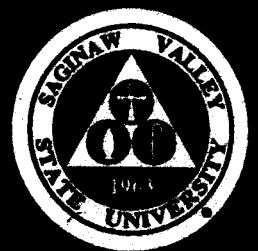


SVSU

BOARD OF CONTROL

MINUTES

AUGUST 1, 1994



SAGINAW VALLEY STATE UNIVERSITY
BOARD OF CONTROL
AUGUST 1, 1994
REGULAR MEETING

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

Present: Braun
Curtiss
Escobedo
Gilbertson
Kelly
Roberts
Rush
Walpole
Ward

Absent:

Others

Present: C. Bala
R. Becker
G. Elashhab
J. Fallon
E. Hamilton
W. Healy
D. Irish
J. Kill
C. Lange
J. Muladore
K. Nowaczyk
J. Olvera
R. Payne
J. Peterson
F. Porterfield
P. Saft
D. Schneider
J. Stanley
M. Starrine
N. Sterchele
C. Stokes
R. Thompson
K. Wahl
J. Woodcock
R. Yien
Press (2)

I. CALL TO ORDER

Chairperson Rush called the meeting to order at 1:33 p.m. with Board members Braun, Curtiss, Escobedo, Roberts and Walpole 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 June 13, 1994 Regular Meeting

It was moved and supported that the minutes of the June 13, 1994 regular monthly meeting be approved.

The minutes were unanimously approved as distributed.

C. Recognition of the Official Representative of the Faculty Association

Chairperson Rush recognized Professor George Corser, who told the Board this would be his last meeting with them as President of the Faculty Association. He stated: "I have appreciated your patience and courtesy in listening to my written essays over these many months, and hope I've been a little thought-provoking without being too belligerent.

"I wanted to mention a couple of other things: One is that it has been a privilege to serve a very fine faculty. . . There is no other group that has a higher vested interest in the success of this University than the faculty. I think by and large, almost to a person, they work very hard every day to complete their tasks and duties in the best interests of our University. It has been a privilege and an honor to serve . . . I have enjoyed working with President Gilbertson, Dr. Rush and the rest of you. I appreciate the opportunity to have

input on very serious issues, such as charter schools, health care and the contract. From my perspective, we have had a good working relationship, one with mutual respect. That's the way it's supposed to be. I think rather than having a situation with a winner and a loser -- or some compromise when you have two losers -- we strove for problem solving, where there are two winners. I think that by and large we have been able to accomplish that.

"Finally, it has been a really extraordinary experience to work with the Executive Board of the Faculty Association. It's the nearest thing I have experienced to community, where you can fight with grace and come out with a conclusion where everybody picks up the mantle of leadership, depending on the issue and on circumstance."

Chairperson Rush told Dr. Corser that the Board shared his feelings and had enjoyed working with him. He welcomed the new President of the Faculty Association, Dr. David Schneider.

D. Communications and requests to Appear before the Board

Dr. Robert S.P. Yien, Vice President for Academic Affairs, introduced the President of Class Number Three of SVSU's Taiwan MBA Program, Mr. Ying-Chun (Jimmy) Yang.

(Board member Kelly joined the meeting at this time.)

Robert T. Becker, Director of Athletics, introduced Jerry Kill, SVSU's new Head Football Coach.

III. ACTION ITEMS

1) Resolution to Acquire and Install a New Telephone System and Related Equipment

RES-1110 It was moved and supported that the following resolution be adopted:

WHEREAS, The University's current telephone system was acquired in 1978; and,
WHEREAS, The implementation of the North American Dialing Plan, effective
January 1995, would require a substantial investment to maintain the current system; and,
WHEREAS, The University is at the maximum capacity of the current system, and
it will require a large investment to add additional telephone lines which only can be
acquired from the secondary market; and,

WHEREAS, Significant costs would have to be incurred with our present telephone
system in order to provide telephone service to the new West Complex; and

WHEREAS, A new system will upgrade to state-of-the-art technology and provide
operating efficiencies;

NOW, THEREFORE, BE IT RESOLVED, That the President and the Vice
President for Administration and Business Affairs are authorized to enter into contracts to
acquire and install a new telephone system and related equipment in an amount not to
exceed \$1,250,000.

Mr. Jerry A. Woodcock, Vice President for Administration and Business Affairs, told the Board that SVSU's current telephone system had been acquired in 1978. On January 1, 1995 the North American Dialing Plan will go into effect. Long distance calls will not be possible at SVSU if the phone system is not either updated or replaced. Internal funds and savings expected from reduced costs under the new system will offset its costs. No funds would be borrowed for the new phone system, which will also serve the West Complex. It will take approximately seven or eight years to repay the internal borrowing, which will include computed interest.

(Trustee Ward joined the meeting at this time.)

The motion was APPROVED unanimously.

2) Resolution to Authorize the Sale of Real Property

RES-1111 It was moved and supported that the following resolution be adopted:

WHEREAS, Operating Policy 3.101, Article III, of the Board reserves unto itself the
authority to sell real property; and

WHEREAS, The property (located at 136 Townsend in Midland, Michigan) was
donated to the University and has been utilized by the Tri-Skills of the State of Michigan

(Triskelions) as a consignment shop with proceeds of operations funding scholarships for SVSU students; and

WHEREAS, The Triskelions are in the process of dissolving their organization;

NOW, THEREFORE, BE IT RESOLVED, That the President or the Vice President for Administration and Business Affairs are authorized to sell the property at 136 Townsend in Midland, Michigan; and

BE IT FURTHER RESOLVED, That the net proceeds from the sale of the facility shall be added to the principal of the Triskelions Scholarship Endowment Fund.

President Gilbertson stated: "For the better part of our history, the University has been supported by a group called the Triskelions. Among other things, they ran a used garment store in Midland. A lot of very fine women worked in this organization and raised literally tens of thousands of dollars for scholarships. For a variety of reasons, the Triskelions have decided to dissolve the organization. The University is the owner of a house in downtown Midland where this second hand clothing store has been run, and we're asking permission now to sell that building. Later on, probably in the fall, we want to do some type of recognition of the tremendous service these ladies have performed for SVSU, and we propose dedicating the proceeds from the sale of this real estate to an endowed scholarship in the name of the Triskelions. What we're asking for now is simply authorization to sell that house and to begin the process of moving forward on it. . ."

Trustee Curtiss asked whether the group itself felt this would be an appropriate step.

President Gilbertson replied that Dr. Albert J. Beutler, Executive Director of Development and SVSU Foundation, had been in consultation with some of the founders of the group as well as its current officers, and they believed that it was a job well done, which is now completed.

Chairperson Rush asked for further questions or comments. Hearing none, he called

for the vote.

The motion was APPROVED unanimously.

3) Resolution to Adopt Revised SVSU Student Code of Conduct

RES-1112 It was moved and supported that the following resolution be adopted:

WHEREAS, It has been the practice to review and revise the SVSU Student Code of Conduct periodically; and

WHEREAS, There are certain procedural changes in the SVSU Student Code of Conduct that have been recommended by the Dean of Students and reviewed by legal counsel;

NOW, THEREFORE, BE IT RESOLVED, That the SVSU Student Code of Conduct, as revised, is hereby adopted by the SVSU Board of Control.

(See Appendix One: Code)

President Gilbertson told the Board that the revised Code had been reviewed by the Academic/Student Affairs Committee. It represents a great deal of updating and work. The result is a simplified, much more efficient and well-written document.

Mr. Richard P. Thompson, Dean of Student Affairs, stated that the Code is reviewed periodically to ascertain whether there are better ways to administer it. The changes are basically procedural.

Trustee Curtiss asked: "What is the impact of adopting the new Code? Is it effectively an ordinance?"

President Gilbertson stated: "It is an enforcement tool that has certain proscriptions and processes for dealing with violations of those policies."

Merry Jo Starrine, Director of Housing & Residential Life, told the Board that approximately 20 infractions had been processed this year.

Trustee Roberts noted this is actually a revision of an existing document, which has

been in effect for some time.

Trustee Curtiss asked whether the Student Code was part of the Student Constitution and whether the students approved it as well as the Board.

President Gilbertson stated that it is a University policy.

Trustee Curtiss asked if only the administration could institute proceedings under the Code.

Ms. Starrine replied: "Complaints can be received from any member of the University community, but they can only be charged against a student. The Code does not regulate behavior of faculty or staff. Complaints sometimes come from the Department of Public Safety when, in addition to misconduct at the University, there has also been an infraction of local, state or federal laws. These cases also go through the court system along with the internal process.

"After a student is charged, the University has a procedure they follow to determine their course of action. The outcome is decided by Woody Pelton, the University Hearing Officer. We moved to that system last year because it seemed as though our Judiciary Board made things happen much more slowly than they should, and it was in the students' best interests to move the process along more rapidly."

Chairperson Rush noted that the Academic/Student Affairs Committee had reviewed the Code in some detail, and it seemed very carefully thought out. He asked for further comments or questions. Hearing none, he called for the vote.

The motion was APPROVED unanimously.

4) Resolution of Appreciation for Curtis E. White

RES-1113 It was moved and supported that the following resolution be adopted:

WHEREAS, The Board of Fellows is a valuable support group that provides service and information to the University's external communities; and

WHEREAS, The Chairperson of the Board of Fellows is the key leader entrusted with the direction and effectiveness of the organization; and

WHEREAS, Curtis E. White has served with distinction as Chairperson of the Board of Fellows for two succeeding terms; and

WHEREAS, The success of the Board of Fellows during this period was attributable to Mr. White's leadership, commitment and dedication;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Control of Saginaw Valley State University hereby extends its appreciation and commendation to Mr. White;

BE IT FURTHER RESOLVED, That a copy of this resolution be given to Mr. White as a formal indication of the Board of Control's appreciation for his service.

President Gilbertson stated that Mr. White will be leaving the presidency of the Board of Fellows, having served in that role for the past two years. He has given this group extraordinarily good leadership and is a good friend of the University, having also served in a number of other capacities, including that of co-chair of the Forward 90 campaign.

Chairperson Rush asked for questions or comments. Hearing none, he called for the vote.

The motion was APPROVED unanimously.

5) Resolution of Appreciation for George A. Corser

RES-1114 It was moved and supported that the following resolution be adopted:

WHEREAS, George A. Corser, Professor of Mechanical Engineering and Technology, has served three consecutive terms (1991-92, 1992-93 and 1993-94) as President of the Saginaw Valley State University Faculty Association; and

WHEREAS, His service as President of the Faculty Association has been characterized by dedication and a commitment to the overall well-being of the University; and

WHEREAS, He is a respected teacher and known for helping students reach their fullest professional potential;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Control of Saginaw Valley State University expresses its sincere appreciation to George A. Corser for his contributions to Saginaw Valley State University;

BE IT FURTHER RESOLVED, That a copy of this resolution be framed and presented to Dr. Corser as a formal indication of the Board of Control's appreciation for his service.

President Gilbertson told the Board that Professor Corser had served his three terms as President of the Faculty Association with great thoughtfulness. He led the Association through difficult times and guided the collective bargaining process to a settlement that was in the best interests of the institution and everyone concerned.

President Gilbertson stated: "In dealing with George, and with the Faculty Association under his leadership, it has always been our institution. It has not been we/they -- it has always been us. As George stated, we're in this together and we all have a shared interest in and a shared love of this institution. I recommend this resolution to you simply as a small but meaningful recognition of a job very well done."

The motion was APPROVED unanimously.

6) Resolution to Grant Master's Degrees in the International MBA Program

RES-1115 It was moved and supported that the following resolution be adopted:

WHEREAS, Saginaw Valley State University is granted the authority to confer 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 unto itself the authority to grant degrees;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Control of Saginaw Valley State University approve the awarding of Master's Degrees at the August 16, 1994, (International MBA Program) Commencement as certified by the faculty and Registrar. (See Appendix Two: MBA)

President Gilbertson told the Board SVSU has a very illustrious group of graduates in Taiwan, who feel very loyal to and appreciative of the University. The exchange has also

been a wonderful experience for our faculty, many of whom have returned from the Republic of China with a whole new perspective on what things are really like on the Pacific Rim.

President Gilbertson expressed appreciation to Dr. Robert S.P. Yien, Vice President of Academic Affairs, who piloted and developed the program.

Chairperson Rush asked for comments or questions. Hearing none, he called for the vote.

The motion was APPROVED unanimously.

IV. INFORMATION AND DISCUSSION ITEMS

7) Enrollment Report

Paul Saft, Registrar, told the Board the official summer enrollment count was 3,640 students in 20,206 credit hours. These are both new records for the University, being the first summer surpassing 20,000 credits. While only two more students were enrolled this year than last year, the credit hour count increased by 228 (1.1%). Enrollment in both the undergraduate and graduate degree programs was very strong. Non-degree students and credits were down from last year. Most of these are guest students from other colleges and universities. The Macomb Graduate Education Program continues to do very well.

As of noon of August 1st, over 6,000 students had enrolled for fall classes. There are eight more days of registration before classes begin on August 29th. It is expected that another 1,000 students will enroll during that time.

Telephone registration will be available by next semester.

8) Report of the Special Committee on Charter Schools

Chairperson Rush, who chairs the Special Committee on Charter Schools, stated that the Committee had prepared an Interim Report, which would be made available to the public. (See Appendix Three: Report)

He then read the following statement:

Pursuant to a request made by this Board at our May Board meeting, an Ad Hoc Special Committee was appointed by me to study and evaluate Public Act 362 and its implications for SVSU.

In addition, the possibility of an immediate "pilot" charter school was raised as a method of becoming quickly familiar with the new law. Finally, a preliminary report at this August Board meeting was sought.

Trustees Braun, Curtiss, and Ward joined me, along with President Gilbertson, on this Committee.

An Interim Report has been prepared by the Committee and is being made public today. All Board members have received a pre-final draft copy of the Report in advance.

I would like to make a few acknowledgements and comments, then ask the Committee members and President Gilbertson to comment if they wish, and then invite questions and comments from the remaining Board members -- either now or later at their convenience.

First, you will note that seven meetings were held. Each of these meetings ran for 1-1/2 to 3 hours and in each case all members of the Committee were present and actively participating. In addition, many more hours of time were expended in reviewing and studying numerous background documents and other materials in hopes of acquiring a working knowledge of this complex issue. There were no road maps or blueprints to work from. While nine other states had passed Public School Academy (PSA) legislation prior to Michigan, to my knowledge none was as expansive and non-restrictive as the

Michigan law. The yeoman effort made by your Committee strongly confirms the high priority status and the serious commitment given to this issue by the SVSU Board. My extreme gratitude and appreciation to all the Committee members!

Next, I want to publicly thank all those persons whose names you see in the Report who responded so generously in giving their time and sharing their expertise and knowledge with us. Each of our guests displayed the highest degree of professionalism and a sincere concern for doing what is "best for the kids." Particularly heartening to me was the positive attitude, spirit of collaboration, and willingness to help shown by the several SVSU faculty members and the SVSU faculty leaders who met with us. It should come as no surprise to this Board that our SVSU teacher graduates are considered the "best in the State" and are highly sought after.

While the Report speaks for itself, I would like to emphasize a few points that may or may not be obvious.

- 1) This is an Interim Report -- all conclusions are tentative -- and the game plan timetable for developing a policy for Board approval is very aggressive. Much work remains to be done by the Committee over the next two-three months.
- 2) The complexity and difficulty of the newly-bestowed state university power is well-illustrated by the fact that at this point in time only one university (out of 15) will be issuing charters this fall -- and those will be granted solely to existing schools. Some universities have announced that they will not be participating in this activity at all and most have remained publicly silent on the issue thus far.
- 3) The differentiating and unique characteristics of PSA charters granted by a university are two-fold by statutory mandate:
 - A) There are no geographic boundaries other than the borders of the State of Michigan.

- B) There is some possible increased flexibility regarding collective bargaining units.

A highly important additional feature by imputation, however, is the high level of expectation regarding degree of excellence, chance of success, diversity, fairness, and any number of other features that are rightly and properly attributed to an institution of higher learning. Simply put, any PSA activity by the SVSU Board of Control must be in harmony with the SVSU Mission Statement and its associated goals. The reputation and prestige of SVSU which has been so painstakingly achieved over the past 30 years is on the line and must not be put in jeopardy by lack of due diligence on the part of this Board. Thus the rationale for policy before action!

- 4) Finally, the question of a "pilot" charter by SVSU became moot when the existing school under consideration was accepted for "intent to charter" by a sister university. Hence no school is being recommended for charter by SVSU this fall.

Chairperson Rush asked members of the Special Committee for their comments.

Trustee Ward stated: "As the Trustee who asked for the establishment of this Committee, I think we tackled this matter with great earnestness, and we did get some good input from our constituent groups. I think the net result is that we have a better understanding of the law that has vested a new function in us. It has told people in the State who are thinking of applying for a charter school that we're one of the state agencies that can receive such applications. We are now thinking through just how to exercise this power, so that when we do select applicants for public school academy status we can build in all the safeguards that would do two things: 1) maximize the chances that the applicant can run a successful academy; and 2) build in all the provisions that this Board of Control will need to enforce the terms and conditions that are attached to the charter school status. So I think we made good progress."

Trustee Braun stated that she was grateful to the people who participated in the meetings, which enabled the Committee to learn a great deal about charter schools.

Trustee Curtiss stated: "I think this is a critical step we have to take in setting up procedures and criteria for evaluating applications, and I think if we take the time to do that carefully now, we will have a much stronger program over the years than we would have if we simply reacted to applications each on their own merits or demerits. I think the process is important. We may have missed the opportunity to charter a good school -- I don't know -- but I think what we're building here as a Committee is a process -- and hopefully a set of criteria -- that will allow us to do a very responsible and productive job of enhancing education in Michigan. I think the Report which we passed out today said that this isn't the answer to education in Michigan -- I don't think any of the Committee thinks that it is the full answer -- but if it does just a little bit to accelerate change and improvement, it will have accomplished something."

President Gilbertson thanked the members of the Committee for their willingness to listen and their eagerness to engage in a very open process. He stated: "There are going to be Public School Academies. The legislation has been passed -- it has been decided. We aren't debating the question of whether there will or should be Public School Academies: the question is how to do it well, and how to ensure that the Public School Academies with which we are involved are the very best they can be and serve needs that are very important. I'm pleased at the interim progress we've made, and eager to continue the task to ensure that SVSU is associated with Public School Academies of the very highest quality that serve important needs. This is a sober responsibility, and I think we're approaching it in a very

sober and deliberate way."

Trustee Walpole stated he felt the Interim Report gave the Board a good foundation upon which to work and that he was interested in learning more about how the Board could best fulfill its responsibilities in relation to the charter schools issue.

Trustee Escobedo asked whether the University would be compensated in some way for its administrative costs, manpower hours, time and resources.

Chairperson Rush answered: "We write the contract, and that's part of the contractual negotiation process. . ."

Trustee Curtiss added: "Since we're offering a very high quality service, we would assume that the compensation would be commensurate with the quality of the service."

Trustee Rush asked for further questions or comments.

Trustee Roberts stated: "This is a matter of great interest in the public arena. We have received many questions on an individual basis, and I'm very grateful to the Committee for the work that they have done to help prepare this Board as we move forward in this process. I'm very pleased that we are taking the time that is needed to do it and do it right."

9) Staff Member of the Month

Cheryl Stokes, Staff Member of the Month for July, and Cynthia Bala, Staff Member of the Month for August, were presented to the Board. (See Appendix Four: Stokes and Appendix Five: Bala)

10) Presentation on the Business and Industrial Development Institute

Gene Hamilton, Vice President for Advancement and Public Service, told the Board the Business and Industrial Development Institute (BIDI) was formed in 1981 as part of the

State of Michigan's effort to promote economic development. SVSU, along with seven other colleges and universities, was given money by the State Legislature to develop services which would create jobs. The initial emphasis then was on technology transfer, and even today BIDI works with our College of Science, Engineering and Technology to bring dormant technology off the shelves and into the marketplace, thus creating jobs.

Dr. Hamilton introduced Ms. Jo Peterson, who was appointed Director of BIDI in 1990. Ms. Peterson stated that BIDI's Mission is to unite the resources of SVSU and regional communities in an effort to enhance growth and development of business and industry.

BIDI is one of 45 Small Business Development Centers (SBDC) which are scattered throughout the State. They provide free business planning and other counseling support. The SBDC is an important network through which ideas and resources can be shared. Funding for this program comes from the Small Business Administration.

Another of BIDI's projects is the Certificate Program for Entrepreneurs, which was established in the Fall of 1992 in partnership with the Midland, Saginaw and Bay Area Chambers of Commerce. Instructors include local experts and SVSU faculty members. Classes are offered in the three communities and at SVSU. Total enrollment during Winter '94 was 353 students. This is a model program for the SBDC network.

BIDI honors successful small business owners in the region through the Entrepreneur of the Year Awards. Forty-five individuals, partners or couples have been recognized through this award, which was first presented in 1984. Nominations are accepted from local professionals, economic developers and chambers of commerce. The program is supported

financially by local lending institutions.

BIDI also has a contractual relationship with the Saginaw Valley Manufacturers Association, which includes 107 companies from the Tri-City area and into the Thumb.

Ms. Peterson reviewed BIDI's other ongoing activities, including the Saginaw Valley Entrepreneurs Club and the Manufacturers Technology Exchange Groups. She described a number of BIDI's completed projects, including the Workforce Development Users' Guide, ISO 9000 Users Groups and various conferences and seminars.

New endeavors include a women business owners data base and research project, faculty seminars and conferences, a certificate program for leaders or new managers, and providing administrative support for the local chapter of the National Tooling and Machining Association.

Some of BIDI's 1994-95 goals are: to continuously improve BIDI's efficiency, quality and teamwork; to expand BIDI's continuing education efforts; to improve faculty awareness/appreciation of BIDI; to aggressively pursue opportunities for potentially profitable ventures as identified.

V. REMARKS BY THE PRESIDENT

President Gilbertson told the Board that Dr. Albert J. Beutler, Executive Director of Development & SVSU Foundation, would be retiring in February after ten years of service to the institution.

Groundbreaking for the West Complex will be held on Thursday, August 4th. Governor Engler will be here, as well as our State delegation.

The Doan Center expansion is nearing completion.

The opening of school faculty/staff orientation and picnic will be held on Thursday, August 25th.

Over the course of the summer 2,300 kids between the ages of 10 and 17 were on campus to attend various sports camps.

11) Motion to Move to Executive Session to Discuss Pending Litigation

BM-855 It was moved and supported that the Board move to Executive Session to discuss pending litigation.

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

The motion was APPROVED unanimously.

The Board moved to Executive Session at 2:55 p.m.

12) Motion to Reconvene in Public Session

BM-856 It was moved and supported that the Board reconvene in Public Session.

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

The motion was APPROVED unanimously.

The Board reconvened in Public Session at 4:12 p.m.

VI. OTHER ITEMS FOR CONSIDERATION

There were no other items for consideration.

VII. ADJOURNMENT

13) Motion to Adjourn

BM-857 It was moved and supported that the meeting be adjourned.

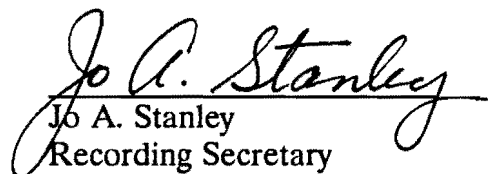
The motion was APPROVED unanimously.

The meeting was adjourned at 4:13 p.m.

Respectfully submitted:

Thomas E. Rush
Chairperson

Robert H. Walpole
Secretary



Jo A. Stanley
Recording Secretary

7/13/94

RECOMMENDED REVISIONS TO THE CODE OF STUDENT CONDUCT

Introduction: Student Obligation

Admission to Saginaw Valley State University . . .

SVSU regulations may apply to behavior off campus as well as on campus. Violations of the regulations may result in disciplinary action by both the University and civil authorities.

Students at Saginaw Valley State . . .

I. Regulations

Violations of any of the following . . .

A. University Records

1. Current address: [same]
2. Falsification of University Records: [same]
3. Counterfeiting, Altering and Copying: [same]
4. [add]--Forgery: No student shall possess or use any official document unless that document bears the legitimate or authorized signature of the individual indicated.

B. Use of Facilities and Equipment

1. [revision] Use of University equipment and property must be authorized by the appropriate University administrator or designee. Use of the equipment shall be limited as authorized by the University. Payment for damages or loss of equipment or use of equipment is the responsibility of the borrower.
2. Use of Facilities: [same]
3. Keys: [same]
4. Postings: [same]

5. Selling, Advertising or Soliciting: [same]

6. [revision] --Pets: Pets are not allowed in any

University building with the exception of those trained to assist individuals with physical disabilities. Animals that are brought on the campus must be leashed, or otherwise restrained, and attended by their owners.

7. [revision] --"areas" to replace "designated areas on campus"

8. General: [same]

C. Use of Alcohol and/or Other Drugs [same]**D. Demonstrations and Assemblages [same]****E. Financial Responsibility**

1. [add] Application for other services, such as housing, may be denied to students with delinquent financial obligations.

F. Misconduct

1. [revision] Disorderly Conduct: No student shall engage in [intentional -delete] conduct that disrupts or interferes with the rights of others on University

property or at a University-sponsored function.

2. Assault: [same]

3. [revision] Theft or Property Damages: Theft or [intentional -delete] damage property . . .

4. Fires: [same]

5. [revision] Fire Safety Equipment: No student shall [intentionally or recklessly -delete] misuse or damage safety equipment . . .

6. Weapons: [same]

7. Voluntary Compliance: [same]

8. [revision] Failure to Identify, Appear or Observe

Terms of Discipline: No student shall [intentionally or recklessly -delete] refuse to identify himself or herself or when requested to do so by identified University officials, refuse to appear before University officials or bodies when requested to do so, or violate the terms of discipline imposed.

9. Lewd or Indecent Behavior: [same]

10. Hazing: [same]

11. [revision] University Housing Regulations

Violations of University Housing regulations contained in documents constitute a violation of . . .

G. [revision] Obedience to Criminal Law: Violations of Federal, State or local laws committed by students, whether prosecuted or not, constitute a violation of University regulations when it appears that the act endangers the welfare of any member of the University community or has a direct detrimental effect on the institution's educational function. Students in violation of this regulation are subject to university disciplinary action.

H. Academic Dishonesty [same]**I. Student Organizations [same]**

J. [delete; include in another section of the Student Handbook]: Health Problems

[include as a statement only] Severability

II. Disciplinary Process

Complaints of student behavior that may be in violation of the Student Code of Conduct are first reviewed by the Coordinator of Student Conduct. There are four courses of action available to the Coordinator.

1. [same]

2. [revision] Formally charge the accused student with a violation of the Code of Student Conduct.

Following the Disciplinary Procedures outlined below

3. [revision] Refer the charge through the Housing Disciplinary Procedures.

4. [add] Determine that no formal action should be taken.

Disciplinary Procedures

A. [same] Emergency Suspension/Restriction

B. [same] Procedural Guidelines

1. [same]
 - a. [same]
 - b. [same]
 - c. [revision]: The name of the complainant; and witnesses, if then known;
 - d. [revise] The Waiver/Hearing Request form by which the student may either accept responsibility for the charge or deny responsibility and request a hearing;
 - e. [delete]
2. [revision] Within a stated period of time, the student may select one of two courses of action:
 - a. [same]
 - b. [same]

[revision] Failure to respond by choosing either of the above will be considered the same as an admission of guilt. In this case, the Hearing Officer will attempt to meet with the student and then make a ruling based on the information available.

C. [same] Hearing Procedures

1. [same]
2. [same]
3. [same]
4. [same]
5. [revise] Each hearing will be recorded on audio tape, which will remain in the office of the University Hearing Officer throughout the appeal period.
6. [same]
7. [revision] After due deliberation and within 2 class days of the hearing, the Hearing Officer will announce findings. Sanctions, when appropriate, will be delivered in the form of a letter to the charged within 3 class days of the announcement. The letter will include the reasons for any decision rendered against him/her.
8. [delete]

D. Sanctions

1. [same]
2. [same]
3. [same]
4. [same]
5. [same]
6. [same]
7. [same]
8. [same]
9. [same]
10. [same]

E. Interpretation

[same]

F. Appeals

[same]

1. [same]
2. [same]
3. [same]

III. Residence Hall Disciplinary Procedure

[revision] The Housing Disciplinary Procedure deals with violations of housing regulations or minor infractions of the Code of Student Conduct committed by students residing in University housing. Refer to the Residence Hall Handbook and the Pine Grove Transit Handbook for the procedure in its entirety.

**CANDIDATES FOR THE DEGREE
MASTER OF BUSINESS ADMINISTRATION**

**COLLEGE OF BUSINESS AND
MANAGEMENT**

Severin Carlson, Dean

Chang, Shan Mei

Chang, Teng-Ko

Chen, Chun-Hsia

Chen, Wei-Chung

Chung, Chih-Chi

Hsiao, Fang-Ming

Hsiao, Hai-Tao

Hsu, Chang-Chi

Hsu, Yah-Ling

Huang, Yuan-Jenn

Hung, Ching-Hua

Jou, Chien-Sheng

Kao, Tzu-Neng

Lee, Jiin-Wen

Lin, Jung-Sung

Lu, Chi-Yen

Wang, Chi-Li

Yang, Ying-Chun

Yuan, Yung-Pei

TO: The Board of Control

FROM: Special Committee on Charter Schools

DATE: August 1, 1994

RE: INTERIM REPORT

This Special Committee -- comprised of Ruth Braun, Charley Curtiss, Tom Rush and George Ward -- has met seven times since its appointment following the May meeting of the full Board. This is to report on our progress to date.

1. PROGRESS TO DATE:

We have attempted to elicit and consider the perspectives and interests of several persons and groups as we consider the University Board of Control's role and responsibilities under 1993 P.A. 362, which authorized the Board of Control to enter into "contracts" with what will be called "Public School Academies." (PSA)

We met first with representatives of the Governor's Office on Charter Schools, Dan Schooley and Joel Galloway. We discussed some of the ambiguities in the new statute in an effort to understand what was expected of the University Board of Control by the Governor and Legislature. There was a general sense that Boards of Control were given an "authorizing" role -- along with school boards, community colleges and intermediate school districts -- because their access to the resources of a university put them in a position to do a particularly good job of selection and oversight.

Following this meeting, we proposed to the full Board that the Board's policy on retained powers be amended to include the issuance and revocation of any contracts to a PSA. The Board took this action at its June meeting.

We next met with representatives of the Faculty Association -- past president Basil Clark, current president George Corser and incoming president David Schneider. They shared with the Committee their sense that the University's reputation would be closely tied to any PSA its Board of Control charters. They urged that the Board conduct a careful deliberative and consultative process in the development of any policies in this regard, drawing upon the expertise of faculty, in particular.

We also met with several faculty members from the College of Education. They explained the close working relationship they have developed with the K-12 schools of the region and the delicacy and importance of those relationships to their teacher education programs. They urged that the University Board of Control seek to work collaboratively with the public schools in the development of its policies and issuing of charters.

The College of Education faculty offered a number of criteria which they believed would be important in considering any charter issuance. These criteria included a requirement that all teachers and administrators of any PSA be certified, that any school be required to maintain both state and NCA accreditation, that the admissions policies at the schools promote diversity, that it was appropriate for such schools to group students by interest but not by intellectual ability, and that the University Board of Control should carefully exercise its oversight responsibility through periodic reviews of any PSA to which a charter is issued. They further offered to be of continuing assistance in this regard.

Finally, we met with a group of superintendents from the public schools of the region -- Dr. Joe Gonzales of the Bay City Schools, Dr. Paul Novak of the Carrollton Schools, and Dr. Larry Engel of the Saginaw Intermediate School District. They candidly expressed a number of their concerns about PSAs, including worries about loss of funds to their districts and worries that PSAs would serve only those students easiest to teach leaving the public schools with all the problem learners but fewer resources. They also stressed, however, that what was "best for kids" was most important and that if a particular PSA met clear needs it would be supported by the leadership of the public system.

* * *

To date, the SVSU Board of Control has received applications from eight organizations seeking charters. They are the following:

- Cambridge Academy of Ann Arbor
- Clio's B.E.S.T. Alternative High School of Clio
- El-Hajj Malik El-Shabazz Academy of Lansing
- Northlane Day School of Freeland
- Saginaw Chippewa Academy of Mount Pleasant
- The Detroit Red Ribbon Coalition
- The New School for Creative Learning of Grand Rapids
- Woodville Public Academy of Big Rapids.

We have also received an inquiry from the Alex and Marie Manoogian School of Southfield, and an indication that they will be submitting an application at an early date.

2. THE LAW IN QUESTION:

1993 Public Act 362 vests a significant measure of discretion in the Board of Control about what to require of applicants seeking to establish PSAs. Much remains to be done in thinking through how best to use this authority. Two points, however, seem clear.

A. The decision whether to issue a charter to any particular school is a discretionary act on the part of the University Board of Control, requiring the exercise of judgment in a number of pertinent matters.

The statute provides first that "an authorizing body is not required to issue a contract to any person or entity." We interpret this language as making the decision on any application of the Board of Control final and non-appealable. This discretionary power must, however, be exercised in good faith and not in a way to frustrate the public policy of the State as established by the Legislature.

Moreover, any such contract "shall be issued on a competitive basis taking into consideration the resources available for the proposed public school academy, the population to be served by the proposed public school academy, and the educational goals to be achieved by the proposed public school academy." (Sec. 503 {1}).

B. The University Board of Control would have substantial continuing responsibility with respect to any public school academy it charters.

In the first instance, any authorizing body (e.g. a board of control) must determine "the method of selection, length of term, and number of members of the board of directors of each public school academy subject to its jurisdiction." (Sec. 503 {3}).

The board of directors of the PSA has primary responsibility for the performance of the PSA. MCL 450.2501 states "the business and affairs of a (non-profit) corporation shall be managed by its board...." The Board of Control of SVSU would have a kind of secondary responsibility for the PSA. MCL 380.507 states that: "an authorizing body has the responsibility to oversee a public school academy's compliance with the contract and all applicable law." To discharge this oversight responsibility the Board of Control is given the ultimate power of revoking the contract.

The contract documents must address how best to structure the relationship between the PSA board's primary responsibility and SVSU's Board's secondary responsibility.

Moreover, the "contract" granted to the academy must contain "at least" certain specific provisions. One such provision involves the "educational goals" of the academy and "the methods by which it will be held accountable" for these -- accountable, presumably, to the authorizing body. The "pupil outcomes" shall also be "assessed" using MEAP scores or other standardized testing instruments (Sec. 503 {4} {a}).

Any such contract must also include "a description of the method to be used to monitor the public school academy's compliance with applicable law and its performance in meeting its targeted educational outcomes," (Subsection b), various specific operating requirements (Subsection d), and "grounds for revoking the contract" (Subsection f).

There are a variety of laws with which a PSA must comply -- and the "authorizing body" is responsible to "oversee the public school academy's compliance with the contract and all applicable law." (Sec. 507). Among these laws are the open meetings act (Sec. 503 {5} {a}), the freedom of information act (Subsection b), a requirement that the school "shall not discriminate in its pupil admissions policies or practices on the basis of intellectual or athletic ability" or other matters (Sec. 504 {2}), as well as (presumably) all civil rights and public health legislation.

Finally, the statute provides that "the authorizing body for a public school academy is the fiscal agent for the public school academy." It is important to understand who is the principal in this fiscal agency relationship: The State of Michigan or the PSA. Obviously, the scope of the Board of Control's fiscal agent's responsibilities would be different if its "boss" was the PSA. It would appear that the State has determined that the principal in this relationship is the State of Michigan. The Model contract drafted by Richard McLellan of Dykema Gossett (who also drafted 1993 PA 362) stated:

"Pursuant to Section 507 of the Code, the University Board is the fiscal agent of the State of Michigan for (the PSA)."

Model Contract Section 2.4

Among other enforcement powers, the Board of Control is authorized to revoke the contract in the event the public school academy fails "to abide by and meet the educational goals set forth in the contract." (Sec. 507 {a}). Thus, there is a clear obligation owed by the authorizing body to the State of Michigan to "oversee" (emphasis added) the public school academy's compliance with the contract, as well as its meeting "the educational goals set forth in the contract."

3. TENTATIVE CONCLUSIONS:

It seems apparent to the Committee that the question of whether there should or will be charter schools in the State of Michigan has been settled. The legislative process has produced a new law, and public school academies will be created -- some already have been created. We believe that, if done well and for good purposes, such PSAs can help to improve public education generally. They are not likely the sole answer for what needs to be done in this regard, but they can help.

It has also been argued persuasively to us there is also a risk that -- if done poorly or for the wrong purposes -- the development of these academies can do damage to public education in Michigan and to the children served.

There is also general agreement on the Committee relative to two important matters -- the need for a process to evaluate applications and for conditions to be required in any "contract" to be issued.

Relative to the evaluation and applications, the subcommittee is in general -- but perhaps not specific -- agreement that the University Board of Control should obtain expert advice from an independent consultant in evaluating applicants for charters. Our policy should require that the applications present extensive information about the proposed PSA -- its human, physical and financial resources and, in particular, its educational goals. It should require that pupils be pre-tested using nationally-normed exams and that at stated intervals outside consultants be retained at the PSA's expense to evaluate the attainments of the PSA pupils, using the same tests, against their pre-test scores, the performances of similar pupil groups and the PSA's own goals. There will be costs associated with this application process, and the applicant should be charged accordingly.

With respect to the contract issued, the Committee is in general agreement that the Board of Control must provide some level of continuing oversight -- both financial and educational -- and that the PSA should be charged accordingly. We are also in agreement that the PSA must maintain any appropriate certification or accreditation from public or private accrediting bodies, that the PSA should undertake and sustain good faith efforts to attract and serve a diverse student body, that the public school academy must hold the University and all of its agents and employees harmless with respect to any claims arising from their performance or failure to perform, and that the University Board of Control should be permitted to revoke the contract based upon its own findings and determination and without an extensive or cumbersome process.

The Committee has not yet reached any conclusion as to how the boards of directors of the proposed public school academies should be comprised -- remembering that a public school academy becomes, in effect and in law, a "public" school.

We have also not yet reached any conclusion as to what types of schools SVSU should charter -- elementary, secondary, alternative, vocational, regional, whatever -- or particular unmet needs to be addressed by these schools.

* * *

4. NEXT STEPS:

There are important decisions yet to be made and a consultative process of policy development to be pursued. Legislation has given university boards of control new authority, and we now have only to decide how to exercise this authority wisely.

There will be an important evaluation process to be undertaken with respect to any PSA application, and the University Board of Control has not yet selected any consultants in this regard nor have we established a process or criteria by which applicants can be evaluated. It is clear that our responsibility under the law is to make our judgments on a "competitive" basis, which requires that there be full and fair opportunity to compete. We cannot expect candidates for charters to compete unless and until we have policies which address both the process and the criteria for that competition.

In terms of process for the development of its policies, we believe that the appropriate next steps involve the development of a draft policy addressing many of these issues concerning the criteria and evaluation process, then a period of consultation with important constituent groups (faculty, public school personnel, would-be applicants, government and community leaders) relative to this proposed policy. Only after an opportunity for open comment and widespread discussion on any proposed policy should the Board of Control take final action.

The Committee was cautioned by many people that the public will have very high expectations for any PSA chartered by SVSU. We were also given sober advice about our important responsibility to a new class of students -- school children, a group this University has not heretofore served directly.

This Committee recommends, therefore, that the process of policy development outlined above be continued, with this Committee charged with completing this work. It is expected that a draft policy can be prepared and circulated for comment and discussion by October, 1994. We would hope then to bring a final policy recommendation to the full Board of Control by November, 1994, for action.



STAFF MEMBER

OF THE MONTH

Cheri Stokes

**Senior
Accounting
Clerk,
Scholarships
and Student
Financial Aid**

July 1994

Cheri Stokes' workload has doubled since she joined SVSU in 1988—and she loves it.

"I totally, sincerely love my job," she says. "I feel good to be able to say that."

In her role as accounting clerk, Stokes processes all scholarships that come through the Office of Scholarships and Student Financial Aid. She is assisted by two work-study students, who help her prepare and distribute award letters letting students know what their financial aid package will be.

"I process the paperwork that indicates whether students will be eligible for aid," she says, "and help with packaging the award. I find out what students' needs are and send award letters out to them."

Stokes also is in charge of third party billing for students whose college expenses are partially or fully covered by an employer or government agency. It's a time-consuming task, she says, because "I must constantly keep track of their credit load. I check when they register, again at mid-term and at the end of the semester to see if classes are dropped, so I can adjust the billing if necessary."

The best aspect of her job, Stokes says, is interaction with students. That one-on-one advising relationship sometimes results in hugs

and gratitude. "The best feeling, the most satisfying, is when you can explain something and see them understand. I have had students come in and hug me because I was able to help them apply successfully for aid."

Stokes notes that the application process can be frustrating both for students and staff. "You can't help everybody," she says. "The Federal guidelines change every year."

Aside from understanding the complexity of financial aid regulations, the sheer volume of work can be daunting. By June 1, 1989, some 2,041 SVSU students had applied for financial aid. The corresponding figure for June 1, 1994 is 5,709. Asked how she keeps up with the increased demand, Stokes responds, "We have learned better ways of using our time."

Improved technology assists with processing chores. "The Colleague system adopted about two years ago was really hard to switch over to, but it really has helped," she notes. A lot of credit, though, goes to student workers. "I don't know what I would do without them," she says.

Stokes' previous experience in Kmart's accounting department helped prepare her for her SVSU responsibilities. She also worked in sales analysis with Coca Cola Foods Division in Houston, TX for five years. Stokes, a Saginaw native, and her husband were among those who left the midwest for Sun Belt job opportunities several years ago.

Initially, that move nearly became disastrous. "Our van was stolen with everything in it," she recalls. "We had only the clothes on our backs. We had to make do, pull ourselves up and start from scratch. It was a learning and growing experience."

After starting a family in Texas (their sons are seven and 10), the Stokes' wanted to return to Saginaw and family.

During off-work hours, Stokes enjoys walking, running and working out at Ryder Center. "We have a wonderful facility available to us," she says.





STAFF MEMBER

OF THE MONTH

Cynthia Bala

**Grant Accountant
Office of the
Controller**

August 1994

The bumper sticker that reads "I'd Rather Be Fishing" is only partially true for Cynthia Bala.

While Bala is avid about fishing for bass, she is equally enthusiastic about her work as a grant accountant in the Office of the Controller.

"I'm kind of the grant watch dog," she says. "Basically my job is to oversee grant contracts for the University."

When grants are awarded to SVSU faculty and staff, Bala is required to read the actual grant, assign account numbers and discuss the guidelines of the grant with the account managers.

"My job is to make sure that the account managers are totally familiar with all of the rules and regulations of a particular grant," she says. "Depending on the grant, there can be a lot of different guidelines that have to be followed."

"There's a process of financial reporting that has to take place, no matter if it's a state or federal grant. Then I have to make sure the money is being spent as stated in the rules and guidelines in the grant."

Bala points to CIESIN as an example of a large grant that required SVSU to serve as a fiscal agent.

"CIESIN was a big grant, although we no longer are a fiscal agent for them," she says. "There are some sub-tasks that we still handle under the terms of the grant, but even those are expiring soon."

Bala joined SVSU in 1988 as a senior accounting clerk, but after three years she transferred to a position as payroll accountant. For a short period of time, Bala performed both the payroll and grant accounting functions.

"There was a transition period during which I was learning the job that I now have," she says. Changes in staff positions required her to handle some payroll responsibilities.

"Payroll was a fun and challenging job," she says, "because during that time the payroll had to be put on the new computer system."

"That was fun, working with the people in the Computer Services area. We started from scratch entering each employee and every benefit they had. The challenge was to go live before leaving for Christmas break. Everything had to be up and running by the end of December so that employees could receive their checks in January."

While Bala doesn't have any "fish stories" related to work, she does like to talk about her weekends at various Michigan campgrounds where she and her husband, Tim, go bass fishing.

"We recently went camping at Indian River," she said. Her husband belongs to a club that sponsors three summer tournaments. Bala said that while the tournaments are open only to men, she and her husband will arrive at the site a few days early to do some angling before the tournament actually gets underway.

