

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

April 8, 2005

The Trustee Finance Committee and Trustee Policy Committee meetings were held in the Board Room of the Administration Building beginning at 9:35 a.m. on Friday, April 8, 2005. Minutes of the meetings are on file in the Office of the Secretary of the Board of Trustees.

President Simon called the meeting of the Board of Trustees to order at 10:02 a.m. in the Board Room.

Trustees present: Dolores M. Cook, Joel I. Ferguson (by telephone), Melanie Foster, Dorothy V. Gonzales, Donald W. Nugent, David L. Porteous and G. Scott Romney.

Trustee absent: Colleen M. McNamara.

University officers present: President Simon, Acting Provost Hudzik, Vice President Poston, Secretary Carter, Vice President and General Counsel Noto, Vice Presidents Denbow, Gray, June, Webb and Webster, Senior Advisor and Director Granberry Russell and Executive Director Williams. Faculty Liaisons present: Melanie Helton, Robert Maleczka, Michael Moch and Shawnee Vickery. Student Liaison present: Daniel Weber.

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

1. On a motion by Mr. Porteous, supported by Ms. Gonzales, **THE BOARD VOTED to approve** the agenda.
2. On a motion by Ms. Cook, supported by Ms. Gonzales, **THE BOARD VOTED to approve** the minutes of February 10, 2005.
3. Trustee GPA Award Recipients

The Board of Trustees presented the Trustee GPA Awards to the following seniors:

<u>Name</u>	<u>Major</u>	<u>Grade Point</u>
Bhooma R. Aravamuthan	Biochemistry and Physiology	4.0000
Katherine J. Badder	Sociology	4.0000

Lisa M. Berlin	Finance	4.0000
Lynn M. Dersley	Hospitality Business	4.0000
Justin J. Gengler	Political Theory and Constitutional Democracy	4.0000
Jeffrey R. Gour	Chemical Physics	4.0000
Lisa Granskog	Dietetics	4.0000
Karen Gustafson	Physiology	4.0000
Michael PI Hoerger	Psychology	4.0000
Mallory S. Koglin	Agribusiness Management	4.0000
Jacob A. G. Kuiper	Computer Engineering	4.0000
Jillian S. Maxey	Accounting	4.0000
Thomas J. McPherson	History	4.0000
Sze-Ling Ng	Biochemistry and Physiology	4.0000
Cortney A. Peissig	Agriculture and Natural Resources Communication	4.0000
Jason F. Shingledecker	Civil Engineering	4.0000
David A. Skalny	Computer Engineering and Electrical Engineering	4.0000
Katherine S. Taylor	Child Development	4.0000
Megan E. Townsend	Agriculture and Natural Resources Communication	4.0000
Judith A. Turnbull	Zoology	4.0000
Nancy E. Veltema	Education	4.0000
Marie L. Wells	Accounting	4.0000

The Board took a brief recess at 10:13 a.m. for group photographs of the GPA Award winners with members of the Board of Trustees. The Board meeting was reconvened at 10:17 a.m.

4. President's Report:

President Simon congratulated all of the GPA Award winners on their fine achievement.

A scholarship earmarked for students from Lansing's J.W. Sexton High School and endowed by Larry D. Fowler was recently announced by the College of Natural Science. Mr. Fowler is an MSU alum. This is an example of a very meaningful gift for the Lansing community.

Dr. Simon announced that, for the first time, MSU has four students who were named Goldwater Scholars: Katie Barrott, Timothy Howes, Janell Shane and Matthew Stasiewz. This is a prestigious national scholarship for science, mathematics and engineering students.

President Simon congratulated Dr. Patrick O'Donnell, Chair of the Department of English, for being one of 36 winners of the prestigious 2005-06 Fulbright Distinguished Chairs Program. He will study in the Netherlands during the fall 2005 semester.

President Simon noted that the success of MSU's men's and women's basketball teams dominated the last few weeks of media coverage. Articles in *USA Today* and the *New York Times*, along with television spots on CBS and ESPN, included hometowns and character profiles of the athletes, as well as their academic achievements. Chris Hill was named First-Team Academic All-American. Coaches Izzo and McCallie were superior representatives of the University.

Dr. Simon recognized the leadership of ASMSU, COGS and other MSU organizations in encouraging appropriate celebrations and preventing negative activities surrounding the basketball teams' successes. President Simon thanked all who were involved in the projects.

President Simon acknowledged that there were individuals whose behavior after the MSU loss to North Carolina was reprehensible. Not all were MSU students. She said action needs to target those few individuals without assuming that all were intent on destruction or personal harm. Dr. Simon said that many individuals did not intend to be disruptive. MSU, in collaboration with the City of East Lansing, will assess information as it becomes available. The assessment will include students and the community. Dr. Simon pointed out that relationships with communities have times when they are tested. The University's students, faculty and staff need to establish a basis of trust with the City of East Lansing so that the few individuals who are disruptive are held accountable, and not the vast number of people who behave appropriately.

Dr. Simon called on Dr. Lee June, Vice President for Student Affairs and Services, to report on a forum that took place on April 7, 2005. Dr. June commended the overwhelming majority of MSU's students who behaved responsibly, and he empathized with those who behaved responsibly but were caught up in the fray. Dr. June thanked the RHA and ASMSU for conducting the forum. He said there was good communication among students, administrators from the City of East Lansing and members of faculty, staff and MSU administration. Dr. June said he felt the forum ended on a positive note, focusing on what could be learned from the incident. Dr. June called on Robert Murphy, incoming Chair of the Academic Assembly of ASMSU, to summarize the student voice from the forum.

Mr. Murphy said the forum was very proactive and positive. The students gathered to discuss the events on the night in question. Mayor Meadows

and other East Lansing administrators, the Ingham County Prosecuting Attorney and East Lansing's Deputy Police Chief all spoke and answered questions. Several MSU faculty members and about 100 students attended the forum.

Mr. Murphy explained that students were given an open forum to talk about their experiences. After listening to several stories, a common theme emerged: Ninety-nine percent of the students were acting in a civilized manner; less than one percent got out of hand. After the students had an opportunity to speak and several videos were shown, the consensus was that the police departments had acted with a heavy hand. Mr. Murphy said that the forum's dialogue was healing.

President Simon pointed out that fundamental assumptions need to be changed; preparations should assume that the majority of those celebrating will act appropriately and that only a few may misbehave. Authorities would, then, respond differently. In this particular incident, most students acted responsibly. President Simon said she appreciated the very positive dialogue being held.

President Simon announced that Elias A. Zerhouni, M.D., Director of the National Institutes of Health, will be the speaker for the coming graduate commencement ceremony, and Dr. Maya Angelou will be the University's undergraduate convocation speaker.

5. Public Participation on Items Germane to the Agenda

There was no public participation on items germane to the Agenda.

6. Personnel Actions

Acting Provost Hudzik presented the following personnel actions:

Appointment

McNamara, Gerald M., AY – Associate Professor, Department of Management, \$122,570, with Tenure, effective August 16, 2005.

Other Personnel Action

Krehbiel, Janver D., AN – Associate Dean for Academic Programs; Senior Associate Dean for Administration and Professor, College of Veterinary Medicine; Department of Pathobiology and Diagnostic Investigation, to change title to Acting Dean and for a salary change to \$182,946, effective February 1, 2005, to December 31, 2005.

On a motion by Mr. Romney, supported by Mr. Nugent, **THE BOARD VOTED to approve** the recommendations.

Dr. Hudzik said Dr. McNamara received a Ph.D. in Strategic Management from the University of Minnesota. He has served as Assistant Professor of Management at the University of Tennessee at Chattanooga, Associate Professor of Management at Michigan State, and, more recently, Associate Professor of Management at University of California, Riverside.

Dr. Hudzik said that Dr. Krehbiel received a DVM from Kansas State University. He has served in the Department of Small Animal and Clinical Science at Michigan State University and is now a professor in the Department of Pathobiology and Diagnostic Investigation at MSU. He has served as Associate Dean for Academic and Student Affairs, Associate Dean for Academic Programs and Senior Associate Dean for Administration. Dr. Krehbiel also served as Acting Dean for a period of time in 1991.

The Dean of the College of Veterinary Medicine, Dr. Lonnie King, has taken a leave from the University through December 31, 2005, to serve at the Centers for Disease Control, leading an initiative regarding the interface of animal and human health. It is a great honor for Dr. King and provides enormous exposure for Michigan State University in an area where this University is a national leader.

7. Gift, Grant and Contract Report

Vice President Gray presented the Gift, Grant and Contract Report for the period of January 25, 2005, through March 24, 2005. The report is a compilation of 414 Gifts, Grants and Contracts, 24 Consignment/Non-Cash Gifts and one Consignment/Non-Cash Loan, with a total value of \$64,616,303.34.

On a motion by Mr. Romney, supported by Mr. Porteous, **THE BOARD VOTED to approve** the Gift, Grant and Contract Report.

Dr. Gray introduced Dr. Fernanda Ferreira, Professor of Psychology at Michigan State University and Director of the Center for the Integrated Study of Vision and Language, and Dr. John Henderson, Professor of Psychology and Director of the Cognitive Science Program at MSU, which he founded in 1998.

Drs. Ferreira and Henderson offered a presentation on the psycholinguistics and vision laboratory cognitive science program. Dr. Henderson explained that the research, conducted by Dr. Ferreira and him, deals with human language and human vision. They are working to

discover how the brain analyzes, interprets and represents language and images.

Dr. Henderson pointed out that no computer system in existence has the capability a human has for interpreting language or the visual world. This type of study is inherently interdisciplinary. The Department of Defense, the National Science Foundation and the National Institutes of Health all fund the program. An undergraduate specialization has recently been established in cognitive science.

8. Finance and Audit Committee

Chairperson Nugent presented the Trustee Finance and Audit Committee report and recommendations.

A. Bid and Contract Awards

It was recommended to the Board of Trustees that a contract in the amount of \$440,796.57 be awarded to Concord Excavating, L.L.C., and that a budget in the amount of \$856,000.00 be established for the project entitled: Crescent and Middlevale Road Reconstruction – Phase 1.

On a motion by Mr. Nugent, supported by Ms. Foster, **THE BOARD VOTED to approve** the recommendation.

Trustee Porteous pointed out that this is the low bid.

It was recommended to the Board of Trustees that a contract in the amount of \$1,664,293 be awarded to Cadwell Brothers Construction, and that a budget in the amount of \$2,537,000 be established for the project entitled: Parking Lots 82/83 Reconstruction – Service Road.

On a motion by Mr. Nugent, supported by Mr. Romney, **THE BOARD VOTED to approve** the recommendation.

Trustee Nugent pointed out that since this is a parking lots project, revenue flows from parking revenue. Trustee Porteous noted that this is the low bid.

B. Appointment of Architect/Engineer

It was recommended to the Board of Trustees that Fishbeck, Thompson, Carr & Huber, Inc., be appointed as the

Architect/Engineer for the project entitled: Chemistry, Alterations to Rooms 535, 536 and 537.

On a motion by Mr. Nugent, supported by Mr. Porteous, **THE BOARD VOTED to approve** the recommendation.

C. Reconveyance of Power Plant Addition

It was recommended to the Board of Trustees that it adopt the attached resolution titled "A Resolution of the Governing Body of Michigan State University Approving Conveyance of Property for the Power Plant Addition." (Attachment A)

On a motion by Mr. Nugent, supported by Ms. Gonzales, **THE BOARD VOTED to approve** the recommendation.

Trustee Nugent explained that this is a conveyance from the State Building Authority back to Michigan State University, the bond for the project having been paid off.

D. Residence Hall and University Apartment Rates

It was recommended to the Board of Trustees that it adopt the basic residence halls room and board rate of \$5,744 per academic year, effective fall semester 2005.

It was further recommended to the Board of Trustees that it adopt the basic University apartment rates of \$581 per month for a remodeled, one-bedroom apartment and \$644 per month for a remodeled, two-bedroom apartment, effective August 1, 2005.

On a motion by Mr. Nugent, supported by Mr. Romney, **THE BOARD VOTED to approve** the recommendation.

The Director of Housing and Food Services, Charles Gagliano, explained that the proposed rates allow his unit to meet daily operational expenses while providing a reserve for major maintenance and renovation costs. The rates remain competitive with those of other Big Ten universities, other public universities in the State of Michigan and the surrounding housing market.

Mr. Gagliano said, if approved, housing rates would be the second lowest in the Big Ten and the lowest among the State supported colleges and universities in Michigan. The goal is to minimize the yearly increase so that future residents will not be faced with large increases when maintenance needs arise. Reserves are building

steadily through an aggressive management plan, minimizing the financial impact of any given project.

Dr. Poston pointed out that the proposed increase of 5.25% provides for operational costs for the next year, including a large utility expense increase because of the cost of gas, oil and coal. Further, it provides for annual maintenance, while housing rates remain the lowest in the State of Michigan.

Trustee Porteous reported that students in residence halls have brought the high iron content in campus water to his attention. Mr. Gagliano said that residence halls have had water softeners and water filters installed to minimize the effects of the hard water. Campus water does not receive treatment like that in the City of Lansing or Meridian Township. Ronald Flinn, Assistant Vice President, Physical Plant, said the cost of the City of Lansing's water is double that of water on campus and the expense of installing a softening plant or contracting out to a softening plant is prohibitive. Water on campus is safe; it is continuously tested. Bottled water is offered in residence hall cafeterias.

9. Policy Committee

Trustee Cook presented the Trustee Policy Committee report and recommendations in the absence of Trustee McNamara.

A. College Reorganization and Vision Update

Dr. Hudzik presented the College Reorganization and Vision Update.

Dr. Hudzik thanked the University administration and faculty for their hard work in continuing to reorganize and revise Michigan State University's approach to fulfilling its mission of instruction, research and outreach.

The publicly and frequently stated goals for revisioning, in order to enhance MSU's stature and quality of curriculum and programs, include the following: build upon and promote interdisciplinary and cross-unit collaborations in pursuit of institutional and mutual objectives; strengthen the undergraduate experience at MSU; strengthen liberal arts and sciences; expand undergraduate living and learning options; strengthen and enrich graduate programs and research initiatives; improve the acquisition, use and allocation of resources.

Dr. Hudzik said the revisioning document is a work-in-progress which was presented to the Academic Council in March, 2005, for initial discussion. It will be discussed again at the April Academic Council meeting.

B. Annual Report on Diversity within Community

Dr. Hudzik called on Paulette Granberry Russell, Director, Office of Affirmative Action, Compliance and Monitoring and Senior Advisor to the President, for the annual progress report.

Ms. Russell noted that each such report details results for the prior academic year; this report is for 2003-04. Among the conclusions of the report:

Data for fall 2004 show that admissions and enrollment for women and minority students at MSU were relatively stable, as compared to fall 2003. This includes both undergraduate and graduate student enrollment. Women continue to comprise the majority of students enrolled at MSU.

There were slight increases in African American and Native American enrollment for fall 2004, and a small decrease for Chicanos and Latinos and Asian and Pacific Islanders. MSU experienced a slight decline in its international undergraduate and graduate student population.

Ms. Russell said that any declines, however slight, bear close scrutiny. A review of this year's report reflected increased activities by academic units that are working in collaboration the Office of Admissions aggressively to recruit students – particularly students of color – to MSU, not only students within the State, but out-of-state students, as well. Other institutions are recruiting aggressively, too. MSU continues to engage in a range of activities to recruit students. There has been a measure of success among the Native American students. This is a population of students whose representation in postsecondary institutions has continued to hover at or below one percent, nationally.

Outreach programs to migrant student populations have assisted in targeting students who might view higher education as beyond their reach. The High School Equivalency Program and the College Assistance Migrant Program reflect the added effort needed to attract to MSU and retain students from migrant families.

MSU has increased the numbers of women and persons of color in its academic workforce, including among tenure system faculty. In the last five years new tenure system hires for women and minorities have risen from 47% to 69%.

Some of MSU's programs that promote diversity are:

- TRIO programs, offered by the MSU Office of Support Services, target first-generation college students, low-income students and students with disabilities to prepare them for postsecondary education.
- Efforts on behalf of the College of Natural Sciences improve the math and science skills of MSU's students through outreach to K-12 and partnerships with community schools.
- OsteoCHAMPS (Osteopathic Careers in Health and Medical Professions) is a College of Osteopathic Medicine initiative that forges partnerships with Michigan high schools to encourage young students to consider a career in osteopathic medicine.
- A developing partnership between the MSU College of Education and Detroit Public Schools is designed to recruit and prepare qualified urban educators for service in Detroit schools. This project is funded by a \$6 million grant from the Broad Foundation.

Trustee Cook complimented Ms. Russell on the Excellence in Diversity Awards Ceremony. Ms. Cook applauded the practice of reaching into the local community to help welcome students from other locations.

C. Notice of Intent to Negotiate a Contract

On behalf of Trustee Cook, Dr. Hudzik give public notice to the full Board during the Committee's report of the University's intention to negotiate agreements regarding technology licensing, research and related matters with Intermediary Biochemicals, LLC, a Michigan limited liability company based in Okemos. Dr. J. Gregory Zeikus, a Professor in the Department of Biochemistry and Molecular Biology, and his immediate family cumulatively own or have options to buy an ownership interest of more than 5% of this company.

D. Guidelines for Exemptions to Ordinance 21.03

It was recommended that the Board of Trustees approve the Guidelines for Exceptions to Ordinance 21.03. (Attachment B)

On a motion by Mr. Nugent, supported by Mr. Porteous, **THE BOARD VOTED to approve** the recommendation.

Secretary Carter noted that the guidelines were developed after consultation with members of the University community and in response to the Board's request at the February meeting.

Trustee Porteous thanked Secretary Carter for her extraordinary effort developing the guidelines after consulting with stakeholders across campus. Mr. Porteous said he thought these guidelines will be very helpful as the Board moves to assure a safe and academically strong campus, while allowing appropriate activities on campus. Mr. Porteous pointed out that the guidelines are a "work-in-progress." There may be occasion to amend the document.

10. Sesquicentennial Report

Trustee Cook noted that Sesquicentennial events began early in 2005 and will continue throughout the year. Ms. Cook called on Jay Rodman, Outreach Coordinator for International Studies and Programs, to update the Board on international events that will celebrate the Sesquicentennial.

Mr. Rodman said the Annual International Awards Ceremony, honoring faculty, staff, students, alumni and community members, will take place on April 20, 2005. On the preceding day, April 19, four current and former ambassadors, three of whom are MSU alumni, will participate in a panel discussion. A reception will be held April 21 honoring MSU recipients of Fulbright Fellowships and those from other countries who are at MSU on Fulbright-supported fellowships. Mr. Rodman announced that in the fall of 2005, MSU Press will publish a book entitled *Global Focus: Images of a Land Grant Tradition*. International Education Week will be held next November.

Trustee Cook said that the MSU Dairy is featuring Sesquicentennial Swirl ice cream, which has been enormously popular. There will be many more activities in the fall of 2005 that will continue the celebration of MSU's 150th anniversary, including a water carnival and special Homecoming activities.

11. Chairperson's Report

Trustee Porteous echoed Trustee Cook's comments about the Diversity Award ceremony and the award recipients. Mr. Porteous said that commitment was the hallmark of those attending the event and those receiving awards.

Trustee Porteous affirmed the comments of President Simon on the academic success of the Trustee's GPA Award winners, as well as students who received the Goldwater Scholarships and the academic and athletic successes of MSU's athletes.

Mr. Porteous complimented President Simon on the influence she had on tempering funding cuts that had been proposed in the Governor's Executive Order. Working with the Office of the Vice President of Governmental Affairs and other administrators, the President was able to carve out an agreement that has no cut to MSU Extension and no cut to the Experiment Station, and a likelihood that certain funds will be restored. Critically important in this endeavor was an understanding by legislators and the Governor of Michigan State University's positive influence on the citizens of the State of Michigan and beyond.

12. Trustees' Comments

- A. Trustee Cook recognized the eloquent and thought-provoking remarks that President Simon made earlier in the meeting regarding the unfortunate incident that occurred on April 2, following the men's basketball game. Ms. Cook said she totally supported the President's position and applauded her leadership. Ms. Cook expressed regret that the incident may have tainted the positive achievements of the University and its students.
- B. Trustee Romney affirmed his support for President Simon and expressed great pride in the basketball teams, MSU's athletes and nearly all of the students of this University for the great character they displayed. Mr. Romney also thanked President Simon for her efforts in obtaining State funding for MSU's programs.

Mr. Romney mentioned that *U.S. News and World Report* rated MSU College of Law in its third group, up from the fourth group. He said that because there is no longer a second group, essentially MSU's law college has moved into the second tier of law schools, where Wayne State University School of Law is placed. This is the first time MSU College of Law has been rated that highly.

- C. Trustee Nugent complimented Ms. Russell on the Diversity Awards ceremony. Mr. Nugent thanked President Simon for hosting a reception recognizing Big Ten conference championship teams: Field Hockey, Women's Basketball and Men's Soccer. He said he felt it would be a lifelong memory for those who were so honored.
- D. Trustee Ferguson passed.
- E. Trustee Foster said President Simon's nearly 100 days in office had been extraordinary, and she thanked Dr. Simon for her leadership.

Ms. Foster noted that she had spent time with the residence hall administrators and had heard repeatedly that students would like to see improved water quality in the residence halls; improved workout facilities in their residence halls; operational night access cards to residence halls; and upgrades to cable TV service, adding more sports channels and Fox News. Trustee Foster expressed her hope that these initiatives could be addressed.

- F. Trustee Gonzales expressed her pride in the students who received the Trustee GPA Awards. Ms. Gonzales said that so many students graduating with such high honors reflect the outstanding quality of this University.

Ms. Gonzales thanked the President for traveling extensively to attend both men's and women's basketball tournament games.

13. Public Participation on Issues Not Germane to the Agenda

Erik Green, Director, Racial, Ethnic and Progressive Affairs, Residence Halls Association. Mr. Green announced that several student organizations have formed a coalition called "The Hundred and Fifty Years of Struggle." The campaign focuses on the hard work, dedication and struggle by student groups to make MSU what it is today. Beginning at 4:00 a.m. April 2, and continuing until 10:00 a.m. April 8, students were present outside the Hannah Administration Building, speaking about current struggles. Seven struggles were highlighted – one for each day: gender identity; sustainability through renewable energy and recycling; ending racial inequities; sexual assault education and prevention; free-standing multicultural center; social responsibility; increase accessibility.

Erik Green spoke on behalf of Emily Friedberg regarding the Michigan Civil Rights Initiative. Mr. Green said the Michigan Civil Rights Initiative claims to end discrimination, but has the potential of attacking MSU's diversity programs and some of the University's recruitment programs. Mr. Green expressed concern that voters may be unclear as to what they

are voting in favor of or against when they go to the polls in 2006. Mr. Green called for the Board to oppose the Michigan Civil Rights Initiative.

Several individuals appeared to speak on the Workers Rights Consortium (WRC). They said that Michigan State University would join the WRC. They expressed thanks to the organizations and individuals who supported the WRC campaign. They called for MSU to adopt a strong WRC Code of Conduct that would be legally binding and cover women's rights, organizing rights, legal accountability and disclosure. Continued dialogue on the Code of Conduct was requested. President Simon was thanked for her support.

14. An Executive Session was not requested.
15. On a motion by Ms. Cook, supported by Ms. Gonzales, **THE BOARD VOTED to adjourn** at 12:17 p.m.

Respectfully submitted,

L. Susan Carter
Secretary of the Board of Trustees