

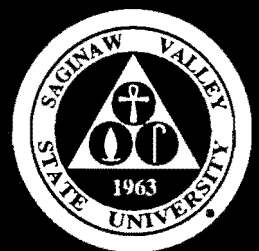
**SVSU**

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**BOARD OF CONTROL**

**MINUTES**

**MAY 6, 1994**



SAGINAW VALLEY STATE UNIVERSITY  
BOARD OF CONTROL  
MAY 6, 1994  
REGULAR MEETING

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MINUTES  
BOARD OF CONTROL  
Regular Meeting  
1:30 p.m.  
Board of Control Room - Wickes Hall  
May 6, 1994

Present: Braun  
Curtiss  
Escobedo  
Gilbertson  
Roberts  
Rush  
Walpole  
Ward

Absent: Kelly

Others

Present: G. Corser  
J. Fallon  
J. Houghton  
C. Lange  
J. Lyddon  
B. Mudd  
K. Nowaczyk  
J. Olvera  
R. Payne  
F. Porterfield  
P. Saft  
B. Salay  
J. Stanley  
R. Thompson  
J. Woodcock  
R. Yien  
Press (3)

I. CALL TO ORDER

Chairperson Rush called the meeting to order at 1:32 p.m., with Trustees Braun, Curtiss, Roberts, Walpole and Ward present.

II. PROCEDURAL ITEMS

A. Approval of Agenda and Additions and Deletions to Agenda

There were no additions or deletions to the agenda. Hearing no objection, Chairperson Rush ordered the agenda approved as distributed.

B. Approval of Minutes of March 14, 1994 Regular Meeting

It was moved and supported that the minutes of the March 14, 1994 regular monthly meeting be approved.

The minutes were unanimously APPROVED as written.

C. Recognition of the Official Representative of the Faculty Association

Chairperson Rush recognized Professor George Corser, Chairperson of the Faculty Association, who told the Board about the recent Faculty Association Awards Banquet. As part of that ceremony two awards were presented to faculty members. The Award for Service was given to Dr. Donald Bachand, Professor of Criminal Justice. The Award for Scholarship was given to William Wollner, Professor of Music/Director, Marching Band. In addition, four scholarships of \$1,200 each were awarded to Deborah Gleissner, Lisa Ringle, Brian Ward and Joanne Wittbrodt. Their faculty mentors were Jean Brown, Brad Miller, Hideki Kihata and Albert Plaush. The monies for these scholarships come primarily from faculty donations.

President Gilbertson noted: "I was privileged to attend the awards banquet. It's a

very touching and inspiring statement of the Faculty Association's values."

Professor Corser then read the appended poem. (See Appendix One: Corser.)

D. Communications and requests to Appear before the Board

There were no communications or requests to appear before the Board.

III. ACTION ITEMS

1) Resolution to Approve Vice President's Compensation

RES-1098 It was moved and supported that the following resolution be adopted:

WHEREAS, The Board of Control retains unto itself the authority to establish compensation levels for the University's Vice Presidents; and

WHEREAS, In order to bring the salary of Robert S.P. Yien, Vice President for Academic Affairs, to a more comparable level with other chief academic officers of Michigan public universities, action is required at this meeting.

NOW THEREFORE, BE IT RESOLVED, That Robert S.P. Yien's base salary be set at \$99,300 effective immediately.

BE IT FURTHER RESOLVED, That the Board expresses its appreciation to Vice President Yien for his able and dedicated service.

President Gilbertson told the Board that Dr. Robert S.P. Yien's salary was out of sync internally and relative to his peers at sister institutions of a comparable size and character. He recommended this action as a one-time addition to Dr. Yien's base salary to bring it up to a level that would be more compatible with his peers.

The motion was APPROVED unanimously.

2) Resolution to Grant Baccalaureate and Master's Degrees

RES-1099 It was moved and supported that the following resolution be adopted:

WHEREAS, Saginaw Valley State University is granted the authority to confer Baccalaureate and Master's Degrees as outlined in Section 5 of Public and Local Acts of Michigan-1965; and

WHEREAS, Operating Policy 3.101 Article III of the Board reserves to the Board

the authority to grant degrees;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Control of Saginaw Valley State University approves the awarding of Baccalaureate and Master's Degrees at the May 7, 1994 Commencement as certified by the faculty and Registrar.

President Gilbertson recommended that the resolution be adopted.

Chairperson Rush asked for questions or comments. There were none.

The motion was APPROVED unanimously.

3) Resolution to Congratulate Joel Olvera and Other Members of Student Government on their Election

RES-1100 It was moved and supported that the following resolution be adopted:

WHEREAS, Student Government is a most important aspect of student life at Saginaw Valley State University; and

WHEREAS, Student Government represents the major formalized structure for student participation in the affairs of the University; and

WHEREAS, The individuals involved in Student Government commit significant time and energy to their work; and

WHEREAS, The individuals listed below were recently elected by vote of their fellow students to assume leadership positions in Student Government for 1994-95:

<u>President</u>	Joel Olvera
<u>Vice President</u>	Tom Provoast
<u>Treasurer</u>	Doug Swanson
<u>Senators</u>	Doug Becker
	Colliene Cowper
	Sherry Swartz
	Benjamin Wackerle
	Larabeth Wise
	Candice Woodget
	Barry Camp
	Amy Shappee
	Jeannie Szenay
	Shiela Welling
	Jeff Finnigen
	Tammy Davis

NOW, THEREFORE, BE IT RESOLVED, That the Board of Control of Saginaw

Valley State University offers its congratulations and best wishes to the aforementioned leaders on their election to office; and

BE IT FURTHER RESOLVED, That the Board conveys its pledge to work with these leaders toward the betterment of Saginaw Valley State University.

President Gilbertson told the Board that the election had been very spirited and that the students had reaffirmed their confidence in the leadership of Joel Olvera and Tom Provoast. He noted: "They have done a fine job, and we're pleased to have them to work with again this year."

The motion was APPROVED unanimously.

4) Resolution to Approve Faculty Promotions

RES-1101 It was moved and supported that the following resolution be adopted:

WHEREAS, Faculty promotions to various professional ranks represent formal and traditional recognition of faculty accomplishments; and

WHEREAS, The University recognizes excellence in teaching and supports faculty research and scholarly activity;

NOW, THEREFORE, BE IT RESOLVED, That the following faculty members be granted promotions to the ranks specified, effective July 1, 1994:

Rank of Associate Professor

Mr. Richard Priehs

Criminal Justice

Rank of Professor

Dr. Mohamed El-Kasabi

Electrical Engineering

Dr. Bradley Miller

Political Science

Dr. Jill Wetmore

Finance

President Gilbertson told the Board that this is the final step in a very rigorous process, first at the Department and the College level, then by the Professional Practices Committee, which consists of Deans and faculty members. Their recommendations go to

the Vice President for Academic Affairs and then to the President.

Trustee Curtiss asked what proportion of the University's faculty would now hold the rank of Full Professor. Dr. Yien replied: "With the additional three listed here, we are approaching about 84 faculty at the rank of Full Professor....we now have more than 50% of our Professors at senior ranks -- Associate or above -- out of 176 full-time faculty." (Note: These figures were specifically verified by Dr Yien subsequent to the meeting to indicate 90 faculty at the rank of Full Professor and 44 Associate Professors.)

The motion was APPROVED unanimously.

5) Report on Nominating Committee and Resolution to Elect Officers of the Board of Control

RES-1102 It was moved and supported that the following resolution be adopted:

WHEREAS, The Saginaw Valley State University Board of Control bylaws stipulate that a nominating committee shall be appointed by the Board to recommend candidates for each office;

NOW THEREFORE, BE IT RESOLVED, That the nomination committee of George Ward and Donna Roberts submit for election the following slate of officers of the SVSU Board of Control for 1994-95:

<u>Treasurer:</u>	<u>Charles B. Curtiss</u>
<u>Secretary:</u>	<u>Robert H. Walpole</u>
<u>Vice Chairperson:</u>	<u>Ruth A. Braun</u>
<u>Chairperson:</u>	<u>Thomas E. Rush</u>

(Trustee Escobedo joined the meeting at this time.)

Trustee Ward stated: "The Board of Control Policies Manual suggests rotating the honor of holding office, but over the last four or five years we have kept our officers for at least two years so that they develop a working relationship with the administration. Since



our current officers have only served one year, and since we have been very pleased with the work they have done....we would like to nominate the same people for the same offices....Everyone we touched base with agreed to serve another year, so we're pleased to present this resolution and urge that you approve it."

Chairperson Rush asked for further discussion. There was none.

The motion was APPROVED unanimously.

6) Motion to Establish Board of Control Calendar for 1994-95

BM-851 It was moved and supported that the Board establish the attached calendar for 1994-95 (See Appendix Two: Calendar)

Trustee Curtiss noted that three of the dates were scheduled as committee meetings. He suggested the Board might want to consider a change in this regard for future calendars.

Chairperson Rush asked for further comments. There were none.

The motion was APPROVED unanimously.

7) Resolution to Create Special Committee to Consider Charter School Issues

Trustee Ward moved that a resolution to create a Special Committee to consider charter school issues be put on the table. Trustee Escobedo seconded the motion.  
(See Appendix Three: Charter Schools)

Trustee Ward stated: "I would like to create a Special Committee to evaluate however many applications we may have....with the idea that if any of them appear to be suitable for a pilot project for the school year starting in September of 1994 the Committee recommend that to us and, if possible, we could actually try a pilot project of a charter school in the coming year, 1994.

"I hope you've read the book, *Reinventing Government* by (David E.) Osborne. The

charter school movement is part of that whole reinvention of government movement, it seems to me. I have taken an interest in this to the extent that I went to the gathering at Michigan State University that Governor Engler presided over earlier this year. I also attended a charter school conference at Eastern Michigan University. I really became interested when I went to the session Richard McClelland presided over when he presented his documentation. It seems to me that if you look at the face of this statute, what it does is make the trustees of colleges the government office that issues charters. I do not see that the charter issuer is a co-administrator of any school that may be chartered. I don't think it puts our reputation on the line. I don't think it means that we have to be accountable for its success or failure. I think all it requires is that at the time we issue a charter we make sure the applicant group is in compliance with the law, and at the time we disperse any funds that they have to be in continuing compliance. I think it would be a mistake to mix these two functions. I think the administration of the College is one hat we wear, and administering this program as the issuer of charters where we find it appropriate is an entirely different hat.

"While I was at the meeting at Eastern Michigan, Mr. Helmer (whose school has applied to us for a charter) came up and introduced himself to me. That is the only time I've met him, but I have talked with him at least once since then, and he has sent me some materials. I think we are in a uniquely favorable position. We have an award winning principal who has a track record. He knows how to run a school. And if you're looking for a pilot project, it seems to me we're in an exceedingly favorable position. I guess I do not

like the idea that we'll ever come to the point where we think that issuing charters to outside groups is involved or intertwined with administering the College. I think that would be a mistake. And therefore....I think the functions ought to be kept separate. I think the intent of the law is such that it's not hard to do if we find a group that's in compliance with the statutory requirements. And....in all cases -- except when the applicant would be our own College of Education -- I think as a matter of fundamental policy, the Trustees' role should be held at the minimum of passing on the adequacy of statutory required representations before issuing the charter and dispersing the funds, and of insisting on appropriate language of non-liability in the basic documents. On that latter point, I think if we want that non-liability language to be upheld, we *cannot* take an active part in the management of these schools.

"I'd hate to lose a year. I think we're going to learn more by doing than we're going to learn by another year of talking. I respect everyone's right to read that statute differently, but I don't think the statute is hard to implement. I would agree that if we wanted to create our own SVSU Public School Academy, that would maybe have to go on a slower track. But with the applications from worthy outside groups....I don't see any reason to sit on this for a year. So I would like to start a two-step process. Today, this first step would be to create this Committee to evaluate what we have in hand. If any one or more of the applicants turn out to look as good after study as they do initially, then I would like to pick one or more as a pilot project for September, 1994. That's really all I'm asking for today -- to study the matter -- that's the first of our two obvious steps. If the Committee reports back and says,

no, neither one of these appear to be appropriate, then we can't issue a charter for 1994. But I do not feel that we're doing our job as Trustees to sit on this for a year. I don't think there's any reason for it."

Trustee Curtiss stated: "George, I thought your letter suggested that this Committee be empowered to grant the charters."

Trustee Ward replied: "No -- This would be a Special Committee to meet and evaluate the applications in hand or work with the applicant group to get them in compliance with the charter. Then when we meet in July or August, I would like to have that Special Committee report back to this body. This is the charter issuer -- not anybody but us. I'm just saying that when you read the statute....the authorizing body is the governing board of a State public university. I'd like to see us take the lead, and I think the way a deliberative body takes the lead is through a Special Committee that evaluates the applications in hand. When that evaluation is complete I'd like them to report here, and if it's a favorable report, then I would like this body to issue a charter for a pilot project. The charter might have a one-year time line. It could be a charter for one year as a pilot project. But I think we're going to learn more by doing than by another year of talking or delaying. And I don't see there's any downside risk.

"Another task of this Committee would be to consult with counsel and make sure we get sufficient non-liability language in those basic documents, and make sure that we're co-insured on any public liability coverage policies they have outstanding. But beyond that, I've opposed saying that we're vouching for their outcomes. We're just simply vouching that they

are in compliance with the legal requirements of the law. We cannot vouch for whether they're going to be good schools. The only ones we could vouch for is when we create our own. I just do not think that we should ever attempt to mix those two ideas. I think that would be a fundamental mistake. That's why I think we can achieve the legal requirements in the near term, and we do not have to bottle this up for a year."

Trustee Curtiss stated: "Such a Committee would certainly allow us to learn more about the status of the charter school legislation and the process, but it would seem to me that part of that Committee's deliberations ought to be recommending to the Board the specific appropriate role for this Board....in that process. Would you be willing to accept an amendment to your resolution?"

Trustee Ward replied: "Yes. Part of my resolution is right on that point. I think this Board should exercise some leadership, understanding what that statute means. And so you're very much on point."

Trustee Curtiss added: "The Committee's deliberations should also include what we, as a Board, should do vis-à-vis others within the University -- hire consultants, and so on."

Trustee Ward replied: "I'd be more than happy to accept your recommendation."

Trustee Curtiss noted: "We need to be sure we're on solid ground with regard to the process, because the process involves not only the granting of a charter, but the denial of a charter and the withdrawal of a charter. I think before we start granting we should be sure we understand the other aspects of that process. So I think you are to be commended for the efforts you're putting into trying to get something going, but I think we want to be

sure that we're on solid footing ...."

Trustee Ward replied: "I'm more than happy, because what you suggest is fully compatible with what I had in mind."

Trustee Curtiss asked whether a formal amendment would be necessary.

Trustees Ward and Escobedo stated they had no objection to the amendment, and would consider it part of the motion.

Trustee Escobedo asked Trustee Ward: "Your agenda proposal says simply to create a Committee to consider the charter school issues. Upon further elaboration you indicated that the Committee would serve (1) to identify or evaluate those issues, whatever they may be, or whatever they deem them to be, and (2) to look at the applications that we have in hand, then (3) Trustee Curtiss' point. But then further you mentioned something about a pilot -- meaning that we're not committing ourselves...."

Trustee Ward replied: "I'm just looking ahead now. I'm thinking that at the end of the study period when the Committee reports....if it is a favorable report, I would like to see us do a pilot project starting September, 1994. But that really is putting the cart before the horse. The Committee would be to do as we indicated -- to look at the applications, to evaluate them for legal sufficiency, and to study -- as Trustee Curtiss said -- what our role is and what is the full scope of the legal requirements we assume when we act under that statute."

Trustee Escobedo replied: "OK."

Chairperson Rush asked Trustee Ward if his interpretation of the law singled this

issue out as a special kind of domain for the trustees of universities -- different from their other functions of directing and supervising and controlling the operations of the University.

Trustee Ward replied: "I'd say the Legislature has....vested another function...."

Chairperson Rush noted: "It has nothing to do with running the University -- is that your interpretation?"

Trustee Ward replied: "Issuing a charter for an outside academy has no necessary relationship to running Saginaw Valley State University."

Chairperson Rush asked: "So it would not involve the administration or the faculty or any component portion of the University other than the Trustees. Is that what you're saying?"

Trustee Ward responded: "I'm suggesting that the function is invested in us. That doesn't mean we can't ask our administration to be involved, but I think we should take the lead."

Chairperson Rush noted: "But are there not a number of functions that are vested in us -- granting degrees and a whole number of other prescribed powers that we have? The same language could be used. It doesn't mean we do it without the administration and the faculty of the University having some input."

Trustee Ward replied: "I'm just saying that the statute mentions the authorizing body as the governing board of a State public university, and it also mentions the intermediate school district, the board of a community college, and so on. I am saying that I think the leadership in the implementation of this function is further put on the Board of Trustees.

We certainly can ask any one of our employees to play whatever part we want them to play in this function, but the buck stops here. That's all I'm saying."

Chairperson Rush stated: "The buck always stops here, by the nature of how the University functions. You sound like you're excluding the administration from this."

Trustee Ward replied: "Not at all."

Chairperson Rush stated: "...I am opposed to this, and I'm going to vote against it, because we already have a process at work. The Academic Affairs Committee has had presentations from the administration on this subject. We've had communication with the Governor's Office, to which we have not had response as of yet. It's my understanding there's a Deputy Director in Lansing who is in charge of this project under the direction of the Governor. We haven't heard from those people. We haven't received anything from Lansing that tells us what we should be doing or should not be doing, and so it seems to me that we're jumping the gun here in assuming a power and going off on something which we're not quite ready to do yet. We already have a process at work through which, in our usual manner, we're evaluating what the charter schools are all about. We're following the lead of our leaders in Lansing already, in that we have some things in process. This sounds to me like we're skirting that issue and going directly around the administration, and that we're going to start dealing directly with other people outside the University as Trustees independent of the University as a body -- and that kind of disturbs me."

Trustee Escobedo stated: "I don't think this is suggesting that at all. I think we can't and shouldn't do that. I think that any involvement that the Committee has in terms of



getting interpretation with respect to the law -- how it would apply, how it would affect this group -- has to include the President of our University."

Chairperson Rush replied: "That's not what it says in Trustee Ward's memo to the Board."

Trustee Escobedo asked what the memo said.

Chairperson Rush replied that the memo read "I see in the statute a policy and a design that the Trustees should keep these functions separate and disentangled."

Trustee Curtiss noted: "That was one of the reasons for my proposed amendment - that the Committee be charged with defining what the appropriate role of the Board would be vis-à-vis the administration and the State."

Chairperson Rush added: "It sounds to me that what you're saying here is that all these Board of Trustees would be is a conduit for voucher-like money to go to a charter school, and that we would have no other involvement other than just to rubber stamp...."

Trustee Ward asked: "What are the other alternatives? Are we going to be co-administrator of a public school academy?"

Chairperson Rush replied: "No, I'm not saying that either."

Trustee Ward stated: "That's why I agreed with Trustee Curtiss, because there seemed to be some doubt. Just because we're the charter issuer, I don't think we put our reputation on the line as co-administrator of a public school academy. Maybe that issue ought to be explored at some depth. That's the whole point of the Committee. I think your questions underscore the need for the Committee I've proposed."

President Gilbertson stated: "I'd like to have my concerns about this understood. I have no concern over the Board creating a Committee....If the Board judges this to be an important matter that deserves a process outside its normal committee structure, it's a unique Board function to decide that. My concerns....really have to do with moving hastily on this matter. I think I read the statute a little differently than Trustee Ward, and I have a slightly broader level of concern about what our role might be. A couple of months ago I recommended to you, and discussed with you in Committees last month, what we had intended to do -- which was to take some time....to look at the full range of options the University has under the statute. As I see them with just a cursory review, that ranges from opening our own school all the way to simply serving as a chartering agency, issuing charters to others -- and every alternative in between. I don't think we ought to seize any one of those positions along that spectrum without looking at the whole range of them. And so I hope we can approach that deliberately.

"I'm also concerned -- as I think George is -- about protecting the University from legal jeopardy when it issues a charter. But I think there are other kinds of issues that perhaps are even more important than legal liability issues here. For example, I think we do have a continuing role, once we issue a charter. As I read the statute, the public has given this Board the authority to issue charters because it has confidence in its judgment and ability to see that they will be used to serve the public's interests. You are required, for example, to serve as fiscal agent for a charter school. I don't interpret that as simply acting as a conduit of money to that school because they made legal representations to you -- I see

that as a continuing duty to ensure that public funds are well spent. Beyond that you have a statutory responsibility for ensuring their compliance with a number of laws -- safety, non-discrimination, all kinds of things. I think that's a clear continuing obligation on your part. Right now I must tell you that we're not set up to help you carry out that function, and I think it would take some time before we can think about how we might -- if you issued a charter -- carry out that continuing function.

"And finally, I do disagree with Trustee Ward, because I think our reputation is on the line. I think when we issue a charter to a school, the public will expect it's....our determination that this is a school that we have sanctioned, that we have licensed, and I think that carries with it some positive assertion on the part of this University that that school is serving children well and will do so. And I think we have a continuing obligation when we issue a charter -- not as a co-administrator -- to ensure that the public's interests are being served by someone whom we have chartered and to whom we are passing public funds. We may agree or disagree on that, but that certainly is my reading of it as a more continuing role. I don't think we presently have the capacity to make a thoughtful and deliberate determination in the next couple of months as to what our role ought to be in chartering and to the criteria and processes through which we are going to consider charter applications, or how we're going to go about fulfilling whatever continuing responsibilities we see, once we issue a charter. I still believe we need to step back and spend some time to fully consider our options and to develop these kinds of processes.

"Again, I wouldn't object at all to the Board adding a Committee to do that, but what

I wanted to make myself clear about was that I hope we don't do that hastily -- I think the stakes are too high. Also, I really disagree with what seems to be the notion that we can simply issue a charter -- based upon representations made in an application -- that we can pass through public dollars with no continuing obligation to ensure that that chartered school is acting in the public interest."

Trustee Ward noted: "I don't mean to indicate a superficial evaluation, but at least in the case of the one applicant....they have certificates from the Department of Education, from Public Safety organizations and from the Fire Marshall. I don't think we have to replicate what other public agencies charged with public safety and licensing functions have affirmed -- that they are in compliance. I agree with you that before we issue the charter and before we disperse any installment of funds to them, we have to be satisfied that the representations are still current and correct. But I just don't think that we can do any more than that, other than be co-administrator. What roles are there in between?"

President Gilbertson responded: "There are supervisory and oversight responsibilities -- but that is not being a co-administrator."

Trustee Ward stated: "I think the way this law ought to take shape is -- we should have the same relationship to a school to which we issue a charter as the Department of Corporations and Securities in this State has to a corporation to which it issues a charter. All it does is assure that it is in legal compliance -- it doesn't say if you do business with this corporation, you'll like their product or services -- you can never do that."

President Gilbertson noted: "There's a major difference. That is a private activity.

This is an activity that's seeking public funds that will travel through this institution."

Trustee Roberts stated: "I share many of the concerns Dr. Gilbertson has expressed. I won't reiterate all of those, but I would like to ask when you think the process already in place will be able to give some recommendations to the Board."

President Gilbertson replied: "I had hoped -- as I have indicated to you the last two months when we talked about this -- that we would have about six months to prepare some recommendations."

Trustee Roberts stated: "My concern is that we not act precipitously. I believe we should have a legal opinion that gives us an expression we can rely upon....as to just what our obligations would be under the law to help us, and guide us, in how we would proceed. I have no objection to a Committee assisting in that, but I think we have some other things we have to finish sooner and before a Committee steps in place....I'm concerned about the selection process. One of the issues you asked about in your letter....is that there should be some selection criteria for a university to use in deciding which schools we're going to give a charter to, or even how many. I think that should be part of the deliberation also. I think we're moving very fast if we do this today, and I think probably Trustee Ward is further along in his thinking on this issue than some of us are, which gives rise to the discomfort I'm feeling, and I think some others are feeling."

Trustee Ward stated: "I do feel the Board has a leadership role to play in this. The law says that to obtain the contract to organize and operate one or more public school academies an applicant shall apply to an authorizing body. The term authorizing body

means this Board. I was unaware that anyone else has applied. How do we find out? In other words, the application is supposed to be with the Board. I was aware of one application. Now I understand there are two."

Chairperson Rush replied: "But they have also applied to a number of other authorizing bodies."

Trustee Ward noted: "I'm just saying when they apply to an authorizing body, we should get it."

Chairperson Rush replied: "We did respond to their application. It was sent to me and I passed it on to the administration, and we replied to them."

Trustee Ward stated: "That's why I think we're not following the law....and I really think we need this Committee so the Trustees can understand that the function in question has been vested in them. They have to understand that we ought to be out in front of it. Maybe I am farther ahead, but I would like to see everybody be knowledgeable of the Trustees' function under this charter school law."

Trustee Curtiss stated: "I'm not sure that the State is completely in accord with the way Trustee Ward thinks the law ought to be administered. Nor do I have any reason to think that they're not. But how it ought to be administered has not yet been defined. I would suggest that in addition to my amendment regarding trying to define the appropriate role of the Board, that the Committee also try to establish -- going back to this body -- its best thinking on what the ongoing responsibilities of the institution are once the charter is granted. I think that requires careful thought and some sort of consensus. These are not

delaying tactics, but I don't think they'll be done in the matter of a couple of weeks. And I think maybe the issue of whether we should do a pilot program of some sort on a one-year charter should be a separate issue. It can be discussed by the Committee, but if the intent of the motion is whether we want a chartered school in September, then we've got a problem. If the intent is how should we go about this new responsibility that we've been given, and in the process can we do an experiment, I think that could be an interesting discussion, and I have no idea where it would come out."

Trustee Ward stated: "I think you have substantively said....what the point of my motion was, and I think -- if Trustee Escobedo is agreeable -- it can be phrased that way. I think that's close enough to the substantive idea, and I have no trouble with it."

Trustee Braun noted: "Obviously, this is in its embryonic stages and there are a lot of unanswered questions. I concur with Trustee Curtiss about having a Committee with the administration included. I have talked with the Director of the Michigan Center for Chartered Schools, and she said she would make an on site visit with the Committee and give them all the information they are garnering. I think organizing a Committee to find out everything we can about the implications of the charter school, just for informational purposes, would be a good idea."

Chairperson Rush stated: "I would like to sum this up by saying first of all, that we already have some things in process with the idea of doing this on a timely basis, with a target of giving possible charters out in 1995. But I see this proposal as an accelerated process in which Trustee Ward is saying he's not satisfied with that timetable. He wants to

move it up faster so that possibly we could get one out yet this year. What I have been reading in the lay press and so forth -- which is the only information I have so far -- indicates that even the Governor's Office isn't expecting anything much this year except maybe 6-12-15 of these this first year. And there's already one or two of them going....I don't see the urgency about the accelerated process, and for that reason I'm opposed to the idea at this time -- although, of course, I will defer to the will of the Board of Trustees and appoint a Committee if you want."

Trustee Curtiss stated: "I do sense some urgency in trying to define the appropriate role of this monitoring and chartering process -- that's separate and apart from whether there should be a pilot program in September. I think it's probably past time for this Board to determine whether this is an authority it should reserve to itself or whether it should delegate -- and if so, to what extent. Those are important questions that need to be addressed."

Chairperson Rush asked: "Has the concept of doing a pilot school this year been removed from the motion?"

Trustee Ward replied: "The motion is to evaluate the applications, to fully understand the scope of the Trustees' duties under the statute and its continuing responsibility for any school that may be chartered -- and incidentally, if it appears that we have an applicant that's ready, advise that there is a ready applicant. But that's an incident to the main two functions as the motion now stands."

Trustee Escobedo noted: "We shouldn't get bogged down in....bureaucracy. The



State has enacted legislation that presumes that we as a governing body have certain capabilities, certain resources, and certain expertises that we can bring to bear in this regard. I don't see any reason why we can't move forward with a Committee. We don't commit anything other than time at this juncture. We're able to do some research, to get some input and to provide our President with whatever additional information might be of assistance to him. I think that what we're doing is simply letting this phantom problem get out of hand -- because I don't think it's that big an issue. I think that, as Trustee Ward has indicated, we need to look at these questions and try to get some answers and then try to move forward."

Chairperson Rush stated: "I need one more point of clarification. Is the Special Committee I am to appoint to be a joint committee of administration and Board, or is it Board members exclusively?"

Trustee Ward replied: "I think it should be Board members exclusively on the Committee: it's a Committee of this Board. But they certainly can sit in with us and be available to us and consult with us. It's a request to appoint a Committee within the Bylaws of our Board, and whenever we appoint a committee, we appoint Trustees."

Trustee Curtiss stated: "Our Bylaws allow for ad hoc committees which can include non-board members -- this is clearly spelled out in the Bylaws. I would hope that any input the Committee gets will include input from within this institution. And very clearly, by the Constitution, the President is a member of the Board, and therefore he is qualified to sit on the Committee."

Trustee Ward replied: "There's no question about that."

Trustee Walpole asked how the process which had already been initiated by the administration could help the Committee.

President Gilbertson replied: "As I had indicated two months ago and last month in your meetings, it is my intent to retain staff to help us look at the range of options available to us -- again, they fall along that whole spectrum. And we need to settle on what points on the spectrum we want to set as our institutional approach to these issues. Then -- because we are charged with responding to applications -- that staff would, through normal University processes working through me, develop a proposed set of criteria and a process for dealing with applications as they come in. My expectation was that it would take about six months for us to pull that kind of package of things together for you. It obviously would also include work with our legal counsel on all matters related to statutory responsibilities and the like. That was the timetable I had given you in our last two meetings, and that was the one I had intended to follow."

Trustee Curtiss stated: "Trustee Ward's input could be helpful in that process. He has certainly given a lot of thought to this, and that input should become a part of the process, I would think -- but not necessarily the output."

President Gilbertson stated: "I think you will have to change your own Bylaws in terms of adding this to the specific list of Board responsibilities. There's no question that the Board has to act on these things."

Trustee Escobedo noted: "That's by statute, for all intents and purposes."

Trustee Curtiss replied: "You could press that point. We have by Constitution and statute the responsibility for doing anything the Board ordinarily does. We delegate quite a bit of that to the administration. Currently we don't hire faculty, we don't promote faculty, for example. So the fact that by statute this Board is authorized to grant charters does not mean necessarily that it is done independent of the institution."

Trustee Escobedo responded: "Don't misunderstand me. In response to the President's statement about amending the Bylaws, we obviously have to do that as a result of the statute."

Trustee Curtiss replied: "Yes. Either we delegate the whole chartering process to the President, which I believe we could do under the statute...."

President Gilbertson interjected: "Which I would not recommend to you."

Trustee Curtiss replied: "I wouldn't either. ....or we retain the right to grant, deny, withdraw charters. And it would seem to me that we're squarely in the middle, where we should retain the authority to do so rather than putting that burden on the President's back. I don't think the President should have to decide which charter is granted and which one isn't. I do think though, that he should bring recommendations."

Trustee Braun stated: "That's all the more reason to appoint the ad hoc committee to study the matter."

Trustee Curtiss replied: "Yes."

President Gilbertson reiterated: "Again, I want to make myself clear. My concern is not about appointing the Committee -- my concern is about the sense of haste. That's

simply the point I wanted to articulate, as I think I have the last two times that we talked about this."

Trustee Escobedo stated: "I think the Committee should take the President's concern under advisement in terms of our deliberations and the Committee's deliberations and discussions."

Trustee Roberts noted: "It isn't just the President's concern. I share that concern too. So there's at least one Trustee's concern, if not others' -- it's a shared concern."

Chairperson Rush stated: "And I do as well, but the tenet of the motion has changed substantially from its beginning."

Chairperson Rush asked Trustee Ward to articulate his motion.

RES-1103 Trustee Ward moved that a Special Committee be appointed to evaluate the applications in hand and to advise the Board on the scope of its legal responsibilities under the law -- including any continuing supervisory obligations over any school the Board creates. Incidental to that, the Committee shall advise the Board as to whether there are any applicants that are ready for a charter as a pilot project as early as 1994.

Trustee Curtiss added: "I think there's a modest expansion on my first amendment....the Committee shall recommend to the Board in some detail what the responsibilities of the Board should be in terms of the charter -- where do they start and where do they stop?"

Trustee Ward replied: "That part of describing the scope of our obligations under the statute would include recommending what our role should be in the chartering process, so I would regard that as certainly within the spirit."

Trustee Escobedo seconded the motion.

Chairperson Rush stated that he had no problem with the motion as he now understood it, and asked Trustee Ward what size Committee he felt should be appointed. Trustee Ward replied he thought the Committee should consist of President Gilbertson and four Board members. Other non-committee members could be asked to attend Committee meetings so that their input could be given.

Chairperson Rush asked for further comments or questions. There were none.

The motion was APPROVED unanimously.

Trustee Curtiss noted: "I think precautions about not moving too hastily are appropriate. On the other hand, the resolution lacked any target date for reporting back....at least a progress report. I hope that the Committee will step up to the issue at least in a preliminary sense and get organized and get going soon so that there could be a progress report at the very least no later than August."

Trustee Ward added: "That sounds fine. I don't want the Committee to languish. I'd like to see it get going."

#### IV. INFORMATION AND DISCUSSION ITEMS

##### 8) Personnel Report

The Board received the personnel report. (See Appendix *Four*: Personnel)

President Gilbertson added that Bridget Payne, Student Loan Manager; Melissa Ruterbusch, Scholarship Manager; and Dr. Jan Lyddon, Director of Institutional Research, would be leaving Saginaw Valley State University. Dr. Severen Carlson has been hired as the new Dean of the College of Business & Management. Jerry Kill has been hired as the

new Head Football Coach.

9) Staff Member of the Month

Brian Mudd, Staff Member of the Month for April, and Bev Salay, Staff Member of the Month for May, were presented to the Board. (See Appendix *Five*: Mudd, and Appendix *Six*: Salay)

V. REMARKS BY THE PRESIDENT

President Gilbertson asked Dr. Crystal Lange, Dean of the College of Nursing and Allied Health Sciences/Associate Vice President for Academic Affairs, to brief the Board on the North Central Association team visit earlier in the year.

Dr. Lange told the Board that the seven-member team was on campus March 13-15. At the exit interview the visiting team stated that the Self-Study Committee had done an excellent job and indicated informally that SVSU's next site visit would be during the year 2003.

Dr. Lange stated: "This indicates to us, internally and externally, that we are a maturing institution. We have received our first preliminary report and responded to it with some technical corrections. That report will move forward for formal action by the North Central Association. We will then receive a formal report from them with their official action, which we anticipate will be comparable to what we were told during the exit interview -- but we cannot formally state that until we have those documents in hand."

President Gilbertson thanked Dr. Lange for her superb leadership during this process. He stated: "We were very, very gratified by what the visiting team had to say. It's one thing

to think you're a strong institution that's doing well; it's quite another thing to be scrutinized by others and have them affirm that."

President Gilbertson told the Board that the collective bargaining process had been successfully completed with both the faculty and clerical/maintenance personnel.

The Doan Center expansion project is progressing well.

President Gilbertson concluded: "It has been a very successful year....I have also come to the view that it will be a very good year to step back and do some long-range planning again. You'll be hearing more about that from us. With some stability in our relationships on campus, with the strong affirmation from our accreditors, with the opportunities about to be presented by our new facilities, with a very solid financial and enrollment condition, any number of things come together that seem to me to create just the right moment to really step back and think ahead as to where we'd like to be in the year 2000. So you'll be hearing more from me about some long-range planning process that we're revving up this summer and fall and that will be one of our projects for the year ahead.

"Congratulations to our College of Business & Management. They have been accepted for candidacy by the American Assembly of Colleges and Schools of Business. Kudos to Dr. Wayne Mackie, who served very ably as Interim Dean, and continued that process along and led us to this point of success."

## VI. OTHER ITEMS FOR CONSIDERATION

### 10) Executive Session to Discuss Personnel Evaluation

BM-852      It was moved and supported that the Board move to Executive Session to discuss a personnel evaluation

Braun	yes
Curtiss	yes
Escobedo	yes
Rush	yes
Roberts	yes
Ward	yes
Walpole	yes

The motion was APPROVED unanimously.

The Board moved to Executive Session at 3:14 p.m. and reconvened in Public Session at 4:58 p.m.

11)      Motion to Adjourn

BM-853      It was moved and supported that the meeting be adjourned.

The motion was APPROVED unanimously.

Chairperson Rush adjourned the meeting at 4:59 p.m.

Respectfully submitted:

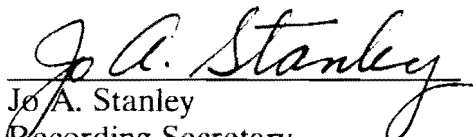
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Thomas E. Rush  
Chairperson



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Robert H. Walpole  
Secretary



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Jo A. Stanley  
Recording Secretary

## *Eternal Light*

*A teacher is like a candle  
from whose self-sustaining flame  
beams the light of learning  
into the dark regions of ignorance.*

*Sometimes in that dark  
another candle is found  
waiting to be lighted  
so that, from candle to candle,  
the light is never extinguished.*

GAC  
18 Nov 1986  
(24 Jan. 1994)

1994-95

## REGULAR AND COMMITTEE MEETING SCHEDULE

## SAGINAW VALLEY STATE UNIVERSITY - BOARD OF CONTROL

University Center, Michigan 48710

Phone: (517) 790-4000 or from Midland (517) 695-5325

.....

Place of meeting unless otherwise noted: Board of Control Room, Wickes Hall  
Committee meeting locations will be announced.

DAY	DATE	TYPE OF	TIME
Monday	August 1, 1994	Regular	1:30 p.m.
Monday	September 12, 1994	Committees	1:30 p.m.
Monday	October 10, 1994	Regular	1:30 p.m.
Monday	November 14, 1994	Committees	1:30 p.m.
Friday	December 16, 1994	Regular	1:30 p.m.
Friday	December 16, 1994	Commencement	7:00 p.m.
Monday	February 6, 1995	Regular	1:30 p.m.
Monday	March 6, 1995	Regular	1:30 p.m.
Monday	April 10, 1995	Committees	1:30 p.m.
Friday	May 5, 1995	Regular	1:30 p.m.
Saturday	May 6, 1995	Commencement	1:30 p.m.
Monday	June 5, 1995	Regular	1:30 p.m.

I urge my colleagues to create a special committee to evaluate and act on the charter school application.

I think the trustees should think very carefully about keeping (i) the function of approving a charter separate from (ii) the function of administering the college. Certainly, the Legislature did. The charter approval function is vested in the Trustees, not the Administration. I see in the statute a policy and a design that the trustees should keep these functions separate and disentangled. Nor is there any reason to make the process complicated or difficult.

Thus, if one intent of the law was to allow academies to be organized around talented principals who will be given a large measure of autonomy to operate independent of stifling bureaucracy, and if another intent was not to distract the administration of the college from its main mission by burdening it with a new and unrelated function intended for the Trustees, and I think these were the intentions, I would give them effect.

In all cases except when the applicant-group is our own College of Education, as a matter of fundamental policy, I want the Trustees' role held to the minimum of passing on the adequacy of statutorily required representations before issuing the charter and disbursing the funds and of insisting on appropriate language of non-liability in the basic documents.

Finally, I would hope that the Trustees make clear that we have no role, directly or indirectly, in the management of the academy, do not vouch for it and are not accountable for it, and thus, like limited partners who preserve advantageous tax treatment by staying out of partnership management, do nothing to undermine enforceability of the non-liability clause.

George E. Ward

GEW/rpa

## Current Positions Filled

May, 1994

### ADMINISTRATIVE/PROFESSIONAL

Keleen M. Marciniak - Promoted to Scholarship Manager, Office of Scholarships and Student Financial Aid (replacement). Ms. Marciniak has completed both a B.B.A. and an M.B.A. at SVSU, and previously served as Coordinator of Student Employment.

Debwin Roberts - Promoted to Student Loan Manager, Office of Scholarships and Student Financial Aid (replacement). Ms. Roberts was hired in 1977 in the Office of Scholarships and Financial Aid as an Administrative Secretary. Ms. Roberts received a B.A. in 1989 and is currently completing a Master of Public Administration degree from SVSU.



# STAFF MEMBER

OF THE MONTH

**Brian Mudd**

**Head,  
Audio/Visual  
Services,  
Zahnow Library**

**April 1994**

Brian Mudd works in an environment that is, even more than most, affected by rapid changes in technology.

"There is a misconception about libraries as a whole," Mudd says. "We are entering the 'Information Age,' and that will entail much more than books. Communications are merging with video, which is merging with access to information, which is merging with television. There is more to libraries than just showing books or videos," he notes.

Audio/Visual Services, along with other Zahnow Library units, is making changes that incorporate technological advances. "We are working toward and planning on implementing the usage of the Dynix automated cataloging system," Mudd says. "That will allow us to track usage of the (media) collection much more easily.

"The goal is to make it easier for instructors to get equipment in and out. It is basically the same system the library uses with books," he says.

Mudd joined the SVSU library staff in 1987. He oversees the circulation of audio/visual equipment and media, as well as demonstrating usage of special equipment. The

department also supervises the photocopying and microfilming operations of the library.

Other duties include keeping audio/visual equipment in good repair and updating media collections to insure a supply of instructional materials that are useful for faculty. Presently there are some 1,500 videos, about 100 films, 2,600 record albums, 200 C.D.s and 10,000 slides in the collection.

"There is a wide variety of instructional aids available for faculty to utilize, and we have the equipment to use all those," Mudd says. "Part of my job is familiarizing faculty with our reserve process. We have tried to set the circulation system up so that faculty can come in and get their materials and get out as quickly as possible. If they call ahead, we can get the media and materials ready for them."

Mudd enjoys the personal contacts his position offers. "I enjoy working with library patrons. There always is a new question; always something coming up," he says.

He also enjoys the challenge of incorporating new technology into the services offered by his department. "I attended a seminar last summer that stressed the need to do more than just show a video to students. Instead, faculty must make the visual presentation part of the lecture; it should be an interactive process. My role is to make it easier for faculty to utilize these tools to help students learn.

"We are working at becoming more involved in multimedia presentations. Instructors find they can reach students through multimedia presentations; lessons tend to stick more in the students' minds," he says.

The recent "State of the University" address, which included digital photographs loaded from C.D.s into a computer program and projected to a large screen, is an example of the emerging technology. "Keeping up is a challenge," Mudd says. "It is literally changing every six months or faster."





# STAFF MEMBER

## OF THE MONTH

**Beverly J.  
Salay**

**Administrative  
Secretary, Office  
of the Registrar**

**May 1994**

For nearly 25 years, Bev Salay has worked behind the scenes to ensure that Commencement is a happy experience for SVSU graduates. She has earned the unofficial title "Diploma Lady" for her work in preparing the documents for those who complete graduation requirements each semester.

While diploma preparation is an exacting process requiring careful proofreading, Salay's Commencement-related duties begin well before the certificates are ready for printing. As students near graduation, they submit degree applications to the Registrar's Office. Salay receives the applications and checks individual student records to begin the senior audit process.

"I review the records and complete the Basic Skills audit," she says. The application files then go to Registrar Paul Saft, who verifies that General Education and other degree requirements have been met. The last step is an inspection by department chairpersons for each major, which Salay coordinates.

The auditing process has been aided by the new computer system, Salay says. "The computer printouts help department chairs review audits more effectively. We bring up students' transcripts on computer during the

audits. We also note whether they are planning to come to Commencement."

If graduates do not attend Commencement, Salay mails the diplomas or holds them for pickup, depending upon the individual's preference. "I try to personally greet those who come to the Registrar's Office for their diplomas," she says. "Since they did not participate in Commencement, they did not have anyone to say 'Congratulations' to them, so I let them know we are proud of them."

Work on degree audits and Commencement preparation often overlaps with Salay's other responsibilities. "Right now we are working with people who will be graduating this May. We will start the summer semester reviews (for graduation) soon, and we will be working on fall audits by the end of June," she notes.

During this same period, summer and fall class registration has been taking place. The entire office staff is involved in registration. "Among the things that I enjoy about my job are my co-workers," Salay says. "We all get along really well and all help each other. I really depend on them to help me when I am in a peak period."

Salay notes that the present computer system makes course registration a lot better than it had been when everything was done manually. "On-line registration is one of the nicest things so far. Now we are preparing for phone registration." She believes that will be helpful both for students and staff.

Her other duties include ordering office supplies, supervising student employees, tracking vacation schedules and preparing certificates for Deans' List and President's List scholars each semester.

As a long-time employee, Salay has observed the development of the campus. "It is so pretty now," she smiles.

