

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

April 16, 2004

The Trustee Finance Committee and Trustee Policy Committee meetings were held in the Board Room of the Administration Building beginning at 9:00 a.m. on Friday, April 16, 2004. Minutes of the meetings are on file in the Office of the Secretary of the Board of Trustees.

President McPherson called the meeting of the Board of Trustees to order at 9:20 a.m. in the Board Room.

Trustees present: Dolores M. Cook, Joel I. Ferguson, Dorothy V. Gonzales, Colleen M. McNamara, Donald W. Nugent, David L. Porteous and G. Scott Romney.

Trustee absent: Randall L. Pittman

University officers present: President McPherson, Provost Simon, Vice President Poston, Secretary Carter, Vice President and General Counsel Noto, Vice Presidents Denbow, June, Webb and Webster, Senior Advisor and Director Granberry Russell and Director Williams. Faculty Liaisons present: Robert Maleczka, Susan Linz for Michael Moch, James Potchen and Jon Sticklen. Student Liaisons present: Jared English, Missy Kushlak, Misty Staunton and Kimberly Yake.

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

1. On a motion by Ms. Cook, supported by Ms. Gonzales, **THE BOARD VOTED to approve** the agenda.
2. On a motion by Ms. McNamara, supported by Ms. Gonzales, **THE BOARD VOTED to approve** the minutes of February 13, 2004.
3. Trustee GPA Award Recipients

Chairman Porteous and President McPherson presented Trustee GPA Awards for 2004 Spring Semester to the graduating seniors listed below. (Tracy L. Kamikawa, Biosystems Engineering, 4.00000, was unable to attend.)

<u>Name</u>	<u>Major</u>	<u>Grade Point</u>
Timothy W. Bodnar	Human Biology	4.00000
Aimee C. Brooks	Zoology	4.00000
Westley S. Evans	Computer Engineering	4.00000
Matthew J. Griffin	Philosophy	4.00000
Allyson A. Miller	Humanities – Prelaw	4.00000
Dustin G. Nowacek	Lyman Briggs – Physiology	4.00000
Daniel C. Peltier	Microbiology	4.00000
Allison M. Quist	Political Science	4.00000
Nancy F. Rayel	Psychology	4.00000
Katherine D. Sheline	Microbiology	4.00000
Adam J. VanderBee	Marketing	4.00000
Ann E. Victory	Lyman Briggs – Physiology	4.00000
Michael A. Wilson	Psychology	4.00000
Daniel J. Wood	Lyman Briggs – Biochemistry	4.00000

#### 4. President's Report:

President McPherson, on behalf of the entire University community, congratulated the MSU Debate Team on its victory at the 58<sup>th</sup> National Tournament in Washington, D.C. This is the first time MSU has won this tournament, although the Debate Team has competed in the "Final Four" six previous times. Debaters Greta Stahl, David Strauss, Aaron Hardy and Shaun VanHorn, Director Michael Eber, Head Coach Will Rapko and Assistant Coach Alison Eber performed remarkably to bring victory home.

Mr. McPherson noted that a ceremony was held recently to dedicate the SOAR Telescope. MSU astronomers will use the telescope, located in Chile, approximately 40 nights a year from a remote control observation room in the Biomedical and Physical Sciences Building. MSU's partners in this venture include the University of North Carolina at Chapel Hill, the National Optical Astronomy Observatories and Brazil. President McPherson thanked the organizers of the Diversity Awards ceremony that recognized people who have done outstanding work toward advancing diversity within our University community.

Mr. McPherson thanked the Student Liaisons to the Board of Trustees, Missy Kushlak, Jared English, Misty Staunton and Kimberly Yake. They have played an important role through their service to the Board.

The *US News and World Report* annual rankings have been published. President McPherson noted that the primary and secondary education programs in the College of Education were ranked No. 1 in the country for the tenth consecutive year.

5. Public Participation on Items Germane to the Agenda

Chelsea McMellen represented ECO in addressing the Board of Trustees in connection with the \$30 million addition to MSU's Simon Power Plant. Ms. McMellen urged the administration to consult with students, professors, the University Committee for a Sustainable Campus and residents of East Lansing.

6. Personnel Actions

Provost Simon presented the following personnel actions:

- 1) Snow, Sandra L., AY – Associate Professor, School of Music, \$73,000, with Tenure, effective August 16, 2004.
- 2) Ramesh, Krishnamoorthy, AY – Professor, Department of Accounting and Information Systems, \$153,000, with Tenure, effective August 16, 2003.
- 3) Kron, Michael A., AN – Associate Professor, Department of Medicine, \$116,842, with Tenure, effective April 1, 2004.

Provost Simon noted that Dr. Snow currently has a position with the University of Michigan. She is viewed as one of the most prominent individuals in choral education music, working with women's voices.

Dr. Simon explained that Dr. Ramesh received his Ph.D. from Michigan State University in 1991; he has taught at Northwestern University and Pennsylvania State University before becoming Senior Associate, Principal, and then Vice President for Charles River Associates and President of Group Analysis Economics. As a student at MSU, he received the MSU Excellence in Teaching Award in 1988. He will be involved in teaching and research.

The Provost indicated that Dr. Kron is currently in the division of infectious disease in the Department of Human Medicine. He is a well-known and well-funded researcher in international health.

Dr. Simon commented that all of these recommendations come to the Board with the full support of the faculty, deans and Office of the Provost.

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

7. Gift, Grant and Contract Report

On behalf of Vice President Huggett, Associate Vice President Hunt presented the Gift, Grant and Contract Report for the period of January 24, 2004, through March 25 2004. The report is a compilation of 373 Gifts, Grants and Contracts, 67 Consignment/Non-Cash Gifts and 2 Consignment/Non-Cash Loans, with a total value of \$56,569,598.51.

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

8. Trustee Nugent presented the Trustee Finance Committee report and recommendations.

A. Bids and Contract Awards

- 1) It was recommended that a contract in the amount of \$1,040,000 be awarded to Sandborn Construction, Inc., of Portland, Michigan, and that a budget in the amount of \$1,450,000 be established for the project entitled: Campus Steam Distribution Vault 299 to Shaw Hall and Abrams Planetarium.
- 2) It was recommended that a contract in the amount of \$406,400 be awarded to Moore Trosper Construction Company, of Holt, Michigan, and that a budget in the amount of \$500,000 be established for the project entitled: Chemistry – Alterations to Rooms 208, 208A and 209.
- 3) It was recommended that a contract in the amount of \$648,369 be awarded to Gunthorpe Plumbing & Heating, Inc., of East Lansing, Michigan, and that a budget in the amount of \$760,000 be established for the project entitled: Clinical Center – Coil Replacement Phase II.
- 4) It was recommended that a contract in the amount of \$267,700 be awarded to Lutz Roofing, of Shelby Township, Michigan, and that a budget in the amount of \$360,000 be established for the project entitled: Printing Services Building – Roof Replacement.

On a motion by Mr. Porteous, supported by Ms. Cook, **THE BOARD VOTED to approve** the above recommendations.

Mr. Nugent pointed out that all of the recommendations were for the low bidders on the various projects.

B. Construction Manager Appointments

- 1) It was recommended that the Board of Trustees appoint Granger Construction Company as the Construction Manager for the project entitled: Campus Steam Distribution – Vault 214 to Erickson Hall and International Center.
- 2) It was recommended that The Christman Construction Company/The industrial Company joint venture be appointed by the Board of Trustees as the construction manager for the project entitled T.B. Simon Power Plant – Units 5 and 6.

On a motion by Mr. Porteous, supported by Ms. Gonzales, **THE BOARD VOTED to approve** the Construction Manager recommendations.

C. Sale of Ludington Property

It was recommended to the Board of Trustees that the University enter into an agreement to sell to Chris Gamble the .637 acre Ludington property for \$82,000.

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

D. Funds Functioning as Endowments

- 1) It was recommended that the Board of Trustees establish a fund functioning as an endowment entitled: The “Leonardo Da Vinci” Design Endowment.
- 2) It was recommended that the Board of Trustees establish a fund functioning as an endowment entitled: George M. Kabakovich Trust in Memory of Holly Jean Kabakovich, D.O.

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

Mr. Nugent explained that future gifts are expected to be added to the “Leonardo Da Vinci” fund. The income will be used to support programs, activities and initiatives related to the design program of the Department of Mechanical Engineering, including, but not limited to, funding for student projects, scholarships, travel to national competitions, pre-collegiate programs, equipment manufacturing fellowships and curriculum development.

Trustee Nugent added that future gifts are expected to be added to the Kabakovich fund, as well. The income from this fund functioning as an endowment is for scholarships for future MSUCOM students.

E. FY 2004-05 Housing Rate Recommendations

It was recommended that the Board of Trustees adopt the basic residence halls room and board rate of \$5,458 per academic year, effective fall semester 2004, and adopt the basic university apartments rates of \$552 per month for a one-bedroom apartment and \$612 per month for a two-bedroom apartment, effective August 1, 2004.

Vice President Poston explained that the recommendation reflects a 4.4% increase to the residence hall basic room and board rate and a 3% increase to the monthly university apartments rates.

Assistant Vice President Charles Gagliano observed that the housing rate recommendations minimized increases. Further, the recommendations reflect payment for more services, such as bandwidth, and allow for an appropriate reserve. The reserve is designated for repair, maintenance, renovation, new services and construction, where appropriate.

Mr. Gagliano indicated that MSU's residence hall rates remain the lowest in the Big Ten and among public universities in Michigan, even though MSU provides more services than the other institutions do.

Mr. Ferguson pointed out that, without proper reserves to maintain the quality of services offered by MSU, occupancy will decrease and students who use MSU housing will be required to pay higher rates.

Mr. Gagliano noted that one of the things MSU does better than any other institution is to offer educational programs in classrooms in residence halls. The residential education programs not only attract students to MSU, but assist students in graduating from MSU.

Trustee Romney asked about the reduction in the special maintenance fund for both residence halls and apartments.

Mr. Gagliano said the strategic plan designated an amount to be maintained in the special maintenance fund. Although the contribution to future deferred maintenance is lower than last year, the amount comports with the model in the strategic plan.

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

9. Committee Chairperson McNamara presented the Trustee Policy Committee report and recommendations.
  - A. Amendment to Procedures Concerning Allegations of Misconduct in Research and Creative Activities, Appendix II, Evaluation of the UIIO

It was recommended that the Board of Trustees approve the revised Appendix II to the Procedures Concerning Allegations of Misconduct in Research and Creative Activities, set forth in Attachment A.

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

- B. Establishment of a School of Planning, Design and Construction

It was recommended to the Board of Trustees that the programs with related budgets and personnel of Building Construction, Urban Planning, Landscape Architecture, Interior Design and Facilities Management be merged into a School of Planning, Design and Construction, effective July 1, 2004.

On a motion by Ms. McNamara, supported by Ms. Cook, **THE BOARD VOTED to approve** the recommendation.

President McPherson noted that this recommendation was enthusiastically supported by all who are involved in those programs.

- C. Proposed Amendment to Section 3.2.4.1 of the *Bylaws for Academic Governance*

It was recommended that the Board of Trustees approve the proposed amendment to Section 3.2.4.1. of the *Bylaws for Academic Governance*, as set forth in Attachment B.

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

D. New Memorandum of Understanding between the Detroit College of Law and Michigan State University

It was recommended that the Board of Trustees approve the new Memorandum of Understanding Regarding Affiliation between the Detroit College of Law and Michigan State University. (Attachment C)

On a motion by Ms. McNamara, supported by Ms. Cook, **THE BOARD VOTED to approve** the recommendation.

President McPherson indicated that this is an historical step for the Law College and for the University. In 1995 an affiliation was begun, and the Law College adopted the name, "Detroit College of Law at Michigan State University." It was agreed that the Law College would continue to use that unless the Law College desired a change. At this time, the Law College prefers a closer affiliation and recommends a change of its name to Michigan State University College of Law.

To build on the success of the affiliation, MSU and the Law College now find it advantageous to align their academic reputations and identities more closely and to integrate Law College faculty and students more completely into the academic life of MSU, including its academic administration, academic governance, student government and curricular systems. The Law College will continue to be a separate nonprofit corporation, and its board will continue to manage the finances of the Law College.

Mr. McPherson noted that entrance test scores, as well as GPAs, for the Law School have climbed.

Mr. Porteous echoed the comments of President McPherson and added that a number of MSU Trustees have served on the Board of Trustees of the Law College or currently sit on that Board. It was very gratifying that at the recent Law College Board meeting, alumni and the former president of DCL commented that the affiliation between the two institutions has benefited the Law College tremendously. They feel that the name change reflects the wonderful relationship that has developed between MSU and the Law College. Dean Blackburn works very enthusiastically to improve the Law College.



Mr. Romney said that the Law College will remain an independent entity. MSU appoints some of the members of the Board of Trustees of the Law College. Certain consequential decisions of the Law School require a super majority vote of the Law College's Board of Trustees. Some MSU Board of Trustees members, by virtue of serving on the Law College Board, will vote on the Law College's budget and on other consequential decisions, which is appropriate because the Law College will bear the University's name. DCL is a financially viable entity that receives no funds from MSU. The Law College has done a superb job of expanding and has an outstanding faculty. This move illustrates the affiliation that already exists between the two institutions and will make it more apparent to those outside of the MSU community.

President McPherson said that one of the key changes that has occurred at the Law College is that the MSU Provost is also its Provost. Mr. McPherson also cited the importance of capturing the history – that this is a hundred-year-old law school, which has graduates statewide, and beyond, who feel very passionately about it.

Mr. Nugent pointed out that the MSU Law College's new name demonstrates a dynamic progression from early meetings at which some alums of the Law College insisted that the Law College not lose its identity as Detroit College of Law.

Trustee Cook said there is an incredible story of cooperation and caring between the two institutions. Ms. Cook commended the leadership provided by President McPherson and Provost Simon, by Judge Suhrheinrich and Mr. Cliff Haley, the past and present Presidents of the Law College, and by Dean Blackburn, the Law College's current dean and Dean Harrison, the first dean of the Law College.

Mr. McPherson added that if the two institutions had not been willing to work toward affiliation in an unconventional manner, the affiliation would not have taken place.

Terrance Blackburn, Dean of the Law College, reminded the Board that the Law College is 112 years old; the affiliation with MSU took place in 1995; and the physical move to MSU's campus took place in 1997. What has happened in the seven short years since that time has been extraordinary, and it is due to the leadership of President McPherson and Provost Simon and of the three Presidents of the Law College who have presided during that time. The public-private partnership that has been created is truly

extraordinary. The Law College is more integrated into the academic life of this University than any other in the country. There are 14 dual-degree programs; there is one joint school certificate program; there are three joint school clinical programs; there are co-sponsored symposia; there are co-sponsored national level conferences; there is cross teaching and cross registering. Bringing to the Law College the strengths of a research university has changed entirely the nature of legal education for DCL and is a proper model for what legal education ought to be in the future. At the same time, the Law College has brought to the University – at no cost to the University and at no cost to taxpayers – an incredibly synergistic excellence in education and legal education. The name change symbolizes the academic depth of integration that has taken place. The entire Law College is very pleased.

Provost Simon acknowledged the leadership of Dean Blackburn. She observed the proposals in the new Memorandum of Understanding were fully reviewed by faculty of the Law College and come with their endorsement. The concept was also reviewed within the University's academic governance structure and was approved.

#### E. Annual Report on Diversity Within Community

Paulette Granberry Russell, Director, Office of Affirmative Action and Compliance and Senior Advisor to the President, expressed her appreciation for the opportunity to present the University's Annual Progress Report on Diversity and Affirmative Action for the year 2002-03. Although her office compiled the report, Ms. Russell indicated that the data was received from academic and support units campus-wide.

The report presented to the Board of Trustees is retrospective and details the results of the prior year efforts to achieve and support campus diversity through various new and ongoing program initiatives. It looks at the representation of the diverse groups, particularly women, persons of color and persons with disabilities, within the campus population. Among conclusions of the report are the following:

- While total **student enrollment** declined in fall semester 2003, total minority student enrollment increased slightly from 16.4% to 16.7% of the student population. There were slight declines in the enrollment of African American and Native American students, but the number of Asian/Pacific Islander and Chicano/Latino students increased. International student enrollment also increased and now represents 7.4% (up from 7.1%) of the student population.

- Total enrollment of minority freshmen for fall 2003 decreased from the 2002 record high of 20.4% to 18.5%. There were similar decreases across all minority groups.
- Women students continue to represent 54% of the total undergraduate student population.
  - Although the decline in the number of African American students and Native American students was slight, any decline is reason for reflection. Some of the efforts made to assure student diversity include:
    - The Office of Admissions visited over 500 high schools. All urban schools in Michigan have been visited at least twice and, in most cases, three or more times.
    - The Detroit Admissions Office and its new director, with assistance from Dr. Clarence Underwood, have been very aggressive in outreach efforts and contacts.
    - This year, the new Broad Scholarship, for those in the Detroit Public Schools who aspire to teach, has attracted over 200 applications.
- During 2002-03, the total number of **tenure system faculty** decreased by 15. However, the proportion of women in tenure system positions increased, and the proportion of persons of color increased. Representation increased for all minority groups, except for a decline of one African American in the tenure system faculty.
- Overall, the **support staff workforce** decreased, with corresponding decreases in the numbers of women and persons of color. However, the representation of minorities in the support staff workforce remained constant at 15.2%, while there was a slight decline in the representation of women. However, a review of the data for 2003 reflects that 75% of the new support staff hires were women and persons of color.

It is not only important to engage in aggressive efforts to recruit a diverse student body, it is equally important to retain those students. Some success in the area of improving persistence and graduation rates for students of color is evidenced by a decrease in some of the differentials between these students and students overall.

## Regarding Persistence Rates

Nationally, according to 2002 data for institutions similar to MSU, the persistence rates for those who enter as freshmen and return in the fall of their sophomore year, is, on average, 80.2%. MSU is above the national average, and has been for the last six years with a cohort persistence rate of 89.1%.

First-year persistence rates for undergraduate students of color overall have been improving for the last two years, reaching a 20-year high of 85.6% for the cohort of 2002. The differential between MSU students overall and students of color was 5.4% above the national average.

For African Americans, the first-year undergraduate persistence rate for the 2002 cohort was 86.2%, a 20-year high.

## Regarding Graduation Rates

The graduation rates for students of color have improved. Nationally, the overall six-year graduation rate for Division 1 schools for the cohort of 1996-97 was 59%. The six-year African American graduation rates at MSU for the cohort of 1997 reached a 15-year high of 55.2% (overall graduation rate was 68.7%). Nationally, the African American graduation rate at Division 1 schools was 41% during this time period. MSU's efforts place it at the forefront of Division 1 schools.

A careful review of data is occurring to see what it means for MSU programmatically. Preliminarily, the data shows some success. MSU's numbers compare very favorably to institutions similar to MSU, and would tend to support the view that the University is faring better in persistence and graduation rates for students of color.

Many people on campus have increased their efforts over the last few years to address these issues systematically. While there is still much work to be done, particularly in reference to Native Americans, African Americans and Latinos in closing the disparity in persistence and graduation rates, clearly some progress is being made, including:

- Over 300 members of the MSU community participated in the **Best Practices in Diversity at MSU: Enhancing a Diverse Campus Community Conference** in the fall of 2003. The conference offered participants an opportunity to compare and contrast experiences in delivering programs in support of a diverse campus community.
- In March 2003, a coalition of student organizations, including student leaders from the Council of Racial/Ethnic Students and

Council of Progressive Students, presented a list of 16 concerns to President McPherson. Since that time, progress has been made addressing the various issues and work with the students continues on these issues and any others that arise.

Progress requires sustained leadership, commitment and vigilance. There are constant challenges to recalibrate efforts in response to changing community needs and the broader global community. The Annual Diversity Report allows reflection on the past successes and continuing challenges. The recipients of the Excellence in Diversity awards are symbols of what can be done with a great deal of commitment and hard work.

On a motion by Ms. McNamara, supported by Ms. Cook, **THE BOARD VOTED to approve** The Annual Progress Report – Affirmative Action and Diversity Within Community.

President McPherson thanked Ms. Granberry Russell for her report and pointed out that it is important to review annually with the Board of Trustees diversity on our campus and to provide detailed reports.

Trustee Gonzales inquired about continuing training offered on campus and asked about recruitment efforts around the state.

Ms. Granberry Russell responded that there is a collaborative effort among her office, the Office of the Vice President for Student Affairs and others that provides training for residence hall staff on issues like prohibited harassments. Training is also offered to faculty to improve the climate within academic units. During the upcoming year there will be a summer institute for faculty to transform their curriculum around diversity issues. Ms. Granberry Russell said those faculty hiring efforts go beyond merely posting positions in traditional journals and publications – direct outreach engagement is used. Increased representation of women and persons of color across the disciplines has resulted.

Trustee Cook remarked on the tremendous response to this, the first offering, of the Broad Scholarship. Provost Simon explained that the Broad process offers a three-week program during the summer to introduce younger high school students to MSU. Additionally, the Broad Scholarship not only permits the University to recruit students from Detroit to study at MSU, it involves a commitment from those students to return to Detroit to teach.

Mr. Nugent commented on a program by which Mexico has committed a million dollars in guaranteed loans for their students to come to Michigan

State University to study. The program will result in a significant number of students coming from Mexico to study at MSU.

F. Notice of Intent to Negotiate Contracts

Pursuant to state law, the Chair of the Policy Committee gave 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 two companies:

- 1) Diversified Natural Products, a Michigan company based in East Lansing. Dr. Kris A. Berglund, a Professor in Chemical Engineering and Materials Science, and his immediate family, cumulatively own or have options to buy an equity interest of more than 5% of the company. Dr. Berglund is also an officer of Diversified Natural Products.
- 2) Gema, LLC, a Michigan company based in East Lansing. Dr. Jose Cibelli, a Professor in the Department of Animal Science, and his immediate family, cumulatively own or have options to buy an equity interest of more than 5% of the company. Dr. Cibelli is also an officer of Gema, LLC.

G. Approval of Contract Terms and Conflict of Interest Procedures

- 1) It was recommended that the Board of Trustees approve the administration's recommendation for execution of a research subcontract with Digital Flow Technologies, Inc., consistent with earlier public notice given at a Board meeting and with the applicable "Research Subcontract Term Sheet" presented for inclusion in its minutes. (Attachment D)
- 2) It was recommended that the Board of Trustees approve the administration's recommendation for execution of a license amendment with InfoPOEM, Inc., consistent with earlier public notice given at a Board meeting and with the applicable "License Amendment Term Sheet" presented to the Board for inclusion in its minutes. (Attachment E)
- 3) It was recommended that the Board of Trustees approve the administration's recommendation for execution of an amendment to the license agreement with AFID Therapeutics, Inc., consistent with earlier public notice given at a Board meeting and with the applicable "License Amendment Term Sheet" presented to the Board for inclusion in its minutes. (Attachment F)

On a motion by Ms. McNamara, supported by Ms. Cook,  
**THE BOARD VOTED to approve** the recommendations.

9. Chairman's Report

Trustee Porteous complimented Ms. Granberry Russell and her staff for organizing the Excellence in Diversity Awards Ceremony. The event highlighted the commitment of this University to advancing diversity. Awards presented to students, faculty and staff and to individuals, groups and teams recognize their extraordinary dedication. Mr. Porteous congratulated the award recipients.

Mr. Porteous commended the graduating students who received the Board of Trustees GPA Awards.

10. Trustees' Comments

A. Trustee Cook shared that graduation at MSU is a very special time to her. It validates the work and purpose of the administrators, faculty and Board of Trustees. Ms. Cook was greatly impressed with the large number of students in this senior class who attained a 4.0 grade point average in very demanding majors. Ms. Cook congratulated the faculty and students' families, as well as the students. They reflect the excellence of this University throughout the state, the country and the world.

B. Trustee Gonzales affirmed the remarks of Trustee Cook and echoed her sentiments.

C. Trustee McNamara passed.

D. Trustee Nugent acknowledged concerns as well as excitement about possible expansion of the Medical School. Mr. Nugent said he appreciated the involvement and comments coming from all sides. Mr. Nugent thanked President McPherson for his leadership in this project.

Mr. Nugent recently met with the Tokyo Alumni Club and will be joining its members for their annual meeting later this year. He will do the same for the Beijing Alumni Club. He enjoys meeting with various alumni clubs while traveling. He hopes the University will receive contributions from the clubs to help fund the new Sparty statue.

E. Trustee Romney passed.

F. Trustee Ferguson asked for a well-posted and well-advertised public hearing and public discussion on the proposed expansion of the Medical School. Mr. Ferguson hopes it will be scheduled with an appropriate period of time between the public hearing and the vote by the Board of Trustees. Mr. Ferguson feels the more light that is given to the subject, the better understanding the community will have as to the proposal's benefits for the College of Human Medicine (CHM), the mid-Michigan area and the delivery of health services statewide.

#### 11. Public Participation on Issues Not Germane to the Agenda

Professor Grover Hudson appeared on behalf of the MSU Chapter of the American Association for University Professors (AAUP) to address the proposed expansion of CHM. Dr. Hudson pointed out that the Bylaws of the Board of Trustees and a statement by the AAUP both call for collaboration at all levels of academia when the University makes important decisions on academic policy. He urged an awareness of the interdependency and usefulness of communication, among the Board, administrators and faculty.

Nigel Paneth, Professor of Epidemiology and Pediatrics in Human Development and Associate Dean for Research of the CHM, presented a statement (Attachment G) prepared by a committee of senior faculty in CHM that has been endorsed by 91 faculty members of CHM. The statement requests that the Board adopt a policy that: expansion of CHM would occur only after CHM faculty is satisfied that available resources are sufficient to establish first-class programs; transition and implementation teams include majority membership of CHM faculty; a substantial presence of CHM faculty and staff be retained in East Lansing; and before implementation of the expansion, the entire CHM faculty vote on specified matters relating to the expansion. There are great opportunities in Grand Rapids, but the faculty is acutely aware that many pitfalls may await. Resources and willing partners in physicians and health institutions in Grand Rapids must be found and share CHM's vision. The CHM faculty is committed to working with the Board and urges adoption of the statement.

Rae Schnuth, representing the College Advisory Council, presented a unanimously approved resolution (Attachment H) that recognizes that the expansion presents an opportunity for growth and increased financial viability for CHM as well as an opportunity to build a world-class teaching facility and greater potential for research investment. Expansion is potentially a threat to the educational, clinical and research missions of the CHM. Concern as to the impact expansion might have on future accreditation is addressed in the resolution, and a request is made for the



President and Provost to appoint an Oversight Assessment Committee to study adequacy of finance, accreditation, faculty support, programmatic quality and impact on the MSU community as well as on Mid-Michigan.

Fred C. Dyer, Professor and Chairperson of the Department of Zoology, spoke in regard to a lack of trust that exists between the faculty and central administration at MSU. Dr. Dyer expressed concern about central administration making important decisions without adequate input from the faculty. As a member of an ad hoc group formed to study the perception that faculty is not heard when making decisions, such as expansion of CHM and reorganization of several colleges of the University, he said the consensus of the group is that failure adequately to engage faculty is part of a broader mistrust between faculty and central administration. Faculty manage, implement and live with the outcome and need to be involved in a timely manner when major changes to academic programs are considered. Dr. Dyer and his constituents are not passing judgment on the merits of the actions; their focus is on the process.

Alice Dreger, Associate Professor, Science and Technology Studies, Lyman Briggs School, College of Natural Science, presented a list of examples where faculty were not promptly engaged in consequential changes to University programs. The faculty and administration of the University are pursuing the same goal – to continue to advance this great university. Faculty input, including dissenting input, will help faculty to feel like partners in the effort to improve the institution. Dr. Dreger asked the Trustees to work with the administration to explore ways of actively engaging faculty in addressing challenges that lie ahead.

Shel Veenstra, representing the Association of English Graduate Students, presented views on projected budget cuts in the English Department and in the Humanities, as a whole. If the Department is underfunded, the impact will be larger class size, which would further negatively impact students of lower ability; lessen instructor interaction by affording less one-on-one time; reduce instructor ability to assign and evaluate writing-based assignments; restrict the diversity perspective required for synthesis of ideas. Short-term benefits of cutting TA salaries and benefits are offset by the long-term detriment to undergraduate education. Ms. Veenstra urged MSU to focus, not just on offering the most affordable education in the Big Ten, but also the best value for students' money.

Scott Henkel, appeared on behalf of the Graduate Employees Union (GEU), representing 1,200 doctoral, MA, MFA and MS students who are graduate teaching assistants at MSU. The GEU's position is that any cut in the number of graduate teaching assistants will have a very detrimental effect on the quality of education offered at MSU: class sizes would

increase; programs would be eliminated; diversity would be negatively impacted; some international students might be required to return home without a degree. Worsening attrition rates for graduate teaching assistants will one day lead to a crisis in American higher education. The GEU feels graduate education is central to the mission of the research university and urges the Board to protect funding for graduate teaching assistants. Mr. Hinkel was critical of Provost Simon's role in cuts to funding for graduate teaching assistants.

Theron Dobson, representing medical students from CHM, spoke regarding the potential expansion of CHM to Grand Rapids. Mr. Dobson expressed concern as to the lack of transparency and lack of input from students, faculty and staff in considering this change. The expansion could provide tremendous long-term benefits for CHM, if its culture is upheld. Mr. Dobson looks for CHM curriculum to remain progressive and continue to foster diversity and not be influenced by the flow of money. CHM human capital is not being used as a resource in making the decision. Ultimately, it is the students, staff and faculty of the medical school who will make the transition successful or not. Mr. Dobson respectfully requested student involvement in further discussions regarding the future of CHM.

Scott Clark, International Brotherhood of Electrical Workers Union 665, appeared to express concerns about subcontractors selected to work on certain MSU projects. Mr. Clark pointed out that "Michigan Public Act 166 of 1965, Prevailing Wages on State Projects" states that apprentices must be registered with the Bureau of Apprenticeship and Training (BAT). It also states that contracting agents for projects have the right and responsibility for the quality of work and for determining the classification and needs of projects. Mr. Clark interviewed some past and present employees of a contractor being considered for a project on campus. The apprentices were not registered with a BAT-approved apprenticeship, or with the State of Michigan, in compliance with the State licensing law. Mr. Clark asked for a policy by the Board that addresses reasonable progression in a BAT approved program, including mandatory registration, attendance, advancement, proper on-the-job training by qualified individuals, proper classroom instruction and documentation as a pre-qualifier for electrical contractors and other trades, as well as safety training and registration with the State of Michigan.

David Mitchell spoke on behalf of the Students for Economic Justice (SEJ), which feels there has been an undemocratic relationship between students and administration at MSU – that communication between students and President McPherson and the Board of Trustees has been inadequate, particularly as to the Worker Rights Consortium (WRC). A meeting between President McPherson and Scott Nova, Director of the

WRC, was held over spring break without involvement of SEJ. One hundred twenty colleges are members of the WRC, including nine of the 11 Big Ten universities. The WRC is a well-respected monitoring body for locations across the world where MSU apparel is manufactured. It has a proven track record for improving worker conditions where university apparel is made. MSU currently belongs to the Fair Labor Association (FLA). The differences between the two organizations are:

- The WRC meets with workers outside the factory for discussions. The FLA only does walk-throughs of factories.
- The WRC makes investigative reports public, resulting in more enforceable violations. The FLA does not release publicly so violations are not exposed to external groups.
- The WRC's efficiency in reporting gets results. The FLA fails to promptly mediate changes in factories.

Mr. Mitchell urges the Board of Trustees to join the WRC.

Trustee Porteous and Trustee Ferguson voiced support for the efforts of the administration and Provost Simon, in particular, in response to what they perceived as personal attacks by some of the speakers.

President McPherson thanked all who addressed the Board.

President McPherson said that, assuming the agreement with the Governor and legislature stands, the University will have to absorb a total of approximately \$100 million in cuts and reallocations for last year, this year and next year. The reallocations go to health care expenses and compensation increases. This has been an extraordinarily tough time for the University. Although there has been a great deal of engagement and discussion campus-wide, Dr. Simon and Dr. Poston have been on the front line in dealing with budget issues. President McPherson indicated that he supports the actions they have taken. The administration has sought to maintain fundamental financial integrity and educational integrity. The decisions have been painful and not ones that the University would like to make. Going hand-in-hand with these decisions has been the need to reposition the University as advantageously as possible for five or 10 years from now.

12. An Executive Session was not requested

13. On a motion by Mr. Porteous, supported by Mr. Romney, **THE BOARD VOTED to adjourn** at 11:50 A.M.

Respectfully submitted,

L. Susan Carter  
Secretary of the Board of Trustees