

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

February 11, 2022

President Stanley called the meeting of the Board of Trustees to order at 8:00 a.m.

Trustees present: Dianne Byrum, Melanie Foster, Renee Knake Jefferson, Dan Kelly, Pat O'Keefe, Brianna Scott, Kelly Tebay and Rema Vassar.

University officers present: President Stanley, Provost and Executive Vice President Woodruff; Executive Vice President Woo; Senior Vice Presidents Frace and Gore; Vice President and General Counsel Quinn; Secretary and Chief of Staff Scorsone, Vice Presidents Bales, Bollman, Gage, and Heil. Faculty liaisons present: Karen Kelly Blake and d'Ann de Simone. Student liaisons present: Kaitlyn Bolton, Georgia Frost, Sara Hugentobler and Myesha Johnson.

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

1. On a motion by Trustee Scott, supported by Trustee O'Keefe, the **BOARD VOTED to approve** the proposed agenda.
2. On a motion by Trustee Byrum, supported by Trustee Foster, the **BOARD VOTED to approve** the minutes of the December 17, 2021, Board of Trustees meeting.
3. Public Participation
 - a. Kyle Shumaker—President Stanley not having time to hear evidence of an ethics complaint
 - b. Kate Birdsall—2022 contract negotiations
 - c. Patrick Munley—Swimming and Diving
 - d. Sophia Balow—Swimming and Diving
 - e. Peter Corsetti—Swimming and Diving
 - f. Noah Doederlein—Fossil Fuel Divestment
 - g. Madeleine Tocco—Fossil Fuel Divestment
 - h. Eli Folts—Fossil Fuel Divestment
 - i. Savitri Anantharaman—Fossil Fuel Divestment
 - j. Rande Somma—MSU Leadership
 - k. James Phalen—MSU Leadership
 - l. Cate Dombrowski—MSU Firearms Policy
 - m. Mason Vore—MSU Firearms Policy
 - n. Mara McKenzie—MSU Firearms Policy

- o. Travis Nitkiewicz—Athletic/University Budget
- p. Dr. Lawrence Stawick—MSU Athletics and Academics
- q. Brenda Ammon—Son suspended for COVID non-compliance

4. President's Report

President Stanley provided the following report to the Board:

I want to thank those who spoke this morning. In my remarks today, I will highlight some important partnerships and share how MSU is working in Michigan communities to improve health care equity and outcomes. Among other updates, I want to discuss an important change to our faculty discipline policy coming before the Board today. And I will provide an update on the start of this semester. First, I want to acknowledge an important date in our history coming up tomorrow, the 167th anniversary of the establishment of Michigan State University. Together, we have come a long way over the generations, but MSU has maintained our close connection to Michigan's people and commitment to Michigan's communities. It is a bond formed back when leaders first called for such an institution to nurture a more prosperous and a more competitive state. Serving every county through a broad range of extension services, medical education, research, and other partnerships, MSU continues to be a visionary and engaged engine of advancement for the students, families, and State of Michigan. Reflecting on our history can have great value, but we must also continue to look for ways to advance knowledge and transform lives as we go forward. With the implementation of our strategic plans and a new year of accomplishments underway, our mission remains strong. I look forward to working closely with the Board, our faculty and staff, our students, alumni, and stakeholders across the state and around the world to grow our impact in teaching and learning, research and innovation, and extension and outreach.

When it comes to outreach, Michigan State University has literally grown up with Michigan communities such as Flint, which was incorporated as a city in the same year MSU was founded. MSU has been an active participant in the Flint area for more than a century. In partnership with the Charles Stewart Mott Foundation, MSU has engaged with Flint public schools for over 50 years. And now, with the support of the Mott Foundation, we are expanding our highly successful model for education and service through our College of Human Medicine's Public Health Program, which is based at MSU's downtown Flint campus. I want to thank the Trustees, the mayor of Flint and those who joined me recently to announce a \$25 million Mott Foundation grant to MSU. This extension of our partnership with the Foundation will allow us to add approximately 18 tenure track faculty members to the public health program, including more than eight endowed professorships. That will grow the Public Health Program to more than 25 tenure track faculty and about 70 faculty members in total, as MSU continues to make a difference for the people of Flint and Michigan. And an item on today's agenda will facilitate this through a lease for space in downtown Flint to house these research teams.

In January, we observed the first anniversary of another transformational health partnership, this one with the Henry Ford Health System in Detroit. MSU joined Henry Ford in a 30-year collaboration to advance a new standard of health in Detroit and beyond. We look forward to making significant progress together. Our plans include building on our joint cancer research task force and seeking designation as a Comprehensive Cancer Center. We will also begin planning and design for a new research building near Henry Ford's Detroit campus. In this partnership, we are defining new paths for advancing equity in health care access and outcomes, particularly in cancer care. And we will explore pathways for opening health care careers to more young people throughout Michigan.

The development of online degree programs is another way MSU extends its services to people beyond our campus, and we recently received news of strong rankings for several online programs. The latest U.S. News and World Report rankings place four College of Education online programs in the Top 10 in their categories, with Curriculum and Instruction rising to number one in the nation. MSU's online master's program in Criminal Justice ranked number five for the second year in a row, and our non-MBA online master's program in Business jumped nine places to number 12. And the online master's in Mechanical Engineering program ranked number 14. I want to congratulate everyone associated with these programs on these very high rankings.

Behind every MSU program are talented and engaged faculty and staff. The excellence of these scholars earned another form of validation with the naming of a new cohort of AAAS fellows that includes nine MSU faculty members. The American Association for the Advancement of Science is the world's largest scientific society and being named an AAAS Fellow is a great distinction. Having nine faculty members named in one-year ties MSU's record. Having new fellows named in seven different disciplines attests to the breadth of MSU's research excellence. Also recently, a great honor came to a faculty member in a different form when President Joe Biden nominated economist and professor Lisa Cook to the Board of Governors of the Federal Reserve System. Dr. Cook teaches in the College of Social Science's Department of Economics and is also a professor of International Relations in the James Madison College. If confirmed, she will be the first Black woman to serve on the Fed in its 108-year history. I want to offer my congratulations to Professor Cook whose background, scholarly activity and prior governmental experience make her an outstanding candidate for this vital position.

And this season we say goodbye to another Spartan who has made a mark, MSU volleyball head coach Cathy George. Coach George announced her retirement after an impressive 35-season career, the last 17 coaching at MSU. She is our winningest volleyball coach, recording 302 wins at MSU. Coach George was the first woman to lead a team to the NCAA Division I Final Four and has guided her teams to 15 NCAA tournaments in all. We wish her well and thank her for her dedication to the sport and her players. And I want to give a warm welcome to our new volleyball head coach, Leah Johnson. She comes to us from Illinois State,

where in her five seasons there, her teams made five postseason appearances, including four straight NCAA Tournaments.

I want to provide an update now on the start of our spring semester. I am pleased to report we had a safe and solid start as we welcomed students back to in-person classes Jan. 31. I believe our decision to hold the first three weeks of the semester online helped mitigate the spread of the Omicron variant on campus and, very importantly, reduced the impact of absences on our classrooms and students' success. We are now seeing a significant drop in cases, although not yet to the levels we saw pre-Omicron or Delta, but the trends are very encouraging. We will continue to evaluate all our campus health measures for their effectiveness and necessity as we progress in this semester. The safety of the community is a priority that extends to all who live, learn, work, and visit our campus and a point of continual study. As you know, we were saddened to join family and friends in announcing the recovery of missing GVSU student Brendan Santo a few weeks ago. As part of our response to this tragedy, we have been installing temporary fencing along the river for several weeks, starting at the Beal Street and West Circle Drive intersection, while we work on a more permanent solution to address concerns about safety along the Red Cedar River. The university is also actively replacing lighting across campus with brighter and more efficient LED bulbs to help our community feel safer. We regularly assess campus lighting each year, and we will continue to do so going forward. And we recently released a new mobile application called SafeMSU, which gives users access to a number of safety resources. A function called "friend walk," for example, allows Spartans to share their current location with a friend, who can follow their progress to the destination.

As you know, February is Black History Month, acknowledging the struggles, recognizing the contributions, and celebrating the successes of Blacks, Africans, and African Americans. I encourage everyone to take advantage of the special events on campus and online to help celebrate the month. Even as we celebrate Black History Month, we saw recent threats made against a number of historically Black colleges and universities. HBCUs have played an important role in American higher education and contribute to our own university's diversity, excellence, and success. Their alumni, including Professor Cook, are among the students in our graduate and professional degree programs, as well as among our faculty, staff, and executive leadership. I want to affirm that MSU stands in solidarity with HBCUs, and we believe no community should be subjected to such menace. A threat against any institution of higher learning is a threat against all of higher education.

I want to highlight an item on today's agenda that addresses concerns voiced by many across the university about our tenured faculty discipline and dismissal for cause policy. The policy update provides a standard timeline for handling discipline and adds clarity and transparency, as well as equity across employee groups for violations. As fellow leaders and I told the campus community in an email this week, the policy is the outcome of a great amount of study from the provost's

Discipline Process and Sanction Review Task Force, Academic Governance, and others, and I thank them for their engagement on this issue.

I want to conclude today with the sad news we received last night of the passing of former MSU Chief of Police Kelly Roudebush. Her distinguished career took her through the ranks to become the fifth Chief of the MSU Police Department in January 2019, she was the first woman to occupy that office. Very sadly, she was diagnosed with stage four breast cancer, leaving the department in July 2020 to focus on her health. Chief Kelly Roudebush was a Spartan. She earned her bachelor's degree here, and her master's at Western Michigan University, joining our department as an officer in 1994. She served as a field training officer, canine handler, patrol shift commander, training and special events security coordinator and as a threat assessment team commander before being named deputy chief. It was my privilege to work with her in the role of chief. Today, I want to send my condolences and those of the entire university to her family, along with our gratitude for her dedicated service.

With that, I'll conclude my remarks.

5. Gift, Grant, and Contract

Vice President Doug Gage presented the Gifts, Grants and Contracts Report for the period of November 16, 2021, through January 12, 2022. The report is a compilation of 331 Gifts, Grants, and Contracts plus 31 Consignment/Non-Cash Gifts, with a total value of \$163,922,269.

Trustee Scott **moved to approve** the recommendation, with support from Trustee Byrum.

THE BOARD VOTED to approve the recommendation.

6. Research Presentation

Vice President Gage introduced Professor Jason Rowntree, CS Mott Associate Professor within in the Animal Science Department, who gave a presentation entitled "The MSU Center of Regenerative Agriculture." (Appendix A)

7. Personnel Actions

Provost Woodruff presented the following personnel actions.

Eric Scorsone, Ph.D.—AN, Associate Professor in the Department of Agricultural, Food, and Resource Economics in the College of Agriculture and Natural Resources; Director of the MSU Extension Center for Local Government Finance and Policy, for a change in appointment and title to Secretary and Chief of Staff to the Board of Trustees, Executive Management,

effective February 1, 2022.

Kendra Spence Cheruvellil, Ph.D.—AN, Interim Dean of Lyman Briggs College, for the removal of Interim, for an appointment of Dean of Lyman Briggs College, effective February 11, 2022.

Trustee Kelly **moved to approve** the recommendations, with support from Trustee O'Keefe.

THE BOARD VOTED to approve the recommendations.

8. Committee on Budget and Finance

Trustee Foster presented the Trustee Budget and Finance Committee Report and the following recommendations and resolutions.

A. Purchase of Parker Property in Lansing Twp., MI

The Trustee Committee on Budget and Finance recommends that the Board of Trustees authorize the purchase of property located at 4035 E. Jolly Rd., Lansing, Michigan.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby authorizes the Administration to purchase the property located at 4035 E. Jolly Rd. Lansing Twp., in Ingham County, Michigan for \$700,000, and upon such other terms and conditions as may be acceptable to the President or his designee.

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

THE BOARD VOTED to approve the recommendation.

B. Long-Term Lease of Space in Flint

The Trustee Committee on Budget and Finance recommends that the Board of Trustees authorize the Administration to enter into a lease of space in the City of Flint for purposes of expanding College of Human Medicine Public Health research capacity.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby authorizes the Administration to negotiate and execute a lease for space in the City of Flint for a term that may exceed 10 years, and upon such other terms and conditions as may be acceptable to the President or his designee.

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

THE BOARD VOTED to approve the recommendation.

C. Biomedical Animal Resources—Provision for Large Animal Imaging—Clinical Center

The Trustee Committee on Budget and Finance recommends that the Board of Trustees authorize the Administration to plan for creation of new animal research facilities in the Clinical Center.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby authorizes the Administration to plan for the project entitled "Biomedical Animal Resources—Provision for Large Animal Imaging—Clinical Center."

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

THE BOARD VOTED to approve the recommendation.

D. Project Approval—Authorization to Proceed—Packaging Building—Addition and Renovations

The Trustee Committee on Budget and Finance recommends that the Board of Trustees authorize the Administration to proceed with a major renovation to the Packaging Building.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby authorizes the Administration to proceed with the project entitled "Packaging Building -Addition and Renovations" with a project budget of \$10,900,000.

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

THE BOARD VOTED to approve the recommendation.

9. Committee on Academic Affairs

Trustee Byrum presented the Trustee Academic Affairs Report and the following recommendations and resolutions.

A. Revisions to Policy 03-17-09 (Discipline and Dismissal of Tenured Faculty for Cause)

The Trustee Committee on Academic Affairs recommends that the Board of Trustees approve the revisions to Policy 03-17-09 (Discipline and Dismissal of Tenured Faculty for Cause) shown in Attachment A hereto.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves the revisions to Policy 03-17-09 (Discipline and Dismissal of Tenured Faculty for Cause) shown in Attachment A hereto. (Appendix B)

Trustee Byrum **moved to approve** the recommendation, with support from Trustee Kelly.

Provost Woodruff provided the following remarks:

I rise to speak to the vote that will be taken regarding the revisions to the MSU Discipline and Dismissal of Tenured Faculty for Cause policy. There are moments in the life of an institution that are defining. Today is one of those moments. By roll call vote, the Board of Trustees will ratify revisions to the policy governing dismissal of tenured faculty for cause, that had an historical unanimous vote from the University Committee on Faculty Tenure, University Committee on Academic Affairs, and the Faculty Senate. Unanimity in the academy is rare, so let me etch out not only what has been agreed to, but why this is historic.

First, what was done. A task force empaneled by me last spring was charged to review the institution's discipline process and sanction structure to ensure clarity, appropriateness, consistency, and timely implementation of sanctions for violations of the Relationship Violence and Sexual Misconduct Policy. The task force identified timeliness of the disciplinary process as a key barrier to ensuring a safe and respectful working and learning environment. To remove that barrier, the task force recommended streamlining the dismissal process to a 120-day timeline while ensuring due process. The task force also recommended the creation of a trained standing faculty hearing panel which will be trauma-informed, have anti-bias training and understand applicable legal guideposts. This newly revised discipline and dismissal of tenured faculty for cause policy and the associated process training have as bedrock academic freedom and due process, tenants we defend, cherish, and are uplifted in this work. Finally, the taskforce identified, and we committed to take into consideration all stakeholders and increase, where possible, transparency and communication – this action is intended to instill confidence in the community about the nature of these matters and remove troubling opacity. Finally, we increase leadership accountability and responsibility, centering our work in actions.

Each of these matters required deep thinking, consultation, and the work of a committee that represented the entire width of the university. On behalf of a grateful university, I thank chair Suzanne Lang, and all those who participated in further deliberations carried out by the University Committee on Faculty Tenure, University Committee on Faculty Affairs, and the Faculty Senate. I want to note particularly the work of Dr. Karen Kelly-Blake, Faculty Senate President, Dr. Stephanie Anthony, Dr. Susan Barman and Dr. Mick Fulton for their leadership. We also owe an institutional debt of gratitude to Dr. Rebecca Campbell and Detective Lieutenant Andrea Munford for their scholarship and professional leadership that created an environment ready for this hard work. The institution also thanks the members of the Deans Council who closely considered and fully endorse these changes. Because of our land-grant mission and ethos, we are obligated to extend our learning and this work to the region, the nation, and the world. We must be part of a local and broad solution set, so that tomorrow's universities are better than today's.

Why is this historic. First, the courageous survivors and the MSU community demanded change and we are heeding the clarion call to action with this vote today. The university is united in developing and applying best practices to our entire organization. We are educatable even as we educate. Second, newly installed president Samuel L. Stanley Jr. made a 'safe and respectful campus' the number 1 priority of his presidency, which underpins each of our goals in student success and academic excellence. He then charged the campus with the development of a relationship violence and sexual misconduct strategic plan to chart a course forward. This RVSM strategic plan is aspirational, and it is specific. Finally, MSU cannot undo the past, but it must do better in its future. And changing policy changes lives. Today's vote by the board completes the governance circle. February 11, 2022 may be a little appreciated date on our calendar in the past, but I call upon all of us to remember February 11 as a fulcrum from the past to our collective future.

Institutional courage and culture are built by people who believe in structure. Structure yielded to the will of the people, and the people were well-served. While we are happy, we are not satisfied and will continue to build a better, safer, more respectful MSU.

Well done, MSU, on this important step. MSU, the work is not yet done. Thank you, Chairperson Byrum.

Roll Call Vote:

Trustee Byrum—yes
Trustee Foster—yes
Trustee Knake Jefferson—yes

Trustee Kelly—yes
Trustee O’Keefe—yes
Trustee Scott—yes
Trustee Tebay—yes
Trustee Vassar—yes

THE BOARD VOTED to approve the recommendation.

10. Committee on Audit, Risk and Compliance

Trustee Kelly presented the Trustee Audit, Risk and Compliance Committee Report and the following recommendations and resolutions.

A. Reappointment of University’s External Auditors for 2021-22

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees reappoint Plante Moran as external auditors for the 2021-22 fiscal year.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby reappoints Plante Moran as the University’s external auditors for the 2021-22 fiscal year at a fee of \$362,400 in accordance with the University’s policy on the rotation of auditors.

Trustee Kelly **moved to approve** the recommendation, with support from Trustee O’Keefe.

THE BOARD VOTED to approve the recommendation.

B. Approval of Contract Terms

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *Portera Therapeutics, Inc.*, a company in which MSU faculty member Dr. Jetze Tepe holds a financial interest.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves an option agreement with *Portera Therapeutics, Inc.* consistent with earlier public notice and with an “Option Agreement Term Sheet” presented to the Board for inclusion in its minutes. (Appendix C)

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *Portera Therapeutics, Inc.*, a company in which MSU faculty member Dr. Jetze Tepe holds a financial interest.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves a sponsored research agreement with *Portera Therapeutics, Inc.* consistent with earlier public notice and with a “Sponsored Research Agreement Term Sheet” presented to the Board for inclusion in its minutes. (Appendix D)

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *National Pesticide Safety Education Center (NPSEC)*, a Michigan non-profit corporation, of which Tom Smith, Associate Director of MSU’s Institute of Agricultural Technology, is the Executive Director.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves a service agreement with *National Pesticide Safety Education Center* consistent with earlier public notice and with a “Service Agreement Term Sheet” presented to the Board for inclusion in its minutes. (Appendix E)

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *Jolt Energy Storage Technologies, LLC*, a Michigan limited liability company, in which MSU faculty member Dr. Thomas F. Guarr holds a financial interest.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves a lease agreement with *Jolt Energy Storage Technologies, LLC*, consistent with earlier public notice and with a “Lease Agreement Term Sheet” presented to the Board for inclusion in its minutes. (Appendix F)

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *Jolt Energy Storage Technologies, LLC*, a Michigan limited liability company, in which MSU faculty member Dr. Thomas F. Guarr holds a financial interest.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves a license agreement with *Jolt Energy Storage Technologies, LLC*, consistent with earlier public notice and with a “License Agreement Term Sheet” presented to the Board for inclusion in its minutes. (Appendix G)

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *Infrastructure Analytics Company*, a Wyoming corporation in which MSU faculty member Dr. Nizar Lajnef holds a financial interest.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves a sponsored research agreement with *Infrastructure Analytics Company* consistent with earlier public notice and with a "Sponsored Research Agreement Term Sheet" presented to the Board for inclusion in its minutes. (Appendix H)

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *IASO Therapeutics, Inc.*, a Michigan corporation, in which MSU faculty member Dr. Xuefei Huang holds a financial interest.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves a sponsored research agreement with *IASO Therapeutics, Inc.*, consistent with earlier public notice and with a "Sponsored Research Agreement Term Sheet" presented to the Board for inclusion in its minutes. (Appendix I)

The Trustee Committee on Audit, Risk and Compliance recommends that the Board of Trustees approve a contract between Michigan State University and *Scion Plasma, LLC*, a company in which MSU faculty member Dr. Qi Hua Fan holds a financial interest.

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves a purchase agreement with *Scion Plasma, LLC* consistent with earlier public notice and with a "Purchase Agreement Term Sheet" presented to the Board for inclusion in its minutes. (Appendix J)

Trustee Kelly **moved to approve** the recommendations, with support from Trustee Scott.

THE BOARD VOTED to approve the recommendations.

11. Committee on Student Life and Culture

Trustee Scott presented the Trustee Student Life and Culture Committee Report.

The Board received an update on the MSU Firearms Ordinance and Policy from Vice President of Public Safety and Chief of Police Marlon Lynch and an update on the Healing Fund.

12. Liaisons' Report, Chairperson's Report and Trustee Comments

Dr. Karen Kelly-Blake, faculty liaison, provided the following report to the Board:

Good morning. We want to thank Trustees Jefferson and Vassar for their continued engagement about the caregiving concerns of faculty. We appreciate the self-study work led by Associate Provost Lang that is taking place that will inform a university wide caregiving initiative. Our own Vice Chair Dr. Stephanie Anthony is also part of that committee. We are encouraged by our meetings with the President and executive administrators regarding compensation restoration. We feel that our conversations have been productive and that we can achieve a collaborative solution. When we include the people affected by decisions and decision making, then we can move the needle forward as clearly exemplified by the discipline sanctions that you just voted on. That is the work of academic governance, and that is our work. We need diversity of thought and perspective so that we can understand the landscape at 30,000 feet and at ground level. Our job is to engage in this work together for the good and wellbeing of the MSU community. Our interests are indeed aligned. The tangible outcome of our work together is to fund sustainable, comprehensive caregiving and to restore compensation. As always, we extend an invitation for the Board to attend the faculty senate and university council meetings. Trustee Vassar is the faculty liaison, and we appreciate and welcome her engagement in these spaces. Academic governance is a verb, it is the work we do. Let us do the work together. Thank you for your time.

Sara Hugentobler, student liaison, provided the following report to the Board:

Hello everyone, my name is Sarah Hugentobler. I am the current president of the Council of Graduate Students, which is the representative body for the professional graduate students. I am joined today by ASMSU President Georgia Frost, RHA President Kaitlin Bolton, and at large representative Myesha Johnson. I just wanted to give you an update for those of you that don't know, the Council of Graduate Students' mission is to support graduate and professional students in their social, academic, professional and economic goals. To that end, this academic year, we have provided around \$11,000 in professional development awards, around \$6300 in conference awards, and we just reopened our working remotely technology awards in which we plan to provide around \$4,000 in support for students to purchase technology so they can work remotely. I just wanted to give everyone a reminder as well, that one of our largest events of the year is coming up on February 19, our Graduate Academic Conference. This is an opportunity for graduate and professional students to present their research, as well as we have a three-minute thesis competition, in which the winner of that competition moves on to the Midwestern Association of Graduate Students' three-minute thesis competition. We are very excited about that. ASMSU and RHA have also given me some updates that they would like me to share. ASMSU recently passed a letter concerning CATA and other transportation issues on campus. This is in response to many accessibility concerns that students have been having with CATA's new schedules. ASMSU understands that CATA's service changes are due to staffing shortages and

other pandemic related factors, but the concern is still there for students who need this transportation. As such the CATA letter attempts to provide resources for students at this time. ASMSU is deeply appreciative of Chief Lynch's decision to extend the free pay by plate parking until March 6, but students are hoping that the university remains engaged with this issue since the measure does not solve the issue in its entirety. This is something Georgia brought up to the Board yesterday. ASMSU recently sent nine student government members to the Association of Big 10 Students' Winter Conference. There, ASMSU can work with other student governments to develop collective lobbying legislation. Historically, ASMSU has relied on other Big 10 Student Associations to make bigger strides and advocacy at this conference. The Big 10 Student Governments passed legislation concerning carbon neutrality and divestment, anti-critical race theory state bills, accessibility beyond ADA compliance, a \$15 hourly wage for student workers, called for SNAP expansions to be made permanent, federal action on the line three pipelines, supporting pipe part time lecturers, creating programs at our respective universities to combat heavy episodic drinking, working towards doubling the Pell Grant, and disqualifying room and board scholarships with taxable income. As you can see this legislation ranges in topic but addresses critical issues for students. ASMSU is in the process of its own ratification of these pieces of legislation. Recently, ASMSU has passed other legislation concerning a mental health absence policy, a standard hazardous weather policy, based increases in state of Michigan appropriations to Michigan State, and a lower tuition cap. ASMSU also has a positive piece of information. At ASMSU's last general assembly meeting they appointed a representative for the Residential College of Arts and Humanities, Alissa Hakim. This is the first time that the RCAH has been fully represented in the Student Government in history. This is a great step forward for the College's representation. Now move on to the RHA updates. RHA is working hard to make the on campus living environment the best that it can be. Our pieces of legislation that addressed more access to sharps containers across campus and improving lighting across campus have been followed up with our Housing Partners. They thank both housing and other departments across campus for working with them to make our campus feel safer no matter what time of day. As of right now, the two crucial issues that our team and representatives are working on are the internet connection issues in the halls as well as the public spaces on campus. The second issue is the accessibility issue of the CATA buses. They are working diligently to create short term solutions and ask that the administration do their part to support them and the students of MSU. RHA is in the midst of reevaluating our service, the services that they provide, as their Director of Media Entertainment would say "yes, here's another shameless promo." We are happy to announce that the new endeavor that will be implemented as soon as possible. They have renewed their past service known as RHA TV to become MSU TV where they will be creating an entire TV station that is dedicated to helping students and showcasing student work. Their DME is currently filming

and gathering content. I encourage that all faculty, administration, students, or even the Lansing Community submit content that they would like to share. To do this, please contact either the RHA president or our DME at her email RHA.dme@msu.edu. Also, feel free to tune in for great content. Yesterday, we as the student liaisons, discussed several items with the Board including student burnout, transportation and parking issues on campus, and assignment due dates for university break days. After this conversation, we look forward earnestly to the follow up from these matters. As always, Georgia, Maisha, Caitlin and I are available to respond and promote student concerns and we are welcome we welcome engagement from the board, administration, faculty and most importantly, students. Thank you.

Chairperson Byrum said on behalf of the Board that it appreciates the liaison leadership and the time and commitment they give to their organizations. She on acknowledged those individuals who took time out today to speak during the public participation part of the meeting. She said that she will not be addressing concerns individually, but the trustees are listening to everyone, and the input is considered in the decision-making process. Chairperson Byrum said that her heartfelt sympathies go out to the parents, family, and friends of Brendan Santo, who tragically lost his life while visiting campus. She thanked everyone who participated in the search with a special recognition to the MSU Police Department, East Lansing Police, Oakland County Sheriff's Office, Mr. Ryan Robinson, and the hundreds of volunteers. She noted that safety on campus is a priority. Chairperson Byrum said that the President reported in his comments, the installation of new, temporary fencing until permanent fencing can be put in place in sections along the Red Cedar River and a new MSU public safety app Safe MSU. She said that the Board also spent time during the work session yesterday discussing campus safety with Chief Marlon Lynch. She noted that this work continues, and she looks forward to our continued partnership with the campus community and our public safety partners. Chairperson Byrum highlighted a conversation that the Board had with the faculty liaisons yesterday and she wants to specifically say to the faculty and staff that the health and wellness concerns expressed are being heard. She said that she knows that burnout is real and that the Board appreciates their work and is committed to continue working with them to address concerns. Chairperson Byrum extended a welcome to new volleyball coach Leah Johnson noting that Coach Johnson was introduced to the MSU community in two different events this past week. She thanked retiring coach Kathy George for the 17 years of service she gave MSU coaching the women's volleyball team. Chairperson Byrum welcomed Eric Scorsone noting that after a national search he was chosen as the Board Secretary and Chief of Staff. She thanked General Counsel Brian Quinn for his serving as Acting Board Secretary. Chairperson Byrum said that the public health program through the College of Human Medicine in Flint was established in 2012 and was originally a \$12 million grant from the Charles

Stewart Mott Foundation. She noted that the expansion of an additional \$25 million is going to allow MSU to do extensive work in chronic disease management as well as mental health and addiction services. Chairperson Byrum said that the work done through the public health school will allow us to duplicate those community-based models across Michigan and across the United States. She noted that it really embodies our land grant mission and that she is grateful to the Mott Foundation for its continued support. Chairperson Byrum said that February is Black History Month and encouraged everyone to participate in the many opportunities on campus to learn about the history, the achievements, and contributions of Blacks, Africans, and African Americans and to engage in thoughtful discourse on difficult topics that are relevant to today's society. She said that examples include the special programming at WKAR like the evening with Congressman James Clyburn, the film *Through the Banks of the Red Cedar*, which the Board watched together, the many performances through the College of Music, and the Dr. William Anderson Slavery to Freedom lecture series that is sponsored by the College of Osteopathic Medicine. Chairperson Byrum ended her comments by wishing MSU a happy birthday and Founder's Day tomorrow.

Vice Chairperson Kelly welcomed Eric Scorsone. He said that he echoed the Chair's comments regarding Mr. Santo and that his prayers and best wishes go out to the family. Vice Chairperson Kelly said that the creation of the discipline and dismissal policy is a great accomplishment in that all groups, the faculty, the administration, and the board worked together. He thanked the faculty and Provost Woodruff for their efforts. Vice Chairperson Kelly said that it is very difficult to make comments as board members regarding public comment, in particular regarding the Swim and Dive program, and its supporters. He noted that first, there is litigation out there, but more importantly, he does not want to create false hope. Vice Chairperson Kelly said that the Board is certainly listening, recently attended a zoom call, can continue to discuss it. He said that he does not know that there is going to be a resolution and that is the part of the false hope that he is referring to. He noted that he is one board member and cannot speak for the other board members, but that he will not hesitate to change his decision if the facts show otherwise. Vice Chairperson Kelly said that he is not embarrassed to say that he made a mistake or that the Board made a mistake.

Trustee Foster thanked everyone for their public participation today. She said that as Chair of the Investment Advisory Subcommittee, she would like to remind everyone that the Investment Advisory Subcommittee continues to support the decision that the Committee and its Chief Investment Officer made in 2018 to no longer invest in fossil fuel companies or funds. She noted that the remaining private investments in the oil and gas funds that MSU is contractually committed to before 2018 now represent less than two percent of the entire common

investment fund. Trustee Foster said that it is expected to be zero in the years to come. She welcomed Eric Scorsone as the new Board Secretary. Trustee Foster thanked President Stanley for committing to the Chief Financial Officer position a year ago and noted that Lisa Frace, Chief Financial Officer, has been at MSU less than nine months. She thanked Lisa for her work and noted that it became painfully obvious during the pandemic that we needed different budgeting models and different accountability and Lisa has done a fabulous job providing new models of information to the Board. Trustee Foster thanked Dr. Jason Roundtree for his work and you know, simply stated, no farms no food. She recognized Kathy George for her fabulous career at Michigan State University as a coach and as a mother of a student athlete on campus. She wished her the best of luck to her in her retirement.

Trustee Knake Jefferson extended condolences to the Santo family and to the family of Kelly Roudebush. She thanked Dr. Roundtree for his presentation on the extraordinary work he does. Trustee Knake Jefferson said to all the student advocates who came to have us think in very deep and important ways about our firearms policy, about our investments, and about reinstating swim and dive, she said that she is listening. She said to the swim and dive supporters that she hears them and has for quite some time. Trustee Knake Jefferson said that she is sorry that the program was cut and for the way it happened. She said that it is her hope that the group will have an opportunity to meet with AD Haller and President Stanley, even if it is to hear the difficult news of what it would take to reinstate the program. She said that they deserve to know what that is even if it is something that ultimately, despite the incredible advocacy and the financial support that they have pulled together, if it is not enough to surmount the challenge of reinstating it. Trustee Knake Jefferson said that she would not hesitate to join Trustee Kelly in changing the decision if the facts show otherwise. Trustee Knake Jefferson noted the incredible work of the task force that reviewed the MSU discipline process and sanction review. She said that during the first meeting with Provost Woodruff after she was hired, she shared with her that she was hoping that she had some sort of superpower as a trustee and that the policy could immediately be in place. She said that based on her lived experience as a faculty member at MSU for a decade and what she had observed from 2006 to 2016, these were long standing issues. Trustee Knake Jefferson said that what she was reminded of and learned more about when she reviewed the Nassar documents and what she continued to be reminded about when she reviews OIE reports, is that although these are important, substantive changes that are part of the work that this taskforce has done, process is also really important and that it could not be something that she could just mandate as a trustee on her own. She thanked Provost Woodruff for her extraordinary leadership because not only is it incredible to have unanimity amongst a bunch of academics, but it is incredible that this could be done in a year. She stated that it is lightning speed for anything that she has witnessed in her entire life as an

academic. Trustee Knake Jefferson said that this will be transformative for all the reasons that the provost already described, but also in helping to remove a culture of siloing. She said that it is not just about reporting and the process of discipline and sanction review but will also impact many other cultural dynamics and how this campus works together in the future. Trustee Knake Jefferson thanked Kate Birdsall for being here on behalf of the UNTF and representing all teachers who are touching the day to day lives of our students. She noted that the Board spent a decent amount of time in its work session yesterday, hearing about how important it is to be amplifying and elevating the incredible research that our tenured faculty are doing and an important way that is supported is of course, the work of all the teachers that Kate was representing. She thanked Kate for reminding the Board of that and said that is another area where increased transparency and uniformity across departments and colleges in terms of teaching loads and other policies that apply could be beneficial there.

Trustee O'Keefe welcomed Eric Scorsone and thanked Brian Quinn for stepping up and doing a yeoman's job relative to the duties of Board Secretary. He said that he truly believes that the college campus should be a fertile ground for breeding optimism, finding solutions, and providing forgiveness when required to. He said that you cannot do that without the free exchange of ideas, interpretations, and debate and he is hopeful that through that process that we are going to be able to reconcile some of the issues that were raised today, and the thoughtful commentary that we received. Trustee O'Keefe said that as many of you know, he has been very critical and vocal about the university's COVID-19 policies, and personally believe that we have overlooked a lot of meaningful data leading to confusing and inconsistent strategies for our students. He said that in his world students are number one and safety of our community is important. Trustee O'Keefe acknowledged that setting such policies is difficult and carries much responsibility to balance the concerns of all constituencies who depend on such policies. He said that he wanted to point out a few inconsistencies that are troubling. He noted that MSU has fired employees with exemplary records who have worked remotely for 19 months because they are not vaccinated, even though they have no need to return to campus to fulfill their duties. He stated that yet we filled Breslin arena during the same period without a vaccine requirement and questioned the purpose of such unnecessary coercion on an employee who just wants healthy babies, has studied the risks, and does not want or need the risk of side effects of the vaccine and having a family, and can do her job remotely. Trustee O'Keefe said that we have a vaccine booster requirement early January as a condition to attend basketball games after no mask or vaccine requirement two weeks earlier with the 16,000 Spartans who witnessed our basketball team playing Oakland University at Little Caesars Arena. He said that then we forced our students who are vaccinated to go virtual, no matter the size of the classroom, but perhaps this was a necessary step for students in the classroom. Trustee O'Keefe state that it should have been necessary for

students in the arena by withholding fan participation. He said that one can surmise that COVID does not exist in Detroit, but is running rampant in East Lansing, but neither of those would be true. He stated that we mandate vaccines to our students, including boosters, telling students that both vaccines and boosters are safe. He said that we mandate this in light of the well documented lack of death risk of COVID-19 on our student age population and known issues from the vaccine boosters for women who can face adverse consequences from the vaccine to the reproductive organs. Trustee O'Keefe said that we do this under the guise that it is safe because the CDC and NIH tell us so, yet we accept the \$475,000 NIH grant to study the negative effects of COVID-19 vaccine and women in their menstrual cycles. He said that Dr. Missmer, who was performing the study, notes that we need to get answers for women and their healthcare providers and that we do not know what the answers will be. He said that is why real data and scientific investigation are important and that he cannot imagine that we study things we already know like the sun rising in the east or the sun or setting in the west. Trustee O'Keefe stated that this is obviously inconsistency and lies on the safety, and in his opinion, should be criminal. He said that there is great benefit to blindly following Dr. Fauci since he holds the NIH purse strings which research universities depend on. He asked if anyone wonders, with all these great university research centers that nobody in the United States is studying treatment and prevention like they would for other diseases. Trustee O'Keefe said that we were asked to believe that there is no other solution or treatment for COVID-19 than a vaccine, which is contrary to the scientific research, almost everywhere in the world. He noted that as a university we provide a mandate, obviously, and admittedly, as evidenced by our study, not knowing the risks, and follow Dr. Fauci's guidelines so we can curry favor with the very organization that controls those research dollars. He asked if anyone sees a conflict. Trustee O'Keefe said that we talk about protecting women and have all kinds of policies, OIE investigations, and then we issue a mandate saying the drug is safe. He said that but that is an assertion that we really do not know is true, but we will study it later. He said sorry ladies, but under this administration, in a research university in the United States, MSU is not alone in this, and NIH grants appear to be obviously a higher priority than your health, but we will let you know after Dr. Missmer's study so you can un-vaccinate yourselves.

Trustee Scott stated that everyone should do their own research and that MSU is not beholden to NIH grants over student health. She said that she is very committed to swim and dive and to the continued conversations with them and to see if there is a solution. Trustee Scott noted that during the work session yesterday they spent quite a bit of time talking about this with some trustees very passionately advocating on behalf of swim and dive. She said that they certainly want to provide the opportunity for those who wish to speak their truth and what their desires are as it relates to swim and dive. Trustee Scott acknowledged

those who spoke concerning the divestment of fossil fuels and noted that she could feel their passion. She said that she agreed with Trustee Foster and that if there are commitments, we do have to follow through with those but are moving forward in the vein in which the group is so passionately telling us we need to in order to safeguard the planet. Trustee Scott said that the Firearms issue is something that is important, and the Board had robust conversation regarding it yesterday. She said that the Board understands the position that the group has taken and does not disagree with them. Trustee Scott extended condolences to the family of Brendon Santo. She said that the tragedy has prompted the Board to think outside of the box on how it can safeguard against this happening in the future. Trustee Scott also offered her condolences to the family of former Chief of Police Kelly Roudebush. She noted that she was saddened to hear of her passing and recalled an event they attended together and how much she enjoyed talking to Chief Roudebush and that she was blessed to have known her. Trustee Scott recognized Black History Month and said that she is proud that MSU led the effort to bring African American athletes to campus. She encouraged everyone to watch the documentary On the Banks of the Red Cedar. Trustee Scott thanked Provost Woodruff for her leadership in bringing the discipline and dismissal resolution to fruition so quickly. She thanked the faculty, staff and students noting that burnout is real and that the Board would continue discussions on how assist in this area.

Trustee Tebay welcomed Eric Scorsone as Board Secretary and thanked Brian Quinn for stepping in as Acting Board Secretary. She acknowledged Kate Birdsall and thanked her for speaking during public comment and bringing the non-tenure track faculty voices to the table. Trustee Tebay thanked the swim and dive supporters for speaking and said that she is committed to having further conversations to try and find a solution. She also thanked the Sunrise Movement students for speaking along with the Firearms group. Trustee Tebay extended condolences to Chief Roudebush's family noting that she really was a special person on campus and does leave a legacy.

Trustee Vassar extended an invitation to Dr. Birdsall for a meeting and said that she appreciated her speaking during public participation. She said that she is grateful for the students and that she appreciates their passion, resolve, leadership, spirited speeches, and well written remarks. Trustee Vassar said that she appreciates ASMSU for its advocacy, political engagement, and for standing up for academic freedom, which is being attacked across 29 states. Trustee Vassar thanked Dr. Stanley for his solidarity with HBCUs and that she was heartened by his remarks. She said that the strategic plan centers on diversity with every vision, objective, goal, and every decision having diversity within it. Trustee Vassar said that MSU as a land grant institution has decided that that is important. She said that as a member of a minoritized group, several minoritized groups, she notices diversity of thought, opinion, perspective, and experience.

Trustee Vassar said that she also notices when it is not there, not just one that she can phenotypically see but when she sees groupthink and when she sees a lack of variety in ways of thinking and in terms of our decision making. She stated that she notices all of it, and that she is going to push the Board this year to be better. Trustee Vassar said that Dr. Martin Luther King Jr. talked about incrementalism and the danger in trying to go slowly when things need to go quickly, for justice to be done, and so she is going to continue in a different way this year to engage this very important topic. She said that she is very quiet and astute, but this year she will not be as quiet. Trustee Vassar said that we have seen that higher education and K12 education can turn on a dime when it is an emergency, when lives are at stake, and there are lives at stake. She said that if we can decide on a Friday to close whole schools by Monday, to save lives, some of these decisions that we are making, that have life changing, life altering life deciding implications, can be made too. She said that these decisions can be made with the same kind of vigor and emergency and that she will be vocal about that. Trustee Vassar asked everyone to remember to rest, rest without guilt, remorse or worry, but to please just remember to rest and take good care of your health and be well. Go green.

13. Request to Adjourn

On a motion by Trustee O'Keefe, supported by Trustee Vassar, **THE BOARD VOTED to adjourn** at 10:30 a.m.

Respectfully submitted,



Eric Scorsone
Secretary and Chief of Staff

Improving the health and resilience of our land, livestock and community

Jason Rowntree, Ph.D.

C.S. Mott Distinguished Professor of Sustainable Agriculture

Department of Animal Science

Feb. 11, 2022



College of Agriculture
and Natural Resources
MICHIGAN STATE UNIVERSITY

Regenerative Agriculture



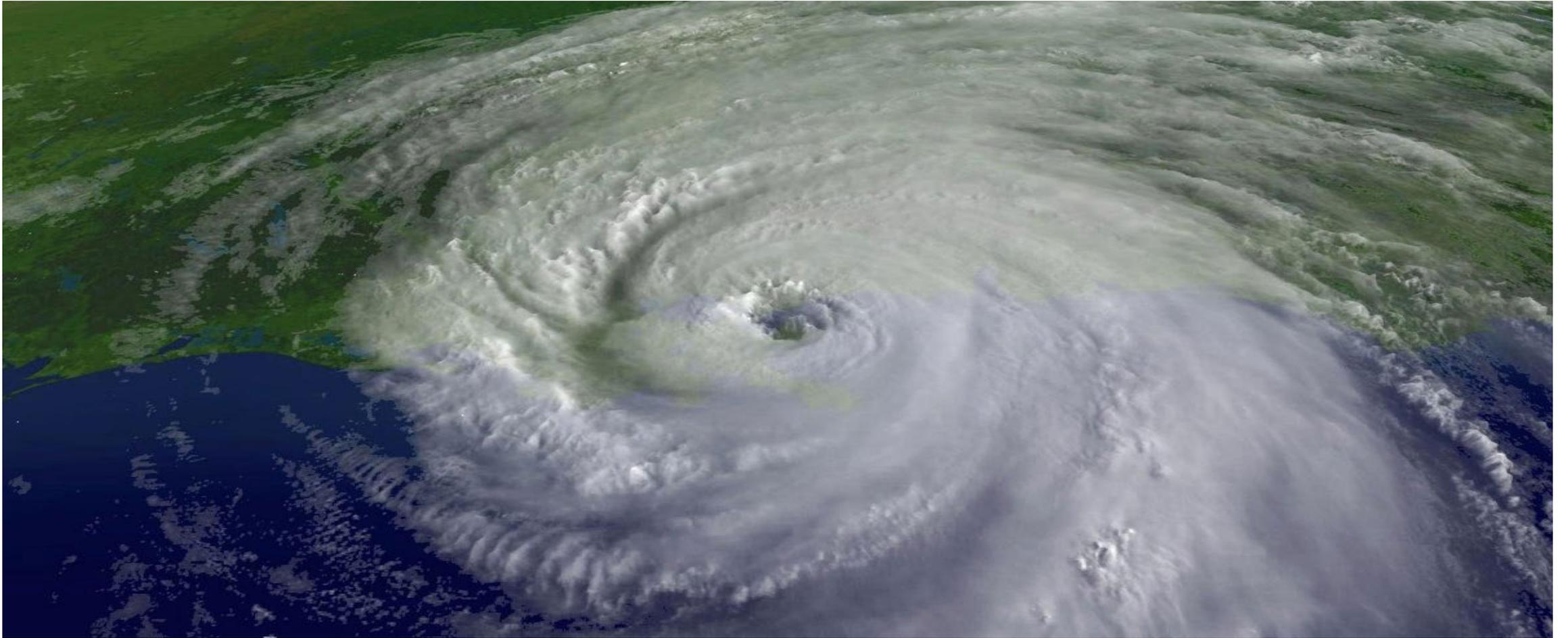
Soil Health Principles

1. Minimize Disruption
2. Keeping Ground Covered
3. Living Roots Throughout the Year
4. Promote Biodiversity
5. Grazing in Cropping Settings
6. Adaptive Grazing

Go Green, Go White!

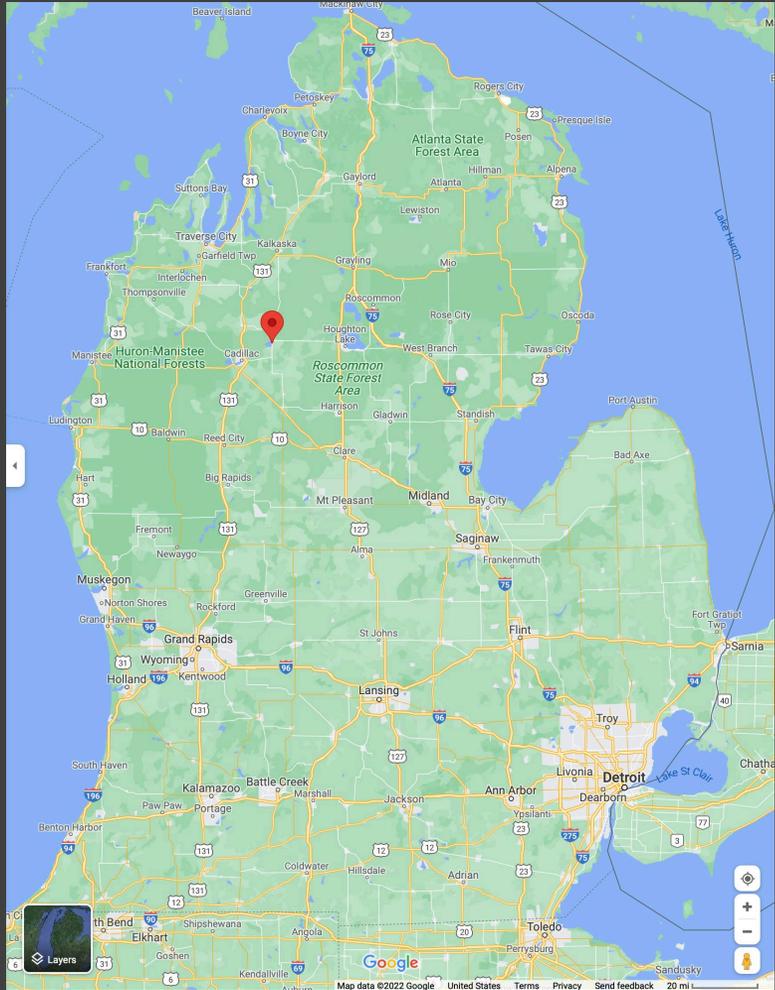


My moment.....



Agriculture after hurricane





Lake City Research Center

facebook Search for people, places and things Lake City Research Ce

Lake City Research Center... Timeline Now Status Photo / Video Event, Milestone +

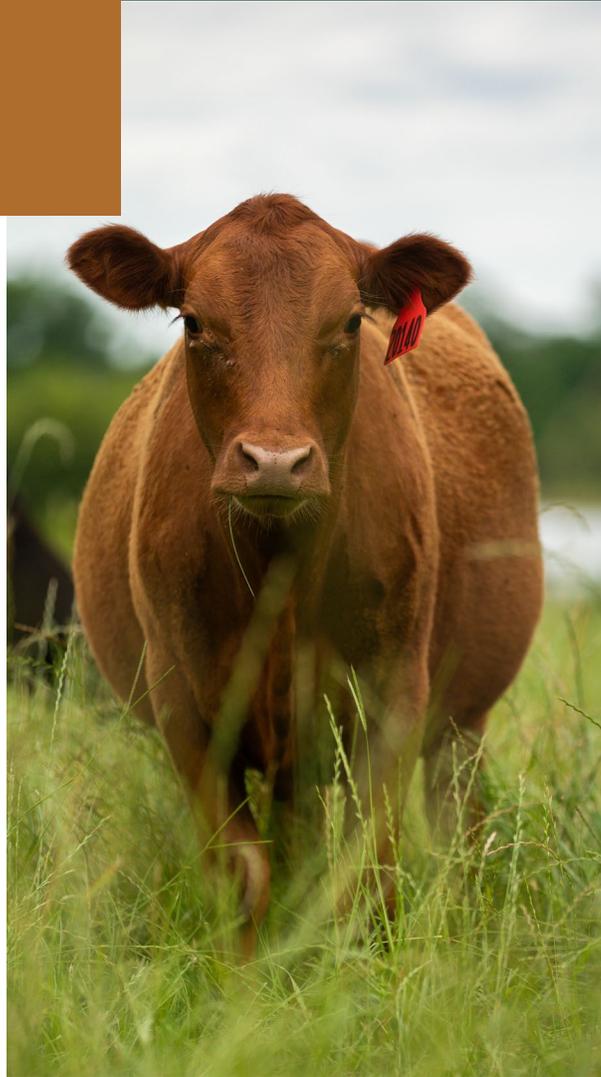


Lake City Research Center–Grazing Research and Extension 152 likes · 3 talking about this · 8 were here

Add Information About Lake City Research Center–Grazing Research and Extension

152

About Photos Likes Map



PROJECT OVERVIEW
METRICS, MANAGEMENT AND MONITORING

METRICS, MANAGEMENT, AND MONITORING

AN INVESTIGATION OF PASTURE
AND RANGELAND SOIL HEALTH
AND ITS DRIVERS

Center for Regenerative Agri-Culture



PROJECT OVERVIEW
METRICS, MANAGEMENT AND MONITORING

TOTAL COST:
More than
\$19M

FUNDING:

 **FFAR**
\$9,000,000

 **NOBLE
RESEARCH
INSTITUTE**
\$7,500,000

ADDITIONAL FUNDING PROVIDED BY

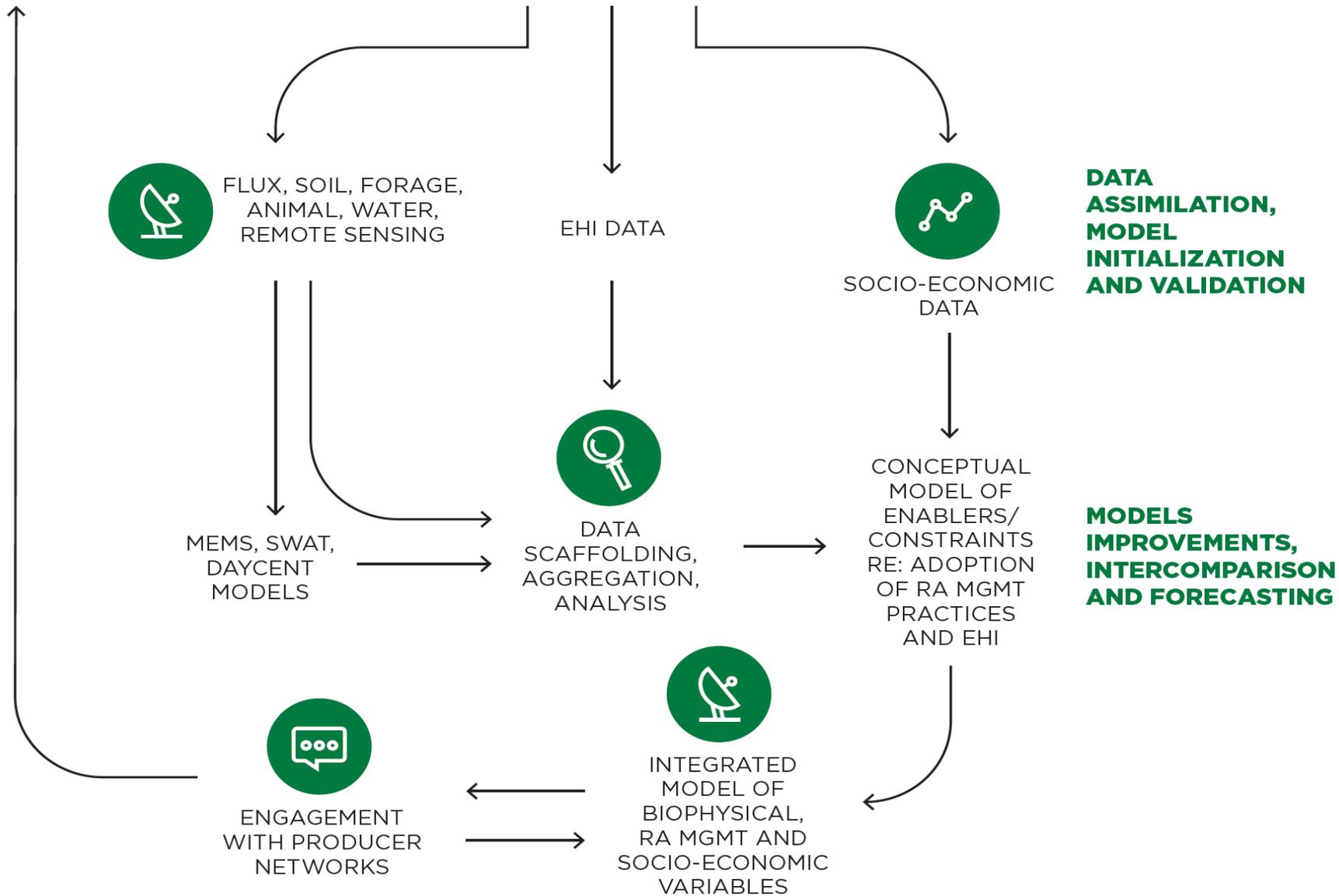
GREENACRES



BUTCHERBOX

Center for Regenerative Agri-Culture

SPECTRUM OF GRAZING MANAGEMENT



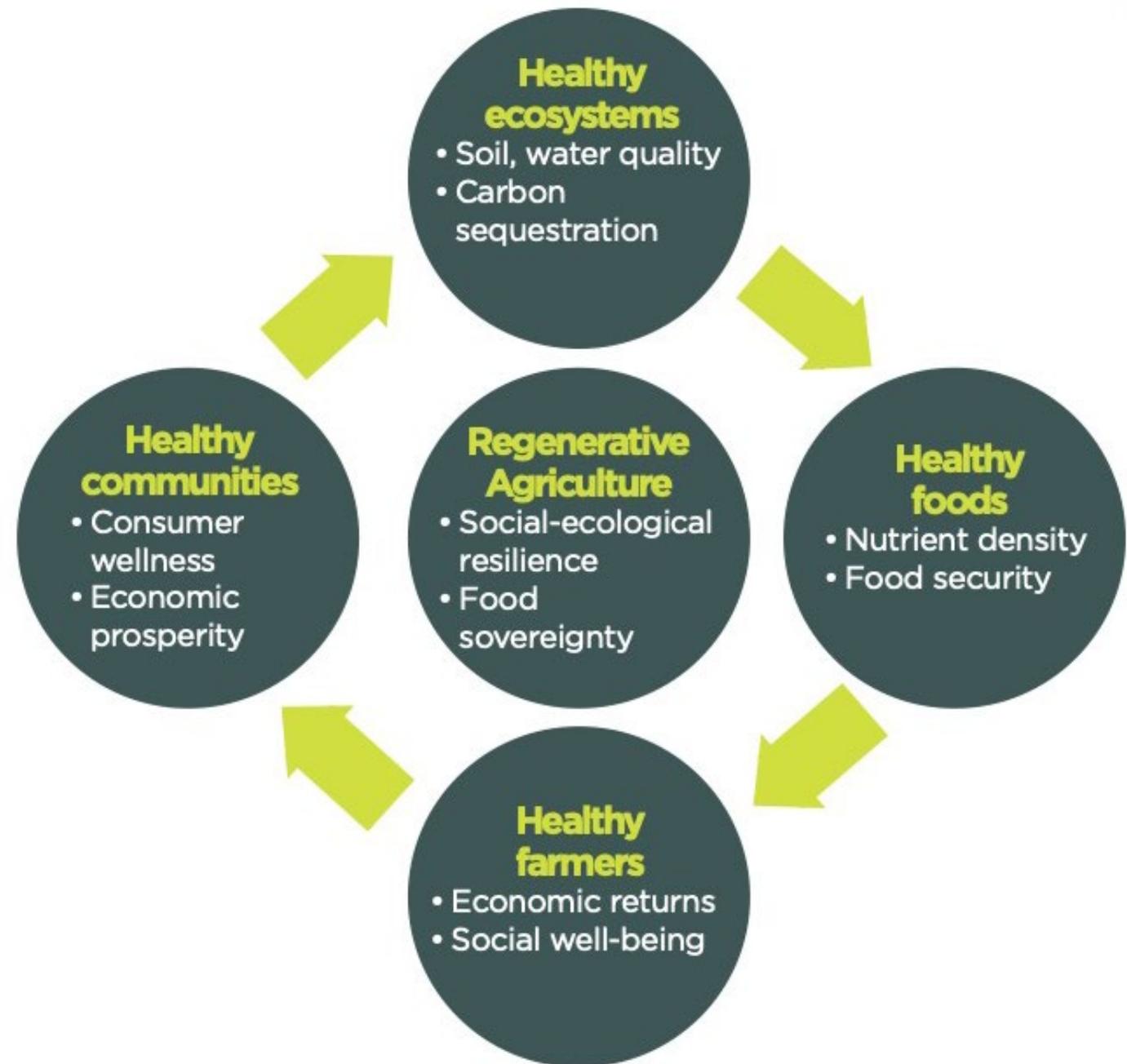


Health

- Regen Agriculture Adoption
- Food Nutrient Density and Food Security
- Value Chain Resilience
- Profitability
- Social-ecological resilience
- Community Wellbeing



College of Agriculture
and Natural Resources
MICHIGAN STATE UNIVERSITY



Center for Regenerative Agri-Culture



Thank You!

Questions?



MICHIGAN STATE UNIVERSITY

February 11, 2022

APPROVED
FEBRUARY 11, 2022
BOARD OF TRUSTEES
MICHIGAN STATE UNIVERSITY

MEMORANDUM

To: Board of Trustees

From: Committee on Academic Affairs

Subject: Revisions to Policy 03-17-09 (Discipline and Dismissal of Tenured Faculty for Cause)

RECOMMENDATION

The Trustee Committee on Academic Affairs recommends that the Board of Trustees approve the revisions to Policy 03-17-09 (Discipline and Dismissal of Tenured Faculty for Cause) shown in Attachment A hereto.

RESOLUTION

BE IT RESOLVED, that the Board of Trustees of Michigan State University hereby approves the revisions to Policy 03-17-09 (Discipline and Dismissal of Tenured Faculty for Cause) shown in Attachment A hereto.

BACKGROUND

Policy 03-17-09 regarding Discipline and Dismissal of Tenured Faculty for Cause was adopted on March 16, 1967, and revised on May 5, 2006, December 18, 2015, June 22, 2018, and September 9, 2019.

In response to initiatives outlined in the MSU Relationship Violence and Sexual Misconduct Strategic Plan, the MSU Discipline Process and Sanction Review Task Force was formed in April 2021 and charged with reviewing MSU's discipline process and sanction structure to ensure clarity, appropriateness, consistency, and timely implementation of sanctions for violations of the Relationship Violence and Sexual Misconduct Policy. The Discipline Process and Sanction Review Task Force identified timeliness as a key critical barrier to ensuring a safe and respectful working and learning environment and recommended streamlining the dismissal process to a 120-day timeline while ensuring due process. The Task Force also recommended the creation of a trained standing faculty hearing panel for certain phases of the dismissal process to improve timeliness and consistency of the process.

The proposed policy revisions identify and shorten timelines for steps in the dismissal process and eliminate some steps. The proposed revisions also:



Board of Trustees

Hannah Administration Building
426 Auditorium Road, Room 450
East Lansing, MI 48824

517-353-4647
Fax: 517-355-4670
trustees.msu.edu

Dianne Byrum
Chairperson

Dan Kelly
Vice Chairperson

Melanie Foster
Renee Knake Jefferson
Pat O'Keefe
Brianna Scott
Kelly Tebay
Rema Vassar

create a trained standing hearing panel for certain phases of the dismissal process; allow greater transparency by permitting the sharing of information regarding the discipline and dismissal of a faculty member when necessary and permitted by law; and increase deans' responsibility for implementation of minor and serious discipline. The proposed revisions were passed unanimously by the University Committee on Faculty Affairs on November 16, 2021, the University Committee on Faculty Tenure on November 17, 2021, and the University Faculty Senate on December 14, 2021.

cc: Board of Trustees, S. Stanley, T. Woodruff, M. Woo, N. Beauchamp, L. Frace, B. Quinn, M. Zeig, B. Beekman

Faculty Handbook

Discipline and Dismissal of Tenured Faculty for Cause

Last updated: 9/9/19

IV. ACADEMIC HUMAN RESOURCES POLICIES (*Cont.*)

The following policy was approved by the Board of Trustees on March 16, 1967 and revised on May 5, 2006, December 18, 2015, June 22, 2018, and September 9, 2019.

Preamble

The University's commitment "to promote the welfare of mankind through teaching, research, and public service" is furthered by the intellectual integrity and professional honesty of faculty members mindful of their rights and responsibilities. Essential to sustaining an environment of mutual trust and respect is the need for impartial investigation of alleged violations of policies related to faculty conduct; due process; and, when necessary, disciplinary action up to and including dismissal for cause. Discipline, dismissal, or the threat of either action, may not be used to restrain faculty members in their exercise of academic freedom.

I. CONFIDENTIALITY

Records of disciplinary action or dismissal for cause proceedings shall be kept confidential to the degree permitted by the law. Subject to legal limitations and limitations imposed by University policy, information regarding discipline or dismissal of a faculty member may be disclosed when disclosure is necessary for the effective operation of the University. Disclosures should occur only after consultation with ~~AHR~~the Office of Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs (FASA), ~~OGC~~the Office of the General Counsel (OGC), University Communications, and where applicable, ~~OCR~~the Office for Civil Rights and Title IX Education and Compliance (OCR) and Presidential Advisors on RVSM.

~~All proceedings and records with regard to disciplinary action or dismissal for cause proceedings shall be kept confidential to the degree permitted by the law. The Board of Trustees will decide on a case by case basis whether action taken by the Board pursuant to the dismissal portion of this Policy will identify the affected faculty member by name.~~

II. MAILING OF NOTICES UNDER THIS POLICY

In matters involving minor discipline, notices required by this Policy will be sent to the faculty member by email to the faculty member's msu.edu account, with a courtesy copy sent to the faculty member by first class mail to the address of record. It is the faculty member's responsibility to regularly review the msu.edu email account for departmental and other University communications.

In matters involving serious discipline or dismissal, the faculty member shall be sent the notices required by this Policy by certified mail to his/her/their address of record filed with the University. However, if delivery by certified mail is not possible or if the faculty member refuses or waives delivery of certified mail, mailing notices to the faculty member at his/her/their address of record by first class mail will be considered sufficient. An email will also be sent to the faculty member's University email address notifying him/her/them of the fact that a notice required by this Policy has been sent by one of the methods described above.

III. PARTICIPATION OF ADVISORS, OBSERVERS, OR COUNSEL

Faculty members are entitled to bring an advisor or observer to any meeting regarding disciplinary action referenced in this policy. The advisor or observer must be a member of the University community (faculty, staff, or administrator), including *emeriti*. The advisor or observer may be present during the meeting, but will have no voice or formal role in the meeting. Unless otherwise specified in this Policy, faculty members are entitled to bring an advisor of their choice, including legal counsel, to any meeting or hearing conducted during dismissal for cause proceedings. During those proceedings, the advisor has voice and is granted full participation.

IV. GROUNDS FOR DISCIPLINE AND DISMISSAL¹

A faculty member² may be disciplined, or dismissed, for cause on grounds including but not limited to (1) intellectual dishonesty; (2) acts of discrimination, including harassment, prohibited by law or University policy; (3) acts of moral turpitude substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration; (4) theft or misuse of University property; (5) incompetence;³ (6) refusal to perform reasonable assigned duties; (7) use of professional authority to exploit others; (8) violation of University policy substantially related to performance of faculty responsibilities; and (9) violation of law(s) substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration.⁴

V. TYPES OF DISCIPLINE

Disciplinary action is normally iterative and falls into two general categories: minor discipline and serious discipline. *Minor discipline* includes but is not limited to: verbal reprimand, written reprimand, mandatory training, foregoing salary increase, restitution, monitoring of behavior and performance, and/or reassignment of duties; *Serious discipline* includes suspension with or without pay or temporary or permanent reduction in appointment. A full suspension without pay may not exceed six months. In ~~egregious~~ cases of gross wrongdoing, or where attempts at discipline have not successfully remedied performance concerns, a faculty member may be *Dismissed* for cause.

In matters where the Dean⁵ and the Office of the Associate Provost⁶ concur that a faculty member's continued performance of faculty duties poses a significant risk of harm to persons or property, the faculty member may be relieved of duties and suspended with pay during the pendency of the investigation and disciplinereview panel process.

In all faculty discipline, the University bears the burden of proof that adequate cause exists; it will be satisfied only by clear and convincing evidence unless a different standard is required by law.⁷ Violations of University policy are determined according to the preponderance of evidence standard. In certain circumstances, it may be appropriate to consider ~~the~~ the faculty member's record ~~should be considered~~ as a whole when contemplating imposition of disciplinary action.

In cases of both minor and serious discipline (1) faculty members retain the right to grieve disciplinary actions that have been implemented under the regular terms of the Faculty Grievance Procedure and (2) the faculty member may submit a letter of exception to the imposition of discipline, disputing the grounds for the unit administrator's decision, to be included in the faculty member's personnel file.

VI. PROCESS TO INITIATE MINOR OR SERIOUS DISCIPLINE

A. MINOR DISCIPLINE

The University recognizes that it is the unit administrator who has primary responsibility for supervising faculty members. It is the role of the unit administrator to monitor faculty performance and communicate concerns to faculty members and to the dean. However, the dean is primarily responsible for making disciplinary decisions and may impose discipline in place of the unit administrator according to the following process:

Where the unit administrator, in consultation with the dean, seeks to impose minor disciplinary action, the unit administrator shall first meet with the faculty member to discuss the administrator's concern and the potential for discipline. The administrator will notify the faculty member during that meeting of the right and opportunity to request a consultation with the department/school faculty advisory committee, its chair, or the chair of the UCFA personnel subcommittee⁸ before the administrator proceeds with any disciplinary action. The purpose of such informal consultation is to reconcile disputes early and informally, when that is appropriate, by clarifying the issues involved, resolving misunderstandings, considering alternatives, and noting applicable bylaws.

The unit administrator and faculty member, if requested by the faculty member, will consult with the department/school faculty advisory committee, its chair, or with the chair of the UCFA personnel subcommittee in a prompt fashion to discuss the administrator's concern and the potential for discipline.

Should the unit administrator still wish to proceed with disciplinary action after that consultation, the administrator must consult with the Dean and the Office of the Associate Provost to discuss the proposed disciplinary action. If the proposed discipline is authorized, the unit administrator shall provide the faculty member with written notice of the cause for disciplinary action in sufficient detail for the faculty member to address the specifics of the charges, and an opportunity to respond in writing prior to the imposition of any disciplinary action, within seven (7) days⁹ of receipt of the unit administrator's written notice. The dean must be copied on the written notice. The written response by the faculty member, if any, will be provided to the unit administrator, the dean, and the Office of the Associate Provost for further comment.

The unit administrator, ~~in consultation with the dean, and after~~~~in consultation with dean, in~~ consideration of the written response and further comments, if any, shall make a decision regarding the disciplinary action and notify the faculty member in writing. The discipline will then take effect.

B. SERIOUS DISCIPLINE

Where the unit administrator, ~~in consultation with the dean, or dean~~ seeks to impose serious disciplinary action, the unit administrator ~~or dean~~ shall first meet with the faculty member to discuss the administrator's concern and the potential for discipline. Because it is in the interest of the University, the unit, and the faculty member that attempts be made to resolve serious disciplinary issues early and informally, the ~~dean, unit administrator and faculty member~~ are encouraged to meet with the chair of University Committee on Faculty Affairs (UCFA)¹⁰ to discuss the matter.

If that meeting does not resolve the issue, the unit administrator, ~~in consultation with the dean, or dean~~ shall consult with the ~~Dean and the~~ Office of the Associate Provost to discuss the proposed disciplinary action. If the proposed discipline is authorized by the ~~Office of the Associate Provost these offices,~~ the ~~unit administrator~~~~dean~~ shall provide the faculty member with written notice of the proposed disciplinary action in sufficient detail for the faculty member to address the specifics of the charges.

The faculty member shall have seven (7) days after receiving the notice of proposed disciplinary action to (1) file a written statement with the ~~unit administrator~~~~dean~~ regarding the proposed discipline,¹¹ or (2) request a meeting with a disciplinary review panel of the UCFA. A request to meet with the review panel should be made to the ~~unit administrator~~~~dean~~, who will forward it promptly to the Chair of the UCFA. If the faculty member does not submit a written response or request a meeting with the disciplinary review panel within the seven-day period, the discipline will take effect.

1. Review Panel Selection and Composition

The Chair of the UCFA, in consultation with the Office of the Provost, shall annually establish a three-person review panel made up of current members of the UCFA to meet with unit administrators and faculty members regarding potential serious disciplinary action. The members of the review panel will serve until their replacements are selected the following academic year. A list of three alternates will also be maintained in the event that a panel member is unavailable. The Office of the Provost will arrange training about academic personnel actions and policies for the review panel and alternates.

2. Meeting with the Review Panel

Upon receipt of a request to meet, the Chair of the UCFA will schedule a meeting with the unit administrator, ~~dean,~~ faculty member, and disciplinary review panel. That meeting will take place no later than the second regularly scheduled meeting after the request is received, but not to exceed 21 days during those periods when the UCFA is

not regularly meeting. Except in unusual circumstances, meetings of the disciplinary review panel will take place before, during, or after the regularly scheduled meeting time of the UCFA and ~~both~~ the unit administrator, dean, and the faculty member will be expected to adjust their schedules to attend the meeting. If ~~any-either~~ party cannot personally attend for good cause, as determined by the Chair of UCFA, that individual may participate through alternate communication methods (e.g., telephone, video conference) or send a representative to the meeting. If the faculty member does not appear for the meeting, the meeting will be conducted in the faculty member's absence.

No member of the review panel shall participate in a meeting involving a faculty member from the same college in which the panel member is appointed. The faculty member may also request that any member of the panel recuse ~~himself/herself/hemself~~ if a conflict of interest exists. If the panel member refuses to recuse ~~himself/herself/hemself~~, the Chair of the UCFA will determine whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be able to participate fairly and impartially in the meeting and make a fair and impartial recommendation.

3. Recommendation of the Review Panel

Following its meeting, the review panel will provide its recommendation to the ~~unit administrator~~dean, with a copy to the faculty member, within seven (7) days about whether the proposed serious discipline should be imposed, lesser discipline should be substituted, or no discipline should be imposed. The recommendation is not binding on the ~~unit administrator~~dean but shall be given all due consideration. If the ~~unit administrator~~dean does not take the advice of the review panel, ~~he/she~~the dean will provide a detailed reply to its recommendation for consideration and possible amendment by the panel within seven (7) days, copying the faculty member. If the panel decides to amend its original recommendation, it must do so within seven (7) days, copying the faculty member. This documentation will form a part of the permanent record of the discipline process.

4. Imposition of Disciplinary Action

After receiving the response (and amendment, if any), the ~~unit administrator~~dean shall make a decision regarding the disciplinary action and notify the faculty member in writing. If the review panel recommended against imposition of serious discipline, or recommended lesser discipline, the ~~unit administrator~~dean must meet with the ~~Dean~~unit administrator and the Office of the Associate Provost before proceeding with disciplinary action.

VII. DISMISSAL FOR CAUSE PROCESS

A. INITIATING DISMISSAL FOR CAUSE PROCEEDINGS~~INFORMAL RESOLUTION/PRELIMINARY CONFERENCE STAGE~~

~~1.— Dismissal for Cause Review Officer's Recommendation~~

~~1. Request to Initiate Dismissal for Cause Proceedings~~

~~A Dean (“charging party”)¹² proposing to initiate dismissal for cause proceedings against a faculty member must file a written request with the Provost, copying the faculty member, that provides the reasons for considering dismissal in sufficient detail for the faculty member to address the specifics of the charges, if necessary, and provides copies of all relevant documentation, including copies of any past disciplinary action or warnings to the faculty member that their/his/her conduct might lead to dismissal.~~

~~Upon receipt of such a request, the Provost shall notify the faculty member of the request and ask the Dismissal for Cause Review Officer (see Appendix III) to review the matter and to provide a confidential report and recommendation to the Provost as to whether dismissal for cause proceedings should be initiated.~~

~~The review process is intended to provide an opportunity for informal resolution of the matter. Accordingly, meetings between the faculty member and the Review Officer and between the faculty member and the Provost during the review process are informal, confidential, and will proceed without counsel present.¹³ At any stage during the review process, the faculty member may elect to forgo meeting or talking with the Review Officer or the Provost.~~

~~The Review Officer shall review the reasons for considering dismissal and the evidence in support of dismissal with the charging party. The Review Officer shall also talk with the charging party, faculty member, and the faculty member’s department chair or school director, prior to making a recommendation to the Provost.—~~

~~In reaching his/her recommendation, the Review Officer should consider what steps have been taken to achieve informal resolution of the matter; whether, in cases involving a pattern of conduct, the faculty member had any warning that the conduct might lead to dismissal; and whether any measures might be taken to resolve the matter short of instituting dismissal for cause proceedings. The Review Officer’s report and recommendation should be forwarded to the Provost within thirty (30) days of the Review Officer’s selection by the President, unless an extension of time is approved by the Provost.~~

~~2.— Determination by the Provost~~

~~The Provost shall review the report and recommendation of the Review Officer and determine whether the matter is of sufficient seriousness to warrant the initiation of dismissal for cause proceedings.¹⁴ In reaching his/her decision, the Provost may discuss the matter with the Review Officer, charging party, and/or faculty member. The confidential report and recommendation of the Review Officer is advisory to the Provost¹⁵ and shall not be available to either party or become part of the record if dismissal for cause proceedings are instituted.~~

3.—Conference with the Faculty Member

If the Provost determines that dismissal for cause proceedings are warranted, he/she shall notify the faculty member and the charging party (the “parties”) of that decision in writing, providing a copy of all documentation provided by the dean to the Review Officer, and offer the faculty member an opportunity for a personal meeting. No formal charges shall be filed until 30 days after this notification; a further extension of time may be approved by the Provost. The matter may be resolved informally during this time, including by the faculty member’s resignation. If the faculty member is not available for a personal meeting during the 30-day period, the Provost may communicate with the faculty member electronically or by correspondence that provides the faculty member with a reasonable opportunity to confer informally with the Provost.

2. Determination by the Provost

The Provost must determine whether the matter is of sufficient seriousness to warrant the initiation of dismissal for cause proceedings. To reach this determination, the Provost will discuss the matter with the charging party and the faculty member individually. Both parties have a right to decline the meeting. To reach this determination, the Provost may discuss the matter with the charging party and/or faculty member. The faculty member also has the right to submit to the Provost a written response to the Dean’s request to initiate dismissal for cause proceedings. The faculty member has seven days after the Dean’s request to submit their response. The Provost’s determination on whether dismissal for cause proceedings are warranted will be made within seven (7) days after the deadline for the faculty member’s response.

Commented [SM1]: Amendment made 12/14/2021 – Faculty Senate

B. WRITTEN CHARGES AND EGREGIOUS DETERMINATION/INITIATION OF FORMAL PROCEEDINGS

If the Provost determines that the matter is serious enough to warrant initiation of dismissal for cause proceedings, the Provost shall immediately provide written notice of that determination to the President.

~~A three person, randomly selected, review panel made up of Dismissal for Cause Review Officers (see Appendix III) shall then decide, in consultation with the President, whether the faculty member’s conduct is egregious.¹⁶ If the review panel unanimously decides that the conduct is egregious, the faculty member will be relieved from all duties during the dismissal for cause proceedings without pay.¹⁷ If the review panel does not unanimously decide that the conduct is egregious, the unit administrator, in consultation with the Dean, shall decide whether the faculty should be relieved from some or all of his/her duties (with pay) during the dismissal for cause proceedings. The parties should receive notice of the review panel’s and unit administrator’s decisions.~~

~~F~~Following written notification by the Provost to the President that the matter is of sufficient

~~seriousness, and the above determinations;~~ the charging party has seven (7) days to ~~may~~ initiate dismissal for cause proceedings against a faculty member by filing written charges with the President and Chair of the University Committee on Faculty Tenure (UCFT). The charges must contain: (1) the allegations; (2) the names of the witnesses, insofar as then known, who will testify in support of the allegations; and (3) the nature of the testimony likely to be presented by each of these witnesses. The Chair of the UCFT shall promptly send a copy of the written charges to the faculty member.

Following written notification by the Provost to the President that the matter is of sufficient seriousness, a three-person review panel (see Appendix I) shall decide, in consultation with the President, whether the faculty member's conduct is egregious.⁴⁵¹⁸ The decision is based on the Dean's request to initiate dismissal for cause proceedings and the faculty member's response under VII(A)(2), and must be made within seven (7) days of receiving these documents. If the review panel unanimously decides that the conduct is egregious, the faculty member will be relieved from all duties during the dismissal for cause proceedings without pay.⁴⁶¹⁹ If the review panel does not unanimously decide that the conduct is egregious, the unit administrator, in consultation with the Dean, shall decide within three (3) days of receiving the decision whether the faculty should be relieved from some or all of their duties (with pay) during the dismissal for cause proceedings. The parties must be copied on the review panel's and unit administrator's decisions.

If the review panel ~~has~~ unanimously determined that the faculty member's conduct is egregious, ~~as outlined above, upon notice of this determination,~~ a faculty member may not longer obtain official retiree status from the University during the pendency of the dismissal for cause proceedings. ~~after written charges have been filed with the President and Chair of UCFT.~~²⁰ A faculty member who is dismissed for cause at the conclusion of the dismissal for cause process is not eligible for official retiree status or emeritus status.

1. Meetings between the Presiding Officer and the Parties

Within fourteen (14) days after the faculty member receives notice of the written charges, As soon as practicable following the filing of formal charges, the Chair of the UCFT shall meet with the parties. The purposes of the meeting is to permit~~such meetings include:~~

- a. Challenges to any members of the Hearing Committee for conflict of interest (see Appendix I).
- b. Exchange of documents and witness lists between the parties.
- c. Stipulations by the parties on any relevant matters of fact. Any stipulation shall be reduced to writing and signed by both parties and the Presiding Officer.
- d. Rulings by the Presiding Officer on any proposed revisions to the charges that might be offered or requested.

The Chair of the UCFT may ask legal counsel to attend ~~these~~ meetings. The Chair of the UCFT shall arrange ~~for the~~ recordings of these meetings ~~are made~~ and included ~~it~~ in the complete case record. ~~The relevant administrator and faculty member will be expected to adjust their schedules to attend. These meetings will take place during regularly scheduled meeting times for the UCFT and the relevant administrator and faculty member will be expected to adjust their schedules to attend.~~

2. The Hearing

a. Service on the Hearing Committee shall be a high priority University responsibility for the duration of the hearing. Accordingly, administrators of units shall take all reasonable measures to reduce the Hearing Committee members' other responsibilities. Unit administrators are encouraged to provide additional support (such as graders and graduate assistants) to Hearing Committee members for the duration of their service.

b. The Secretary for Academic Governance shall make available to the Chair of the Hearing Committee any necessary ~~secretarial-administrative~~ and/or clerical assistance.

c. Legal counsel to the Hearing Committee shall arrange for a full stenographic record to be made of the hearing. If any party requests additional copies of the record or an expedited copy of the record, the additional costs of that request shall be paid by the requesting party.

d. ~~The parties are responsible for~~ ~~The Chair of the Hearing Committee shall request~~ ~~arranging~~ the presence of any witness ~~they wish to serve as a witness at the hearing, or~~ ~~the delivery of any University document germane to the hearing. University administrators are expected to cooperate with such requests.~~

e. The Chair of the Hearing Committee shall schedule the hearing within 21 days ~~a reasonable time (usually not to exceed 21 days)~~ after the faculty member is provided notice of the written charges against them ~~him/her, due consideration being given to the~~ ~~faculty member's opportunity for the preparation of a defense.~~

f. The hearing shall be closed, except that the Hearing Committee may consider a request from the faculty member to open the hearing. If such a request is made, the Hearing Committee shall hear the views of both parties on the question and shall determine whether the hearing sessions are to be open or closed. Regardless of the faculty member's request, the Chair of the Hearing Committee may, in the interest of orderly and equitable proceedings, rule that a given session or portion of a session be closed. Sessions or portions of sessions that will involve student testimony or testimony that includes personally identifiable student information must be closed. Sessions that will involve non-student witness testimony may also be closed at the discretion of the Chair of the Hearing Committee.

g. The Chair of the Hearing Committee shall conduct the hearing in accordance with the procedures stipulated in Appendix II.

h. The charging party or his/her/their representative shall be present at all sessions of the Hearing Committee at which evidence is presented or arguments are heard, and may (1) present evidence, (2) call, examine, and cross-examine witnesses, and (3) examine all documentary evidence received by the Hearing Committee. The charging party's advisor or legal counsel (if any) may also be present at the request of the charging party.

i. The faculty member and/or his/her/their representative may be present at all sessions of the Hearing Committee at which evidence is presented or arguments are heard, and may (1) present evidence, (2) call, examine, and cross-examine witnesses, and (3) examine all documentary evidence received by the Hearing Committee. The faculty member's advisor or legal counsel (if any) may also be present at the request of the faculty member. If the faculty member cannot be present at a hearing session due to circumstances beyond the faculty member's control, the Chair may grant permission for the faculty member to participate through alternate communication methods, reschedule the hearing session, or choose to conduct the hearing session in the absence of the faculty member.

j. If the faculty member chooses not to be present, the Chair shall conduct the hearing sessions in the absence of the faculty member.

k. The Provost (or his/her/their designee) shall be available to the Hearing Committee to provide guidance on policy or procedural questions. In the event that a policy or procedural question is at issue in the dismissal for cause proceedings, the Provost may choose to file a position statement with the Hearing Committee regarding the policy or procedural issue. In those cases, the Provost (or his/her/their designee) will not serve in an advisory capacity to the Hearing Committee regarding policy or procedural questions.

l. Except as provided below, only those members of the Hearing Committee who have been present at all sessions in which evidence has been presented or arguments have been heard shall have the right to vote. An exception to this attendance requirement shall be made by the Chair of the Hearing Committee for a member who has missed, for good cause, no more than one session and who has informed the Chair in writing that he/she/they has read the official transcript of that session. This attendance requirement may also be waived by unanimous consent of the parties.

m. Within a reasonable time following final arguments (usually not to exceed 14 days), the members of the Hearing Committee will vote to determine whether cause has been established. If they determine that cause has been established, they shall recommend either dismissal or other disciplinary action(s). If a majority of the Hearing Committee determines that cause has not been established, the matter is closed.

3. Processing the Record and Rendering Judgment

a. Hearing Committee Report.

1. Within ~~1430~~ days following the final arguments, the Hearing Committee shall submit its written report to the parties. ~~If additional time is needed, the Chair of the Hearing Committee shall request an extension of time from the Chair of the UCFT.~~

2. The Hearing Committee report must include an explanation of its determination as to whether cause has been established. If the Hearing Committee determines that cause has been established, the report must also include an explanation of its recommendation for either dismissal or some other disciplinary action(s). A report which recommends dismissal for cause or other discipline must state that at least one of the charges made against the faculty member has been proven by clear and convincing evidence.

3. Subject to subsection 4 below, all members of the Hearing Committee shall sign the report attesting that they have read it and that it constitutes the findings and recommendations of a majority of the Hearing Committee.

4. Any member(s) of the Hearing Committee may file and sign a minority report, which shall become part of the Hearing Committee report.

b. Appeals.

1. Grounds for appeal are limited to whether the Hearing Committee committed a prejudicial violation of the required procedures (see Appendix II) during the hearing process.

2. Either party may appeal the decision of the Hearing Committee to the then-current members of the UCFT, excluding the Presiding Officer and any members of the UCFT who served on the Hearing Committee. The remaining UCFT members shall constitute an appellate body (“the Appeal Panel”) and shall select a Chair by majority vote.

3. A party wishing to appeal (“appellant”) must submit a written appeal to the Chair of UCFT within ~~745~~ days after the date that the Hearing Committee report was mailed. The Chair of UCFT will transmit the appeal and a copy of the Hearing Committee report to the Appeal Panel and the appellee.²¹

4. The appeal must be in writing and must specify the claimed procedural violation(s) on which the appeal is based.

5. The appellee may submit a written response to the appeal. The response must be sent to the Chair of the UCFT and the party who initiated the appeal no later than ~~745~~ days after the date the appeal was mailed to the appellee.

6. The Appeal Panel will convene to decide the appeal. The Appeal Panel will usually decide the appeal based on the written materials presented and in the absence of the parties. If necessary, the Appeal Panel may request that both parties present oral argument and/or respond to questions regarding the appeal. The Appeal Panel may impose reasonable limits on the time allotted for oral arguments.

7. The Appeal Panel shall render a decision on the appeal within ~~7~~^{ten} days of receiving all arguments. A decision will be made by a simple majority vote. In rendering a decision, the Appeal Panel may not amend the findings or the recommendations of the Hearing Committee. The Appeal Panel may reach one of the following determinations:

- i. No violation found. The Hearing Committee did not commit a prejudicial violation of the required procedures during the hearing process.
- ii. Harmless Error. Although a violation of the procedures occurred, it did not materially harm the appellant's ability to present ~~his/her~~^{their} case fully.
- iii. Rehearing. The Hearing Committee committed a prejudicial violation of the procedures during the hearing process which can and should be corrected by the original Hearing Committee.
- iv. Rehearing/New Hearing Committee. The Hearing Committee committed a prejudicial violation of the procedures during the hearing process which has tainted the hearing to an extent that correction by the original Hearing Committee is impossible. A new Hearing Committee must be established to rehear the case.

c. Final Hearing Committee Report.

1. After appeals and rehearings, if any, are concluded, the Hearing Committee's report shall be considered final and shall be sent to the President, the Provost, and the parties ~~within 7 days of conclusion of any appeals and rehearings.~~
2. A copy of the complete transcript of the hearing shall be sent to the faculty member.
3. The Chair of the Hearing Committee shall file the complete record of the case with the Office of the Provost. The complete record shall contain: (i) the final Hearing Committee report, (ii) any Appeal Panel decision, (iii) meeting minutes, ~~(iv) the record required by part 11 of Appendix I,~~ and (iv) the transcript of the hearing. The complete record shall be held for review in the Provost's Office and shall be available to the President, the Provost, the Board of Trustees, and the parties, for their review, in a place designated by the Provost. ~~4. If the Hearing Committee finds cause, the Provost and the parties may, within 15 days of the date~~

~~of the mailing of the Hearing Committee's report, review the record and file written comments with the Chair of the Hearing Committee and the President.~~²²

d. The President, within ~~7~~15 days of the date of receipt, unless an extension of time has been granted by the Chair of the Hearing Committee, will review the Hearing Committee's report and provide ~~their~~ ~~his/her~~ ~~their~~ preliminary report ~~response~~ in writing, accompanied by supporting rationale, to the Chair of the Hearing Committee, the Provost, and the parties.

~~e. The Provost, the parties, and the Hearing Committee, through its Chair, may, within 15 days of the date that the President's preliminary response was mailed, submit written comments to the President about his/her~~ ~~their~~ preliminary response.

~~f. Following the 15-day period for submitting written responses, the President will, within 15 days, issue a final report on the charges against the faculty member. Copies of the President's final report will be provided to the Chair of the Hearing Committee, the Provost, and the parties.~~ If the Hearing Committee and the President both determine that there is cause for disciplinary action but not dismissal, the President's ~~final~~ report will conclude the matter and the disciplinary action recommended by the President will be imposed.²³

g. If either the Hearing Committee (by majority vote) or the President recommends dismissal, the President shall submit the following materials to the Board of Trustees: the final Hearing Committee report ~~(along with any written comments)~~ ~~and~~; the ~~preliminary response of the President, and the final~~ report of the President. Any Trustee may have access to the complete record of the case.

h. The Board of Trustees shall act on the matter at their next regularly scheduled meeting, but no earlier than 7 days from the date of the President's report. The Office of the Provost shall provide notice to the parties of the date and time that the Board of Trustees is expected to take action on the matter.

i. After reviewing the relevant materials, the Board of Trustees may: (1) dismiss the faculty member for cause, (2) impose discipline other than dismissal, or (3) determine that cause has not been established and close the matter.

VIII. Policy History

This policy was approved by the Board of Trustees on December 18, 2015, with an effective date of January 1, 2016. It replaces the Policy and Procedure for Implementing Disciplinary Action Where Dismissal is Not Sought²⁴ and the Dismissal of Tenured Faculty for Cause policy.²⁵

[Appendices I, II, III](#)

Footnotes:

¹ Limitations of this Policy: (1) A faculty member who fails to return to the University within a reasonable time after a term break, sabbatical, or other leave of absence shall forfeit rights to further employment and shall be considered as having resigned; in such cases, the faculty Leaves of Absence policy shall be followed. (2) A tenure-system faculty member's material misrepresentation made to the University in obtaining employment shall be addressed by the Policy and Procedure for Rescission.

² This Policy also applies to the discipline and dismissal of untenured faculty appointed in the tenure system prior to the expiration of the term of appointment.

³ The term "incompetence" refers to professional incompetence, as defined in the Interpretation of the Term "Incompetence" by the University Committee on Faculty Tenure.

⁴ This would include violations of criminal or civil (e.g., anti-harassment or discrimination) laws that have a nexus with the faculty member's professional responsibilities.

⁵ For purposes of this Policy, "Dean" refers to separately reporting Directors as well.

⁶ For purposes of this Policy, "Associate Provost" refers to the Associate Provost and Associate Vice President for [Academic Human Resources Faculty and Academic Staff Affairs](#).

⁷ "Clear and convincing" means the standard of proof that is beyond a mere preponderance (i.e. more probable than not) but below that of "beyond a reasonable doubt." The "clear and convincing" standard would be met when those making the determination have a firm belief that the facts in issue have been established.

⁸ If the chair is not tenured, the chair may request that a tenured member of the personnel subcommittee fill this role.

⁹ Unless otherwise noted, references to "days" in this Policy refer to calendar days.

¹⁰ If the chair is not tenured, a tenured member of UCFA may fill this role at the request of the chair, the unit administrator, or the faculty member.

¹¹ The dean shall consider the written statement of the faculty member and confer with unit administrator and the Office of the Associate Provost, after providing copies of the faculty member's statement to both, before proceeding with disciplinary action.

¹² In situations where a Dean fails to seek dismissal of a faculty member, the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs may file a written request to initiate dismissal for cause proceedings to the Provost~~—~~. This individual will fulfill the responsibilities of the ~~dean~~Provost under Section VII. of this Policy.

¹³ ~~The faculty member retains the right to have an observer present.~~

¹⁴ ~~The decision of the Provost as to whether the matter is serious enough to warrant initiation of dismissal for cause proceedings is not a determination regarding the merits of the charges against~~

the faculty member and shall not be viewed as the Provost's agreement or disagreement with the charges against the faculty member.

~~¹⁵The Provost shall not comment on any information contained in the confidential report of the Review Officer at any stage of the dismissal for cause proceedings unless that information is also contained in the record of those proceedings. The report will be maintained confidentially to the maximum extent permitted by law.~~

~~¹⁶Egregious conduct includes, but is not limited to (1) causing or attempting to cause substantial damage to the University's physical or intellectual property; (2) committing or attempting to commit violence against University community members; or (3) violating or attempting to violate fiscal norms (i.e., fraud or theft) or scholarly norms (i.e., falsification or fabrication of research).~~

~~¹⁷If the Hearing Committee determines there is no cause for dismissal, the faculty member shall receive back pay for the period of time during which the faculty member was on an unpaid leave of absence.~~

¹⁸ Egregious conduct includes, but is not limited to (1) causing or attempting to cause substantial damage to the University's physical or intellectual property; (2) committing or attempting to commit violence against University community members; or (3) violating or attempting to violate fiscal norms (i.e., fraud or theft) or scholarly norms (i.e., falsification or fabrication of research).

¹⁹ If the Hearing Committee determines there is no cause for dismissal, the faculty member shall receive back pay for the period of time during which the faculty member was on an unpaid leave of absence.

²⁰ The term "official retiree status" refers to the minimum retirement requirements as listed in the Retiring from the University Policy and the applicable university contribution to retiree health care and dental coverage as listed in the Retiree Benefits Policy, and does not include a faculty member's 403(b) Base Retirement Program account balance.

²¹ The "appellee" is the party of the original dispute who did not file the appeal.

~~²²When provided an opportunity to comment, the Provost and parties are expected to confine their comments to the record and not introduce new information. However, the Provost may comment on procedural or policy issues at any time.~~

²³ Disciplinary action implemented under this Policy may not be challenged through the Faculty Grievance Procedure.

²⁴ Approved by the Board of Trustees on June 11, 1993.

²⁵ Approved by the Board of Trustees on March 16, 1967 and revised on May 5, 2006.

[Appendices I, II, ~~III~~](#)

[User's Guide: Discipline and Dismissal of Tenured Faculty for Cause Policy](#)

[Back to Faculty Handbook](#)

[©](#)

Discipline and Dismissal of Tenured Faculty for Cause (continued)
IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

Dismissal of Tenured Faculty for Cause Appendices

Appendix I

Procedure for Empaneling ~~a~~ Hearing Committees & Review Panels

A standing panel of at least 18-20 tenured faculty members at the rank or above of the faculty member subject to the dismissal proceeding will be selected by the Provost in consultation with the Chairs of the UCFT and the University Committee on Faculty Affairs. Panel members shall serve at the pleasure of the Provost, with vacancies filled in accordance with this procedure.

Hearing Committee

1. The Chair of the UCFT, in consultation with the Office of the Provost, shall select from this panel ~~establish a~~ three-person Hearing Committees for each proceeding. The members of the Hearing Committees will serve throughout the duration of the hearing and any appeal processes, if applicable. A list of three alternates will also be maintained for each proceeding in the event that a panel member is unavailable. The Hearing Committee members and alternates must hold the same rank or higher of the faculty member subject to the dismissal proceeding. The Office of the Provost will arrange training about academic personnel policies and the dismissal for cause process for the Hearing Committee ~~review panel~~ and alternates.
2. ~~Members of the Hearing Committee shall be tenured full professors who are currently serving as UCFT members or who have served on the UCFT within the last five academic years.~~ An ~~Three~~ alternates will also ~~serve~~ be selected in the event a conflict of interest or other exceptional circumstance precludes a member of the Hearing Committee from serving.
3. No member of a Hearing Committee may serve on a hearing involving a faculty member from the same college in which the hearing member is appointed.
4. During the meeting referenced in Section VII ~~(-B)-(1)-(a)~~ of the Policy, either party may challenge a member of the Hearing Committee on the grounds that the member has a conflict of interest. The standard the Chair of the UCFT shall follow in ruling on the challenge is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be and be seen to be able to fairly and impartially hear the case and render a fair and impartial judgment. The Chair of the UCFT shall rule on any challenges.

Formatted: Underline

Formatted: Indent: Left: 0.5", No bullets or

5. After the selection of the Hearing Committee, the Hearing Committee shall elect its Chair from its membership. The Hearing Committee Chair shall be in charge of the hearing process from this point until the Hearing Committee has submitted its report and recommendations.
6. The University shall provide legal counsel for the Chair of the UCFT and for the Hearing Committee.

Review Panel to Determine Egregiousness

6. The Provost, in consultation with the Chair of the UCFT, shall randomly select three individuals from the panel to consider whether the faculty member's conduct is egregious and will be relieved from all duties without pay during the dismissal for cause proceedings, as outlined in Section VII(B) of the Policy. The faculty members selected under Section VII(B) must hold the same rank or higher of the faculty member subject to the dismissal proceeding, and may not be from the same college as the faculty member subject to the dismissal proceeding or as the dean filing the charges. The Provost will ensure that none of the three individuals have a conflict of interest as defined in (4) above.

Formatted: Underline

Formatted: Indent: Left: 0.25", No bullets or numbering

Appendix II Procedure for the Hearing

The Chair of the Hearing Committee shall be in charge of the hearing.

1. Legal counsel for the Hearing Committee may be present at all hearings and deliberations.
2. Hearing sessions may be scheduled, at the discretion of the Chair, on any weekday; weekends during the hours 8:00 a.m.–10:00 p.m.; or, by unanimous consent of the parties and Hearing Committee members, on University holidays. Reasonable efforts shall be made to accommodate the scheduling requests of the parties and Hearing Committee members.
3. The hearing shall be conducted in an informal manner to the greatest extent possible. Formal rules of evidence do not apply.
4. The Chair of the Hearing Committee may, in ~~their~~his/her discretion, exclude evidence, including witness testimony, if the Chair determines that such evidence is not relevant to the charges at issue.
5. The Chair of the Hearing Committee shall read the charges against the faculty member.
6. The Chair of the Hearing Committee shall request an initial statement summarizing the faculty member's responses, which may be presented by the faculty member or ~~their~~his/her advisor or legal counsel.

7. The charging party (or ~~their~~~~his~~~~her~~ representative, advisor, or legal counsel) shall present documents/testimony to support the charges. The faculty member and ~~his~~~~her~~~~their~~ advisor or legal counsel have the right to cross-examine all witnesses. The Hearing Committee will normally withhold questions until the cross-examination of the witness has been completed.
8. The faculty member (or ~~their~~~~his~~~~her~~ representative, advisor, or legal counsel) shall present documents/testimony to refute the charges. The charging party and ~~their~~~~his~~~~her~~ legal counsel have the right to cross-examine witnesses. The Hearing Committee will normally withhold questions until the cross-examination of the witness has been completed.
9. After the faculty member's witnesses have completed their testimony, including any cross-examination, the charging party may present rebuttal evidence. Rebuttal evidence shall be limited to new matters introduced in the faculty member's case. Surrebuttal evidence (limited to evidence rebutting the charging party's rebuttal evidence) shall also be allowed.
10. The charging party (or ~~his~~~~her~~~~their~~ representative, advisor, or legal counsel) shall present ~~their~~~~his~~~~her~~ closing argument.
11. The faculty member (or ~~their~~~~his~~~~her~~ representative, advisor, or legal counsel) shall present ~~their~~~~his~~~~her~~ closing argument.
12. The Hearing Committee shall deliberate to prepare its report and recommendations.

Appendix III

Procedures for Selecting Dismissal for Cause Review Officer

~~A panel of ten tenured faculty members shall be established. The Provost of the University to advise the Provost shall select one from the panel to advise the Provost when a Dean proposes to initiate dismissal for cause proceedings against a faculty member under Section I of the Policy. The Provost shall randomly select three from the panel to consider whether the faculty member's conduct is egregious and will be relieved from all duties without pay during the dismissal for cause proceedings, as outlined in Section VII(B) of the Policy. The faculty members selected under Section I or Section VII(B) may not be from the same college as the faculty member against whom charges may be or are filed, or the Dean filing the charges.~~

- ~~1. The panel shall be composed of tenured faculty members selected by the Provost in consultation with the Chairs of the UCFT and University Committee on Faculty Affairs. It is preferable for panel members to be tenured full professors who have (a) experience in chairing grievance panels, standing or ad hoc committees, (b) training or experience in grievances, arbitration, and/or mediation, or (c) legal training.~~

~~2. Panel members shall serve at the pleasure of the Provost, with vacancies filled in accordance with the procedure stated above.~~

Discipline and Dismissal of Tenured Faculty for Cause

Last updated: 9/9/19

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on March 16, 1967 and revised on May 5, 2006, December 18, 2015, June 22, 2018, and September 9, 2019.

Preamble

The University's commitment "to promote the welfare of mankind through teaching, research, and public service" is furthered by the intellectual integrity and professional honesty of faculty members mindful of their rights and responsibilities. Essential to sustaining an environment of mutual trust and respect is the need for impartial investigation of alleged violations of policies related to faculty conduct; due process; and, when necessary, disciplinary action up to and including dismissal for cause. Discipline, dismissal, or the threat of either action, may not be used to restrain faculty members in their exercise of academic freedom.

I. CONFIDENTIALITY

Records of disciplinary action or dismissal for cause proceedings shall be kept confidential to the degree permitted by the law. Subject to legal limitations and limitations imposed by University policy, information regarding discipline or dismissal of a faculty member may be disclosed when disclosure is necessary for the effective operation of the University. Disclosures should occur only after consultation with the Office of Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs (FASA), the Office of the General Counsel (OGC), University Communications, and where applicable, the Office for Civil Rights and Title IX Education and Compliance (OCR) and Presidential Advisors on RVSM.

II. MAILING OF NOTICES UNDER THIS POLICY

In matters involving minor discipline, notices required by this Policy will be sent to the faculty member by email to the faculty member's msu.edu account, with a courtesy copy sent to the faculty member by first class mail to the address of record. It is the faculty member's responsibility to regularly review the msu.edu email account for departmental and other University communications.

In matters involving serious discipline or dismissal, the faculty member shall be sent the notices required by this Policy by certified mail to their address of record filed with the University. However, if delivery by certified mail is not possible or if the faculty member refuses or waives delivery of certified mail, mailing notices to the faculty member at their address of record by first class mail will be considered sufficient. An email will also be sent to the faculty member's

University email address notifying them of the fact that a notice required by this Policy has been sent by one of the methods described above.

III. PARTICIPATION OF ADVISORS, OBSERVERS, OR COUNSEL

Faculty members are entitled to bring an advisor or observer to any meeting regarding disciplinary action referenced in this policy. The advisor or observer must be a member of the University community (faculty, staff, or administrator), including *emeriti*. The advisor or observer may be present during the meeting, but will have no voice or formal role in the meeting. Unless otherwise specified in this Policy, faculty members are entitled to bring an advisor of their choice, including legal counsel, to any meeting or hearing conducted during dismissal for cause proceedings. During those proceedings, the advisor has voice and is granted full participation.

IV. GROUNDS FOR DISCIPLINE AND DISMISSAL¹

A faculty member² may be disciplined, or dismissed, for cause on grounds including but not limited to (1) intellectual dishonesty; (2) acts of discrimination, including harassment, prohibited by law or University policy; (3) acts of moral turpitude substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration; (4) theft or misuse of University property; (5) incompetence;³ (6) refusal to perform reasonable assigned duties; (7) use of professional authority to exploit others; (8) violation of University policy substantially related to performance of faculty responsibilities; and (9) violation of law(s) substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration.⁴

V. TYPES OF DISCIPLINE

Disciplinary action is normally iterative and falls into two general categories: minor discipline and serious discipline. *Minor discipline* includes but is not limited to: verbal reprimand, written reprimand, mandatory training, foregoing salary increase, restitution, monitoring of behavior and performance, and/or reassignment of duties; *Serious discipline* includes suspension with or without pay or temporary or permanent reduction in appointment. A full suspension without pay may not exceed six months. In cases of gross wrongdoing, or where attempts at discipline have not successfully remedied performance concerns, a faculty member may be *Dismissed* for cause.

In matters where the dean⁵ and the Office of the Associate Provost⁶ concur that a faculty member's continued performance of faculty duties poses a significant risk of harm to persons or property, the faculty member may be relieved of duties and suspended with pay during the pendency of the investigation and discipline process.

In all faculty discipline, the University bears the burden of proof that adequate cause exists; it will be satisfied only by clear and convincing evidence unless a different standard is required by law.⁷ Violations of University policy are determined according to the preponderance of evidence standard. In certain circumstances, it may be appropriate to consider the faculty member's record as a whole when contemplating imposition of disciplinary action.

In cases of both minor and serious discipline (1) faculty members retain the right to grieve disciplinary actions that have been implemented under the regular terms of the Faculty Grievance Procedure and (2) the faculty member may submit a letter of exception to the imposition of discipline, disputing the grounds for the unit administrator's decision, to be included in the faculty member's personnel file.

VI. PROCESS TO INITIATE MINOR OR SERIOUS DISCIPLINE

A. MINOR DISCIPLINE

The University recognizes that it is the unit administrator who has primary responsibility for supervising faculty members. It is the role of the unit administrator to monitor faculty performance and communicate concerns to faculty members and to the dean. However, the dean is primarily responsible for making disciplinary decisions and may impose discipline in place of the unit administrator according to the following process:

Where the unit administrator, in consultation with the dean, seeks to impose minor disciplinary action, the unit administrator shall first meet with the faculty member to discuss the administrator's concern and the potential for discipline. The administrator will notify the faculty member during that meeting of the right and opportunity to request a consultation with the department/school faculty advisory committee, its chair, or the chair of the UCFA personnel subcommittee⁸ before the administrator proceeds with any disciplinary action. The purpose of such informal consultation is to reconcile disputes early and informally, when that is appropriate, by clarifying the issues involved, resolving misunderstandings, considering alternatives, and noting applicable bylaws.

The unit administrator and faculty member, if requested by the faculty member, will consult with the department/school faculty advisory committee, its chair, or with the chair of the UCFA personnel subcommittee in a prompt fashion to discuss the administrator's concern and the potential for discipline.

Should the unit administrator still wish to proceed with disciplinary action after that consultation, the administrator must consult with the dean and the Office of the Associate Provost to discuss the proposed disciplinary action. If the proposed discipline is authorized, the unit administrator shall provide the faculty member with written notice of the cause for disciplinary action in sufficient detail for the faculty member to address the specifics of the charges, and an opportunity to respond in writing prior to the imposition of any disciplinary action, within seven (7) days⁹ of receipt of the unit administrator's written notice. The dean must be copied on the written notice. The written response by the faculty member, if any, will be provided to the unit administrator, the dean, and the Office of the Associate Provost for further comment.

The unit administrator, in consultation with the dean, and after considering the written response and further comments, if any, shall make a decision regarding the disciplinary action and notify the faculty member in writing. The discipline will then take effect.

B. SERIOUS DISCIPLINE

Where the unit administrator, in consultation with the dean, or dean seeks to impose serious disciplinary action, the unit administrator or dean shall first meet with the faculty member to discuss the administrator's concern and the potential for discipline. Because it is in the interest of the University, the unit, and the faculty member that attempts be made to resolve serious disciplinary issues early and informally, the dean, unit administrator and faculty member are encouraged to meet with the chair of University Committee on Faculty Affairs (UCFA)¹⁰ to discuss the matter.

If that meeting does not resolve the issue, the unit administrator, in consultation with the dean, or dean shall consult with the Office of the Associate Provost to discuss the proposed disciplinary action. If the proposed discipline is authorized by the Office of the Associate Provost, the dean shall provide the faculty member with written notice of the proposed disciplinary action in sufficient detail for the faculty member to address the specifics of the charges.

The faculty member shall have seven (7) days after receiving the notice of proposed disciplinary action to (1) file a written statement with the dean regarding the proposed discipline,¹¹ or (2) request a meeting with a disciplinary review panel of the UCFA. A request to meet with the review panel should be made to the dean, who will forward it promptly to the Chair of the UCFA. If the faculty member does not submit a written response or request a meeting with the disciplinary review panel within the seven-day period, the discipline will take effect.

1. Review Panel Selection and Composition

The Chair of the UCFA, in consultation with the Office of the Provost, shall annually establish a three-person review panel made up of current members of the UCFA to meet with unit administrators and faculty members regarding potential serious disciplinary action. The members of the review panel will serve until their replacements are selected the following academic year. A list of three alternates will also be maintained in the event that a panel member is unavailable. The Office of the Provost will arrange training about academic personnel actions and policies for the review panel and alternates.

2. Meeting with the Review Panel

Upon receipt of a request to meet, the Chair of the UCFA will schedule a meeting with the unit administrator, dean, faculty member, and disciplinary review panel. That meeting will take place no later than the second regularly scheduled meeting after the request is received, but not to exceed 21 days during those periods when the UCFA is not regularly meeting. Except in unusual circumstances, meetings of the disciplinary review panel will take place before, during, or after the regularly scheduled meeting time of the UCFA and the unit administrator, dean, and the faculty member will be expected to adjust their schedules to attend the meeting. If any party cannot personally attend for good cause, as determined by the Chair of UCFA, that individual may participate through alternate communication methods (e.g., telephone, video conference) or send a representative to the meeting. If the faculty member does not appear for the meeting, the meeting will be conducted in the faculty member's absence.

No member of the review panel shall participate in a meeting involving a faculty member from the same college in which the panel member is appointed. The faculty member may also request that any member of the panel recuse themselves if a conflict of interest exists. If the panel member refuses to recuse themselves, the Chair of the UCFA will determine whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be able to participate fairly and impartially in the meeting and make a fair and impartial recommendation.

3. Recommendation of the Review Panel

Following its meeting, the review panel will provide its recommendation to the dean, with a copy to the faculty member, within seven (7) days about whether the proposed serious discipline should be imposed, lesser discipline should be substituted, or no discipline should be imposed. The recommendation is not binding on the dean but shall be given all due consideration. If the dean does not take the advice of the review panel, the dean will provide a detailed reply to its recommendation for consideration and possible amendment by the panel within seven (7) days, copying the faculty member. If the panel decides to amend its original recommendation, it must do so within seven (7) days, copying the faculty member. This documentation will form a part of the permanent record of the discipline process.

4. Imposition of Disciplinary Action

After receiving the response (and amendment, if any), the dean shall make a decision regarding the disciplinary action and notify the faculty member in writing. If the review panel recommended against imposition of serious discipline, or recommended lesser discipline, the dean must meet with the unit administrator and the Office of the Associate Provost before proceeding with disciplinary action.

VII. DISMISSAL FOR CAUSE PROCESS

A. INITIATING DISMISSAL FOR CAUSE PROCEEDINGS

1. Request to Initiate Dismissal for Cause Proceedings

A dean ("charging party")¹² proposing to initiate dismissal for cause proceedings against a faculty member must file a written request with the Provost, copying the faculty member, that provides the reasons for considering dismissal in sufficient detail for the faculty member to address the specifics of the charges, if necessary, and provides copies of all relevant documentation, including copies of any past disciplinary action or warnings to the faculty member that their conduct might lead to dismissal.

2. Determination by the Provost

The Provost must determine whether the matter is of sufficient seriousness to warrant the initiation of dismissal for cause proceedings. To reach this determination, the Provost will discuss the matter with the charging party and the faculty member individually. Both parties have a right to decline the meeting. The faculty member also has the right to submit to the Provost a written response to the dean's request to initiate dismissal for cause proceedings. The faculty member has seven days after the dean's request to submit their response. The Provost's determination on whether dismissal for cause proceedings are warranted will be made within seven (7) days after the deadline for the faculty member's response.

B. WRITTEN CHARGES AND EGREGIOUS DETERMINATION

If the Provost determines that the matter is serious enough to warrant initiation of dismissal for cause proceedings, the Provost shall immediately provide written notice of that determination to the President.

Following written notification by the Provost to the President that the matter is of sufficient seriousness, the charging party has seven (7) days to initiate dismissal for cause proceedings against a faculty member by filing written charges with the President and Chair of the University Committee on Faculty Tenure (UCFT). The charges must contain: (1) the allegations; (2) the names of the witnesses, insofar as then known, who will testify in support of the allegations; and (3) the nature of the testimony likely to be presented by each of these witnesses. The Chair of the UCFT shall promptly send a copy of the written charges to the faculty member.

Following written notification by the Provost to the President that the matter is of sufficient seriousness, a three-person review panel (see Appendix I) shall decide, in consultation with the President, whether the faculty member's conduct is egregious.¹³ The decision is based on the dean's request to initiate dismissal for cause proceedings and the faculty member's response under VII(A)(2), and must be made within seven (7) days of receiving these documents. If the review panel unanimously decides that the conduct is egregious, the faculty member will be relieved from all duties during the dismissal for cause proceedings without pay.¹⁴ If the review panel does not unanimously decide that the conduct is egregious, the unit administrator, in consultation with the dean, shall decide within three (3) days of receiving the decision whether the faculty should be relieved from some or all of their duties (with pay) during the dismissal for cause proceedings. The parties must be copied on the review panel's and unit administrator's decisions.

If the review panel unanimously determines that the faculty member's conduct is egregious, [upon notice of this determination](#), a faculty member may no longer obtain official retiree status from the University during the pendency of the dismissal for cause proceedings.¹⁵ A faculty member who is dismissed for cause at the conclusion of the dismissal for cause process is not eligible for official retiree status or emeritus status.

1. Meetings between the Presiding Officer and the Parties

Within fourteen (14) days after the faculty member receives notice of the written charges, the Chair of the UCFT shall meet with the parties. The purposes of the meeting is to permit:

- a. Challenges to any members of the Hearing Committee for conflict of interest (see Appendix I).
- b. Exchange of documents and witness lists between the parties.
- c. Stipulations by the parties on any relevant matters of fact. Any stipulation shall be reduced to writing and signed by both parties and the Presiding Officer.
- d. Rulings by the Presiding Officer on any proposed revisions to the charges that might be offered or requested.

The Chair of the UCFT may ask legal counsel to attend this meeting. The Chair of the UCFT shall arrange for the recording of the meeting and include it in the complete case record. The relevant administrator and faculty member will be expected to adjust their schedules to attend.

2. The Hearing

- a. Service on the Hearing Committee shall be a high priority University responsibility for the duration of the hearing. Accordingly, administrators of units shall take all reasonable measures to reduce the Hearing Committee members' other responsibilities. Unit administrators are encouraged to provide additional support (such as graders and graduate assistants) to Hearing Committee members for the duration of their service.
- b. The Secretary for Academic Governance shall make available to the Chair of the Hearing Committee any necessary administrative and/or clerical assistance.
- c. Legal counsel to the Hearing Committee shall arrange for a full stenographic record to be made of the hearing. If any party requests additional copies of the record or an expedited copy of the record, the additional costs of that request shall be paid by the requesting party.
- d. The parties are responsible for arranging the presence of any witness they wish to serve as a witness at the hearing.
- e. The Chair of the Hearing Committee shall schedule the hearing within 21 days after the faculty member is provided notice of the written charges against them.
- f. The hearing shall be closed, except that the Hearing Committee may consider a request from the faculty member to open the hearing. If such a request is made, the Hearing Committee shall hear the views of both parties on the question and shall determine whether the hearing sessions are to be open or closed. Regardless of the faculty member's request, the Chair of the Hearing Committee may, in the interest of orderly and equitable proceedings, rule that a given session or portion of a session be closed. Sessions or portions of sessions that will involve student testimony or testimony that includes personally identifiable student information must be closed.

Sessions that will involve non-student witness testimony may also be closed at the discretion of the Chair of the Hearing Committee.

g. The Chair of the Hearing Committee shall conduct the hearing in accordance with the procedures stipulated in Appendix II.

h. The charging party or their representative shall be present at all sessions of the Hearing Committee at which evidence is presented or arguments are heard, and may (1) present evidence, (2) call, examine, and cross-examine witnesses, and (3) examine all documentary evidence received by the Hearing Committee. The charging party's advisor or legal counsel (if any) may also be present at the request of the charging party.

i. The faculty member and/or their representative may be present at all sessions of the Hearing Committee at which evidence is presented or arguments are heard, and may (1) present evidence, (2) call, examine, and cross-examine witnesses, and (3) examine all documentary evidence received by the Hearing Committee. The faculty member's advisor or legal counsel (if any) may also be present at the request of the faculty member. If the faculty member cannot be present at a hearing session due to circumstances beyond the faculty member's control, the Chair may grant permission for the faculty member to participate through alternate communication methods, reschedule the hearing session, or choose to conduct the hearing session in the absence of the faculty member.

j. If the faculty member chooses not to be present, the Chair shall conduct the hearing sessions in the absence of the faculty member.

k. The Provost (or their designee) shall be available to the Hearing Committee to provide guidance on policy or procedural questions. In the event that a policy or procedural question is at issue in the dismissal for cause proceedings, the Provost may choose to file a position statement with the Hearing Committee regarding the policy or procedural issue. In those cases, the Provost (or their designee) will not serve in an advisory capacity to the Hearing Committee regarding policy or procedural questions.

l. Except as provided below, only those members of the Hearing Committee who have been present at all sessions in which evidence has been presented or arguments have been heard shall have the right to vote. An exception to this attendance requirement shall be made by the Chair of the Hearing Committee for a member who has missed, for good cause, no more than one session and who has informed the Chair in writing that they have read the official transcript of that session. This attendance requirement may also be waived by unanimous consent of the parties.

m. Within a reasonable time following final arguments (usually not to exceed 14 days), the members of the Hearing Committee will vote to determine whether cause has been established. If they determine that cause has been established, they shall

recommend either dismissal or other disciplinary action(s). If a majority of the Hearing Committee determines that cause has not been established, the matter is closed.

3. Processing the Record and Rendering Judgment

a. Hearing Committee Report.

1. Within 14 days following the final arguments, the Hearing Committee shall submit its written report to the parties.
2. The Hearing Committee report must include an explanation of its determination as to whether cause has been established. If the Hearing Committee determines that cause has been established, the report must also include an explanation of its recommendation for either dismissal or some other disciplinary action(s). A report which recommends dismissal for cause or other discipline must state that at least one of the charges made against the faculty member has been proven by clear and convincing evidence.
3. Subject to subsection 4 below, all members of the Hearing Committee shall sign the report attesting that they have read it and that it constitutes the findings and recommendations of a majority of the Hearing Committee.
4. Any member(s) of the Hearing Committee may file and sign a minority report, which shall become part of the Hearing Committee report.

b. Appeals.

1. Grounds for appeal are limited to whether the Hearing Committee committed a prejudicial violation of the required procedures (see Appendix II) during the hearing process.
2. Either party may appeal the decision of the Hearing Committee to the then-current members of the UCFT, excluding the Presiding Officer and any members of the UCFT who served on the Hearing Committee. The remaining UCFT members shall constitute an appellate body (“the Appeal Panel”) and shall select a Chair by majority vote.
3. A party wishing to appeal (“appellant”) must submit a written appeal to the Chair of UCFT within 7 days after the date that the Hearing Committee report was mailed. The Chair of UCFT will transmit the appeal and a copy of the Hearing Committee report to the Appeal Panel and the appellee.¹⁶
4. The appeal must be in writing and must specify the claimed procedural violation(s) on which the appeal is based.

5. The appellee may submit a written response to the appeal. The response must be sent to the Chair of the UCFT and the party who initiated the appeal no later than 7 days after the date the appeal was mailed to the appellee.

6. The Appeal Panel will convene to decide the appeal. The Appeal Panel will usually decide the appeal based on the written materials presented and in the absence of the parties. If necessary, the Appeal Panel may request that both parties present oral argument and/or respond to questions regarding the appeal. The Appeal Panel may impose reasonable limits on the time allotted for oral arguments.

7. The Appeal Panel shall render a decision on the appeal within 7 days of receiving all arguments. A decision will be made by a simple majority vote. In rendering a decision, the Appeal Panel may not amend the findings or the recommendations of the Hearing Committee. The Appeal Panel may reach one of the following determinations:

i. No violation found. The Hearing Committee did not commit a prejudicial violation of the required procedures during the hearing process.

ii. Harmless Error. Although a violation of the procedures occurred, it did not materially harm the appellant's ability to present their case fully.

iii. Rehearing. The Hearing Committee committed a prejudicial violation of the procedures during the hearing process which can and should be corrected by the original Hearing Committee.

iv. Rehearing/New Hearing Committee. The Hearing Committee committed a prejudicial violation of the procedures during the hearing process which has tainted the hearing to an extent that correction by the original Hearing Committee is impossible. A new Hearing Committee must be established to rehear the case.

c. Final Hearing Committee Report.

1. After appeals and rehearings, if any, are concluded, the Hearing Committee's report shall be considered final and shall be sent to the President, the Provost, and the parties within 7 days of conclusion of any appeals and rehearings.

2. A copy of the complete transcript of the hearing shall be sent to the faculty member.

3. The Chair of the Hearing Committee shall file the complete record of the case with the Office of the Provost. The complete record shall contain: (i) the final Hearing Committee report, (ii) any Appeal Panel decision, (iii) meeting minutes, and (iv) the transcript of the hearing. The complete record shall be held for review

in the Provost's Office and shall be available to the President, the Provost, the Board of Trustees, and the parties, for their review, in a place designated by the Provost.

d. The President, within 7 days of the date of receipt, unless an extension of time has been granted by the Chair of the Hearing Committee, will review the Hearing Committee's report and provide their report in writing, accompanied by supporting rationale, to the Chair of the Hearing Committee, the Provost, and the parties.

If the Hearing Committee and the President both determine that there is cause for disciplinary action but not dismissal, the President's report will conclude the matter and the disciplinary action recommended by the President will be imposed.¹⁷

g. If either the Hearing Committee (by majority vote) or the President recommends dismissal, the President shall submit the following materials to the Board of Trustees: the final Hearing Committee report and the report of the President. Any Trustee may have access to the complete record of the case.

h. The Board of Trustees shall act on the matter at their next regularly scheduled meeting, but no earlier than 7 days from the date of the President's report. The Office of the Provost shall provide notice to the parties of the date and time that the Board of Trustees is expected to take action on the matter.

i. After reviewing the relevant materials, the Board of Trustees may: (1) dismiss the faculty member for cause, (2) impose discipline other than dismissal, or (3) determine that cause has not been established and close the matter.

VIII. Policy History

This policy was approved by the Board of Trustees on December 18, 2015, with an effective date of January 1, 2016. It replaces the Policy and Procedure for Implementing Disciplinary Action Where Dismissal is Not Sought¹⁸ and the Dismissal of Tenured Faculty for Cause policy.¹⁹

[Appendices I, II](#)

Footnotes:

¹ Limitations of this Policy: (1) A faculty member who fails to return to the University within a reasonable time after a term break, sabbatical, or other leave of absence shall forfeit rights to further employment and shall be considered as having resigned; in such cases, the faculty Leaves of Absence policy shall be followed. (2) A tenure-system faculty member's material misrepresentation made to the University in obtaining employment shall be addressed by the Policy and Procedure for Rescission.

² This Policy also applies to the discipline and dismissal of untenured faculty appointed in the tenure system prior to the expiration of the term of appointment.

³ The term “incompetence” refers to professional incompetence, as defined in the Interpretation of the Term “Incompetence” by the University Committee on Faculty Tenure.

⁴ This would include violations of criminal or civil (e.g., anti-harassment or discrimination) laws that have a nexus with the faculty member’s professional responsibilities.

⁵ For purposes of this Policy, “dean” refers to separately reporting Directors as well.

⁶ For purposes of this Policy, “Associate Provost” refers to the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs.

⁷ “Clear and convincing” means the standard of proof that is beyond a mere preponderance (i.e. more probable than not) but below that of “beyond a reasonable doubt.” The “clear and convincing” standard would be met when those making the determination have a firm belief that the facts in issue have been established.

⁸ If the chair is not tenured, the chair may request that a tenured member of the personnel subcommittee fill this role.

⁹ Unless otherwise noted, references to “days” in this Policy refer to calendar days.

¹⁰ If the chair is not tenured, a tenured member of UCFA may fill this role at the request of the chair, the unit administrator, or the faculty member.

¹¹ The dean shall consider the written statement of the faculty member and confer with unit administrator and the Office of the Associate Provost, after providing copies of the faculty member’s statement to both, before proceeding with disciplinary action.

¹² In situations where a dean fails to seek dismissal of a faculty member, the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs may file a written request to initiate dismissal for cause proceedings to the Provost. This individual will fulfill the responsibilities of the dean under Section VII. of this Policy.

¹³ Egregious conduct includes, but is not limited to (1) causing or attempting to cause substantial damage to the University’s physical or intellectual property; (2) committing or attempting to commit violence against University community members; or (3) violating or attempting to violate fiscal norms (i.e., fraud or theft) or scholarly norms (i.e., falsification or fabrication of research).

¹⁴ If the Hearing Committee determines there is no cause for dismissal, the faculty member shall receive back pay for the period of time during which the faculty member was on an unpaid leave of absence.

¹⁵ The term "official retiree status" refers to the minimum retirement requirements as listed in the Retiring from the University Policy and the applicable university contribution to retiree health

care and dental coverage as listed in the Retiree Benefits Policy, and does not include a faculty member's 403(b) Base Retirement Program account balance.

¹⁶ The “appellee” is the party of the original dispute who did not file the appeal.

¹⁷ Disciplinary action implemented under this Policy may not be challenged through the Faculty Grievance Procedure.

¹⁸ Approved by the Board of Trustees on June 11, 1993.

¹⁹ Approved by the Board of Trustees on March 16, 1967 and revised on May 5, 2006.

[Appendices I, II](#)

[User's Guide: Discipline and Dismissal of Tenured Faculty for Cause Policy](#)

[Back to Faculty Handbook](#)

[©](#)

Discipline and Dismissal of Tenured Faculty for Cause (continued)
IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

Dismissal of Tenured Faculty for Cause Appendices

Appendix I
Procedure for Empaneling Hearing Committees & Review Panels

A standing panel of at least 18-20 tenured faculty members will be selected by the Provost in consultation with the Chairs of the UCFT and the University Committee on Faculty Affairs. Panel members shall serve at the pleasure of the Provost, with vacancies filled in accordance with this procedure.

Hearing Committee

1. The Chair of the UCFT, in consultation with the Office of the Provost, shall select from this panel a three-person Hearing Committee for each proceeding. The members of the Hearing Committee will serve throughout the duration of the hearing and any appeal processes, if applicable. A list of three alternates will also be maintained for each proceeding in the event that a panel member is unavailable. The Hearing Committee members and alternates must hold the same rank or higher of the faculty member subject to the dismissal proceeding. The Office of the Provost will arrange training about academic personnel policies and the dismissal for cause process for the Hearing Committee and alternates.
2. An alternate will also serve in the event a conflict of interest or other exceptional circumstance precludes a member of the Hearing Committee from serving.
3. No member of a Hearing Committee may serve on a hearing involving a faculty member from the same college in which the hearing member is appointed.
4. During the meeting referenced in Section VII(B)(1)(a) of the Policy, either party may challenge a member of the Hearing Committee on the grounds that the member has a conflict of interest. The standard the Chair of the UCFT shall follow in ruling on the challenge is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be and be seen to be able to fairly and impartially hear the case and render a fair and impartial judgment. The Chair of the UCFT shall rule on any challenges.
5. After the selection of the Hearing Committee, the Hearing Committee shall elect its Chair from its membership. The Hearing Committee Chair shall be in

charge of the hearing process from this point until the Hearing Committee has submitted its report and recommendations.

6. The University shall provide legal counsel for the Chair of the UCFT and for the Hearing Committee.

Review Panel to Determine Egregiousness

The Provost, in consultation with the Chair of the UCFT, shall select three individuals from the panel to consider whether the faculty member's conduct is egregious and will be relieved from all duties without pay during the dismissal for cause proceedings, as outlined in Section VII(B) of the Policy. The faculty members selected under Section VII(B) must hold the same rank or higher of the faculty member subject to the dismissal proceeding, and may not be from the same college as the faculty member subject to the dismissal proceeding or as the dean filing the charges. The Provost will ensure that none of the three individuals have a conflict of interest as defined in (4) above.

Appendix II Procedure for the Hearing

The Chair of the Hearing Committee shall be in charge of the hearing.

1. Legal counsel for the Hearing Committee may be present at all hearings and deliberations.
2. Hearing sessions may be scheduled, at the discretion of the Chair, on any weekday; weekends during the hours 8:00 a.m.–10:00 p.m.; or, by unanimous consent of the parties and Hearing Committee members, on University holidays. Reasonable efforts shall be made to accommodate the scheduling requests of the parties and Hearing Committee members.
3. The hearing shall be conducted in an informal manner to the greatest extent possible. Formal rules of evidence do not apply.
4. The Chair of the Hearing Committee may, in their discretion, exclude evidence, including witness testimony, if the Chair determines that such evidence is not relevant to the charges at issue.
5. The Chair of the Hearing Committee shall read the charges against the faculty member.
6. The Chair of the Hearing Committee shall request an initial statement summarizing the faculty member's responses, which may be presented by the faculty member or their advisor or legal counsel.
7. The charging party (or their representative, advisor, or legal counsel) shall present documents/testimony to support the charges. The faculty member and their advisor or legal counsel have the right to cross-examine all witnesses. The

Hearing Committee will normally withhold questions until the cross-examination of the witness has been completed.

8. The faculty member (or their representative, advisor, or legal counsel) shall present documents/testimony to refute the charges. The charging party and their legal counsel have the right to cross-examine witnesses. The Hearing Committee will normally withhold questions until the cross-examination of the witness has been completed.
9. After the faculty member's witnesses have completed their testimony, including any cross-examination, the charging party may present rebuttal evidence. Rebuttal evidence shall be limited to new matters introduced in the faculty member's case. Surrebuttal evidence (limited to evidence rebutting the charging party's rebuttal evidence) shall also be allowed.
10. The charging party (or their representative, advisor, or legal counsel) shall present their closing argument.
11. The faculty member (or their representative, advisor, or legal counsel) shall present their closing argument.
12. The Hearing Committee shall deliberate to prepare its report and recommendations.

Approval of Contract Terms, *Portera Therapeutics, Inc.*

February 11, 2022

Page 2

OPTION AGREEMENT TERM SHEET

Party:	Portera Therapeutics, Inc.
Agreement:	Option agreement for an exclusive world-wide license to the following: TEC2016-0128, "Small molecule proteasome activators and uses thereof", US Patent Application 16/619,876 TEC2017-0020, "Treatment of malignancies," US Patent Application 17/490,999 TEC2022-0022, "Proteasome enhancers and uses thereof," PCT application PCT/US2021/045448 TEC2022-0023, "Proteasome enhancers and uses thereof," PCT application PCT/US2021/045446 TEC2022-0024, "Proteasome enhancers and uses thereof," PCT application PCT/US2021/045440 <i>The parties may add or remove technologies under the agreement, including improvements generated under a separate sponsored research agreement, provided the change does not affect the financial consideration of the parties or the nature or extent of any pecuniary interest of MSU personnel.</i>
Term:	Two years from the effective date of the option agreement, with a one year extension available.
Financial Terms:	Initial equity grant of Common Stock equal to 8% of Portera's fully-diluted equity calculated prior to Portera's Series Seed Preferred financing; second equity grant of Common Stock to be made in connection with Portera's next qualified financing to bring MSU up to 3.5% of Portera's fully-diluted equity on up to

\$10,000,000 raised in the next qualified financing.

Services Provided:

By MSU to Portera: None

By Portera to MSU: None

**Use of University
Facilities/Personnel:**

None

**Organization Type and
Domicile:**

Delaware C-corporation

Personnel Interest:

Dr. Jetze Tepe, a Professor in the Department of Chemistry and members of his family own or have options to buy an ownership interest of more than 1% of the company. Dr. Tepe is the scientific founder of Portera Therapeutics and is an officer in the company.

SPONSORED RESEARCH AGREEMENT TERM SHEET

Party:	Portera Therapeutics, Inc.
Agreement:	Preclinical development of 20S proteasome enhancers involving synthetic organic chemistry of novel bioactive compounds, and their evaluation in a panel of assays.
Term:	Feb. 15, 2022 – August 14, 2023
Financial Terms:	\$500,000 to MSU for research
Services Provided:	By MSU to Portera Therapeutics, Inc.: Engage in chemistry research and synthetic organic chemistry to develop novel routes to useful reagents. By Portera Therapeutics, Inc. to MSU: None contemplated under this agreement
Use of University Facilities/Personnel:	Laboratory and related support facilities as available to the Principal Investigator on the grant, Jetze Tepe.
Organization Type and Domicile:	Delaware C-corporation
Personnel Interest:	Dr. Jetze Tepe, a Professor in the Department of Chemistry and members of his family own or have options to buy an ownership interest of more than 1% of the company. Dr. Tepe is the scientific founder of Portera Therapeutics, Inc. and is an officer in the company.

SERVICE AGREEMENT TERM SHEET

Party:	National Pesticide Safety Education Center (NPSEC)
Agreement:	NPSEC to prepare five online education modules regarding meat processing
Term:	Through completion of the modules
Payment Terms:	\$52,080 to NPSEC in fees for service
Services Provided:	By MSU to NPSEC: None By NPSEC to MSU: Develop five online modules
Use of University Facilities/Personnel:	None contemplated under this agreement
Organization Type:	Michigan non-profit corporation
Personnel Interest:	Mr. Tom Smith is the Associate Director of MSU's Institute of Agricultural Technology and is the Executive Director of the National Pesticide Safety and Education Center.

LEASE AGREEMENT TERM SHEET

Party:	Jolt Energy Storage Technologies, LLC (Jolt)
Lease Agreement:	Exclusive use of Room 112 and all offices and subordinate rooms therein. 1,716 ft ² total, comprised of 1,302 ft ² Laboratory, 414 ft ² office. Nonexclusive use of Common Areas of the Bioeconomy Institute, as designated by building management.
Term:	February 15, 2022 – February 14, 2024
Financial Terms:	\$3,373 per month for 24 months
Services Provided:	By MSU to Jolt: Facility maintenance and custodial service, basic telephone service. By Jolt to MSU: None contemplated under this agreement
Use of University Facilities/Personnel:	Bioeconomy Institute, located at 242 Howard Avenue, Holland, MI 49424.
Organization Type:	Michigan limited liability company
Personnel Interest:	Dr. Thomas F. Guarr, Professor Fixed Term, Director of R&D MSU Bioeconomy Institute holds an ownership interest of more than 1% of the company.

LICENSE AGREEMENT TERM SHEET

Party:	Jolt Energy Storage Technologies, LLC
Agreement:	Amendment to worldwide, exclusive license agreement
Technology:	Addition of TEC2022-0030, "Highly Soluble Pyridinium Compounds With Persistent Radical States" to the Patent Rights of the existing license. The parties may add or remove technologies under the agreement, including improvements generated under a separate sponsored research agreement, provided the change does not affect the financial consideration of the parties or the nature or extent of any pecuniary interest of MSU personnel.
Term:	Expiration or termination of the patents
Financial Terms:	Amendment fee of \$2,500; all other financial terms remain unchanged from license agreement
Services Provided:	By MSU to Jolt Energy Storage Technologies, LLC: None By Jolt Energy Storage Technologies, LLC to MSU: None
Use of University Facilities/Personnel:	None
Organization Type and Domicile:	Michigan limited liability company
Personnel Interest:	Dr. Thomas F. Guarr, Professor Fixed Term, Director of R&D MSU Bioeconomy Institute holds an ownership interest of more than 1% of the company.

SPONSORED RESEARCH AGREEMENT TERM SHEET

Party:	Infrastructure Analytics Company
Agreement:	Infrastructure-to-Everything (I2X) Communication Technology for Autonomous and Connected Vehicle Support
Term:	1/1/22-12/31/22
Financial Terms:	\$30,000 to MSU
Services Provided:	By MSU to Infrastructure Analytics Company: MSU will support the testing and verification of the prototypes in small scale field tests on MSU's campus. By Infrastructure Analytics Company to MSU: None
Use of University Facilities/Personnel:	Engineering Building; Dr. Ali Zokaie and Dr. Nizar Lajnef
Organization Type and Domicile:	Wyoming Corporation
Personnel Interest:	Dr. Nizar Lajnef, a Professor in the Department of Civil and Environmental Engineering owns or has options to buy an ownership interest of more than 1% of the company.

SPONSORED RESEARCH AGREEMENT TERM SHEET

Party:	IASO Therapeutics, Inc.
Agreement:	Mouse model support for a project entitled Proprietary Bacteriophage Qbeta Mutant as a Platform Carrier for Next Generation Vaccines
Term:	4/1/2022-3/31/2024
Payment Terms:	\$35,164 to MSU
Services Provided:	By MSU to IASO Therapeutics, Inc.: Support and conduct of mouse studies By IASO Therapeutics, Inc. to MSU: None
Use of University Facilities/Personnel:	Engineering Building; Dr. Zhen Qiu
Organization Type:	Michigan C-Corporation
Personnel Interest:	Dr. Xuefei Huang, a Professor in the Department of Chemistry, owns, or has options to buy, an interest in the company.

Approval of Contract Terms, *Scion Plasma, LLC*

February 11, 2022

Page 2

PURCHASE AGREEMENT TERM SHEET

Party: Scion Plasma, LLC

Agreement: MSU to purchase one Round Single Beam Ion Source from Scion Plasma, LLC

Payment Terms: \$4,675.00 to Scion Plasma, LLC for one Round Single Beam Ion Source

Services Provided: By MSU to Scion Plasma, LLC: None
By Scion Plasma, LLC to MSU: None

**Use of University
Facilities/Personnel:** None contemplated under this agreement

Organization Type: Michigan limited liability company

Personnel Interest: Dr. Qi Hua Fan, Associate Professor in the Department of Electrical and Computer Engineering, and members of his family own or have options to buy an ownership interest of more than 1% of the company.