

EASTERN MICHIGAN UNIVERSITY

Board of Regents Meeting June 19, 2007

The preliminary minutes of the June 19, 2007 Board of Regents Meeting.

Prior to the call to order, Board Chair Thomas Sidlik made the following statement:

“Good afternoon... Because we have unusual circumstances affecting Eastern Michigan University, I would like to make a brief comment before we turn to the agenda.

As the Board said in a statement last week, we are not prepared today to take up the matter of the university's response to the terrible death of Laura Dickinson. We intend to schedule a special session for these important discussions. The process must be fully informed not only by the Butzel Long investigation completed on June 8, but also by findings and directives handed down by the U.S. Department of Education. Their report has not yet been delivered but is anticipated soon.

We recognize the gravity of this situation, and will take appropriate action to assure accountability, but, more importantly, to improve campus safety and security for the long term.

Because campus security is our top priority, the administration has implemented an action plan to bring Security on Campus, Inc. to EMU... The company will accomplish important tasks: train campus personnel on emergency response; and recommend specific changes and actions based on their own significant expertise in matters of campus safety and compliance with the Clery Act.

We anticipate that their work will be concluded before the full contingent of students returns to campus in September.

EMU will take all measures necessary not only to improve communications and reporting after a crime, but also to ensure that the university's overall security is as strong as possible for the long term.

In the midst of this difficult time it is important to remember that the mission of this institution is education. All of us, Students, Faculty, all the various staff functions associated with the University, as well as the Board, owe it to that mission to join together in these efforts and move forward to a better and safer future together."

The Regular Meeting of the Eastern Michigan University Board of Regents was called to order by Chair Sidlik at 4:15 p.m. in Room 201, Welch Hall, Ypsilanti, Michigan.

The Board Members present were:

- Chair Thomas Sidlik
- Vice Chair Roy Wilbanks
- Regent Floyd Clack
- Regent Gary Hawks
- Regent Philip Incarnati
- Regent James Stapleton

The Board Members absent were:

- Regent Ismael Ahmed
- Regent Francine Parker

Members of the Administration Present were:

- President John A. Fallon, III
- Provost Donald Loppnow
- Acting VP Student Affairs Karen Simpkins
- Vice President Darryl Szczepanski
- Interim Vice President Bernice Lindke
- Vice President Janice Stroh
- Interim Chief Information Officer Connie Schaffer

**MINUTES OF JANUARY 19, 2007 AND
MARCH 20, 2007 BOARD MEETINGS**

Regent Wilbanks moved and Regent Incarnati seconded to accept the Minutes of the June 19, 2007 as presented.

Motion Carried

PRESIDENT'S REPORT

President's Report
EASTERN MICHIGAN UNIVERSITY
Board of Regents Meeting
June 19, 2007

Thank you, Mr. Chairman.

Good afternoon, everyone.

One of our great presidents, Harry S Truman, is well known for his Midwest populism and plainspoken witticisms, the best known of which is "The Buck Stops Here." Truman said, and I quote: "The President—whoever he is—has to decide. He can't pass the buck to anybody. No one else can do the deciding for him. That's his job."

Ladies and gentleman, President Truman was absolutely correct. And I, John A. Fallon, president of Eastern Michigan University, do not and will not pass the buck to anyone.

I concur with Regents Sidlik and Stapleton, who, in releasing the results of the Butzel Long report, stated that the University "got it wrong" in the aftermath of Ms. Laura Dickinson's death. We did get it wrong, embarrassingly so.

In the 12 days since the report's release, my administration and I have been silent. This has given the false impression that I was indifferent to the conclusions drawn and indecisive about what my duties and obligations were.

Nothing—I repeat, nothing—could be further from the truth.

Today, I break the silence imposed upon me by the board. Enough is enough. And this is what I have to say:

To the Dickinson family, I say . . . that my deepest sympathies again go out to you. Laura's death was tragic beyond words, and this University's actions afterward compounded your pain. I'm sure this Father's Day was especially hard on Laura's father, Robert. I say to you, sir, as one father to another, I am profoundly sorry for your loss and for the pain this University has caused you.

To the EMU family, I say . . . never again will a similar series of mistakes be made on my watch. Never, never, never.

Finally, to the community at large, I say . . . this University is working hard behind the scenes to regain your trust. Our actions in the weeks ahead will prove that we have the wisdom and resolve to do what is right for Eastern Michigan University.

What those actions are, however, will take time to sort out and put into place.

Until then, I ask for your patience and for judgments to be reserved. I know that I am asking a lot, given all that has transpired since that fateful December day. But Chairman Sidlik and members of the board, I WILL MAKE IT RIGHT.

Chairman, that concludes my formal remarks. A copy of these words and my entire Board report, including highlights of our collective actions since we last convened, are included in your board books. The remarks also will be posted online.

Thank you.

THE ACADEMIC MISSION

As we all know, the new General Education program begins this fall. This program is cutting-edge pedagogically and philosophically, and dovetails with current thinking in higher education as well as our own efforts to instill a culture of continuous improvement and outcomes-based learning and assessment. As General Education Director Chris Foreman has said: "EMU's new General Education Program is in line with—almost to the letter—'The Essential Learning Outcomes' developed as part of the Association of American Colleges and Universities' (AAC&U) LEAP (Liberal Education & America's Promise) initiative. The outcomes-based nature of our program is one that puts us in a position to be recognized nationally, most notably by AAC&U and their affiliates."

During the Winter Semester, the University's Course Vetting Committee approved the 100th course for the Gen Ed program. Students entering as FTIACs this fall already have registered for courses in the new program.

Elsewhere in Academic Affairs: The Program Review process has been revamped and will be piloted with the departments of art, chemistry and biology, and the School of

Health Promotion and Human Performance. The new process aligns Program Review with institutional accreditation goals and timelines and the philosophy of continuous improvement. From a process point of view, our Program Review process provides a more streamlined and technologically advanced approach in part through a dynamic, Web-based format. Program Review is an integral part of striving for the highest possible level of academic quality at EMU.

BUDGET UPDATE

The position of EMU's operations budget, particularly in light of developments at the state, remains characterized by complexity and uncertainty. It is clear that there will be significant impact on all 15 of the state's publicly funded universities, although the precise nature remains unclear. The University's budget committee, working in consultation with the Board of Regents, is determined to understand these developments as they take place and to position the institution as effectively as possible for the end of FY07 and the whole of FY08. In the current year, there are two major changes that must be addressed.

One-half of two state appropriation payments will be delayed into EMU's and the state's next fiscal year. The total impact on this year's budget is over \$7 million. A 1.8 percent cut to the higher education state appropriation in the current year has been approved by the legislature. While the timing on this reduction remains uncertain, the impact on EMU will be about approximately \$1.2 million.

For next year, there is more uncertainty. The Michigan Legislature has yet to finalize its FY08 budget. Lawmakers are discussing the extent to which higher education will be considered a priority. The Michigan House of Representatives has completed its budget work and is recommending a 2.7 percent increase, which represents \$2.1 million, for EMU. The Senate will complete its work in the weeks immediately ahead. All of this makes it difficult to plan for our FY08 operations budget and related decisions, including setting tuition and fee rates for the ensuing year.

A special Board of Regents meeting has been scheduled for July 16 to approve the University's FY08 budget. As related information becomes available, it will be shared with the campus community.

BUILDING UPDATES

Mark Jefferson Science Complex: Requests for qualifications from architectural firms have been issued for the \$100 million construction of the new laboratory and teaching facility, renovation of Mark Jefferson and development of an integrated science complex. This project is key to furthering the academic and research goals of students and faculty regarding the sciences and to establishing EMU as a center of serious scientific endeavor. Physical Plant personnel and Janice Stroh, our vice president for business and finance, will review the responses and reduce the list to five or six firms. Those firms will be invited to campus to make presentations to faculty and staff. From those presentations,

one firm will be selected. The Request for Proposal for the project's Program Manager is also on the street. The interested firms will be reviewed by Physical Plant and reduced to a few, who will come to campus for public interviews.

Re-keying of buildings: The locksets—all 512 of them—for faculty offices in Mark Jefferson and Pray-Harold have been ordered and will arrive in about four weeks. Until then, John Lamb, EMU's locksmith/carpenter, will meet with the buildings' department heads to determine how they want their area re-keyed. John will develop a plan and, when the locksets arrive, he will start immediately. The entire process is expected to be completed by Labor Day.

McKenny Union renewal: McKenny Union is scheduled to reopen in August; the renovation project is on schedule. The Career Services Center and the Office of Human Resources will relocate from King Hall and Bowen Field House, respectively.

SEARCHES/VACANCIES

In the Division of Academic Affairs, Bob Neely has accepted the position of Associate Provost and Associate Vice President for Research effective May 1. Byron Bond has accepted the position of Dean of Continuing Education effective July 16.

In the Division of Business and Finance, search committees have finished their review of applicants and are inviting three to four candidates for each to come for campus interviews. The open positions are director of custodial, motor pool and grounds services; director of facilities maintenance; and associate vice president, facilities. In some cases, the on-campus interviews for these positions have already begun.

CONTRACT UPDATES

The Board of Regents is expected to approve today (Tuesday, June 19) collective bargaining agreements with the Professional/Technical (UAW 1976) and the EMU/AAUP faculty unions. For everyone involved in those discussions over the past year, that moment will be one of great relief and pride. The board also is expected to approve an extension of the collective bargaining agreement with the EMU Chapter of the Police Officers Labor Council (Sergeants) POLC. Here are updates on other labor agreements:

The Clerical/Secretarial (UAW 1975) labor agreement expires June 30. For the past year, all parties have been working on developing terms for a new contract using interest-based bargaining. An agreement is not expected by June 30, so a contract extension is expected to be requested by all parties.

The Food Service and Maintenance (AFSCME 3866) labor agreement expires this summer. All parties are currently meeting to develop terms for a new contract.

DIVISIONAL ROUNDUP

The Division of University Advancement: The division's Office of Marketing and Communications is working on the launch of a limited teaser brand campaign titled "The Eagle Is Landing" on local radio stations, billboards and in-house communications from July 2-Sept. 6. Simultaneously, the office is working on the launch of EMU's first integrated brand campaign with an internal celebration on Sept. 4 and external appearance on the Paul W. Smith Show (WJR-AM 760) Sept. 7. The campaign includes outdoor, radio, TV, bus signs and sponsorships, among many other tactics.

The Division of Enrollment Management: Tom Green began his duties as Vice President of Enrollment Management June 1.

A meeting with enrollment management personnel and the attorney general of Michigan was conducted in May regarding inquiries on student lending practices in Michigan and across the country. EMU was asked about the relationship with its lender Sallie Mae and practices in awarding student loans. EMU outsourced its student financial calling center to Sallie Mae some years ago. This practice is now in question nationally and Sallie Mae will be required to curtail its operations for this service. EMU will need to find a new vendor for this service or bring these operations internally.

The Retention Council is preparing its retention goals and plans. Comprised of faculty and administrators from across campus, this group has been working during the past year to assess the probable causes of student attrition and to develop plans to address them.

Division of Student Affairs: Dining Services successfully opened the new Starbucks in the Student Center May 21—the first in Ypsilanti. Six full-time staff members successfully completed the Starbucks management training program.

The Career Services Center sponsored the 39th Michigan Collegiate Job Fair March 16 with 115 employers and more than 700 candidates attending. Not quite a month later, it sponsored the EMU Teacher Job Fair with 174 school districts and more than 1,700 candidates attending. The opportunities for our graduates were plentiful and many candidates walked away from the fairs with job offers in hand.

STUDENT ACHIEVEMENTS

Congratulations to the EMU Forensics Team for its second-place finish at the nationals in April. The performance was the best showing by EMU nationally in more than a decade.

Chris Griesinger, a senior from Middletown, Ohio, was a three-time national champion, placing first in prose interpretation, after dinner speaking and persuasive speaking. He also placed second in informative speaking and in the pentathlon (top speaker in the nation), based upon his overall performance in five or more events.

Sarah Chrzanowski of EMU's championship women's swimming and diving team has been named to the ESPN The Magazine Academic All-America 2007 University

Division Women's At-Large First Team. Chrzanowski was named to the Academic All-District IV First Team May 24.

The Society for Human Resource Management student group at EMU has been awarded the 2006-2007 Superior Merit Award, which places it among the top 10 chapters nationwide. This is the fifth straight year the EMU chapter was honored. About 118 entries from more than 400 student chapters vied for superior status.

Interior design students from EMU recently received awards from the Nursing Home Culture Change Group at the Veterans Administration Ann Arbor Healthcare System for proposed redesigns of the VA Extended Care Center's dining room.

Athletic program at EMU set a Mid-American Conference (MAC) record with eight team championships in men's and women's competition during the 2006-07 season. EMU also captured the baseball regular-season championship and finished as the runner-up in the MAC tournament. The women's golf team also finished as the conference runner-up, which was only the second time in the history of the program that the team accomplished this feat.

The eight MAC championships not only is a university record (the previous best being five in 1997-98, 1990-91 and 1987-88), but also a new MAC record. Our success this year led the Eagles to a third-place finish for the 2006-07 Reese Trophy (competition for men's teams) and a seventh-place finish for the Jacoby Trophy (competition for women's teams). An incredible seven EMU head coaches were named MAC Coach of The Year: John Goodridge, men's cross country; Peter Linn, men's swimming/diving; Brad Fairchild, men's indoor track; Brad Fairchild, men's outdoor track; Bruce Cunningham, men's golf; Karen Baird, women's softball; Roger Coryell, baseball; and Sandy Wagner, women's golf.

Corey Nowitzke, a senior distance runner on the men's track team, closed out an outstanding intercollegiate career with an All-American finish in the 3,000-meter steeplechase June 8 in the NCAA Men's Outdoor Track and Field Championship in Sacramento, Calif. His four points brought EMU into a tie for 53rd, the top finish by a Mid-American Conference school.

Eastern Echo staff members who graduated in April along with some current editors have landed full-time and/or summer internship jobs with the following newspapers: The Detroit News, The Ann Arbor News, The Battle Creek Enquirer, The Daily News (Ludington), The Daily Telegram (Adrian), The Alpena News, Heritage Newspapers (Southgate/Dearborn), Ypsilanti Courier and Business Direct Weekly (Washtenaw).

STAFF, FACULTY & PROGRAM ACHIEVEMENTS

Peggy Harless, assistant director of diversity and community involvement, has been named the 2007 Break Away National Alternative Break Awards Staff Person of the Year. Break Away is the national nonprofit organization that supports colleges and

universities in their alternative spring break programming. EMU's volunteer center, VISION, has been involved with Break Away since its inception.

The Ann Arbor Learning Community, an authorized charter school of EMU, has been designated as one of the 53 best charter schools in the United States by the Center for Education Reform.

EMU's Upward Bound Program turns 40 this year and, while the party preparations are still in the planning, it has already received a very nice package. The U.S. Department of Education has awarded Upward Bound a six-year renewal grant totaling \$2.3 million, or \$398,293 annually.

Heather Neff, a professor of English language and literature, is one of three recipients of the inaugural Michigan Distinguished Professors of the Year Award, presented by the Presidents Council, State of Michigan. She will be honored June 20 at the Lansing Center.

The 26th Annual Division of Student Affairs Gold Medallion Awards were presented May 24. The program honors persons or groups, both internal and external to the division, who have made significant, ongoing contributions to the success of divisional programs, activities or services. In addition to several Faculty/Lecturer Appreciation Awards, this year's Gold Medallion award winners were:

Clerical – Pauline Banks, Diversity & Community Involvement
Professional/Technical/DPS Sergeants and Officers – Kevin Lawson, Student Center
Food Service/Maintenance/Custodial – Charles White, Snow Health Center
New Employee – Chef Tom Murray, Dining Services
Outstanding Service Delivery by an Individual – George Cole, Housing
Outstanding Service Delivery by a Group or Team – Area Police Officers Patrick McGill and Susan McLennan and Crime Prevention Officer Candace Dorsey
Administrative/Professional – Lou Gianino, Recreation/Intramurals
Faculty – Dibya Choudhuri, Ph.D., Leadership & Counseling
Person/Group External to the Division – Jeff Koras, University Budget
Person/Group External to the University – Ypsilanti Kiwanis Club

MARK YOUR CALENDARS

June 18-Aug. 10: "Emil Weddige: A Celebration Of 100 Years." University Gallery. Reception is June 21 from 4-7 p.m.

Saturday, Sept. 1: Freshman Residence Hall Move-In Day. Classes begin Wednesday, Sept. 5.

Saturday, Sept. 1: Eagles vs. Pittsburgh (football season opener), Pittsburgh. Time to be announced.

Saturday, Oct. 27: EMU Homecoming

RESOLUTIONS

The following Resolutions were made by the Board of Directors

- Honoring the Forensics Team (Chair Sidlik)
- Honoring the Men's Cross Country Team (Regent Incarnati)
- Honoring the Men's Indoor Track Team (Regent Hawks)
- Honoring the Men's Swimming Team (Vice Chair Wilbanks)
- Honoring the Women's Swimming Team (Regent Clack)
- Honoring the Women's Gymnastics Team (Regent Stapleton)
- Honoring the Men's Golf Team (Regent Hawks)
- Honoring the Men's Outdoor Track Team (Regent Clack)
- Honoring the Women's Softball Team (Regent Stapleton)
- Honoring Regent's Valvo, Brandon, and Rothwell (Chair Sidlik)
- Honoring Regent Joseph Antonini (Vice Chair Wilbanks)

CONSENT AGENDA

Chair Sidlik announced that for the meetings items on the Consent Agenda would be acted on individually.

STAFF APPOINTMENTS

Section 1

Regent Incarnati moved and Vice Chair Wilbanks seconded that the Board of Regents approve 27 staff appointments for the reporting period of March 1, 2007 through May 31, 2007.

Motion Carried

STAFF SEPARATIONS/RETIREMENTS

Section 2

Regent Incarnati moved and Vice Chair Wilbanks seconded that the Board of Regents approve 34 separations and retirements for the reporting period March 1, 2007 through May 31, 2007.

Motion Carried

EMERITUS STAFF STATUS

Section 3

Regent Incarnati moved and Regent Clack seconded that the Board of Regents grant Emeritus Staff Status to one (1) staff member: Norma Taylor-Bishop, who retired from the Office of Urban Education and Educational Equity in the College of Education on January 31, 2007.

Motion Carried

EMERITUS FACULTY STATUS

Section 4

Regent Incarnati moved and Regent Parks seconded that the Board of Regents grant Emeritus Faculty Status to one (1) former faculty member: Jiu H. Upshur who retired in 2006.

Motion Carried

DIVISION OF ACADEMIC AFFAIRS, ADMINISTRATIVE/PROFESSIONAL APPOINTMENTS/TRANSFERS

Section 5

Regent Incarnati moved and Regent Hawks seconded that the Board of Regents approve two (2) Administrative/Professional appointments and one (1) Administrative Professional transfer.

Motion Carried

ACADEMIC RETIREMENTS & SEPARATIONS

Section 6

Regent Incarnati moved and Regent Hawks seconded that the Board of Regents approve 25 separations for the reporting period March 1, 2007 through May 31, 2007.

Motion Carried

FACULTY APPOINTMENTS

Section 7

Regent Incarnati moved and Regent Clack seconded that the Board of Regents approve 23 new appointments for the 2007-2008 academic year.

Motion Carried

FACULTY REAPPOINTMENTS

Section 8

Regent Incarnati moved and Vice Chair Wilbanks seconded that the Board of Regents accept the report from the division of Academic Affairs pertaining to the reappointment of 139 probationary faculty members for the 2007-2008 academic year.

Motion Carried

FACULTY TENURE APPOINTMENTS

Section 9

Regent Incarnati moved and Regent Clack seconded the granting of tenure, effective beginning with the 2007 fall semester for 30 faculty members.

Motion Carried

TENURE RECOMMENDATION DEFERRED FROM PRIOR YEAR

Section 10

Regent Incarnati moved and Vice Chair Wilbanks seconded the recommendation of the consideration of granting tenure based on the contractual tenure review process completed during the 2001-2002 academic year for Assistant Professor Michael Schroeder.

Vice Chair Wilbanks requested a roll-call vote:

Regent Clack – Nay
Regent Hawks – Nay
Regent Incarnati – Nay
Regent Sidlik – Nay
Regent Stapleton – Nay
Regent Wilbanks – Nay

Motion Denied

FACULTY PROMOTIONS

Section 11

Regent Incarnati moved and Regent Stapleton seconded that the Board of Regents accept and place on file the report entitled Promotion of Faculty Members Effective Fall 2007,

Motion Carried

LECTURER PROMOTIONS

Section 12

Regent Incarnati moved and Regent Clack seconded the recommendation that the Board of Regents accept and place on file the report entitled Promotion of Lecturers for 2007-2008.

Motion Carried

REPORT: 2007-2008 FACULTY RESEARCH AND CREATIVE ACTIVITY FELLOWSHIPS

Section 13

Regent Incarnati moved and Regent Hawks seconded the recommendation that the Board of Regents accept and place on file the Report on 2007-2008 Faculty Research and Creative Activity Fellowships.

Motion Carried

MONTHLY REPORT – STUDENT AFFAIRS COMMITTEE

Section 14

Regent Hawks moved and Regent Stapleton seconded that the Student Affairs Committee Agenda for June 19, 2007 and the Minutes of March 20, 2007 be received and placed on file.

Motion Carried

MONTHLY REPORT – EDUCATIONAL POLICIES COMMITTEE

Section 15

Chair Sidlik moved and Regent Incarnati seconded that the Educational Policies Committee Agenda for June 19, 2007 and the minutes of the March 20, 2007 and May 10, 2007 meetings be received and placed on file.

Motion Carried

APPOINTMENT OF CHARTER SCHOOLS BOARD MEMBERS

Section 16

Chair Sidlik moved and Regent Hawks seconded a recommendation that the Board of Regents appoint Marshia Cordray to a three-year term on the Board of Directors of the Academy for Business and Technology; G. Ted Wells to a one-year term and Sandra Rolle to a two-year term on the Board of Directors of Great Lakes Academy; Walter Stephens to a two-year term, Leatrice Eagleson, Phyllis Meadows and Alice Thompson to three-year terms on the Board of Directors of Hope Academy.

Motion Carried

REISSUANCE OF CHARTERS OF GREAT LAKES ACADEMY AND ACADEMY FOR BUSINESS AND TECHNOLOGY

Section 17

Chair Sidlik moved and Regent Incarnati seconded that the Board of Regents reissue the charter for both institutions and authorize the President of the University to execute new five year contracts which will expire June 30, 2012.

Motion Carried

NEW ACADEMIC PROGRAMS

Section 18

Chair Sidlik moved and Regent Hawks seconded that the Board of Regents approve a new Academic Program: Master of Health Administration.

Motion Carried

NAMING OF UNIVERSITY SPACE

Section 19

Chair Sidlik moved and Regent Hawks seconded that the Board of Regents approve a recommendation to name the EMU Theatre backstage work space for distinguished Professor P. George Bird who worked at the University from 1955-2007.

Motion Carried

BOARD POLICY

Section 20

Chair Sidlik moved and Regent Clack seconded that the Board of Regents approve the new Technology Transfer Policy for University Faculty.

Motion Carried

HONORARY EMERITUS STATUS FOR MERITORIOUS SERVICE

Section 21

Chair Sidlik moved and Regent Hawks seconded the recommendation that the Board of Regents approve the creation of an Honorary Emeritus Status recognition for meritorious service for non-bargained for employees who have served for less than 15 years and for bargaining unit employees whose collective bargaining agreements have a provision for emeritus status but who have not met the 15 year service requirement.

Motion Carried.

ATHLETIC AFFAIRS COMMITTEE

Section 22

Regent Clack moved and Regent Hawks seconded that the working agenda for June 19, 2007 and the March 20, 2007 minutes be received and placed on file.

Motion Carried

MONTHLY REPORT – FINANCE, AUDIT AND INVESTMENT COMMITTEE, INFORMATIONAL REPORTS AND INFORMATIONAL PRESENTATIONS

Section 23

Regent Incarnati moved and Regent Clack seconded that the Board of Regents receive and place on file the Monthly Report and Working Agenda for June 19, 2007; the minutes for the March 20, 2007 Finance, Audit and Investment Committee meeting; Informational Reports and Informational Presentations.

Motion Carried

RECONVEYANCE ON PROPERTY – LIBRARY RELPLACEMENT

Section 24

Regent Incarnati moved and Regent Clack seconded that the Board of Regents approve a resolution requesting and approving the reconveyance of property for the Bruce T. Halle Library Building (Library Replacement) to the University from the State Building Authority , and authorize the President or Vice President for Business and Finance to execute any documents to accomplish the conveyance.

Motion Carried

LETTER OF AGREEMENT – EASTERN MICHIGAN UNIVERSITY AND CITY OF YPSILANTI

Section 25

Regent Incarnati moved and Regent Hawks seconded a recommendation that the Board of Regents authorize the administration to proceed with the signing a Letter of Agreement with the City of Ypsilanti to continue as a nested jurisdiction under the National Pollutant Discharge Elimination System (NPDES) permit coverage through the expiration of the present permit and aging for the upcoming April 2008 permit.

Motion Carried

COLLECTIVE BARGAINING AGREEMENT BETWEEN EASTERN MICHIGAN UNIVERSITY AND THE UAW INTERNATIONAL UNION AND LOCAL 1976 PROFESSIONAL TECHNICAL UNIT

Section 26

Regent Incarnati moved and Regent Wilbanks seconded the recommendation that the Board of Regents approve the tentative collective bargaining agreement between Eastern Michigan University and the UAW International Union and Local 1976 Professional Technical Unit and authorize the President and the University's Bargaining Committee to execute the Agreement on behalf of the Board of Regents.

Motion Carried

**COLLECTIVE BARGAINING AGREEMENT
BETWEEN EASTERN MICHIGAN
UNIVERSITY AND THE EMU-AAUP
(FACULTY)**

Section 27

Regent Incarnati moved and Chair Sidlik seconded the recommendation that the Board of Regents confirm its approval of the Collective Bargaining Agreement between the University and the EMU-AAUP.

Motion Carried

**EXTENSION TO THE COLLECTIVE
BARGAINING AGREEMENT BETWEEN
EASTERN MICHIGAN UNIVERSITY AND
THE EASTERN MICHIGAN UNIVERSITY
POLICE OFFICERS LABOR COUNCIL –
SERGEANTS UNIT**

Section 28

Regent Incarnati moved and Regent Clack seconded the recommendation that the Board of Regents approve the extension to the collective bargaining agreement between Eastern Michigan University and the Eastern Michigan University Police Officers Labor Council – Sergeants Unit for one year to June 30, 2008 and authorize the President and the University's Bargaining Committee to execute the Agreement on behalf of the Board of Regents.

Motion Carried

**2007-2008 RATES FOR APARTMENTS AND
RESIDENCE HALLS/ROOM AND BOARD**

Section 29

Regent Incarnati moved and Regent Wilbanks seconded the recommendation that the Board of Regents approve the 2007-2008 rates for apartments, residence halls/room and board.

Motion Carried

**FY 2008 OPERATING CONTINUATION
BUDGET**

Section 30

Regent Incarnati moved and Regent Stapleton seconded the recommendation that the Board of Regents approve the proposed FY 2008 Operating Continuation Budget in the amount of \$324,238,000. This continuation budget includes General (\$253,133,000), Auxiliary (\$40,516,000), Designated (\$4,935,000) and Restricted (\$25, 656,000).

Motion Carried

**ESTABLISHMENT OF PERSONNEL AND
COMPENSATION COMMITTEE AND
AMENDMENT OF BYLAWS/ADOPTION OF
CHARTER.**

Section 31

Chair Sidlik moved and Vice Chair Wilbanks seconded that the Board of Regents approve the establishment of a Personnel and Compensation Committee as a standing committee of the Board, and approve the amendment of Article V of the Board of Regents Bylaws that sets for the Charter for the new Personnel and Compensation Committee.

Motion Carried

COMMUNICATIONS

Secretary Kurtz announced there were 5 requests to address the Board, and, abiding by the Board guidelines, 6 minutes would be allowed for each speaker.

Karen Busch – Faculty Development Center – Support for Faculty Development

Howard Bunsis – AAUP – Campus Security

Chris Bylone – Graduate Student Senate – Update on Graduate Student Senate

Mark Higbee – Faculty – Faculty Concerns about EMU Leadership

Greg Jones – Student Leader Group – Introduce Plans of New SLG

Regent Hawks moved and Regent Stapleton seconded that the Regular meeting of the Board of Regents be adjourned at 5:30 PM. The motion was carried.

A Special Meeting of the Board of Regents will be held on July 16, 2007. The next Regular Meeting of the Board of Regents will be held on September 21, 2007.

Respectfully Submitted,

Jacqueline K. Kurtz
Secretary to the Board of Regents

EASTERN MICHIGAN UNIVERSITY

Board of Regents Special Meeting July 16, 2007

The preliminary minutes of the July 16, 2007, Board of Regents Special Meeting.

The Special Meeting of the Eastern Michigan University Board of Regents was called to order by Chair Sidlik at 2:30 p.m. in Room 201, Welch Hall, Ypsilanti, Michigan.

Chair Sidlik asked Secretary Kurtz for an attendance call.

The Board Members present were:

- Chair Thomas Sidlik
- Vice Chair Roy Wilbanks
- Regent Ismael Ahmed
- Regent Floyd Clack
- Regent Gary Hawks
- Regent Philip Incarnati
- Regent Francine Parker
- Regent James Stapleton

Members of the Administration Present were:

- Provost Donald Loppnow
- Vice President Janice Stroh
- Vice President Darryl Sczepanski
- Vice President Thomas Green
- Interim Vice President Karen Simpkins
- Interim Chief Information Officer Connie Schaeffer

FY 2008 TUITION AND MANDATORY FEES

Section 1

Regent Parker moved and Regent Incarnati seconded that the tuition and fee rates be established in accordance with the following schedule, effective Fall 2007:

	<u>Tuition Rates</u>				<u>Total Tuition and Mandatory Fees</u>		
	<u>2006-07</u>	<u>2007-08</u>	<u>Increase per SCH</u>	<u>% Increase</u>	<u>FYES FY07</u>	<u>FYES FY08</u>	<u>% Increase</u>
<u>Residents</u>							
Undergraduate	\$ 194.50	\$ 213.00	\$ 18.50	9.5%	\$ 6,935	\$ 7,490	8.0%
Masters	340.50	373.00	32.50	9.5%	9,066	9,848	8.6%
Doctoral	391.75	429.00	37.25	9.5%	6,893	7,488	8.6%
<u>Non-Residents</u>							
Undergraduate	\$ 573.00	\$ 627.50	\$ 54.50	9.5%	\$18,289	\$19,925	8.9%
Masters	671.00	734.75	63.75	9.5%	16,997	18,530	9.0%
Doctoral	756.35	828.25	71.90	9.5%	12,726	13,876	9.0%

Motion Carried

FY 2008 GENERAL OPERATING, AUXILIARY AND CAPITAL BUDGETS

Section 2

Regent Parker moved and Regent Clack seconded the requested recommendation that the fiscal year 2008 General Operating, Auxiliary, and Capital Budgets in the amounts of \$252,275,000, \$39,693,000 and \$28,191,000 respectively be accepted and placed on file.

Motion Carried

Chair Sidlik then addressed the meeting as follows:

Remarks by Thomas Sidlik

Chair, Eastern Michigan University Board of Regents

July 16, 2007

I know this has been a very difficult time for everyone. Those difficulties have been foremost in our minds. However, when I look around this beautiful campus, I'm also

reminded of the positive contributions EMU has made to the quality of life in Michigan for 158 years.

Since 1849, when EMU began as a school to train teachers, we have produced leaders in education and have expanded our expertise to include the arts and sciences, business, technology and healthcare.

In the last six turbulent months, there have been a number of significant, positive achievements at EMU. I'd like to give you a snapshot of some of these, which I hope, will let you appreciate Eastern Michigan University.

Nearly 2,300 students celebrated their scholastic achievements at the April 2007 commencements.

The Honors College residence hall is full for the fall term. The incoming students have an average GPA of 3.8. Our Honors College graduates have moved on to begin their studies at some of the nation's most prestigious graduate, medical and law schools such as Yale, Northwestern, University of North Carolina and the University of Michigan.

EMU's faculty members in the College of Health and Human Services are using their expertise to solve pressing health care needs, locally and internationally.

Fulbright scholar Richard Douglass has just returned from Ghana where he developed a system for tele-medicine in Africa, thus bringing badly needed health care to remote villages.

The College of Technology's information assurance program is recognized by the National Security Agency as a National Center of Academic Excellence. EMU is one of only three schools in the state to be designated as such.

EMU is one of only four schools in the country offering a polymers and coatings program. Four of its students recently won national acclaim, and the faculty received a grant from the U.S. Air Force to develop advanced coatings systems for aircraft.

The College of Business' Society of Human Resource Management student group was awarded the 2006-07 national Superior Merit Award that places the EMU chapter among the top 10 chapters nationwide. This is the fifth straight year the EMU chapter was honored.

The College of Business also has signed an important agreement with Ansal Institute of Technology in India as part of its goal to develop global partnerships. These agreements help Michigan businesses by educating students to assume positions in overseas operations.

The College of Education continues to be one of the nation's largest providers of educational personnel.

EMU has the largest Special Education Department in the nation. It is the only Michigan University providing professional preparation in all areas of disability education.

One of EMU's charter schools, the Ann Arbor Learning Community, has just been named one of the best charter schools in the nation by the Center for Education Reform.

In the College of Arts & Sciences, the award-winning Forensics Team placed second nationally at the National Forensics Association Tournament in April.

The U.S. State Department invited Dr. Betsy Morgan, head of foreign language and bilingual studies, to participate in its prestigious English language fellow program.

The English department sponsored an innovative program this summer called the Write-Link Community Connections Program. Write-Link is a writing program that introduces

local high school students to professional writing fields while focusing on issues such as foster care.

The athletics program also celebrated a number of successes.

EMU made Mid-American Conference history with eight championships this year, bringing honors to men's cross country, men's indoor and outdoor track, men's swimming, men's golf, women's gymnastics, women's swimming, and women's softball.

EMU had three first-team Academic All-Americans: Sarah VanMetre for basketball; Sarah Chrzanowski for diving and Corey Nowitzke for cross country. Ten EMU students received the MAC Scholar-Athlete Awards.

The athletics department's cumulative GPA continues to improve with 14 EMU teams having a 3.0 GPA or better. The women's softball team took the lead with a 3.675 GPA.

It is clear that these accomplishments over the past few months demonstrate EMU's robust academic experience. Successful interaction in the classroom between students and faculty remains paramount.

However, EMU still faces significant challenges. We must resolve critical issues in order to move forward and achieve EMU's full potential. This university must decide to confront many issues that have been endemic in this university for too long.

There have been lingering problems on campus well before the Butzel Report revealed other more serious issues. We might as well come out and say this out loud, because all of us talk about it in the office, in restaurants, to family members, to the press, and to my fellow Regents and me. So why hide?

Phrases that have been used to describe the culture here include: "Lack of respect; personal agendas more important than EMU goals; bitter personal relationships overriding all other considerations; constant rumor mongering; and lack of credibility." I could go on. These characteristics overshadow the wonderful achievements of our students and faculty that I mentioned earlier.

I want to make it clear: This Board is working cohesively together and we are united. We are committed to regaining the trust of all EMU stakeholders, and all of the people of the great state of Michigan. This Board will not tolerate anyone who sabotages the educational mission of this university by participating in these destructive behavior patterns.

This Board is committed to transparency and honesty, and will tolerate no less from all members of the university community. We demonstrated our sincerity with the immediate publication of the Butzel Long report.

We all now know the Butzel Long, and the Department of Education reports revealed that there was a systemic failure to comply with the federal Clery Act. This included the failure to warn the campus of potential danger. The findings are clear.

These problems have overshadowed the university, taxed enormous amounts of resources and are emotionally draining. It is now time to resolve these issues, so we can move beyond the crisis.

The university has already taken steps to correct some of what went wrong.

The president recently announced 16 safety and security strategies that are now underway to respond more effectively in emergencies and report crimes more accurately. The Regents support these initiatives.

These include working more collaboratively with the Ypsilanti Police and Washtenaw County Sheriff's Departments to improve safety and security on and adjacent to the main campus.

Security on Campus, the organization that filed the original complaint, has been engaged to conduct Clery compliance training on campus. This will commence on August 16.

In addition, we will be contracting with an outside agency in the field of campus safety to conduct a complete campus facilities safety audit.

The Department of Public Safety now reports to the vice president for business and finance as recommended in the Butzel Long report. Faculty offices are being rekeyed. The process of updating crime statistics has begun, and the Department of Public Safety continues to offer crime prevention programs.

The Board of Regents supports these initiatives and will closely monitor their progress.

Now it is time for the Regents to exercise their prerogative and make personnel decisions based on the Butzel Long and the Department of Education reports.

Prior to addressing this formal resolution the Board would like to extend our thanks to certain staff that, we feel, performed admirably in this situation.

First, to the maintenance, residence hall and DPS first responders on the crime scene, who acted appropriately, preserved the scene, and insured that the proper police agencies were notified.

Second, to all of the law enforcement agencies and personnel who participated in this investigation, which led to the successful apprehension?

Finally to the faculty, students and employees of the University who, in an atmosphere which was at best, confusing and at worst, terribly disruptive, continued with the day-to-day tasks of teaching, learning and operating the University.

It is our sincere hope that the actions that have been taken, the safety audit and the training by Security on Campus for the Department of Public Safety, the Communications Staff, members of the Strategic Operating council and other key employees, will insure that this situation never reoccurs.

With that, we make the following recommendations on personnel actions.

PERSONNEL ACTIONS

Section 4

Chair Sidlik moved and Regent Parker seconded that the Board of Regents approve the following personnel actions:

Vice President for Student Affairs James Vick – Separation from the University – Effective July 1, 2007

Director of Public Safety Cindy Hall – Separation from the University – Effective June 29, 2007

General Counsel Kenneth McKanders – Disciplinary Memo to Permanent Employee File

Motion Carried

PERSONNEL ACTION – TERMINATION OF JOHN A. FALLON III EMPLOYMENT AGREEMENT

Section 5

Chair Sidlik moved and Regent Hawks seconded that the Board of Regents affirm termination of the contract with Dr. John A Fallon III, effective July 15, 2007.

Pursuant to Chapter 1.5, Article 3.08 of the Bylaws, emergency action may be taken by the Board between meetings under certain circumstances. On July 15, 2007 such action was taken in the matter of termination of the employment contract with John A. Fallon III under Provision 15.1 of that contract.

Under discussion, Regent James Stapleton made the following statement:

"Thank you, Mr. Chairman for the opportunity to explain my decision in this difficult moment.

As one of the people appointed by our State to serve this institution, it is important for me to let our University community know that my decision has absolutely nothing, zero, to do with the tragic circumstances of Laura Dickinson's death. While lacking the kind of proactive conduct one would hope for from a leader, the Butzel Long and DOE Reports plainly revealed, in my judgment, that John Fallon was severely let down by a process and people that failed him and this institution miserably, people and procedures that were in place long before he arrived on this campus. In addition, I firmly believe some people who sought President Fallon's removal, at all levels of this University; have used the Butzel Long and Doe Reports as an excuse to obtain the result they wanted all along.

This University, in my opinion, is a hidden gem and, if everyone would work together, remains a wonderful place to receive a college education. However, under your leadership we have pledged to be open and honest with our University community. In the spirit of that pledge, I must say that since being officially appointed to this role in March of this year, I have never witnessed a more uncooperative environment at times than I have seen at all levels at this University, with the notable exception of our students, who only seek a quality education and, who we are all here to serve.

While holding reservations about the long term leadership of President Fallon, reservations I expressed privately to him and my colleagues on more than one occasion, I was not prepared to vote for his termination today. That said, in these waning hours, it became clear through communications we received from President Fallon's counsel and, indeed from the President himself, that he may have been contemplating action today I believed would further damage this institution and, as one of the individuals charged with decide this issue, I could not be perceived as supporting that.

So, when coupled with what I believe to be a fundamental difference in governance philosophy between the President and this Board, I vote to discharge president Fallon pursuant to the motion. When the motion passes, the excuse for a lack of cooperation and civility that was the Fallon Administration, so keenly identified y the Ann Arbor News in last Monday's editorial, will be removed. And, going forward, it will be interesting to see who starts dealing from the top of the deck around here, because presently, some people, in my opinion, do not. "

Chair Sidlik thanked Regent Stapleton for his comments. A roll call vote was requested.

Motion Carried

Chair Sidlik noted that the Board wished to thank Dr. Fallon for his contributions and service to the University and wishes him well in his future endeavors.

**PERSONNEL ACTION – PROVOST
AND EXECUTIVE VICE PRESIDENT**

Section 6

Chair Sidlik moved and Regent Ahmed seconded a recommendation that the Board of Regents approve the appointment of Donald Loppnow as Provost and Executive Vice President. In this capacity he will perform duties and obligations of the President of the University until such time as an Interim President is appointed.

Motion Carried.

MEETING ADJOURNED

Vice Chair Wilbanks moved and Regent Hawks seconded that the Special Meeting of the Board of Regents be adjourned at 3:20 p.m... The next regular meeting of the Board of Regents will be September 21, 2007 in Room 201, Welch Hall.

Respectfully Submitted,

Jacqueline K. Kurtz
Secretary to the Board of Regents