

**Minutes of the Formal Session  
of the  
Oakland University Board of Trustees  
February 4, 2009**

**Present:** Chair Jacqueline S. Long; Vice Chair Henry Baskin; and Trustees Monica E. Emerson, Richard A. Flynn, Michael R. Kramer, Ann V. Nicholson, Dennis K. Pawley, and Ganesh V. Reddy

**Also Present:** President Gary D. Russi; Senior Vice President Virinder K. Moudgil; Vice Presidents John W. Beaghan, Rochelle A. Black, Susan Davies Goepf, and Mary Beth Snyder; Vice President and Secretary to the Board of Trustees Victor A. Zambardi; and Student Liaisons Samir R. Hanna and Tawnee S. Milko

**A. Call to Order**

Chair Jacqueline S. Long called the meeting to order at 2:00 p.m. in the Auditorium of Elliott Hall of Business and Information Technology.

**B. Roll Call**

Mr. Victor A. Zambardi, Vice President for Legal Affairs, General Counsel and Secretary to the Board of Trustees, conducted a roll call and all of the Board members were present.

**C. Reports**

**Treasurer's Report**

Mr. John W. Beaghan, Vice President for Finance and Administration, presented the Treasurer's Report as set forth in the agenda item.

**D. Consent Agenda for Consideration/Action**

**Consent Agenda**

**Minutes of the Board of Trustees Special Formal Session of October 30, 2008 and Formal Session of November 5, 2008**

**University Personnel Actions**

RESOLVED, that the Board of Trustees approve the personnel actions below.

## **I. Administrative Appointments**

Nuzzarello, Angela, Associate Dean of Student Affairs, Oakland University William Beaumont School of Medicine, and Clinical Associate Professor of Psychiatry, effective January 1, 2009 pursuant to the Employment Agreement between Angela Nuzzarello and Oakland University that was reviewed and approved by the Office of the Vice President for Legal Affairs and is in compliance with the law and University policies and regulations and conforms to the legal standards and requirements of the University General Counsel.

Raible, Michele D., Associate Dean of Undergraduate Medical Education, Oakland University William Beaumont School of Medicine, and Clinical Assistant Professor of Pathology, effective January 1, 2009 pursuant to the Employment Agreement between Michele D. Raible and Oakland University that was reviewed and approved by the Office of the Vice President for Legal Affairs and is in compliance with the law and University policies and regulations and conforms to the legal standards and requirements of the University General Counsel.

Musich, John, Associate Dean of Graduate and Continuing Medical Education and Clinical Professor of Obstetrics and Gynecology, Oakland University William Beaumont School of Medicine, effective February 1, 2009.

Felten, David, Associate Dean for Research and Clinical Research Professor of Anatomy and Cell Biology (in the discipline of Neuroscience), Oakland University William Beaumont School of Medicine, effective February 1, 2009.

## **II. Emeritus Appointments**

Cameron, John B., Professor Emeritus of Art History, effective January 11, 2008.

Maines, David R., Professor Emeritus of Sociology, effective February 4, 2009.

Shepherd, Gary A., Professor Emeritus of Sociology, effective February 4, 2009.

## **III. Change of Status**

Cooper, Rose M., from Associate Professor in Rhetoric, Communication & Journalism, to Associate Professor of Communication, effective July 1, 2008.

Gilbert, Garry J., from Visiting Instructor of Journalism, to Interim Director of Journalism & Visiting Instructor of Journalism, effective August 15, 2008 through August 14, 2010.

Navin, Mark C., from Instructor in Philosophy, to Assistant Professor of Philosophy, effective October 9, 2008.

Sanders, (Harry) George, from Instructor in Sociology, to Assistant Professor of Sociology, effective August 15, 2008.

**Acceptance of Gifts and Pledges to Oakland University for the Period of October 1 through December 31, 2008**

RESOLVED, that the Board of Trustees accept the gifts and pledges to Oakland University identified in the Gifts and Pledges Report, Attachment A, for the period of October 1 through December 31, 2008.

(A copy of Attachment A is on file in the Board of Trustees Office.)

**Acceptance of Grants and Contracts to Oakland University for the Period of October 1 through December 31, 2008**

RESOLVED, that the Board of Trustees accept the grants and contracts to Oakland University identified in the Grants and Contracts Report, Attachment A, for the period of October 1 through December 31, 2008.

(A copy of Attachment A is on file in the Board of Trustees Office.)

**Amendment to School of Nursing Constitution**

WHEREAS, the Constitution of the Oakland University Senate, as authorized by the Board of Trustees, provides for certain functions to be assigned to the organized faculties of the Schools and the College of Arts and Sciences; and

WHEREAS, the Board of Trustees has acted to approve internal constitutions in order to obtain the input and recommendations of faculty, staff, and students on matters relating to the programs of Oakland University, but has retained unto itself the full authority granted to it by law; now therefore, be it

RESOLVED, that notwithstanding any provision of the proposed, amended, Constitution of the Oakland University School of Nursing, the Board of Trustees reconfirms its legal authority to grant, modify and rescind internal constitutions when the Board of Trustees determines such action to be in the interest of the institution or required to comply with its legal obligations; and, be it further

RESOLVED, that the Board of Trustees, under the conditions set forth above, approves the amended Constitution of the Oakland University School of Nursing, attached hereto, effective February 4, 2009.

(A copy of the amended Constitution of the Oakland University School of Nursing is on file in the Board of Trustees Office.)

Trustee Ganesh V. Reddy, seconded by Trustee Ann V. Nicholson, moved approval of the Consent Agenda, and the motion was unanimously approved by those present.

E. New Items for Consideration/Action

**Amendment to the 2006-2009 Agreement between Oakland University and the Oakland University Chapter, American Association of University Professors**

Dr. Virinder K. Moudgil, Senior Vice President for Academic Affairs and Provost, presented the Amendment to the 2006-2009 Agreement between Oakland University and the Oakland University Chapter, American Association of University Professors recommendation as set forth in the agenda item.

RESOLVED, that the Board of Trustees approves the Amendment to the 2006-2009 Agreement between Oakland University and the Oakland University Chapter, American Association of University Professors as set forth in the January 20, 2009 Letter of Agreement.

(A copy of the January 20, 2009 Letter of Agreement is on file in the Board of Trustees Office.)

After discussion, Trustee Monica E. Emerson, seconded by Trustee Henry Baskin, moved approval of the recommendation, and the motion was unanimously approved by those present.

**Architectural and Engineering Firm for the Human Health Building**

Mr. Beaghan presented the Architectural and Engineering Firm for the Human Health Building recommendation as set forth in the agenda item.

After discussion, Trustee Baskin proposed a friendly amendment that the contract shall contain an at-will termination provision. Mr. Zambardi proposed that a second resolved be added as reflected in the following resolution.

RESOLVED, that the Vice President for Finance and Administration be authorized to negotiate and execute a contract with SmithGroup, Inc. for architectural and engineering services for the Human Health Building; and, be it further

RESOLVED, that the contract shall contain a termination provision that provides that the University can terminate the contract, at-will, and pay only those architectural and engineering services completed through the date of termination.

RESOLVED, that the contract be reviewed and approved by the Office of the Vice President for Legal Affairs and General Counsel prior to execution, and be in compliance with the law and University policies and regulations and conform to legal students and policies of the Vice President for Legal Affairs and General Counsel; and, be it further

RESOLVED, that consistent with Board of Trustees' policy, the schematic design will be presented to the Board of Trustees for approval prior to proceeding with construction; and, be it further

RESOLVED, that the total cost for all architectural and engineering services, inclusive of reimbursables and Oakland University contingencies shall not exceed \$2,989,150.

Trustee Reddy, seconded by Trustee Baskin, moved approval of the amended recommendation. The recommendation, as amended, was unanimously approved by those present.

#### **Additional Pooled Cash Investment Fund**

Mr. Beaghan presented the Additional Pooled Cash Investment Fund recommendation as set forth in the agenda item.

WHEREAS, given current economic and investment market conditions, prudent investment management suggests that treasury managers should have a variety of immediately available, relatively safe investment alternatives; now, therefore be it

RESOLVED, that the Vice President for Finance and Administration and Treasurer to the Board of Trustees is authorized to execute instruments necessary to establish operating and investment accounts with UBS Financial Services or any subsidiaries or related parties recommended by UBS Financial Services required to implement the investments through these firms; and, now, be it further

RESOLVED, that the instruments to implement this resolution be reviewed and approved by the Office of the Vice President for Legal Affairs and General Counsel prior to execution, and be in compliance with the law and University policies and regulations and conform to legal standards and policies of the Vice President for Legal Affairs and General Counsel.

After discussion, Trustee Nicholson, seconded by Trustee Baskin, moved approval of the recommendation, and the motion was unanimously approved by those present.

#### **Agreement between Oakland University and Police Officers Labor Council, July 1, 2008 – June 30, 2011**

Mr. Beaghan presented the Agreement between Oakland University and Police Officers Labor Council, July 1, 2008 – June 30, 2011 recommendation as set forth in the agenda item.

RESOLVED, that the Board of Trustees approves the Agreement between Oakland University and the Police Officers Labor Council, July 1, 2008 through June 30, 2011.

After discussion, Trustee Richard A. Flynn, seconded by Trustee Dennis K. Pawley, moved approval of the recommendation, and the motion was unanimously approved by those present.

**F. Other Items for Consideration/Action that May Come Before the Board**

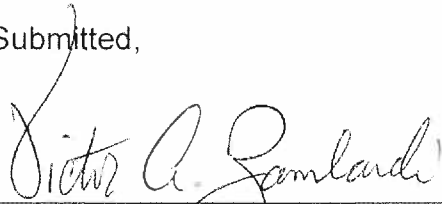
Richard Feldman and Andrew Bashi addressed the Board on behalf of Micah Fialka-Feldman and his request to change the University's housing policy so that he can reside in the University residence halls.

**E. Adjournment**

Chair Long adjourned the meeting at 3:17 p.m.

Submitted,

Approved,



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Victor A. Zambardi  
Secretary to the Board of Trustees

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Jacqueline S. Long  
Chair, Board of Trustees