gives musicians alternative opportunities to use music in important and socially relevant ways. Ms. Shance asked the Board to take into consideration the full implications to MSU of discontinuing the music therapy program.

F. Music Therapy Program

Mr. Josh Chapin, MSU student, said that he was denied admission into the music therapy program due to the moratorium placed on admissions. He indicated his great disappointment in that decision. Mr. Chapin noted that MSU strives to be a model of 21<sup>st</sup> century education, but decisions impacting the greater MSU community are

still made without proper input from stakeholders. He asked the Board to give music therapy to students, professionals, and community members.

G. Music Therapy Program

Ms. Virginia Anderson, MSU music therapy student, said that four reasons were given to justify the moratorium: budgetary constraints, a decline in enrollment, faculty retirement, and lack of interdependence with the core mission of the College of Music. Ms. Anderson stated that while economic issues are affecting many programs, the music therapy program has not been utilized to its full potential to solicit funds for the College of Music. She noted that interest in the program has not declined; it had a 26 percent increase in applications this year. Ms. Anderson asserted that upcoming faculty retirements have been common knowledge for many years and there has never been an effort by the College of Music to integrate the music therapy program. She stated that the students would like to continue the music therapy tradition at MSU.

H. Faculty Organizing Campaign

Ms. Naoko Wake, Visiting Assistant Professor in Lyman Briggs College, said she is a faculty representative of the organizing committee for the union of non-tenure track faculty at MSU. Ms. Wake expressed her appreciation for the support the union has received. She said the union is a good idea not only for visiting faculty, but also for the larger MSU community.

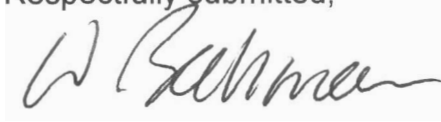
I. ASMSU Readership Program

Mr. Kyle Dysarz, student liaison to the Board, said that ASMSU is working to develop a readership program across campus. Currently, seven Big Ten schools have a readership program. Mr. Dysarz stated that he visited the campus of Penn State to view the readership program kiosks and get a better idea of how such a program could work at MSU. He noted that there is limited access on campus to select newspapers that are currently funded by the Office of the Provost. Mr. Dysarz indicated that the goal of ASMSU was to increase the accessibility and diversity of newspapers offered. He stated that a free two week trial for the program had taken place and 27,000 newspapers were distributed at locations throughout campus. Mr. Dysarz believes that the interest on campus could make the program one of the most successful in the Big Ten.

13. Request to Adjourn

On a motion by Trustee Ferguson, supported by Trustee Owen, **THE BOARD VOTED to adjourn** at 12:25 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Beekman", is written over a light gray rectangular background.

William R. Beekman  
Secretary of the Board of Trustees

# **RESEARCH PRESENTATION**

**TO THE MSU BOARD OF TRUSTEES**

**APRIL 24, 2009**

**ANDREA AMALFITANO**

**COLLEGE OF OSTEOPATHIC MEDICINE**

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



# *An Example of Translational Research at MSU.*

*By:*

*Andrea Amalfitano D.O., Ph.D.*

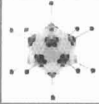
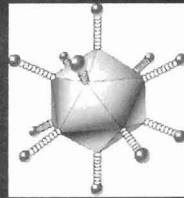
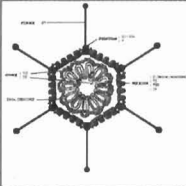
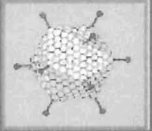
*Osteopathic Heritage Foundation Professor*

*College of Osteopathic Medicine*

*Dept of Microbiology and Molecular Genetics*

*Dept. of Pediatrics, COM*

*Michigan State University*

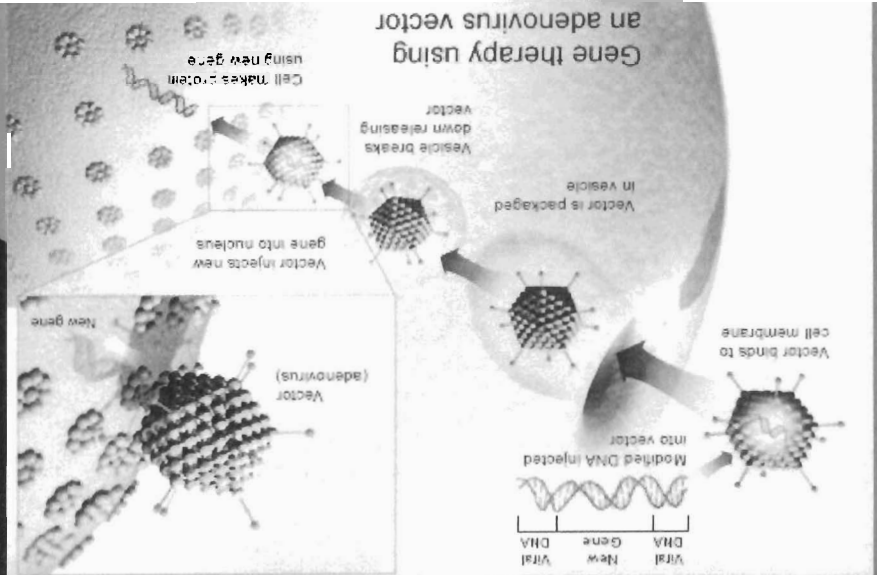
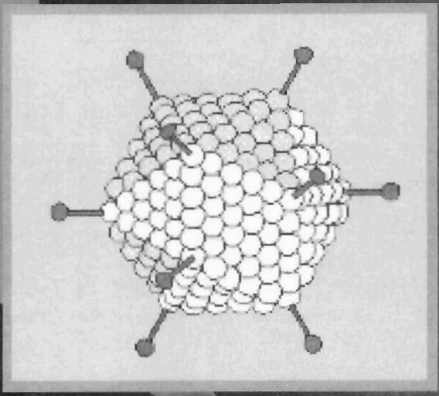
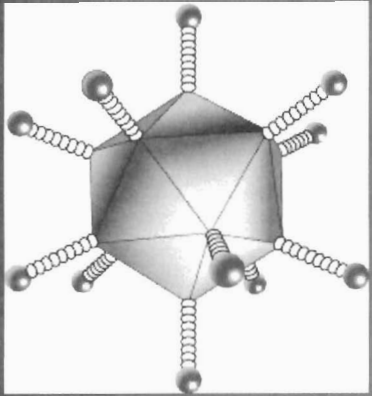


## Translational Research:

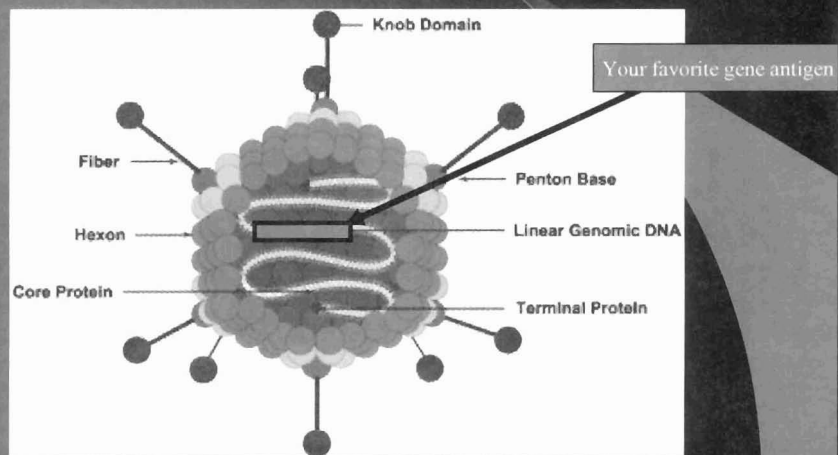
- Scientific Discoveries must be “Translated” into Practical Applications
- Basic scientists provide clinicians with new tools for use in patients,
- An example of Translational Research at MSU:

# Adenovirus:

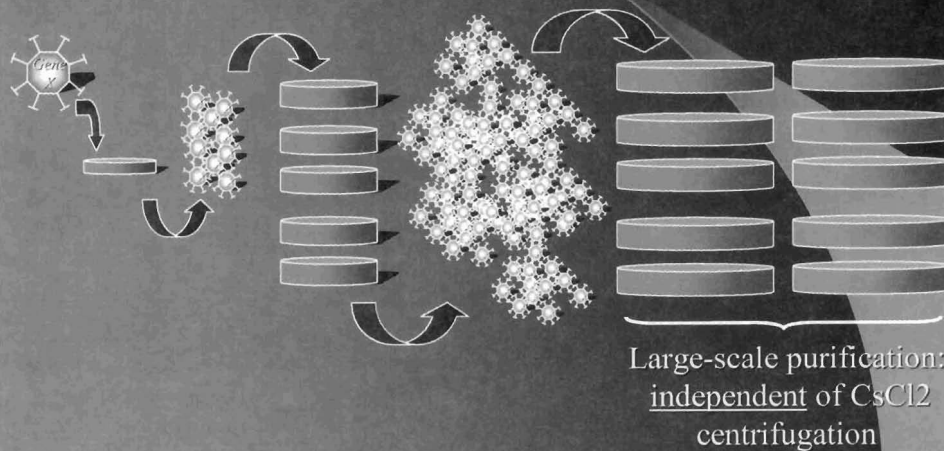
-Causes the common cold  
-A nanoparticle



## Adenovirus as a gene transfer vehicle:



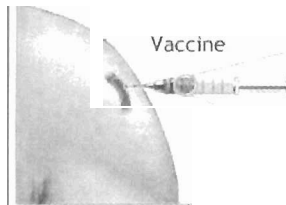
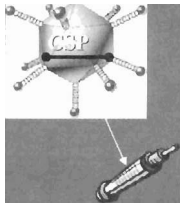
## Ease of scale-up for production of modified Ad vectors



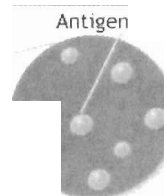
# Purified Adenovirus vector:



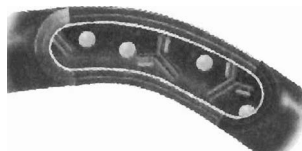
50,000 human doses



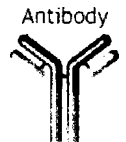
Vaccine



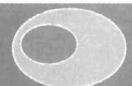
Antigen



Antigen produces antibody  
and T cell immunity



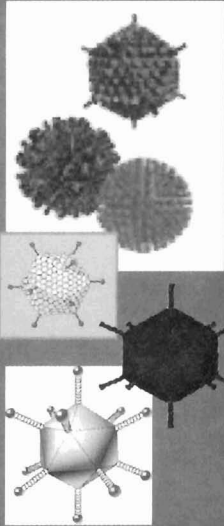
Antibody



CD8  
Cytotoxic T cell  
(CTL)

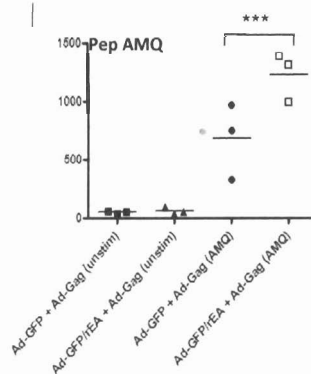
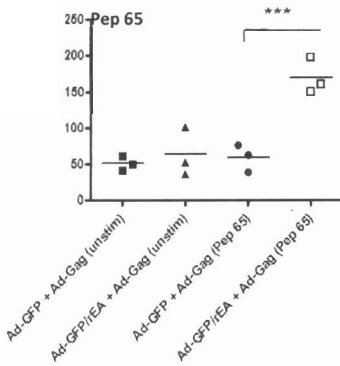
Adenovirus initiates immune responses that foster development of potent humoral (antibody) and cellular (T cell) responses to Ad expressed antigen such as CSP, thereby immunizing to desired pathogen such as Malaria

# MSU Vaccine Platforms:



- Each platform INDIVIDUALLY demonstrates proven or to be proven evidence for improved utility and safety
- Can be applied for use in several applications, inclusive of infectious diseases and cancer

Co-injection of  $5 \times 10^5$  vp of Ad5-rEA virus with [E1-]Ad5-HIV-gag (total  $1 \times 10^6$  vp/mouse)



# Upcoming Events:

- Translational Applications of Amalfitano Lab derived technologies:
  - Colon Cancer
  - Breast Cancer
  - HIV-AIDS
  - Malaria

## Granting Tenure

*The following policy was approved by the Board of Trustees on May 15, 1952 and amended on June 11, 1993 and on \_\_\_\_\_.*

The Board of Trustees in approving this statement of tenure policy does so in good faith with the intent to comply fully with it. It must, however, reserve the right to deviate from these terms if conditions beyond its control, such as abrupt declines in enrollment, drastic loss of income or conditions that result in the drastic curtailment or abandonment of programs or activities, make it necessary to do so.

**Preamble:** The purpose of tenure is to assure the University staff academic freedom and security and to protect the best interests of the University. Tenure shall not be considered to protect any person from the loss of his/her position as a result of misconduct which constitutes cause for dismissal as specified in the Dismissal of Tenured Faculty for Cause policy.

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### GRANTING TENURE

Appointments in the tenure system are only at the ranks of professor, associate professor, and assistant professor.

The chairperson of the unit recommending an appointment in the tenure system shall deliver in writing to the faculty member at the time of appointment a copy of the bylaws of the unit or other policy document that specifies the unit's expectations and procedures for reappointment, promotion and tenure. (See section on Non-Tenured Faculty in the Tenure System.)

Recommendations for tenure system faculty appointments, reappointments, promotion and tenure originate in the primary academic unit (department, school or non-departmentally organized college) and are reviewed successively by the Dean, the Provost and are approved by the President. Actions involving the award of tenure are approved by the President, who makes the final recommendation to the Board of Trustees for action. When tenure is granted, it is effective upon the first day of the month after the date of approval by the Board of Trustees.

A faculty member with the rank of *professor* in the tenure system is granted tenure (appointment for an indefinite period without a terminal date) from the date of appointment at that rank.

An *associate professor*<sup>1</sup> who has not served previously at Michigan State University usually is appointed in the tenure system for a probationary period of four years. In some cases, upon the recommendation of the unit administrator(s), dean(s), and with the prior approval of the Provost and President, the probationary period may vary in length from two to five years. If an *associate professor* is reappointed, tenure is granted. Individuals appointed at the rank of *associate professor* without tenure have the option of requesting reappointment at any point<sup>2</sup> prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the time specified upon appointment.

In unusual cases, on recommendation of the unit administrator(s) and dean(s) and with the prior approval of the Provost and the President, and final approval by the Board of Trustees, a faculty member initially appointed at the rank of *associate professor* may be granted tenure from the date of appointment.

An *assistant professor*<sup>1</sup> who has not served previously at Michigan State University is appointed initially in the tenure system for a probationary period of four years and may be reappointed for an additional probationary period of three years. If at any time during these two probationary periods an *assistant professor* is promoted to the rank of *associate professor*, tenure is granted. If not promoted to the rank of associate professor at the conclusion of the second probationary period of three years, the individual is ineligible for an additional reappointment unless a special extension is approved (see below). Individuals appointed at the rank of *assistant professor* without tenure have the option of requesting promotion to associate professor with tenure at any point<sup>2</sup> prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the normal time.

Extensions in the probationary appointment periods for all faculty appointed in the tenure system require approval of the Chairperson/Director, the Dean, the Provost (or designee) and the University Committee on Faculty Tenure<sup>3</sup>. Extensions in probationary appointment periods are not interpretations of or deviations from the rules of tenure under section 4.8.5. of the *Bylaws for Academic Governance*.

#### **Footnotes:**

<sup>1</sup>Consistent with the Committee on Institutional Cooperation (Big Ten) and other peer law school policies/practices, the Law College has slightly different lengths for tenure system probationary appointment periods than those described above. An assistant professor may be promoted to the rank of associate professor without tenure after three years of college tenure system employment. An assistant or associate professor must apply for tenure at the latest after completion of ten regular semesters or five years of service at the Law College. A candidate with significant tenure system law teaching experience or exceptional public or private professional experience may be appointed as an associate professor without tenure. In unusual circumstances, an initial appointment may be made at the rank of associate professor with tenure. An appointment at the rank of full professor confers tenure upon appointment. See the Law College's Policy for the Granting of Tenure and Promotion.

<sup>2</sup>Such early reviews would occur on the normal review cycle as established by university, college and department/school procedures.

<sup>3</sup>Information on extensions of probationary appointments should originate in the primary academic unit; such information may also be obtained from the chairperson of the University Committee on Faculty Tenure, the department chairperson, the school director, the dean, or the Office of the Provost. See section on Implementation Practices.



## OPERATING PRINCIPLES OF THE TENURE SYSTEM

*The following policy was revised by the Board of Trustees on May 18, 2007 and on \_\_\_\_\_*

1. Probationary appointment periods for tenure purposes are calculated from August 16 of the calendar year in which the appointment is effective.
2. A faculty member granted a leave of absence for six to twelve months will have the probationary appointment period extended appropriately. See "Implementation Practices" for additional reasons and procedures for extending the probationary appointment period.
3. A faculty member who is not to be recommended for reappointment by the department chairperson and dean must be so notified in writing by the department chairperson by December 15 preceding the expiration of the appointment. Copies of the notification are to be sent to the dean and provost. Upon written request of the faculty member, the administrative unit making the decision shall transmit in writing the reasons for not recommending further appointment.
4. If a faculty member is not given proper notification, as stated in 3., an extension of one year is automatic, and the faculty member shall consider this arrangement as official notification of separation from the University at the end of the one-year extension.
5. A tenure system faculty member who is not reappointed or resigns may not be appointed in the tenure system, except as approved by the University Committee on Faculty Tenure upon written request by the faculty member, department/school and college.
6. A Foreign National holding non-immigrant status may be appointed within the tenure system; however, he/she may not be appointed with tenure unless (a) he/she has acquired permanent resident status or U.S. citizenship or (b) he/she enters into and complies with the terms of a *Faculty Tenure Policy Exemption Agreement*<sup>1</sup> approved by the Provost.
7. Questions about the interpretation of the tenure rules are referred to the University Committee on Faculty Tenure. The Committee renders a decision and communicates it to the president, the provost or other appropriate administrative official. In every case, final decision rests with the Board of Trustees. The University Committee on Faculty Tenure also considers the resolution of tenure issues/problems arising from situations not covered in the tenure rules and proposes solutions to the Provost. As appropriate, the Provost may recommend new policies or policy revisions to appropriate academic governance bodies. Changes in the tenure rules require action by the Board of Trustees.
8. Tenure at Michigan State University resides in the University and tenured faculty have "tenure in the university." (See "Principles of Faculty Reassignment").

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### **Footnote:**

<sup>1</sup>In those situations where the Foreign National chooses not to execute a *Faculty Tenure Policy Exemption Agreement* but has otherwise been endorsed by the Provost as having met all of the requirements for promotion and tenure, he/she will be placed on a fixed term appointment or have his/her appointment period extended on an annual basis, whichever is appropriate, until permanent resident status or U.S. citizenship is granted, at which time a tenure recommendation will be made to the Board of Trustees.

EXHIBIT A

MICHIGAN STATE  

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UNIVERSITY

**IDENTITY THEFT  
PREVENTION PROGRAM**

### III. PROGRAM ADMINISTRATION – UNIVERSITY RESPONSIBILITIES

- A. Delegation and Oversight – The Board of Trustees of Michigan State University appoints the Controller of the University to oversee the development, implementation, and administration of the Program (“Program Administrator”). The Program Administrator may designate staff to assist with implementation of the Program, and the Program Administrator is further authorized, if necessary, to amend and update the Program to reflect changing identity theft risks.
- B. Program Administration – Administration of the Program will include, but is not limited to, the following:
1. Assisting Units with the identification of covered accounts and evaluating the risks of identity theft and the applicability of this Program to a Unit’s operations;
  2. Assisting Units with the identification, detection and mitigation of patterns, practices or specific activities, known as ‘red flags’, which may be indicative of attempts to engage in, or incidents, of identity theft;
  3. Assisting Units, as necessary, with an appropriate response to a red flag;
  4. Assisting Units, as necessary, with the oversight of third party service providers that perform an activity for the University in connection with one or more covered accounts;
  5. Training staff to implement the Program; and
  6. Reviewing Unit reports related to red flags.

### IV. UNIT RESPONSIBILITIES

- A. Existence of Covered Accounts – Each Unit must determine whether it has covered accounts and the risk of identity theft related to those covered accounts.
- B. Compliance Plan – Each Unit with covered accounts must develop and implement written policies and procedures to comply with the Program (“Unit Plan”). The Unit must provide a current version of its Unit Plan, including the types of covered accounts, to the Program Administrator annually and as otherwise requested.
- C. Compliance Steward – Each Unit with covered accounts must designate a Red Flags Compliance Steward and provide his/her name, mailing address, e-mail address and telephone number to the Program Administrator. The Unit must inform the Program Administrator of any changes in the identity of, or contact information for, its Red Flags Compliance Steward. The Red Flags Compliance Steward will monitor the Unit’s compliance with the Program and respond to all inquiries about its Unit Plan.

## Michigan State University Identity Theft Prevention Program

- e. Not opening a new covered account;
  - f. Closing an existing covered account;
  - g. Not attempting to collect on a covered account;
  - h. Notifying the Program Administrator of incidents of identity theft;
  - i. Notifying law enforcement after consulting the Program Administrator; and
  - j. Determining that no response is warranted under the particular circumstances.
- G. Oversee Service Providers – A contract with a service provider to perform an activity in connection with one or more covered accounts must include a provision which requires the provider to have written policies and procedures designed to detect, prevent and mitigate the risk of identity theft in compliance with the Red Flags Rule. The service provider must respond appropriately, after consulting with the Unit, to red flags.
- H. Train Staff
- 1. At least annually and as the duties of staff change, the Unit will train or seek the assistance of others to train staff who are likely to handle covered accounts.
  - 2. The following principles should be included in the Unit's training materials or programs:
    - a. Identity theft is a serious risk for consumers, the University and third-party service providers that use or retain identifying information. It is necessary for the University to seek methods to minimize the potential threat of, and harm from, identity theft.
    - b. A person's identifying information should not be provided to anyone inside or outside the University who does not 'need to know' such information.
    - c. A person's identifying information may be stored only if storage is necessary to perform a business function. Such information should be stored in secure systems and facilities.
    - d. Reports or suspicions of identity theft should be handled as priority incidents, and immediate steps should be taken to remediate the resulting issues.
- I. Update the Unit Plan – Each Unit with covered accounts should periodically review and update, if necessary, its Unit Plan to reflect changes in risks to customers, or to the safety and soundness of the University, arising from:
- 1. Experiences of identity theft;

# Michigan State University Identity Theft Prevention Program

## ATTACHMENT 1

### EXAMPLES OF RED FLAGS

#### **Direct Notification**

1. The University is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

#### **Suspicious Documents**

2. Documents provided for identification appear to have been altered or forged.
3. The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
4. Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.
5. Other information on the identification is not consistent with readily accessible information that is on file at the University, such as a signature card or recent check.
6. An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

#### **Suspicious Personal Identifying Information**

7. Personal identifying information provided is inconsistent when compared against external information sources used by the University. For example, the address does not match any address in the consumer report.
8. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer.
9. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the University. For example:
  - a. The address on an application is the same as the address provided on a fraudulent application; or
  - b. The phone number on an application is the same as the number provided on a fraudulent application.
10. The social security number provided is the same as that submitted by other persons opening an account or other customers.

## Michigan State University Identity Theft Prevention Program

21. The University is notified of unauthorized charges or transactions in connection with a customer's covered account.

### **Alerts, Notifications or Warnings from a Consumer Reporting Agency**

22. A fraud or active duty alert is included with a consumer report.
23. A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
24. A consumer reporting agency provides a notice of address discrepancy.
25. A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:
  - a. A recent and significant increase in the volume of inquiries;
  - b. An unusual number of recently established credit relationships;
  - c. A material change in the use of credit, especially with respect to recently established credit relationships; or
  - d. An account that was closed for cause or identified for abuse of account privileges by the University.

**MICHIGAN STATE**  
UNIVERSITY

December 10, 2008

Memorandum

To: Executive Committee of Academic Council

From: Kim A. Wilcox, Provost

Subject: Revisions in the Policies on Granting Tenure and Operating Principles of the Tenure System

At its meetings on April 11, 2007, November 14, 2007, March 19, 2008, September 3, 2008 and October 15, 2008, the University Committee on Faculty Tenure reviewed and approved revisions to the Operating Principles of the Tenure System and the Granting Tenure policy. I endorse the changes approved by the Committee as reflected in the attached documents and ask that they be forwarded to Faculty and Academic Councils for consideration. A copy of the current policy statements is also attached.

The revised policies include editorial and substantive changes; the most significant changes are the following:

- Resolution of an inconsistency between proposed Operating Principle #7 and the Bylaws for Academic Governance
- Clarification that tenure at Michigan State University resides in the University (see proposed Operating Principle #8)
- Elimination of review by the University Committee on Faculty Tenure of requests for a non-tenure system appointment that immediately follows an appointment in the tenure system
- Clarification that a tenure system faculty member receive written information about the unit's expectations and procedures for reappointment, promotion and tenure
- Deletion of the option to appoint Instructors in the tenure system
- Deletion of the option to reappoint an Assistant Professor with tenure



**OFFICE OF THE  
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c: Lou Anna Simon  
June Youatt  
Theodore Curry

## CONTRACT TERM SHEET

**Party:** BoroPharm, Inc.

**Project Description:** Use of pilot plant infrastructure and operational staff at the MSU facility in Holland, MI for production of chemical intermediates, plus possible ancillary use of laboratory space at the facility for quality assurance, process optimization, and related research.

**Term:** Two years, unless terminated at an earlier date at the discretion of either party.

**Contractual Terms:** BoroPharm, Inc. is responsible for providing all raw materials, for the shipping of all products, and for disposal of all wastes generated. The company is responsible for complying with all applicable laws and regulations, as well as all MSU policies, and for cooperating fully with the MSU Office of Radiation, Chemical, and Biological Safety. The company assumes all risks of failed production runs not resulting from demonstrable MSU error or negligence. No intellectual property rights of either party are modified under this agreement.

All payments specified below are by BoroPharm, Inc. to MSU.

### Part A – Mutually Agreed Uses of the Pilot Plant

- Payment of 152% of consulting engineer charges incurred by MSU in environmental permit analyses and/or applications, as mutually agreed by BoroPharm and MSU.
- Payment of \$3,681 for the first day in any continuous period that any one reactor train in the pilot plant is actually used, plus \$1,227 for each additional day usage of the same reactor in the same continuous period.

Payment of \$67 per person hour for pilot plant staffing during prime shift (8-5 on Monday to Friday) and \$100 per person hour for other shifts.



- For necessary process planning, infrastructure preparation, infrastructure clean-up, and post-run outcome analysis, payment of \$67 per skilled tradesperson hour, \$98 per hour for an M.S. chemical engineer, \$118 per hour for an environmental health & safety officer, and \$154 per hour for the facility Director of Operations.

Part B – Optional Lease of Research Laboratory Space by BoroPharm, Inc., in Conjunction with the Foregoing Pilot Plant Usage

- Laboratory space at \$30 per NASF per year.
- Office space at \$22 per NASF.
- Lease of space at the foregoing rates up to a total of 3,500 square feet by mutual consent of the parties.

**Services Provided:** By MSU to BoroPharm, Inc.:  
Pilot plant scale-up of chemical syntheses.  
By BoroPharm, Inc., to MSU:  
None under contemplated agreement.

**Use of University Facilities/Personnel:**

MSU personnel will execute the pilot plant synthesis runs in the MSU facility in Holland, MI. BoroPharm, Inc., may optionally lease laboratory space in the same facility, in support of pilot plant usage.

**Organization Type:** BoroPharm, Inc. is a Delaware corporation with offices in Novi, MI.

**Personnel Interest:** Dr. Robert E. Maleczka and Dr. Milton R. Smith, both Professors in the Department of Chemistry, and their immediate families, own or have an option to buy, an equity interest of more than 1% of the company. Drs. Maleczka and Smith are also officers of BoroPharm, Inc.