

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

May 5, 2006

Trustee Finance Committee and Trustee Policy Committee meetings were held in the Board Room of the Administration Building beginning at 8:42 a.m. on Friday, May 5, 2006. Minutes of the meetings are on file in the Office of the Secretary of the Board of Trustees.

President Simon called the meeting of the Board of Trustees to order at 8:42 a.m. in the Board Room.

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

Trustees absent: G. Scott Romney

University officers present: President Simon, Provost Wilcox, Vice President Poston, Secretary Barber, Vice President and General Counsel Noto, Vice Presidents Gray, Hudzik, and Webb, Executive Director Williams, and Senior Advisor and Director Granberry Russell. Faculty liaisons present: Ross Emmett, Linda Lou Smith, and Jon Sticklen. Student liaisons present: Brad Love, Eric Hinojosa, and Roger Ludy.

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

1. On a motion by Trustee Gonzales, supported by Trustee Porteous, the **BOARD VOTED to approve** the agenda.
2. President Simon informed the Board that, due to the short time between meetings, the minutes from the April 13, 2006 meeting will be submitted for approval at the June 16, 2006 Board Meeting.
3. President's Report
 - A. Commencement

President Simon said commencement marks an important milestone for any university, as well as for the individual graduates and their families.

This year Motown founder Berry Gordy and Pulitzer Prize Winner, Ellen Zwilich are the Convocation honorees. Paul Ehrlich, Bing Professor of Population Studies at Stanford, and recent Nobel Prize winner in Chemistry and former MSU faculty member Robert Grubbs will be honored at the graduate ceremony. These individuals represent much of the values of the land-grant tradition at Michigan State University.

President Simon said she appreciates the Board Members' attendance and efforts to greet all of the graduates. She commented that the individual College ceremonies provide an opportunity for every graduate to be recognized in a way that his or her family can see. Over 8,000 students will be going through commencement ceremonies May 6 and 7. Of those, approximately 5,800 graduates will be spring graduates and another 2,200 or so are summer graduates. This will be the last cohort of students for the College of Human Ecology.

B. Award Winners

Michigan State University had the opportunity to recognize the following award winners:

Students:

Jacob Phelps – Truman and Udall Scholarships
Timothy Howes – Churchill Scholarship
Stuart Kaltz – Goldwater Scholarship
Katherine Leitch – Goldwater Scholarship
Anjali Rohatgi – Goldwater Scholarship

Faculty:

John Richard Lenski, John Hannah Distinguished Professor of Microbial Ecology, has been elected to the prestigious National Academy of Sciences.

Thomas Glassmacher, Associate Director of the National Superconducting Cyclotron Laboratory, received the prestigious Sackler Prize in the Physical Sciences for work in the field of theoretical or experimental nuclear physics.

C. Boldness by Design

President Simon said the five task forces working on elements of the Boldness by Design initiative have completed their work. Reports will soon be posted on the Boldness by Design website.

D. State Appropriations

The appropriations process is proceeding. With a recommendation from the Governor, an action by the Senate, and an action by the House Higher Education Appropriations Subcommittee.

The Subcommittee hearing was quite unusual because the three Presidents of the research universities with medical schools – from Wayne State, Michigan State, and the University of Michigan – did an integrated presentation. The three have much in common, along with the unique contributions each provides to the State. For example, the three provide 100% of medical students and Ph.D. nurses and 95% of the research conducted at Michigan universities. It was an effort to highlight for the people of Michigan that, in a global competition, the role of internationally recognized research universities will be extremely important.

Research universities have a special responsibility to sustain that international competitiveness. If one looks back 20 years from now on the decisions that are made today, we must enhance the capacity international competitiveness in our higher education system, represented by 2 of those universities in the top 100 – Michigan and Michigan State – and Wayne in the top 300 in the world.

The purpose of the presentation was simply to say, “Let’s not look simply at the numbers of undergraduates,” or “Let’s not diminish the role that other universities play in research and research partnerships,” but “Let’s not lose sight of the very special role by internationally competitive research universities with medicine.”

The universities represent not simply a solution to today’s problem, but the promise of tomorrow in international competitiveness. This was heard by some, and made others, very uncomfortable both on the Subcommittee and in our colleague institutions; too often the message is perceived as a statement that other universities aren’t important. Everyone on the team is important in Michigan higher education, but Michigan must have international competitiveness of the universities for its future.

E. End of the Academic Year

President Simon thanked the Board for a wonderful year. She mentioned that this is a time when the liaisons are transitioning. She welcomed the new students and acknowledged the faculty for their contributions.

Dr. Linda Lou Smith said she would be returning next year.

Dr. Ross Emmett said he has enjoyed the opportunity to interact with the Board, to be present at the Board Meetings, and to expand his knowledge of the University.

Dr. Jon Sticklen thanked the Board for giving him the opportunity to interact with them and the President on behalf of the faculty. It has given him a much better understanding of how things work within the University.

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

Provost Kim Wilcox presented the following personnel actions:

Appointments

Walther, Joseph B., AY-Professor, Departments of Communication; Telecom Information Studies and Media, \$115,000, with Tenure, effective August 16, 2006.

Vogelsang, Timothy J., AY-Professor, Frederick S. Addy Distinguished Chair of Economics, Department of Economics, \$225,000, with Tenure, effective August 16, 2006.

Semrud-Clikeman, Margaret E., AY-Professor, Departments of Psychology; Psychiatry, \$115,000, with Tenure, effective August 16, 2006.

Trustee Nugent moved **to approve** the recommendations, with support from Trustee Gonzales.

Provost Wilcox stated that Professor Walther has a Ph.D. from the University of Arizona. He has been an assistant professor at the University of Oklahoma, an assistant and associate professor at Northwestern University, and, most recently, an associate professor at Cornell University. Dr. Walther explores how the internet impacts the way people coordinate and relate to one another.

Dr. Vogelsang has a Ph.D. from Princeton. He has been an assistant and associate professor of Economics at Cornell. He specializes in econometrics and time series analogies.

Dr. Semrud-Clikeman has a Ph.D. from the University of Georgia. She has served on the faculty at the University of Washington, the University of Minnesota, and the University of Texas. Her expertise is in Attention Deficit Hyperactivity Disorder, including neurological and anatomical underpinnings and developing effective treatment, non-verbal learning disabilities, diagnosis, and etiology and treatment of the emotional development in children.

THE BOARD VOTED to approve the appointments.

6. Finance and Audit Committee

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

A. Authorization to Plan – Spartan Village Elementary School & University Housing Office - Renovations

It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Spartan Village Elementary School and University Housing Office – Renovations.

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

President Simon noted that items on the May agenda are the first that reflect the policy action taken by the Board at its April 13, 2006 meeting. The new policy is intended to lead to a construction process that is more transparent. The process begins with a Board authorization to plan, instead of waiting for bid and contract activity for Board involvement on a project. The proposed Authorization to Plan is the first implementation of the new policy.

Assistant Vice President Chuck Gagliano explained that in 1962 the University entered into an agreement with East Lansing where by East Lansing would construct a school building on University property. The University was to retain the right to the property, and the agreement was that if at any time East Lansing should cease using that facility for its intended originally stated purpose, the facility would revert back to MSU. In 2003 the Spartan Elementary School was closed so the facility reverted back to Michigan State.

The recommendation is to have a variety of offices and functions of University Housing assigned to this facility. At the present time 12 apartments in the Spartan Village area are used for various offices such as the Community Police and Residence Life Staff. This is an opportunity to bring all the offices in to closer proximity with each other in order to perform their functions and to give the residents a chance to come to one facility to do multiple tasks. The gymnasium and community room would be used for programming for the residents of Spartan Village.

In addition, Systems Office staff, scattered in other locations, would be relocated into the building.

Assistant Vice President Gagliano said the plan is to convert the classrooms into office space. If there were a resurgence of need for the facility by the East Lansing school system, the plan could be reconsidered.

THE BOARD VOTED to approve the recommendation.

- B. Authorization to Plan – Steam Distribution and Road Reconstruction – East/West Circle Drive

It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Steam Distribution and Road Reconstruction – East/West Circle Drive.

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

Trustee Nugent noted that in order to do steam distribution repairs and relocations, some modifications to the intersection in front of Agriculture Hall and the Administration Building would have to be made.

THE BOARD VOTED to approve the recommendation.

- C. It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Beal Entrance/Michigan Avenue to West Circle Drive.

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

University Architect Dennis Hansen explained that the plan is to create a “T” intersection at the Beal entrance from Michigan

Avenue for better visibility. Some trees will have to be removed. Historic trees and trees of special interest will be retained.

THE BOARD VOTED to approve the recommendation.

D. Authorization to Plan – Chemistry – Alterations to Various Labs and Offices

It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Chemistry Alterations to Various Labs and Offices.

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

Vice President Poston indicated that this authorization would update a series of eight laboratories for research faculty.

THE BOARD VOTED to approve the recommendation.

E. Authorization to Plan – Natural Science – New Electrical Substation

It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Natural Science – New Electrical Substation.

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

Assistant Vice President Ronald Flinn stated that this particular substation is approximately 46 years old.

THE BOARD VOTED to approve the recommendation.

F. It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Communication Arts – Replace Elevators.

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

Vice President Poston pointed out that the elevators are at least 25 years old. During the replacement, one of the elevators will be kept open for accessibility.

THE BOARD VOTED to approve the recommendation.

G. Authorization to Plan – Engineering Research – Jolly Road – Concrete Laboratory Addition

It was recommended that the Board of Trustees authorize the administration to plan for the project entitled Engineering Research – Jolly Road – Concrete Laboratory Addition.

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

Trustee Nugent said he thinks this is an exciting project as Michigan State leads the way in concrete research in Michigan.

President Simon noted that the Concrete Laboratory Addition was identified in the overall planning discussion regarding research space to support intellectual programs of the University. Research identifying fire retardant materials for construction would be a significant contribution.

Vice President Poston said Dr. Venkatesh Kodur, a professor in Civil and Environmental Engineering, was hired to conduct the research. This recommendation essentially adds a furnace to test for structural limits on concrete, slab, beam, and column specimens under load and extreme heat. Dr. Kodur was part of a team that studied the World Trade Center collapse. He has a deep interest in the fire resistant nature of structures.

Trustee Nugent commented that he presumes the concrete industry is very supportive as far as financing is concerned.

President Simon stated that funds will come from the College of Engineering; however, the College intends to solicit industry support.

THE BOARD VOTED to approve the recommendation.

H. Authorization to Proceed – Landscape & Footprint Approval

West Circle Drive Improvements – Abbot Road Entrance, Museum/Olds Hall Parking Lot Entrances & Parking Bay Removal
It was recommended that the Board of Trustees authorize the administration to proceed with the modifications that result in a material change to the campus landscape and footprint for the project entitled West Circle Drive Improvements – Abbot Road Entrance, Museum/Olds Hall Parking Lot Entrances & Parking Bay Removal.

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

Trustee Nugent mentioned that the changes would make the road and entrances safer.

Vice President Poston said any added material adjustments or significant adjustments to the campus landscape and footprint, or to traffic patterns, would be brought to the Board for approval.

THE BOARD VOTED to approve the recommendation.

7. Policy Committee

Trustee McNamara presented the Trustee Policy Committee report and recommendations.

A. Law College Appointments

It was recommended that the Board of Trustees reappoint the following individuals to the MSU College of Law board for terms expiring on the due dates stated: Trustee Colleen McNamara, January 13, 2007, Trustee David Porteous, January 13, 2008, and Trustee Scott Romney, January 13, 2009.

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

Trustee Porteous pointed out that six members of the Law College board are appointed by the Michigan State Board. The Trustees would like to stagger the terms so that the re-appointments don't all expire at once.

Trustee Cook noted that the nominated Trustees all volunteered to serve on the Law School Board. She said this was the first time the Board has discussed terms and staggering terms for the Law Board appointments. The people who volunteered should be enthusiastic about serving on the Law College Board given the added workload and time constraints such service entails.

President Simon agreed that staggering the terms is very important so that MSU Board members are not all going off of the Law College Board at the same time.

THE BOARD VOTED to approve the recommendation.

B. Faculty Outside Work for Pay and Overload Pay Policies

It was recommended the Board of Trustees approve the revised Outside Work for Pay policy and the revised Overload Pay policy (see Appendix A).

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

Provost Wilcox observed that the University's Outside Work for Pay Policy was created in 1951. Since that time much has changed in higher education and at the University. In addition, there have been changes in related policies. The recommendation allows for a more structured perspective on outside work for pay.

The Outside Work for Pay policy allows faculty to extend as well as to share their expertise by participating in business and society. The new policy provides a context for that participation.

President Simon pointed out that this policy has been recommended through Academic Governance and has been approved by Faculty Council and Academic Council.

THE BOARD VOTED to approve the recommendation.

C. Revisions to the Dismissal of Tenured Faculty for Cause Policy

It was recommended the Board of Trustees approve the revised Dismissal of Tenured Faculty for Cause Policy (see Appendix B).

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

Provost Wilcox stated that the revision is one that is informed by past practice and is an attempt to bring into alignment the roles of President, the Provost, and the Faculty Governance System in reviewing and making recommendations about faculty members who may be dismissed and lose their tenure for disciplinary reasons. It is really a reworking and clarification of the existing policy with particular focus on improving the procedural aspect. The recommendation is a redrafting with clarifications as opposed to an amending of a single component of the policy.

President Simon stated that this policy has been recommended through Academic Governance and has been approved by Faculty

and Academic Council. Professor Sticklen affirmed Governance support.

THE BOARD VOTED to approve the recommendation.

D. Medical Student Rights and Responsibilities Document

It was recommended that the Board of Trustees approve the revised Medical Student Rights and Responsibilities (“MSSR”) document (see Appendix C).

Trustee McNamara moved **to approve** the recommendation, supported by Trustee Cook.

Dr. William Falls, Associate Dean in the College of Osteopathic Medicine, said the intent is to make the document more user friendly. There are few substantive changes in the document. The document was reorganized to make it easier to read. Some procedural issues were addressed with regard to the clarification of interplay between student governance committees at the three medical schools and the Medical Student’s Rights and Responsibilities document.

President Simon commented that this policy has been recommended through Academic Governance and has been approved by Faculty and Academic Council. Professor Sticklen affirmed Governance support.

THE BOARD VOTED to approve the recommendation.

E. College of Human Ecology

It was recommended that the Board of Trustees dissolve the College of Human Ecology, effective August 19, 2006.

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

Provost Wilcox noted that the recommendation would essentially close the College of Human Ecology after a two year transition of programs to other units in the University (see Appendix D).

Professor Jon Sticklen stated that Academic Governance has endorsed the recommendation to close the College of Human Ecology. He and his colleagues have agreed that the process was well thought out and well executed.

THE BOARD VOTED to approve the recommendation.

- F. Approval of Contract Terms and Conflict of Interest Management Procedures: *National Satellite Corporation*.

It was recommended that the Board of Trustees approve the administration's recommendation for execution of a purchase order with *National Satellite Corporation*, consistent with public notice given at the April 13, 2006 Board meeting and with the "Purchase Order Term Sheet" presented to the Board for inclusion in its minutes (see Appendix E).

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

THE BOARD VOTED to approve the recommendation.

- G. Approval of Contract Terms and Conflict of Interest Management Procedures: *TCH Pharmaceuticals, Inc.*

It was recommended that the Board of Trustees approve the administration's recommendation for execution of an option agreement with *TCH Pharmaceuticals, Inc.*, consistent with public notice given at the April 13, 2006 Board meeting and with the "Option Term Sheet" presented to the Board for inclusion in its minutes (see Appendix F).

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

THE BOARD VOTED to approve the recommendation.

8. Chairman's Report

Trustee Porteous told the Board that he had the opportunity to attend the Annual Dinner for the Grand Rapids Economic Club on May 4 and hear remarks from the lead singer of the U2 band, Bono. Trustee Porteous said Bono is very passionate about his Irish roots but also about issues and challenges in Africa. It was a very moving speech. It made him think about the leadership that the University has provided in so many programs over the years in Africa. Trustee Porteous commented that the United States has done a lot to help the Africa, but there is much more to do.

9. Trustees' Comments

Trustee Cook congratulated the 8,000 students who were graduating from Michigan State University this semester and over the summer. She also recognized Provost Wilcox, who received an Outstanding Alumni Award from the College of Communication Arts and Sciences.

Trustee Cook asked President Simon to relate some of her experiences from her recent trip to Kuwait.

President Simon said the trip was possible because of two Michigan State faculty members from the College of Human Medicine who have worked to endow a program on blood, and blood coagulation and blood related disorders. The conference was an opportunity for Michigan State to make a connection with two universities in Kuwait City, Kuwait University and the American University of Kuwait.

During the visit, the President of Kuwait University and its Medical College asked that Michigan State consider a memorandum of understanding regarding a partnership with Kuwait University. She said typically these negotiations take a very long time to develop. President Simon said her role was to make contacts and find a way to develop a connection between foreign universities and Michigan State's faculty and colleges. President Simon said she visited with Kuwait's Minister of Education to look at scholarship options for students from Kuwait as well as opportunities for students from Michigan State who may want to study in the Middle East.

The American University of Kuwait also wants to develop some relationships with MSU. Those will be reviewed by Provost Wilcox and Vice President for Global Engagement and Strategic Projects, John Hudzik.

President Simon said the University was honored to have the United States Ambassador to Kuwait, the Egyptian Ambassador to Kuwait and the Arab League Ambassador to the United States, as well as the President of the University of Kuwait, at the opening ceremony of the conference.

President Simon commented that the conference attracted people from around the Middle East along with physicians and scientists from Europe.

Trustee Foster congratulated the graduates and said she hopes the guests on campus enjoy the beauty of Michigan State's vast acreage.

Trustee Gonzales said this is the best time of the year for her. She enjoys watching the students receive their degrees and go on to bigger and better things.

Trustee Ferguson complimented Vice President Denbow on being the Master of Ceremonies at the program for Berry Gordy on Thursday, May 4. He also said the jazz orchestra and the vocalists were outstanding. The event was very well attended.

Trustee Ferguson was impressed by the presentation and accuracy of MSU students, Lauren Olsen, Danielle Korpalski and Christina Burke, who spoke on recycling during the April 13, 2006 meeting. He asked Vice President Poston to look at the proposal for a recycling plan for the University.

10. There was no Public Participation on Other Issues

11. An Executive Session was not requested.

On a motion by Trustee Ferguson, supported by Trustee Gonzales, **THE BOARD VOTED to adjourn** at 1:16 p.m.

Respectfully submitted,

Alison E. Barber, Ph.D.
Secretary of the Board of Trustees