

**BOARD OF REGENTS**  
EASTERN MICHIGAN UNIVERSITY

SECTION: <b>29</b>
DATE:
March 21, 2006

**RECOMMENDATION**

**JOINT CAPITAL OUTLAY SUBCOMMITTEE (JCOS)  
BOARD OF REGENTS RESOLUTION**

**ACTION REQUESTED**

It is recommended that the Board of Regents adopt the attached resolution regarding the Michigan Legislature's Joint Capital Outlay Subcommittee's (JCOS) Policies and Procedures.

**STAFF SUMMARY**

On November 1, 2005, the Michigan Legislature's Joint Capital Outlay Subcommittee's (JCOS) Chair, Shirley Johnson, and Vice Chair, David Farhat, directed a letter to University President John A. Fallon, III (similar letters were directed to the Presidents of Michigan's other four-year public universities). The letter provided notice of JCOS's Use and Finance policies and procedures for construction projects in excess of \$1,000,000 that occur on public universities campuses. Further, the letter requested that the University establish policies and procedures regarding JCOS's Use and Finance process and that the University's Board adopt a resolution pertaining to that process. Finally, the letter requested that the resolution be signed by the University's President and Board Chair, and that a copy of the signed resolution be transmitted to the Chair of JCOS.

EMU has established the attached administrative policy that ensures staff awareness of the JCOS policies and procedures and that the administration will work with JCOS consistent with the expectations of JCOS. Further, while acknowledging the constitutional powers, which include certain autonomous powers, of the Board of Regents, the attached Board resolution acknowledges to the JCOS that the Board of Regents has received and reviewed the referenced JCOS policies and procedures, that it has processes that ensure staff awareness of those policies and procedures, and that it has directed the University's administration to work with JCOS consistent with the expectations of JCOS.

**FISCAL IMPLICATIONS**

None.

**ADMINISTRATION RECOMMENDATION**

The proposed Board resolution has been reviewed and is recommended for Board adoption.

\_\_\_\_\_  
University Executive Officer

\_\_\_\_\_  
Date

## **RESOLUTION**

### **JOINT CAPITAL OUTLAY SUBCOMMITTEE (JCOS) POLICIES AND PROCEDURES**

**WHEREAS**, Article IV and Article IX of the Michigan Constitution establish the power to appropriate funds and disburse from the state treasury and places that authority in the Michigan Legislature; and

**WHEREAS**, Article VIII of the Michigan Constitution establishes the state public universities and grants to those governing boards certain autonomous powers, specifically the general supervision of the institution and the control and direction of all expenditures from the institution's funds; and

**WHEREAS**, the Legislature has established the Joint Capital Outlay Subcommittee (JCOS) and made it responsible for the review of certain construction projects that occur on public university campuses; and

**WHEREAS**, the JCOS makes recommendations to the full Legislature with respect to state funding for some, or a portion of, said aforementioned projects; and

**WHEREAS**, the orderly operations of government benefit from known policies and procedures, disseminated to all interested parties; and

**WHEREAS**, the JCOS has developed policies and procedures for projects in excess of \$1,000,000, JCOS Policies Nos. 1 through 7, which were transmitted to the President of Eastern Michigan University by letter dated November 1, 2005; and

**WHEREAS**, the JCOS has a legitimate interest in being certain that all who appear before the JCOS be aware of the policies and procedures being employed by the JCOS; and

**WHEREAS**, the JCOS has, therefore, officially transmitted these policies and procedures to the respective boards of the public universities with the request that the boards adopt resolutions pertaining thereto.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Regents of Eastern Michigan University (Board) acknowledges to the JCOS that it has received and reviewed the policies and procedures forwarded to the University's President by letter dated November 1, 2005, and it accepts that these are JCOS policies and procedures .

**FURTHER RESOLVED**, that the Board affirms that the University's administration has processes in place that ensure staff awareness of the JCOS policies and procedures that were transmitted to the University's President by letter dated November 1, 2005, and that it has directed the University's administration to work with the JCOS consistent with the expectations of JCOS.

**FURTHER RESOLVED**, that adoption of this Board resolution does not otherwise waive, diminish or infringe on any powers or protections afforded the Board by the Michigan Constitution.

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John A. Fallon, III, President  
Eastern Michigan University

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Karen Q. Valvo, Board Chair  
Eastern Michigan University