

FEBRUARY MEETING, 2000

*The University of Michigan
Ann Arbor
Thursday, February 17, 2000*

The Regents convened at 9:50 a.m. in the Regents' Room. Present were President Bollinger and Regents Brandon, Maynard, McGowan, Newman, Taylor, and White. Also present were Provost Cantor, Vice President Feagin, Executive Vice President Kasdin, Interim Chancellor Klein, Chancellor Mestas, Executive Vice President Omenn, Vice President Ulaby, and Vice President Wilbanks. Interim Vice President Harper, Vice President and General Counsel Krislov, and Vice President and Secretary Tedesco arrived after the start of the meeting. Regents Deitch and Horning were absent.

President Bollinger called the meeting to order and called on Executive Vice President Kasdin.

Burton Tower Renovation Project

Executive Vice President Kasdin observed that the Regents had previously approved the Burton Memorial Tower Renovation Project and appointment of Quinn Evans/Architects as designers. He noted that the architects have determined that relocating the main entrance and maintaining the existing door as a second means of egress from the building will be necessary for improving fire safety. He called on Mike Quinn of Quinn Evans/Architects.

Mr. Quinn noted that the renovation was meant primarily to address improvements in life safety features and infrastructure. He reviewed the modifications that are being planned to address these and the inadequacy of the existing two means of egress as well. He noted that the original windows are also going to be rehabilitated.

Following the presentation, Regent Newman moved approval of the design of the Burton Memorial Tower Renovation Project, as presented. Regent McGowan seconded the motion, and it was approved unanimously.

Review of Capital Initiatives and Capital Projects

Fiscal Year 2001 Capital Outlay Submission. Executive Vice President Kasdin noted that the Fiscal Year 2001 Capital Outlay submission is included in the agenda as an information item. He emphasized that although in the coming months plans for a number of new facilities will be put forward, the majority of resources are being invested in rehabilitation and reuse of the existing capital plant.

1997 Master Planning Initiative. Executive Vice President Kasdin reviewed efforts being made to implement the Master Plan initiative approved by the Regents in 1997. These include an overview of the master planning effort with a focus on concept planning for the Palmer Drive area presented in May 1999, a discussion of central campus facilities held in September 1999, a review of Medical Center facilities today, a presentation on East Ann Arbor properties scheduled for Spring 2000, and a discussion of North Campus to be held in Fall 2000. He observed how important and helpful the conceptual framework provided by the master planning effort has been to setting priorities for capital planning from an academic perspective.

Executive Vice President Kasdin announced that Marina Roeloff has been appointed as director of plant extension, and noted that the appointment of Ms. Roeloff as director will greatly enhance the development of capital project planning over the next few years. He also announced that from this point onward, the University will be outsourcing construction management of many major projects, which is a departure from the past practice of managing all projects internally.

Executive Vice President Kasdin also suggested a method for increasing the flexibility in the process by which action requests for capital projects are brought to the Board. Under the existing system, a series of three requests are typically made per major project (approval of project and appointment of architect; approval of schematic design; and authorization to present project for bids). He pointed out that time and money could be saved by bidding some projects in segments, rather than the traditional method of not bidding the project until all construction drawings have been substantially completed. This process will be invoked selectively, and a rationale will be given each time plans are made to bid this way on major projects.

Executive Vice President Kasdin also said that he intended to institute the practice of conducting audits of certain construction projects after they have been completed, comparing actual costs to projected costs.

Executive Vice President Kasdin observed that rehabilitation of the physical plant is financed through the infrastructure and maintenance fee assessed to students and through the state capital outlay program. He called on Vice President Wilbanks to describe the recently revised capital outlay process.

Capital Outlay. Vice President Wilbanks described the recent history of capital outlay on the Ann Arbor campus. She noted that although the University submits a request for capital outlay priority annually, the state does not fund a capital outlay project for higher education on a yearly basis. In addition, even when the state approves capital outlay projects for every university, the financing for these projects is dependent upon raising the state bonding authority cap, which doesn't always occur. She displayed a chart illustrating the capital outlay expenditures that have been approved for the Ann Arbor Campus since 1990. These total about \$200 million.

Vice President Wilbanks noted that since 1996 there have been two significant changes in state capital outlay procedures: For the first time, universities were required to provide a 25% match to the state's 75% funding for all projects, and the 25% match must be spent before the state's share is applied. Secondly, in 1999 a new process for authorizing capital outlay projects was established, requiring the development of a five-year capital outlay "master plan" from each institution. The expectation is that all requests for major projects will arise from this five-year comprehensive planning document.

The new process was established to reduce the number of approvals required for capital outlay projects. During years when capital outlay programs are authorized, the first thing that is authorized is for project planning. This is meant to enable the production of detailed planning documents in order to provide a firmer cost estimate which is likely to be maintained for the term of the project's construction. She noted that further changes to the capital outlay process are being considered by the Joint Capital Outlay Committee.

Fiscal Year 2001 Capital Outlay Submission. Executive Vice President Kasdin noted that the Dana Building renovation project has been approved and is in process. The current top priority for funding is the School of Public Health Building. Next in priority are the Horace H. Rackham Building renovation and Hill Auditorium renovation. The remainder of the project priorities are designed to be flexible to adjust to state funding opportunities.

Regarding the Frieze Building, Executive Vice President Kasdin observed that consideration is now being given to replacement, rather than renovation, of the Frieze Building. He also said that there are a number of projects not on the capital outlay list which will require fundraising, and noted deans have been asked to consider their academic priorities in preparation for the upcoming capital campaign.

Zina Pitcher Site and Medical Center Master Planning. Executive Vice President Kasdin said that a recommendation for a major laboratory research facility on the Zina Pitcher block would be presented in the coming months, and observed that this raises the question of whether construction of this type of building at that site would be consistent with master planning underway in the rest of the medical center. He displayed photographs, maps, and diagrams illustrating past and current uses of the Medical Campus area. He pointed out how the Medical Campus is divided from the rest of the campus by Huron Street and Washtenaw Avenue and the impact this dividing line has on activity between the two campuses.

He displayed a site plan of the Palmer Drive Project Site Plan, which will include a research laboratory building, a pedestrian bridge, and a skyway connecting the laboratory building to the “sliver building” or “commons building,” which will become a common area containing dining facilities and meeting rooms. The medical research laboratory building and life science institute building will both be used for life science research.

He displayed several other photographs and site plans that illustrate potential building sites for the Medical Campus, describing the capacities of the various sites. He noted that a strong diagonal can be created through the two Zina Pitcher blocks and into the heart of the Medical Center. Executive Vice President Kasdin commented that there is no recognizable sense of place from an architectural perspective on the Medical Campus, and that one goal is to rectify this. He also noted that long-term plans include moving traffic more around the perimeter of the Medical Campus, and this could include closing Zina Pitcher (between Ann and Catherine Streets) and converting Glen Street into a two-way thoroughfare. More efficient use of buses is also being examined. He also discussed possible uses of the “Old Main” site, and illustrated potential building and parking sites on Wall Street.

Executive Vice President Kasdin observed that the goal of these studies is to give the Health System a framework for evaluating its priorities and future development options. Regarding parking, he noted that staff are evaluating traffic and parking issues together, and are considering adding on to existing structures in addition to building new structures.

It was pointed out that most medical campus buildings are connected, and that they would continue to be in the new configuration. Regent Newman noted that it is very confusing for patients to find their way around to the various clinic and hospital sites on the Medical Campus, and to determine which structure to park in for which site. Executive Vice President Kasdin and Executive Vice President Omenn pointed out that a wayfinding project has been initiated, but many of the improvements have not yet been implemented. He noted that efforts are being made to improve this situation by including maps and other wayfinding information in appointment confirmation mailings and phone calls, but that officials are aware that much more needs to be done with traffic patterns, exterior signage, and interior wayfinding.

Executive Vice President Kasdin noted that the transportation and parking departments have been combined, in an effort to get the University community to think of transportation and parking as one system. He and Executive Vice President Omenn noted that innovative programs, both within the University and in conjunction with the city, have been put into place in an effort to alleviate crowding in parking structures and on thoroughfares, and that these are beginning to have an effect.

Further discussion ensued about the chronic shortage of parking on campus. It was noted that the addition of the Palmer Drive structure and Forest Street addition will alleviate the situation, but that ultimately, people need to be convinced alternative measures will be

convenient and reliable enough for them to change their habits. Improvements in bicycle security and convenience was mentioned as another option to automobile transportation.

Medical Center Master Planning. Executive Vice President Omenn indicated that the Kresge Medical Research Buildings would be replaced, and that a new research laboratory building will be organized by program area. He observed that there are two important priorities: to have clinicians and basic scientists in closer proximity to each other, and to have the Medical Campus more integrated with the rest of the University. Medical Center officials are satisfied that building the large complex on the Zina Pitcher site, along with the pedestrian crossways to the Palmer Drive site and commons area to be located there will serve the second priority.

Regarding the other priority, it is expected that scientists involved in basic research will be located in the new Zina Pitcher site, and that active clinical faculty who also conduct research will most likely be housed in the Medical Science Buildings I and II that have direct connections to the hospital. He noted that a complete presentation on the facility proposed for the Zina Pitcher site will be given at the next meeting by Dean Lichter.

Michigan Greats

Vice President Ulaby introduced two professors associated with the Office of Tax Policy Research in the School of Business Administration: Joel Slemrod, Paul McCracken Collegiate Professor of Business Economics, professor of business economics and public policy, and professor of economics; and James Hines, professor of business economics and public policy. Professors Slemrod and Hines discussed the activities of the Office of Tax Policy Research.

The meeting recessed at 11:35 a.m.

The meeting reconvened at 1:45 p.m. Present were President Bollinger and Regents Brandon, Maynard, Newman, Taylor, and White. Also present were Provost Cantor, Executive Vice President Kasdin, Interim Chancellor Klein, Chancellor Mestas, Executive Vice President Omenn, Vice President and Secretary Tedesco, Vice President Ulaby, and Vice President Wilbanks. Interim Vice President Harper and Vice President and General Counsel Krislov and arrived after the start of the meeting. Regents Deitch and Horning and Vice President Feagin were absent; Regent McGowan arrived at about 2:20 p.m.

President Bollinger called the meeting to order and began consideration of the business agenda.

Consent Agenda

Minutes. Vice President and Secretary Tedesco submitted the minutes for the January 2000 meeting.

Reports. Executive Vice President Kasdin submitted reports of Investment, Plant Extension, and Human Resources and Affirmative Action.

The Regents received the Litigation Report.

Vice President Ulaby submitted the report of projects established for January 2000. He noted that according to figures recently released by the National Science Foundation, the University of Michigan continues to have the largest volume of research of any U.S. college or university. He commented that all of the funding is awarded on the basis of competitive peer review, and that the University has a policy of not participating in “set-aside” funding.

Michigan Student Assembly Report. Mr. Bram Elias, president of Michigan Student Assembly, and Mr. Abe Rafi, chair of MSA Student Rights Commission, addressed the board about MSA’s proposed amendments to the Code of Student Conduct.

The recommendations include having the code apply to faculty and staff as well as students, based on MSA's perception that there are a sizable number of staff filing charges on behalf of students who do not want to file a charge.

Regarding concerns expressed about the scope of the code, Regent Maynard pointed out that a lot of things taking place off campus, such as in fraternity and sorority houses, affect students and involve the University community. Mr. Rafi responded that MSA recognizes the concern about Greek organizations, but in general, does not believe that the code should apply to behavior occurring off campus. Following some discussion, it was determined that there is no real discrepancy between what the current language says and what is desired by MSA in this regard. President Bollinger commented that he is in favor of exploring seriously the question of regulating hazing.

Other concerns include when and under what circumstances the code should apply, as opposed to civil or criminal proceedings, as well as how code hearings should be conducted and what standards of evidence should be applied. A copy of the proposals can be found in the Regents Communication.

Following the discussion of code revision proposals, President Bollinger thanked Mr. Elias and Mr. Rafi for the thoughtful input they had provided.

Regarding the next steps, it was noted that several other groups will be reviewing all proposed amendments, after which they will be submitted to President Bollinger, who can choose to either approve them or return them for further revision and re-submission for the president's consideration.

Mr. Elias emphasized that it is difficult to disseminate information about the code to the general student body. He also stated that although MSA is eager to participate in the process of

amending and improving the code, this does not imply that MSA supports the idea of a code per se.

Health System Report. Executive Vice President Omenn distributed press packets to the Regents highlighting the fact that an entire issue of the *Journal of the American Medical Association* had been devoted to a celebration of the sesquicentennial of the University of Michigan Medical School.

University of Michigan-Dearborn. Interim Chancellor Klein reported that the campus was preparing its testimony to the Michigan Senate Higher Education Appropriations Subcommittee, at a meeting to be held on the Dearborn campus. He also noted that the state attorney general would be the guest speaker at the campus' annual Susan B. Anthony Awards Dinner.

University of Michigan-Flint. Chancellor Mestas reported that all is well on the Flint campus.

Voluntary Support. The Regents received the Report of Voluntary Support for January 2000.

Personnel Actions/Personnel Reports. Provost Cantor pointed out that the Arthur F. Thurnau Professorship recommendations were being submitted for approval.

Chancellor Mestas highlighted the reappointment of Renate McLaughlin as provost and vice chancellor for academic affairs.

Retirement memoirs. Vice President Tedesco called attention to the retirement of three faculty members.

Memorials. No deaths of active faculty members were reported this month.

Degrees. Provost Cantor submitted requests for approval of December 1999 final degree lists and changes to previously approved degree lists. The documents are on file in the Office of the Vice President and Secretary of the University.

On a motion by Regent Newman, seconded by Regent White, the Regents unanimously approved the consent agenda.

SZ Investments, L.L.C.

Executive Vice President Kasdin reported that an additional investment of \$5.0 million had been made to a previously approved commitment to SZ Investments, L.L.C.

Alternative Asset Investment

On a motion by Regent White, seconded by Regent Maynard, the Regents unanimously approved commitment of \$5.0 million to Chengwei Ventures I, L.P.

Simpson Circle Parking Structure Elevator Replacement Project

On a motion by Regent Maynard, seconded by Regent Newman, the Regents unanimously approved the Simpson Circle Parking Structure Elevator Replacement Project, as described in the Regents Communication.

School of Social Work Conference Center

On a motion by Regent Newman, seconded by Regent White, the Regents unanimously approved the budget for the School of Social Work Conference Center and authorized issuing the project for bids and awarding a construction contract, providing that bids are within the approved budget.

School of Public Health Buildings Renovation

On a motion by Regent White, seconded by Regent Maynard, the Regents unanimously approved the School of Public Health renovation project and authorized commissioning the firm of Centerbrook Architects and Planners working in association with HarleyEllis for its design.

Underground Tunnel and Utility Replacement and Relocations

On a motion by Regent Maynard, seconded by Regent White, the Regents unanimously approved replacement and relocation of the portion of the underground tunnel and utilities between the Central Power Plant and the Dental School, as described in the Regents Communication.

University of Michigan-Dearborn Fieldhouse Renovation

On a motion by Regent Newman, seconded by Regent Maynard, the Regents unanimously approved the University of Michigan-Dearborn Fieldhouse Renovation Project as described, and authorized appointing SSOE, Inc., as the Architect/Engineer.

Medical Science II and Buhl Center for Human Genetics Buildings Renovation Project Phase II

On a motion by Regent Brandon, seconded by Regent Maynard, the Regents unanimously approved completing Phase II of the Medical Science II and Buhl Center for Human Genetics Buildings Renovation Project, and selection of Jickling, Lyman, Powell Associates, Inc. as the architect.

103 Zina Pitcher Place

On a motion by Regent Taylor, seconded by Regent White, the Regents unanimously approved purchase of the property at 103 Zina Pitcher Place, according to the terms described in the Regents Communication.

Center for Display Technology and Manufacturing (DTM) Building and Renovation

On a motion by Regent White, seconded by Regent Maynard, the Regents unanimously approved the budget for the Center for Display Technology and Manufacturing (DTM) Building and renovation project and authorized issuing the project for bids and awarding construction contracts providing that bids are within the approved project budget.

Authorization for Payment for Services of Luis Villanueva

On a motion by Regent White, seconded by Regent Maynard, the Regents unanimously approved payment for the purchase of artwork from Luis Villanueva. Because Mr. Villanueva is also an adjunct lecturer at the University of Michigan-Flint, this action falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. The parties to the contract are the Regents of the University of Michigan and Luis Villanueva, an adjunct lecturer at the University of Michigan-Flint.
2. The service provided is an acrylic painting which will be permanently displayed in the Frances Wilson Thompson Library for a total of \$2,000. Payment to Mr. Villanueva will be made through gifts from donors to the Annual Fund.
3. The pecuniary interest arises from the fact that Luis Villanueva is a University of Michigan-Flint employee who is receiving payment for preparing the painting.

Authorization for Payment for Services of Architecture Buro

On a motion by Regent Brandon, seconded by Regent Maynard, the Regents unanimously approved payment for design services provided by Architecture Buro. Because the sole proprietor of Architecture Buro, Christian Unverzagt, is also a University of Michigan lecturer, this action falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. The parties to the contract are the Regents of the University of Michigan and its A. Alfred Taubman College of Architecture and Urban Planning, and Architecture Buro.

2. The service provided is design work for a lecture series and exhibitions that took place in the fall of 1999, at a total cost of \$800.00.
3. The pecuniary interest arises from the fact that Christian Unverzagt, a University of Michigan employee, is the sole proprietor of Architecture Buro.

Authorization for Payment for Services of Techno Magic

On a motion by Regent Newman, seconded by Regent Brandon, the Regents unanimously approved payment for catalog production services performed by Techno Magic. Because the sole proprietor of Techno Magic, Karen Ester Lamb, is also a University of Michigan employee, this action falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. The parties to the contract are the Regents of the University of Michigan and its Residential College, and Techno Magic.
2. The service provided is production of a catalog for an exhibition and symposium that took place in November 1999, at a total cost of \$1,540.00.
3. The pecuniary interest arises from the fact that Karen Ester Lamb, sole owner of Techno Magic, is a University of Michigan employee.

Purchasing Contract with DJB Professional Writing and Editing, Inc. (DJB)

On a motion by Regent Newman, seconded by Regent White, the Regents unanimously approved a purchasing contract between the School of Business Administration and DJB Professional Writing and Editing. Because the sole proprietor of DJB, Diana Blackford, is also a University of Michigan employee, this contract falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. The parties to the contract are the Regents of the University of Michigan and its School of Business Administration, and DJB.
2. The service to be provided is writing and editing services, as needed, up to a maximum of \$16,000, for the calendar year January 1, 2000 through December 31, 2000.

3. The pecuniary interest arises from the fact that Diana Blackford, a University of Michigan employee, is the sole proprietor of DJB.

Amendment to License Agreement with Mechanical Simulation Corporation (MSC)

On a motion by Regent Maynard, seconded by Regent White, the Regents unanimously approved an amendment to a license agreement between the University of Michigan and Mechanical Simulation Corporation (MSC). Because two University of Michigan employees, Michael Sayers and Thomas Gillespie, also hold an equity interest in MSC, this amendment falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. Parties to the agreement are the University of Michigan and Mechanical Simulation Corporation.

2. Terms of the agreement are:

The license to MSC will be paid up with no further royalties required.

The licensee will continue to grant to UM a royalty free right to use and create derivative works it makes of the programs for UM's internal education and research purposes.

The University will continue to retain ownership of the program and may continue to further develop it and use it as a research tool.

3. Dr. Sayers' and Dr. Gillespie's pecuniary interest arises from their ownership interest in MSC. The inventor, Dr. Sayers, has waived any personal participation in the sharing of royalties received by the University from the company.

Research Agreement between the University of Michigan and ElectroDynamic Applications, Inc.

On a motion by Regent Brandon, seconded by Regent Maynard, the Regents unanimously approved a research agreement between the University of Michigan and ElectroDynamic Applications, Inc. (EDA). Because two University of Michigan employees, Brian E. Gilchrist and Alec D. Gallimore, also hold ownership interests in EDA, this agreement falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. Parties to the agreement are the University of Michigan and ElectroDynamic Applications, Inc. (EDA).
2. Terms of the agreement are acceptable and conform to University policy. The project will provide support for a graduate student in the amount of \$7,750. The total award is \$24,763 and the period of performance will be five months.
3. Dr. Gilchrist's and Dr. Gallimore's pecuniary interest arises from their status as University of Michigan employees who also have ownership interests in EDA. Dr. Gilchrist will direct the University of Michigan work in his capacity as a University of Michigan employee.

Research Agreement between the University of Michigan and M-Vision, Inc.

On a motion by Regent Taylor, seconded by Regent Brandon, the Regents unanimously approved a research agreement between the University of Michigan and M-Vision, Inc. to enter into a subcontract in connection with a Small Business Innovation Research (SBIR) grant received by M-Vision. Because the owner and sole officer of M-Vision, Inc., Shridar Lakshmanan, is also a faculty member at the University of Michigan-Dearborn, this agreement falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. Parties to the agreement are the University of Michigan and M-Vision, Inc.
2. The terms of the agreement are acceptable and conform to University policy. This project will provide support for the graduate student research assistant in the amount of \$22,162. The total award is \$33,000 and the period of performance will be six months.
3. Dr. Lakshmanan's pecuniary interest arises from his ownership of M-Vision and his status as a University of Michigan employee who also will be participating in this project on behalf of M-Vision.

Research Agreement between the University of Michigan and Michigan Critical Care Consultants, Inc.

On a motion by Regent Taylor, seconded by Regent Brandon, the Regents unanimously approved a research agreement between the University of Michigan and Michigan Critical Care Consultants, Inc. ("Company") to perform research under a grant received by the Company under the Small Business Innovative Research Program Phase II. Because Robert Bartlett, M.D.

is both part-owner of the Company and a University of Michigan employee, this agreement falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. Parties to the agreement are the University of Michigan and Michigan Critical Care Consultants, Inc. ("Company").
2. The terms of the agreement conform to University policy. The period of performance for the project is two years at a total cost of \$226,180 including indirect cost at applicable federal rates.
3. Dr. Bartlett's pecuniary interest arises from his status as a University of Michigan employee and part-owner of the Company.

Research Agreement between the University of Michigan and Mott Children's Health Center

On a motion by Regent Brandon, seconded by Regent White, the Regents unanimously approved a research agreement between the University of Michigan and Mott Children's Health Center involving a subcontract supporting collaborative activities with Dr. Daniel Briskie at Mott Children's Health Center in conjunction with a grant awarded to the University of Michigan. Because Dr. Briskie is also an adjunct faculty member at the University of Michigan, this agreement falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. Parties to the agreement are the University of Michigan and Mott Children's Health Center.
2. Under the project a total subcontract of approximately \$42,638 is anticipated to cover the period September 30, 1999 through September 29, 2001. The University's standard subcontract provisions will apply.
3. Dr. Briskie's pecuniary interest arises from his status as an employee of Mott Children's Health Center and an adjunct faculty member at the University of Michigan. The latter appointment is without compensation and is unrelated to his involvement with this research project.

Research Agreement between the University of Michigan and Thromgen, Inc.

On a motion by Regent Taylor, seconded by Regent Brandon, the Regents unanimously approved a research agreement between the University of Michigan and Thromgen, Inc. (“Company”), involving a subcontract with the University of Michigan to perform research under a grant received by the Company from the National Institutes of Health. Because Alvin Schmaier, M.D., is both an owner of the Company and a University of Michigan employee, this agreement falls under the State of Michigan Conflict of Interest Statute. The following information is provided in compliance with statutory requirements:

1. Parties to the agreement are the University of Michigan and Thromgen, Inc.
2. Terms of the agreement conform to University policy. The period of performance for the project is two years at a total cost of \$158,004 including indirect cost at applicable federal rates.
3. Dr. Schmaier’s pecuniary interest arises from his status as an owner of the Company and a University of Michigan employee.

Regents’ Bylaws 5.01, 5.23, and 5.24

Regent Newman moved approval of revisions to Regents’ Bylaws 5.01 (“Definitions”) and 5.23 (“Clinical Instructional Staff”), and the addition of a new Regents’ Bylaw 5.24 (“Primary Research Scientists”). Regent Maynard seconded the motion, and it was approved unanimously. The text of the revised and new bylaws follow:

Bylaw Sec. 5.01. Definitions

As used in these bylaws:

1. The term *faculty* shall include members of the teaching and research staff together with the executive officers, the directors of various teaching, research, and library units, research associates, curators, and persons with similar duties.
2. The term *professorial staff* shall include professors, associate professors, and assistant professors.
3. The term *governing faculty*, when used in connection with a school or college, shall include those members of the school or college who are professors, associate professors, and assistant professors. The governing faculty shall include instructors and lecturers who hold appointments of one-half time or more; provided, however, that such instructors and lecturers may vote at faculty meetings only if they have held appointments for

one or more years and are authorized to vote by a majority of the professorial staff of the appropriate school or college. The governing faculty may include clinical II professors, clinical II associate professors, clinical II assistant professors, research scientists, associate research scientists, assistant research scientists, research investigators, senior research scientists, and senior associate research scientists when authorized by, and in accordance with, the policies and bylaws of the appropriate school or college.

4. The term *teaching staff* shall include professors, associate professors, assistant professors, instructors, lecturers, and teaching fellows.
5. The terms *teaching fellow*, *teaching associate*, *teaching assistant*, *student assistant*, *research assistant*, *technical assistant*, *laboratory assistant*, and *assistant* shall be used to designate junior appointees who participate in the processes of teaching and research but do not possess faculty rank. Students in these classifications shall have student status.
6. The term *university year*, as used in connection with appointments of members of the faculty and other personnel, contains any two terms in the calendar, as defined for the year in question. Faculty members are expected to participate in orientation, registration, and commencement.

Bylaw 5.23: Clinical Instructional Staff

1. *Clinical I Instructional Staff*. Any academic unit may appoint professional practitioners in the community or within the University at appointment fractions below 50 percent as clinical I professors, clinical I associate professors, clinical I assistant professors, clinical I instructors, or clinical I lecturers to support the instructional program.

Appointments as clinical I instructional staff are on an annual or shorter basis and are without tenure. Appointment and/or promotion criteria shall be consistent with those for regular instructional staff to the extent applicable.

Clinical I appointments and reappointments are recommended by the appropriate instructional unit and school, college, or division and are approved by the chancellor (Flint or Dearborn) and president.

2. *Clinical II Instructional Staff*. An academic unit may be authorized to appoint clinical II instructional staff to support its instructional program only if a policy authorizing such appointments has been adopted by the school, college, or division in accordance with the bylaws of that unit and has been approved by the appropriate provost, chancellor (Flint or Dearborn), president, and Board of Regents.

Clinical II appointments are at appointment fractions of 50 percent or greater and are without tenure. The following titles may be used for clinical II appointments: clinical II professor, clinical II associate professor, clinical II assistant professor, or clinical II instructor.

Appointments to the clinical II track are for a fixed term, cannot exceed seven years in duration, and may be renewed. Appointment and promotion criteria shall be consistent with those for the regular instructional staff to the extent applicable. Further definition of the rights and responsibilities of clinical II faculty, not inconsistent with the Bylaws of the Board of Regents, may be addressed by the bylaws of the academic units.

Clinical II appointments, reappointments, and promotions are recommended by the appropriate instructional unit and school, college, or division and are approved by the appropriate provost, chancellor (Flint or Dearborn), and president.

The vice president and secretary of the university shall maintain a list of those schools, colleges, and divisions that are authorized to make appointments to the clinical II instructional staff.

Regents' Bylaw 5.24: Primary Research Scientists

1. *Research Scientists.* An academic or research unit may appoint research scientists to support the research activities of the University if a policy to authorize such appointments has been adopted by the school, college, division, or research unit in accordance with the bylaws of that unit and has been approved by the vice president for research.

Research scientist appointments are not appointments to the tenured or tenure-track instructional faculty. The following titles may be used for research scientist appointments: research scientist, associate research scientist, assistant research scientist, and research investigator. Further definition of the rights and responsibilities of research scientists, not inconsistent with the Bylaws of the Board of Regents, may be addressed by the bylaws of the academic or research units.

Primary research scientist appointments and promotions are recommended by the appropriate instructional unit and school, college, division, or research unit and are approved by the vice president for research and the president.

The vice president and secretary of the university shall maintain a list of those schools, colleges, divisions, and research units that are authorized to make research scientist appointments.

2. *Senior Research Scientists.* An academic or research unit may appoint senior research scientists to support the research activities of the University if a policy to authorize such appointments has been adopted by the school, college, division, or research unit in accordance with the bylaws of that unit and has been approved by the vice president for research and the provost and executive vice president for academic affairs.

Senior research scientist appointments are not appointments to the tenured or tenure-track instructional faculty. The following titles may be used for senior research scientist appointments: senior research scientist or senior associate research scientist. Further definition of the rights and responsibilities of senior research scientists, not inconsistent with the Bylaws of the Board of Regents, may be addressed by the bylaws of the academic or research units.

Senior research scientist appointments and promotions are recommended by the appropriate instructional unit and school, college, division, or research unit and are approved by the vice president for research, the provost and executive vice president for academic affairs, and the president.

The vice president and secretary of the university shall maintain a list of those schools, colleges, divisions, and research units that are authorized to make senior research scientist appointments.

(Note: The research scientist tracks have been established on the Ann Arbor campus only.)

New Degree Program for the School of Music (“Bachelor of Science in Sound Engineering”)

On a motion by Regent Maynard, seconded by Regent White, the Regents unanimously approved a new degree program to be offered in the School of Music: “Bachelor of Science in Sound Engineering.”

New Degree Program for the UM-Dearborn College of Arts, Sciences, and Letters (“Master of Science in Applied and Computational Mathematics”)

On a motion by Regent Newman, seconded by Regent White, the Regents unanimously approved a new degree program, “Master of Science in Applied and Computational Mathematics,” to be offered by the UM-Dearborn College of Arts, Sciences, and Letters.

New Degree Program for UM-Flint College of Arts and Sciences (“Master of Science in Biology”)

On a motion by Regent Taylor, seconded by Regent White, the Regents unanimously approved a new degree program, “Master of Science in Biology,” to be offered by the UM-Flint College of Arts and Sciences.

Change in Name of Department of Theatre in UM-Flint College of Arts and Sciences

On a motion by Regent Maynard, seconded by Regent Taylor, the Regents unanimously approved a change in the name of the UM-Flint Department of Theatre to the Department of Theatre and Dance.

Regent White left the meeting at this point. A 45-minute recess followed, from 3:15-4:00 p.m.

The meeting reconvened at 4:00 p.m. President Bollinger observed that there have been a number of controversies on campus over the past several weeks, one of which concerns students who are protesting in the tower of the Michigan Union, and another having to do with sweatshops and licensing practices at the University. He noted that an advisory committee, chaired by Professor John Chamberlin and composed of students and others throughout the University, had been meeting to consider the latter issue for over a year. He noted that those discussions are ongoing, and the hope is that there will be a prompt and reasonable resolution.

President Bollinger then read the following statement:

Statement Regarding the Tower of the Michigan Union

For the past ten days, we have been engaged in discussions with students including the students occupying the tower of the Union. We do not believe that occupation is the way to resolve issues within the University. In this instance, we felt that it was in the best interests of our educational process for the University to pursue that discussion to a reasonable resolution.

Any conversation must have starting points. For a University, a fundamental principle is that, with rare exceptions, students, faculty and staff must not be treated differently because of their beliefs or the expressions of those beliefs. That principle has direct application to this controversy. Some have argued that one of the societies using the Union tower space, Michigamua, should be stripped of its University affiliation and lose its exclusive use of that space because it has a history of practices that demean and degrade Native American culture and spirituality. Under our principles it is clear that student organizations must not be recognized or de-recognized, or suffer any other penalty, because the ideas they espouse or beliefs they adhere to are offensive, or even dangerous, to our community. I have spoken to leaders of the groups occupying the tower, other students and faculty, and they, too, value this principle.

Neither viewpoints nor legacy necessarily entitle any group within the campus to privileged space. We will address, in a neutral way, the process of space allocation among student organizations within the University.

It must be said, again and again, that responsible membership in our University community implies caring about the perceived impact of one's actions on others. Of particular importance are perceptions, however unintended, of cultural offense, and those behaviors that cause others in the community to be excluded and under-appreciated. Whether conscious or not, practices that negatively stereotype groups in our society cause unjust pain and humiliation. I believe such practices are not acceptable behaviors in a University that values and fosters diversity. We must never take lightly the effects of such perceptions and behaviors.

Current students of Michigamua acknowledge that its history has included practices demeaning of Native American culture. None of us, however, can count ourselves free of embarrassment and even shame for what we have once believed or practiced, not even the University of Michigan.

Our students are continually reminding us of the challenge embedded in Pascal's enduring words, inscribed on the walls of our University, "Justice and power must be brought together so that whatever is just may be powerful and whatever is powerful may be just."

Public Comments

The Regents heard comments from Peter Romer-Friedman, member of Students Organized for Labor Equality (SOLE), regarding the Workers Rights Consortium; from Joe

Reilly, co-chair of Native American Student Association, Aqueelah Cowan, student, Sabrina Charles, JuJuan Buford, and Neftara Clark, members of the Black Student Union, Monique Gifford, student and member of Black Folx Productions, Nicholas Delgado, student and member of Michigamua, and Audrey Jackson, alumna, regarding issues surrounding the occupation of the Michigan Union Tower.

There being no further business, the meeting was adjourned at 4:55 p.m. The next meeting will be held March 20, 2000.