



Board of Governors

OFFICIAL PROCEEDINGS

September 24, 2008

Regular Meeting

The meeting was called to order at 2:43 p.m. by President Jay Noren in Room B/C of the McGregor Memorial Conference Center. Secretary Miller called the roll. A quorum was present, with the following Board members in attendance:

Governors Abbott, Bernstein, Dingell, Driker, Dunaskiss, Massaron, Miller and Washington; and President Noren

Also Present: Provost Barrett, Executive Vice President Dickson, Vice President and General Counsel Lessem; Vice Presidents Davis, Hollins, Ratner, and Ripple; and Secretary Miller

CONSENT AGENDA

ACTION — Upon motion by Governor Massaron and seconded by Governor Washington, the Consent Agenda was approved as submitted. The motion was adopted unanimously.

The Consent Agenda includes the following items:

From the Board Materials

1. Approval of Official Proceedings of July 30, 2008
2. Personnel Recommendations

From the Academic Affairs Committee

3. Establishment of a Statute on Guidelines for Undergraduate Certificates
4. Establishment of a Control Systems Undergraduate Certificate Program

From the Budget and Finance Committee

5. Freer House Cooling Tower Replacement – Budget Increase (Budget and Finance)
6. Louis M. Elliman Clinical Research Building (Budget and Finance)

The individual motions for each item on the Consent Agenda are detailed below. A complete report of the discussion of agenda items that appeared in committee can be found in the Minutes of that committee.

Official Proceedings, July 30, 2008

ACTION — Upon motion by Governor Massaron and seconded by Governor Washington, the Official Proceedings of the July 30, 2008 Regular Meeting were approved as submitted. The motion was adopted unanimously.

Personnel Recommendations

Provost Barrett presented the personnel recommendations listed below.

ACTION — Upon motion by Governor Massaron and seconded by Governor Washington, the personnel recommendations were approved and action authorized in accordance therewith. The motion was adopted unanimously.

College of Fine, Performing and Communication Arts

Patricia McCormick, for appointment as associate professor with continuing tenure per University year in the Department of Communication, effective August 19, 2008.

Steven J. Peters, for appointment as professor with continuing tenure per University year, in the Department of Theatre, effective July 1, 2008. Professor Peters will serve as Associate Dean.

Pradeep Sopory, for appointment as associate professor with continuing tenure per University year in the Department of Communication, effective August 19, 2008.

College of Liberal Arts and Sciences

Tamara Hendrickson, for appointment as associate professor with continuing tenure per University year in the Department of Chemistry, effective August 19, 2008.

Ana Herrera, for appointment as associate professor with continuing tenure per University year in the Department of Economics, effective August 19, 2008.

Eric Lambert, for appointment as professor with continuing tenure per University year, in the Department of Criminal Justice, effective July 1, 2008. Professor Lambert will serve as chair of the Department of Criminal Justice.

School of Medicine

Angelika Burger, for appointment as professor in the Cancer Institute, effective June 1, 2008. Professor Burger will hold a joint appointment in the Department of Pharmacology.

Tej Mattoo, for appointment as professor with continuing fractional 25% tenure per University year in the Department of Pediatrics, effective July 1, 2008. Professor Mattoo will continue to serve as Director of Nephrology at Children's Hospital of Michigan.

Report of corrections to the July 30, 2008 report

The tenure commitment for Deborah Ellis was listed incorrectly as full tenure. Deborah Ellis, associate professor, for continuing fractional (50%) tenure per University year in the Department of Pediatrics, effective August 19, 2008.

The tenure commitment for Csaba Juhasz was listed incorrectly as full tenure. Csaba Juhasz, associate professor, for continuing fractional (50%) tenure per University year in the Department of Pediatrics, effective August 19, 2008.

School of Social Work

Kim Jaffee, for appointment as associate professor with continuing tenure per University year, effective August 19, 2008.

Establishment of a Statute on Guidelines for Undergraduate Certificates

The administration recommended the conferral of undergraduate certificates and the adoption of a Statute on Guidelines for Undergraduate Certificate Programs. In contrast to undergraduate minors, undergraduate certificates will provide more than just an introduction to an area of study. In addition to requiring the completion of prerequisites to the certificate courses, the Undergraduate Certificate Programs will have set admission standards, which are not currently included in minor programs. Unlike Post-Baccalaureate Certificates, students are not required to complete a Bachelor of Arts or Bachelor of Science degree to participate in the Undergraduate Certificate Program.

The proposed program will be especially attractive to students who are not yet ready to make a commitment to graduate education. They will have the opportunity and flexibility of a targeted, specialized course of study that will provide them with the knowledge and skills necessary to advance in their career.

ACTION — Upon motion by Governor Massaron and seconded by Governor Washington, the Board of Governors authorized the conferral of undergraduate certificates and adopted the proposed Statute on Guidelines for Undergraduate Certificate Programs, effective winter term 2009. The motion was adopted unanimously.

STATUTE ON GUIDELINES FOR UNDERGRADUATE CERTIFICATES

And Undergraduate Certificate Program is for students who are currently enrolled in undergraduate coursework or who have previously earned an undergraduate degree and who would like to add a certification to their current or past degree program. The Certificate Program may be within a single discipline or multidisciplinary, and is designed to provide

students with specialized knowledge that is less extensive than an undergraduate major. These programs may be directed at three groups of individuals: 1) WSU undergraduate students pursuing a major in a related field; 2) WSU undergraduate students pursuing a major in another department; and 3) students who have previously earned a baccalaureate level degree at Wayne State or another institution and want a further concentration in a related field.

Specific guidelines for an Undergraduate Certificate Program are:

- Program proposals shall include description, curriculum, admission requirements, rationale, resource requirements, budget, program standards, and evaluation plans for the proposed program.
- The program shall be open to Wayne State University students who have completed at least 60 credit hours and have a grade point average of 2.0 or above. The program shall also be open to students who have previously earned a baccalaureate level degree at Wayne State or another institution. Individual Undergraduate Certificate Programs may set higher admissions standards or other requirements for eligibility.
- The program shall consist of at least 15 semester credits of advanced courses at the undergraduate level (3000- to 6000- level). All credits must be earned at Wayne State. No transfer credits can be applied. Students who have completed their bachelor's degree may apply up to 9 credits to the Undergraduate Certificate requirements at the discretion of the department.
- The curriculum should focus on content and skills that are at an advanced undergraduate level. Where appropriate, the courses and/or curriculum should include projects and reports of an integrative, design, or research nature.
- A minimum grade point average of 2.0 must be achieved for courses in the particular certificate program to obtain an Undergraduate Certificate. Students must have completed identified prerequisites for each course in order to register for that course.

The Certificate Program will be comprised only of undergraduate-level courses. Up to 12 of the credit hours of coursework taken toward a student's first Undergraduate Certificate may also be used to satisfy undergraduate degree requirements. Additional Undergraduate Certificates for a particular student will require all certificate credits to be in addition to the undergraduate degree requirements. Credits applied to an Undergraduate Certificate cannot be applied toward a subsequent Wayne State University graduate degree.

- Undergraduate Certificates will be awarded upon completion of the related bachelor's program. Or, if the student already has been awarded the bachelor's degree, the certificate will be awarded upon completion of the certificate program.
- The program should utilize existing courses, facilities, and resources to the extent possible.
- The usual University approval procedures shall be followed in establishing such programs.

Establishment of a Control Systems Undergraduate Certificate Program

The administration proposed the establishment of an Undergraduate Certificate Program in Control Systems. Control systems underlie the majority of any engineering systems with an electronic or computer-based function — from manufacturing procedures to automotive systems, and consumer electronics. An enhanced knowledge of control systems provides students with an extensive tool box that can be applied in many, diverse engineering fields, and will enhance their qualifications to become more competitive in the job market.

The certificate program consists of courses currently offered through the Department of Electrical and Computer Engineering, and no additional resources are required.

ACTION — Upon motion by Governor Massaron and seconded by Governor Washington, the Board of Governors established an Undergraduate Certificate in Control Systems in the Department of Electrical and Computer Engineering in the College of Engineering, effective winter term 2009. The motion was adopted unanimously.

Freer House Cooling Tower Replacement – Budget Increase

The Charles Lang Freer House, located at 33 East Ferry Street, was built in the late 1880s and is on the National Historic Register. The house is presently cooled using a number of floor-mounted air conditioning units that are supported by a cooling tower. During the designing of the project, the Merrill-Palmer Institute administration asked that the cooling capacity of the HVAC system be increased in order to allow for future expansion of the Freer House's cooling needs. The project budget is based on actual bid results.

ACTION — Upon motion by Governor Massaron and seconded by Governor Washington, the Board of Governors authorized the President, or his designee, to increase the previously authorized budget by \$95,000 for the design and construction of the Freer House Cooling Tower. The revised project budget will be increased from \$175,000 to \$270,000. Funding for this \$95,000 increase will be provided from deferred maintenance reserves. The motion was adopted unanimously.

Louis M. Elliman Clinical Research Building

The Elliman Clinical Research Building located at 421 E. Canfield on the campus of

the School of Medicine, is a medical research building that provides for both clinical and research space specifically for animal research.

The School of Medicine recently received a grant from the National Institutes of Health (NIH) to purchase a 7.0 Telsa Nuclear Magnetic Resonance Imaging (MRI) System for Laboratory Animal Applications. The \$1.95 million grant requires that the equipment be purchased and installed before February 2009, and the manufacturer of the equipment will not sell it to the University until it can demonstrate that a site is ready to accept the installation. The School of Medicine has determined that the MRI would best serve its purpose if located in the Elliman Clinical Research Building, adjacent to the existing animal surgical suite in the southwest corner of the basement.

In order to meet the February 2009 grant deadline, a Design-Build agreement will be implemented. The University will enter into one contract agreement that assigns full responsibility for the design work, coordination of the equipment, and all construction work to one party for a guaranteed maximum price.

ACTION — Upon motion by Governor Massaron and seconded by Governor Washington, the Board of Governors authorized the President, or his designee, to design, solicit bids and award contracts for the installation of a 7.0 Tesla Nuclear Magnetic Resonance Imaging (MRI) System for Laboratory Animal Applications for the Elliman Clinical Research Building for a project cost not to exceed \$750,000. Funding for this project will be provided by the School of Medicine. The motion was adopted unanimously.

PRESIDENT'S REPORT

In his first report to the Board, President Noren reviewed a few points of recent interest on campus and summarized his annual University address to the campus community.

The President began by focusing on the most recent research and development expenditures report published by the National Science Foundation. For FY 2007, Wayne State increased its research expenditures by about \$15 million, the first such increase since 2002. The report raised WSU's rank among public universities by two places, to 50th; and among public and private universities together, from 73rd to 75th. President Noren said that Wayne is among some impressive company, with the universities immediately above and below Wayne including schools such as the University of Virginia, University of Connecticut,

and the State University of New York-Stonybrook. Within Wayne State, the School of Medicine is responsible for about 65% of total university research expenditures, with the College of Liberal Arts & Sciences next at 10% and Engineering at 8%.

In another area, the President commended Associate Vice President Michael Wright, noting that the public relations campaign, the television and radio spots, and the print information have all been very well received. The work done by the public relations staff has captured the visual and energetic characteristics of the campus and is promoting a very positive image of the university. The President commented also on the recent FOCIS seminar featuring Vicente Fox, the former president of Mexico. The event was extremely successful. About 1,000 people attended, primarily in the Community Arts auditorium with additional seating available in other rooms around the campus by web and video casting.

President Noren then gave an overview of the annual University address. He strongly believes that Wayne State is strategically better placed than any other university in the country to address the major challenges that America's cities face. Although many urban universities are impressive, not very many are true research universities. The University of Illinois-Chicago is a peer and a competitor, ranking a little higher than WSU in the list of urban research universities. It does not, however, have the same environment that WSU has in Detroit. WSU's location in Detroit presents a challenge, but it also presents an opportunity for WSU to develop into a first-rate urban research university by addressing the problems from the triple mission perspective of research, education, and community outreach. The President listed four main areas of focus for the University: the resolution of urban stresses, access to higher education, citizenship, and economic revitalization.

In the area of resolution of urban stresses, some of the highest priorities are retooling the work force, developing mass transit and light rail, and improving K-12 education. At the July 30 Board meeting, the University entered into a partnership and committed \$3 million over the next ten years to develop a light rail system along a portion of Woodward Avenue. Detroit clearly has serious challenges in K-12 education, and President Noren said the challenge of solving what he called K-20 education would take a long time; it will not happen overnight.

An important priority under urban stresses is the area of health care and human services, including problems such as health disparities, teen-age pregnancy, mental health, and intervention in child development. The President noted that WSU's health profession schools and the School of Social Work have a strong track record in this area, in their research and education efforts as well as in service. The clinical faculty and departments in

the School of Medicine provide service to underinsured and uninsured people in Detroit totaling \$50 million per year, or an average of \$70,000 worth of care provided by each clinical faculty member to the citizens of Detroit. The President believes this rate exceeds that of any other medical school in the country, and it is an important service role that partners with WSU's research and education roles.

The second area, access to higher education, is uniquely addressed by urban research universities, especially so by Wayne State. As a university of opportunity, WSU provides access to students who often are not sufficiently prepared to succeed, and then develops programs to help increase retention of those students. Addressing retention successfully not only fulfills the missions of education and service to the community, but also of research. WSU can evaluate which programs work and which do not and make that information available to other universities. At the same time, the Honors College must be nurtured, with its emphasis on undergraduate research activity and engagement with the community. The balancing of retention programs with honors programs is an important challenge in access to higher education.

The third area of focus is citizenship. Wayne State's location provides students access to service learning programs that teach them to become engaged citizens in community organizations and in the public policy process. President Noren said WSU is considering membership in the American Democracy project, sponsored by *The New York Times* and the American Association of State Colleges and Universities. Although the latter is not a research university organization, access to its programs would promote the growth of students into good citizens. In addition, with the change of leadership in the City of Detroit, the University has made its faculty members and other resources available to the new mayor in a consultative and advisory capacity, and provided space for the transition team.

The last area of focus is economic revitalization. At TechTown WSU provides assistance to new companies in the early stages of creation, and as they develop they provide employment for a skilled work force in an urban area. In addition, the University Research Corridor promises to be a center of economic revitalization for the state of Michigan. It is in its second year and will soon join a group of six other major university research corridors in the United States, several of whom have been in existence at least 50 years. Of the seven groups, however, Michigan has the only combination of a highly ranked, large comprehensive research university with its own hospital and medical center, a land-grant university that was the first such institution in the country, and an urban research

university. Although the youngest in the group, Michigan's University Research Corridor ranked in the center on certain benchmarks such as patents, start-ups, and extramural research funding. President Noren said that Michigan's URC is well positioned to contribute its research and development for economic revitalization.

In summary, Wayne State is at the right place and time with the right people to continue and accelerate its contribution to economic revitalization, urban challenges, and access to higher education in a way that is unmatched by any other urban research university in the country.

Governor Bernstein said that President Noren comes to the University at a very difficult time when the economy and the region are facing serious challenges. He and other Board members are grateful to the President for the service and energy he has shown and for his understanding of the mission of the University. The Board is looking forward to working with him for a very long time.

CHAIR'S REPORT

In his report as Chair of the Board, Governor Driker described a tour of the campus that was sponsored by the Board of Hillel of Metro Detroit. Each autumn for the past five years, the group, headquartered at the Student Center Building, arranges the Hidden Jewel Tour to reacquaint members of the Jewish community with the University. Eight people attended the first year, and this year 50 people took part in the tour. Governor and Mrs. Driker served as the tour guides, starting at TechTown, through the Medical Center, and all around the campus including the Mort Harris Recreation Center and the David Adamany Undergraduate Library. The group included individuals who had attended the tour last year, and others who had not been on campus for 50 years. Invariably, the reaction was one of surprise and admiration at the appearance and growth of the campus. The tour group also went into the lobby of TechTown where Randall Charlton gave a five-minute explanation of the enterprise. Governor Driker commented that few of the tour members knew about TechTown, a fact that he said presented an untapped opportunity for both Michael Wright, Director of Marketing, and David Ripple, Vice President for Development.

STANDING BOARD COMMITTEE REPORTS

Three standing committees — the Academic Affairs Committee, the Budget and Finance Committee, and the Personnel Committee — met on the morning of September 24,

2008, and all the action items from the Committees were approved as part of the Consent Agenda at the beginning of the Board meeting. The committees received several informational reports, and the Committee Minutes will provide a full report of the discussions at each standing committee.

Academic Affairs Committee

- **University Libraries** — Dean Sandra Yee of the University Libraries and Dr. Stephen Bajjaly, Director of the Library and information Science (LIS) Program, discussed the Master's in Library & Information Science program, its goals and objectives. Several students described how they applied their training to internships in fine arts organizations and museums.
- **Course Materials Fees Annual Report** — The report, mandated by the Statute on Student Fee Assessment, lists course materials fees that are assessed where a large portion of instructional costs are due to the use of consumable resources, such as laboratory work and studio supplies.
- **Status Report on Accreditation** — The annual report listed the professional or specialized accreditation of schools, colleges, departments, and programs throughout the University as of August 2008, as well as the anticipated date of the next review for each program.

Budget and Finance Committee

- **Contingency Reserve** — The report indicated there were no transfers from the Reserve, and the balance remains at \$500,000.
- **FY 2009 Budget Update and Enrollment Update** — Rob Kohrman, Associate Vice President and Director of Budget, discussed the preliminary figures for the FY 2009 enrollment, and possible ramifications for the FY 2009 budget.

Personnel Committee

- **2007 Affirmative Action Status Report** — The annual report, mandated by Board statute, covers three major areas of University activity with national and/or regional comparisons where available. The areas are 1) overall University employment, including full-time, academic, and non-academic staff; 2) internal and external discrimination and harassment complaints; and 3) the WSU Supplier Diversity Program. As requested at the last meeting on September 26, 2007, the report also discussed data on temporary

positions, as well as what impact, if any, Proposal 2 had on student minority enrollment for Fall of 2007.

REPORTS AND RECOMMENDATIONS FROM THE UNIVERSITY ADMINISTRATION

The provost and vice presidents presented the written informational reports listed below describing activities in their divisions. The reports are on file in the Office of the Secretary.

- **Academic Affairs – Student, Faculty, and Academic Staff Achievements** — Provost Barrett
- **Government and Community Affairs Report** — Vice President Hollins
- **Development and Alumni Affairs Report** — Vice President Ripple
- **Public Relations Report** — Executive Vice President Dickson

Governor Driker commended the latest series of television ads released by WSU. He said they are very well done and have caught the attention of many people.

Report on New Awarded Research Grants

Grants and Contracts Report

Vice President Ratner commented that although WSU has shown up well in the research rankings, the third quarter report of Grants and Contracts seems to show a significant decline from last year's third quarter report. She explained that the difference is due to the timing of the recording of the Perinatology Research Branch (PRB) contract; in 2007 it was recorded in the third quarter, but in 2008 it will be recorded in the fourth quarter. If the PRB grant were included in the report, research would show a slight increase. Funding from the federal government is up about 5% from last year, which means that the indirect cost recovery will also be up about 2-3% over last year.

With respect to the report on new grants, Vice President Ratner said that 29 new awards totaling about \$6.5 million were posted across five different units. She added that in the rankings mentioned by President Noren earlier in the meeting, WSU's totals were only \$2 million less than the school immediately preceding it, so that she was optimistic that Wayne has a good chance of improving its ranking next year.

Endowment Funds

Vice President Ripple presented the endowment funds listed below for approval.

ACTION — Upon motion by Governor Dunaskiss and seconded by Governor Massaron, the Board of Governors established endowment funds that total \$3,031,476 for the purposes presented. The motion was adopted unanimously.

1. The Kathryn M. Beattie CLS Scholarship to recognize scholastic achievement, encourage continued progress and to provide assistance to students in financing their education in the Clinical Laboratory Science Program of the Eugene Applebaum College of Pharmacy and Health Sciences. \$38,346
2. The John M. Malone, Jr. Endowed Chair and Director of the C.S. Mott Center for Human Growth and Development in the School of Medicine. \$1,500,000
3. The Herbert H. Morgan Medical Research Endowment to recognize and facilitate scholarly achievement in the fields of cancer research, cardiology, ophthalmology, and pancreatic diseases. \$386,890
4. The Robert J. Sokol, M.D. Endowed Chair of Molecular Obstetrics and Gynecology in the School of Medicine, the holder of which will direct the new program in Systems Biology in the Reproductive Sciences. \$1,106,240

RATIFICATION OF TELEPHONE VOTES

The Board was asked to ratify two actions taken with telephone votes on August 20 and on September 8.

State Building Authority — Engineering Development Center

In June 2008, the State approved financing for the construction of the Engineering Development Center in the amount of \$27,350,000. The financing is provided through the State Building Authority according to an established mechanism. First, the State authorizes the State Building Authority to sell bonds to secure the necessary financing for the project. The University deeds the building (in this case, the Engineering Development Center) to the State Building Authority, and the building serves as collateral for that portion of the bonds that is used to finance the construction. The State Building Authority then leases the building back to the University, with rentals set at an amount equal to the University's share of the monthly debt service for the bonds. Once the bonds are retired, title to the building is returned to the University. The resolution below authorizes the administration to execute the Warranty Deed which transfers title to the Engineering Development Center Building to the State Building Authority, and the Lease which sets forth the terms under which the University will occupy the Engineering Development Center building pending repayment of the bonds. It is unlikely that an easement is necessary in this project.

ACTION — Upon motion by Governor Massaron and seconded by Governor Abbott, the Board of Governors ratified the action adopted by the Board of Governors by telephone vote, completed on August 20, 2008, with a vote of 8-0. The recommendation, forwarded by Vice President Lessem, requested adoption of a resolution authorizing the President or his designee to execute agreements necessary to allow the University to participate in the State Building Authority's Commercial Paper Note Program with respect to the construction of the new Engineering Development Center Building.

The text of the Resolution follows:

RESOLUTION OF THE BOARD OF GOVERNORS OF WAYNE STATE UNIVERSITY APPROVING A LEASE AND AN EASEMENT AGREEMENT, IF NECESSARY, FOR THE WAYNE STATE UNIVERSITY ENGINEERING DEVELOPMENT CENTER

A RESOLUTION of the Board of Governors of Wayne State University (i) approving (a) the conveyance of Wayne State University's Engineering Development Center (the "Facility") to the State Building Authority (the "Authority"), (b) a lease (the "Lease"), by and among the Authority, the Board of Governors of Wayne State University, a Michigan constitutional body corporate (the "Educational Institution") and the State of Michigan (the "State"), for the purpose of leasing the Facility to the State and the Educational Institution, and (c) an easement agreement (the "Easement Agreement") between the Authority and the Educational Institution, if necessary in connection with the entering into of the Lease, and (ii) providing for other matters related thereto.

WHEREAS, the Authority has been incorporated under and pursuant to the provisions of Act No. 183, Public Acts of Michigan, 1964, as amended ("Act 183"), for the purpose of acquiring, constructing, furnishing, equipping, owning, improving, enlarging, operating, mortgaging and maintaining buildings, necessary parking structures or lots and facilities, and sites therefore, for the use of the State, including institutions of higher education created pursuant to Section 4, 5, 6, or 7 of Article 8 of the Michigan Constitution of 1963 (the "State Constitution"), or any of its agencies; and

WHEREAS, the Educational Institution has been maintained and created pursuant to Sections 4 and 5 of Article 8 of the State Constitution; and

WHEREAS, the site of the Facility (the "Site") is presently owned by the Educational Institution and the Facility has been constructed by the State and the Educational Institution and it is intended that the Site be conveyed to the Authority by the Educational Institution and the Facility be conveyed by the Educational Institution to the Authority as acquired; and

WHEREAS, the acquisition of the Facility by the Authority for use by and lease to the Educational Institution and the State is necessary in order for the State and the Educational Institution to carry out necessary governmental functions and to provide necessary services to the people of the State as mandated or permitted by constitution and law, and the use of Act 183 to accomplish such acquisition represents the most practical means to that end at the lowest cost to the State and the Educational Institution; and

WHEREAS, Section 7 of Act 183 provides that the Lease shall be approved by the Authority, by the State Administrative Board of the State, and by concurrent resolution of the Legislature of the State concurred by a majority of the members elected to and serving in each house and if the Lease is for an institution of higher education existing or created pursuant to Section 4,5, 6 or 7 of Article 8 of the State Constitution, then in addition, the Lease shall be authorized by the institution of higher education and signed by its authorized officers and, accordingly it is necessary that the Educational Institution authorize and approve the Lease; and

WHEREAS, if it is determined that (i) the Authority will require an easement from a public road to the Facility over real property owned by the Educational Institution so that the Authority has access to the Facility, (ii) the Educational Institution will require for future use certain easements through the Facility, (iii) the Authority and the Educational Institution will require an agreement to share a common structural wall or (iv) the Authority will require an easement over real property owned by the Educational Institution so that the Authority has sufficient parking available in connection with the reasonable use of the Facility; then in order to meet any such requirement, it will be necessary for authorized officers of the Educational Institution to approve an Easement Agreement to provide for such easements or the sharing of a common structural wall as the case may be;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF GOVERNORS OF THE EDUCATIONAL INSTITUTION THAT:

1. The plans for the Facility, as filed with the Educational Institution, are hereby approved.
2. The conveyance of the Site and the Facility, as acquired, to the Authority is hereby approved, and the then seated President and the then seated Vice President for Finance and Facilities and Treasurer of the Educational Institution are hereby authorized and directed to execute a warranty deed in substantially the form attached as Exhibit A and bills of sale to accomplish such conveyance in such form as may be from time to time approved by such officers.
3. The Educational Institution hereby authorizes and approves the Lease in substantially the form attached as Exhibit B, and the then seated President and the then seated Vice President for Finance and Facilities and Treasurer of the Educational Institution are hereby authorized and directed to execute and deliver the Lease in substantially the form attached as Exhibit B for and on behalf of the Educational Institution and such officers are hereby designated as authorized officers of the Educational Institution for purposes of Section 7 of Act 183. Such officers are hereby authorized to approve such changes in and modifications to the Lease as do not materially alter the substance and intent thereof as expressed in the Lease and the request for action submitted to the Board of Governors in connection therewith; provided such officers are not hereby authorized to approve a change in the Lease with respect to the range of rental, the description of the Facility or the material financial obligations of the Educational Institution contained in the Lease approved herein. The Educational Institution hereby determines that the maximum rental in the amount described below is reasonable and the authorized officers are hereby authorized to approve in the Lease, as executed, rental in annual amounts determined by the final appraisal of "True Rental", but not exceeding \$1,345,000 in any 12-month period and a lease term of not exceeding 40 years.

4. If in connection with the entering into of the Lease, the then seated President and the then seated Vice President for Finance and Facilities and Treasurer of the Educational Institution determine that (i) the Authority will require an easement from a public road to the Facility over real property owned by the Educational Institution so that the Authority has access to the Facility, (ii) the Educational Institution will require for future use certain easements through the Facility, (iii) the Authority and the Educational Institution will require an agreement to share a common structural wall or (iv) the Authority will require an easement over real property owned by the Educational Institution so that the Authority has sufficient parking available in connection with the reasonable use of the Facility, then either of such officers is hereby authorized and directed to execute and deliver an Easement Agreement in order to meet any such requirement.
5. The President and the Vice President for Finance and Facilities and Treasurer of the Educational Institution are hereby severally authorized and directed to take or cause to be taken all other actions, including, without limitation, making requests of and approving requests from the Authority and the State and signifying certificates, documents or other instruments, each on behalf of the Educational Institution, as they deem necessary or desirable under the circumstances to accomplish the purposes of the transactions authorized in this Resolution.
6. The Educational Institution further confirms its obligations to perform the duties and obligations specified in the Lease (only upon its execution by authorized officers of the Educational Institution) and acknowledges that such obligation does not depend upon passage of title to the Facility to the Educational Institution with consideration upon termination of the Lease. The Educational Institution hereby represents that it would execute and deliver the Lease even if title to the Facility would not pass upon termination of the Lease.
7. The Educational Institution recognizes that the Authority shall pay for costs of the facility in an amount not in excess of \$14,999,800.
8. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.
9. This Resolution shall be effective immediately upon its adoption.

Administrative Appointment

ACTION — Upon motion by Governor Massaron and seconded by Governor Abbott, the Board of Governors ratified the action adopted by the Board of Governors by telephone vote, completed on September 8, 2008, with a vote of 8-0. The recommendation, forwarded by President Noren, provided authority to President Noren to proceed with the appointment of David Ripple as Vice President for Development and Alumni Affairs.

PUBLIC COMMENTS

Secretary Miller received a request to address the Board from Mr. Greg Thrasher. His statement is provided below.

Good afternoon, Board of Governors, and in particular, welcome to the community, Mr. President, especially from my side of the neighborhood. It's good to have you here, and I have already heard great things about you with regard to your real focus on the community. That's refreshing.

I have done this before in front of other trustees and boards of governors. So I do respect and appreciate this opportunity; thank you so much.

My name is Greg Thrasher; I am a former law student here about 30 some odd years ago. I'm still the same person. I got arrested in class then, and I am still the same activist I was 30 years ago. I am presently the director of a think tank in Birmingham, Michigan, an alternative think tank called Plane Ideas.

My presence before you today is in part personal and part professional in nature. With regard to the professional and academic part, it is my belief, my underlying belief that the foundation of a great university is the principle of academic freedom — the freedom to learn, the freedom to teach, the freedom to reach the heights of any type of inquiry without the fear of censure, threat, or attacks. In my opinion from my vantage point, I have been subject to a violation of that principle. The antics, and actions, and activities of WDET and its staff have fundamentally harmed me in more ways than I can express in three to four minutes. My voice has been banned from the airwaves without merit. My body of work and my commentaries have been rejected for no reason. My submissions in other areas have been ignored. But more important, I have been subject to all manner of contempt. And I reject that from here to eternity. I am a Black man; I won't apologize for it, I won't apologize for being an activist; I don't apologize for being an American. And I will not accept any university, any agency disrespecting me and my personhood. Ever. I do want to point out, though, that the chief of our police, Chief Holt, has been very, very, very decent to me, and I do respect him and you have a great guy on your staff.

I came on campus a couple months ago after I got a letter from Ms. Dickson, I think that's her name. And I was harassed, and I was escorted out of the building. I had a suit on and a brief case; I guess Black men with suits and briefcases, somehow I guess we're the new terrorists. I hope that's not the case with you, Jay. But I resent that.

So my position here today is kind of short and sweet, cut to the chase, I want the Board to, on a personal note, reject the kind of contempt that I have been confronted with from WDET. Secondly, I provided you guys with a hand-out, I don't have time to go into it, with regard to what I think is appropriate with regard to the academic side and the professional side. Basically, what I am saying there is that I think WDET needs to step up, elevate themselves, be the real vessel that they need to be. They are licensed by the FCC, and be the partner that they need to be with the community. Quickly, I think they need an on-air code of conduct. I think they need an on-air code of conduct for their Message Boards. And I think all submissions and

body of work should not be subject to discrimination, exclusionary practices, and personal vindictive arbitrary attacks on activists who happen to be Black, just like me. I will not accept it; I will not roll away, fall away, concede to people who have contempt for my personhood. I look forward to sharing in your new tenure, Jay. I look forward to always being a part of this university and this community. I didn't finish my Law School 30 some odd years ago because of my politics. I don't intend to change today. But I do intend to be better. If I need to do something on my part, I will do that. Thank you, Jay. Thank you, Board of Directors. And I am glad you are here.

President Noren thanked Mr. Thrasher for his comments and noted that the University will take them into consideration.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:15 p.m.

Respectfully submitted,

Julie H. Miller
Secretary to the Board of Governors