

C O N T E N T S
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THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS
OCTOBER 17, 1990

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**MINUTES OF A REGULAR MEETING
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS
OCTOBER 17, 1990**

A regular meeting of the Board of Regents of The University of Oklahoma was called to order in Dining Room 5 in the Oklahoma Memorial Union on the Norman Campus of the University beginning at 9:10 a.m. on Wednesday, October 17, 1990.

The following Regents were present: Regent Ronald H. White, M.D., Chairman of the Board, presiding; Regents Sarah C. Hogan, Sylvia A. Lewis, Sam Noble, E. Murray Gullatt, J. Cooper West, and G. T. Blankenship (arrived about 9:30 a.m.).

Others attending all or a part of the meeting included Richard L. Van Horn, President of the University, Provosts Clayton Rich and Joan Wadlow, Vice Presidents Anona L. Adair, Fred J. Bennett, Arthur J. Elbert, and Jerry B. Farley, Mr. Fred Gipson, Ms. Beth Wilson, and Mrs. Barbara H. Tuttle, Executive Secretary of the Board of Regents.

Notice of the time, date, and place of this meeting was submitted to the Secretary of State, and the agenda was posted in the Office of the Board of Regents on or before 9:00 a.m. on October 16, 1990, both as required by 25 O.S. 1981, Section 301-314.

MINUTES

Regent Gullatt moved approval of the minutes of the Finance and Audit Committee meeting and the regular meeting, both held on September 5, 1990. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, and West. The Chair declared the motion unanimously approved.

PRESIDENT'S REPORT

President Van Horn reported the Task Force on Undergraduate Advising has been formed to evaluate the quality of current advising and to make recommendations for improvement. The Task Force, chaired by Dean Billy Crynes of the College of Engineering, will submit a final report by January 11, 1991. He also presented enrollment statistics for the fall semester.

President Van Horn presented the following report on recent awards and honors:

1. Dr. Arthur E. Johnson, Professor of Chemistry and Biochemistry, has received OU awards for both superior research and teaching. Professor Johnson has just been named the 1990 Oklahoma Professor of the Year by the Council for the Advancement and Support of Education.

Only three of the prestigious CASE awards have been given in Oklahoma. Each of these were presented to a faculty member from OU. The CASE Award honors the most outstanding undergraduate instructors in the nation. President Van Horn presented a framed certificate to Dr. Johnson.

2. The University's Percussion Ensemble and its conductor, Dr. Richard C. Gipson, Professor of Music, were selected as the Outstanding University Ensemble in the nation in a competition sponsored by the Percussive Arts Society, the international organization of percussionists.
3. The May, 1990 baccalaureate Pharmacy graduates exceeded the pass rate and the national average score on the National Association of Boards of Pharmacy licensing exam. The OU graduates pass rate was 97.3% while the national pass rate for the exam was 84.5%.
4. The Finance Club, the student chapter of the Financial Management Association, has been named the top student chapter in the nation competing against 275 chapters nation-wide.
5. "The Barron's 300" Best Buys in College Education recognized OU for providing quality programs at prices below the national average. OU's entry in the first edition of "The Barron's 300" discusses new programs for top students and notes that OU has one of the lowest out-of-state tuition rates among major state universities.
6. Octavio Paz is the 14th author to win the Nobel Prize that previously was associated with the University's Neustadt International Prize for Literature. Paz received the Neustadt Prize in 1982 and his work has been the subject of two issues of World Literature Today and an OU Press publication in 1973.

President Van Horn reported on the following gifts and grants:

1. The largest research program in OU history will be established through a \$12.9 million grant from the Gas Research Institute. An additional \$4.7 million committed by OU and three subcontractors will bring the total funds to \$17.6 million. The funds provide for an experimental above-ground reconstruction of oil and gas reservoirs that will provide information to the industry about recovery techniques.

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2. Dr. Samuel Burstein, Associate Professor of Medicine, has received \$202,688 from the Department of Health and Human Services National Heart, Lung, and Blood Institute to continue his research on blood clotting.
3. The College of Business Administration will establish the Harold S. Cooksey Programs funded by a \$250,000 endowment from the estate of the late Harold Cooksey, an OU alumnus and insurance executive. The programs will promote research and teaching in risk management as it applies to insurance companies, corporations, and institutions in the financial services industry in the Division of Finance.
4. A \$1.2 million grant from the U.S. Department of Health and Human Services will provide support for 17 local agencies and organizations with drug-free programs who are members of the Norman Prevention Coalition Community Partnership.
5. Two major grants have been awarded at the Health Sciences Center by the Robert Wood Johnson Foundation for continued support of two national minority programs. The first grant for \$221,234 will be used for the third year of support of the National Minority Education program that was formed to increase acceptance of talented ethnic minority students into U.S. medical schools. The second grant for \$277,846 will provide support to the Improving the Health Care of Native Americans Program.

President Van Horn also reported on upcoming Centennial activities.

REPORT OF THE CHAIRMAN OF THE BOARD OF REGENTS

In special appreciation for extraordinary service, creativity and commitment in planning, coordinating, and implementing the Centennial Leadership Symposia, Regent White said the Board of Regents commends Anona Adair, Vice President for Student Affairs, Chris Purcell, Assistant Vice President for Student Affairs, Rich Coberg, Assistant Director of Student Development, and Donna Murphy, Assistant Vice President for University Affairs. Together they made possible a unique series of events that enabled bright, curious students and citizens throughout Oklahoma to interact with and learn from outstanding civic, business, government, education, arts, and humanities leaders from Oklahoma and the nation.

Dr. White said Vice President Adair provided leadership and direction in establishing the symposia which enabled hundreds of outstanding students to explore and evaluate issues of leadership in government, the arts and humanities, business and technology, and education. He said Chris Purcell and Rich Coberg nurtured the project, overseeing the planning, and interacting with the students and volunteers to create exceptional opportunities for personal growth

and enrichment. Donna Murphy led the fund-raising effort, provided guidance and advanced a vision that helped launch a new century of leadership at The University of Oklahoma.

On behalf of all of those who benefited from the Centennial Leadership Symposia, Regent White said the Board of Regents wishes to thank and applaud Vice President Adair, Chris Purcell, Rich Coberg, and Donna Murphy for service above and beyond their reasonable responsibilities and for their selfless contributions of time, effort, and expertise.

They were recognized with a round of applause and each was presented a certificate of appreciation by Regent White.

ACADEMIC ENRICHMENT

Dr. Van Horn said the astronomy group within the Department of Physics and Astronomy at The University of Oklahoma has a worldwide reputation for its research on supernovae (exploding stars), and Dr. David Branch, George Lynn Cross Research Professor of Physics and Astronomy, has worked and published extensively on the analysis of observations of supernovae obtained by astronomers at major ground-based and orbiting observatories. He introduced Dr. Branch and said the goal of Dr. Branch's research is to identify the kinds of stars that explode to make supernovae and the physical mechanisms (thermonuclear explosions, gravitational collapse of stellar cores) by which they do so. Together with seven other astronomers from the United States and Europe, Dr. Branch has been awarded observing time on the Hubble Space Telescope to observe supernovae in remote galaxies; the supernova program is the largest peer-reviewed project on the schedule of the Space Telescope. Dr. Branch also has pioneered the use of supernovae to measure the rate at which the universe expands, which in turn yields an estimate of the age of the universe. Together with astronomers at the University of California at Berkeley, he is proposing the launch of a satellite dedicated to the discovery and observation of very remote supernovae near the edge of the observable universe. These observations will be used to determine the value of the cosmic "deceleration parameter," which determines whether the universe is destined to expand forever or whether it will expand to a maximum size and then collapse upon itself in an "anti big bang."

Dr. Branch outlined some of the highlights of current supernova research and mentioned the current research projects of OU faculty members on this topic: e.g., Dr. John Cowan regularly uses the National Radioastronomy Observatory's very large array of radiotelescopes near Socorro, New Mexico, to search for radio signals from the debris of stars that were observed to explode earlier in this century; Dr. Richard Henry uses the optical telescopes of the Kitt Peak National Observatory to study the remains of supernovae that were seen to erupt in our galaxy centuries ago; and a new OU faculty member, Dr. Edward Baron, uses supercomputers to carry out complex computer simulations of the collapse of stellar cores and the transformation of the collapse into supernova explosions.

Regent Blankenship arrived during this presentation.

MONTHLY FINANCIAL ANALYSIS

The monthly financial analysis for the period ended August 31, 1990 was included in the agenda and is attached hereto as Exhibit A. Vice Presidents Elbert and Farley reviewed highlights of the analysis and presented the following comments:

SCHEDULE OF REVENUES AND EXPENDITURES (Schedule I):

During the two months ended August 31, 1990, the total Current Revised Annual Budget for revenue and expenditures increased \$5,675,196 for the Norman Campus. \$3.5 million of the increase is due to a revision of projected expenditures for Grants and Contracts based upon actual activity for the first two months of the fiscal year. Also, the Norman Campus Educational and General, Part I, budget was increased by \$2,175,196 as a result of rebudgeting reserves from June 30. Historically, revenue and expenditure activity through August represents the balance of the summer session activity and other modest activity until the fall semester commences.

- REVENUES
- Revenues realized are at 15.7% of budget as compared to 15.3% last year.
 - HSC's revenues for External Sales and Service Units were \$658,369, which is significantly behind budget. This was due to the slow processing of inter-agency payments through the Office of State Finance's new accounting system. Since August 31, payments totalling over \$1 million have been received through the Capitol's new procedure.
- EXPENDITURES
- Total expenditures are 16.9% of budget as compared to 16.2% last year; a variance that is not significant at this point of the fiscal year.
 - TEACHING SALARIES, OTHER PROFESSIONAL SALARIES, WAGES AND FRINGE BENEFITS expenditures are slightly above last year's expenditures through August 31, but still within proper parameters.
 - OTHER PROFESSIONAL SALARIES, PROFESSIONAL PRACTICE SALARY SUPPLEMENTS, LIBRARY BOOKS, PROFESSIONAL AND TECHNICAL FEES, AND CONTRACTUAL AND RELATED SERVICES are all ahead of budget. With the exception of Library Books, which is

always heavy in expenditures during the first part of the fiscal year, the over-budget condition is attributable to the PPP accounts. The cash balance and monthly cash flow for the PPP is more than sufficient to finance the expenditures. The PPP cash balance at August 31 was in excess of \$21 million. The average monthly cash receipts into the PPP for fiscal year 1990 were in excess of \$4 million and the net Accounts Receivable balance at June 30 was in excess of \$14 million.

CURRENT REVENUES OVER/(UNDER) EXPENDITURES--At August 31, 1990, expenditures exceeded revenues by \$2.65 million. At the Norman Campus, the excess of revenues over expenditures was \$350,641, while the HSC experienced revenues under expenditures of approximately \$3 million.

SUMMARY OF RESERVES (Schedule II):

GENERAL UNIVERSITY RESERVES--Unallocated General University Reserves for the Norman Campus decreased approximately \$370,000 from June 30, 1990. This decrease was in the Law Center and Oklahoma Geological Survey reserves to amounts approximating a 5% contingency reserve. Revenue Bond Reserves in Excess of Required Accounts on the Norman Campus decreased approximately \$350,000 from June 30, 1990 as a result of the use of Student Facilities reserves for the Lloyd Noble Center roof and wall repair project.

Reserves on the HSC campus had a \$1,014,636 decrease from the reserve balance at June 30, 1990. The reduction in HSC reserves is a result of increasing the cash flow requirements for Grants and Contracts. The cash flow requirement was increased by \$2 million to \$3.2 million because of increased activity of cost reimbursement contracts within the Grants and Contracts Fund.

AUXILIARY AND SERVICE UNIT DESIGNATED RESERVES--the Norman Campus Auxiliary Enterprises Designated Reserves decreased approximately \$900,000 from June 30, 1990, due primarily to the payment of debt service in July. The Norman Campus Service Unit Designated Reserves decreased approximately \$1.8 million as the result of a \$1.0 million Utility System debt service payment and utilization of capital improvement and renewal/replacement reserves by several units.

HSC reserves decreased \$5,641,249. This is made up of \$22,544 decrease in Auxiliary Enterprise Reserves and \$5,603,793 in Service Unit Reserves. The decreases are due to the defeasance of the 1973 Series of the Oklahoma Utility System Revenue Bonds. Defeasance of the 1973 Series Bonds was approved by the University Regents in July, 1990.

COMBINED STATEMENT OF CHANGES IN FUND BALANCE (Schedule III):

The decrease in Fund Balance at August 31 from the June 30 balance is the result of traditionally low volume of receipts during this period. The Norman Campus Private Gifts deficit balance of \$84,284 is normal in that settle-up deposits made at the end of the fiscal year clear the deficit. At the Health

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Sciences Center, the Residency line item sustained a negative balance of \$80,558 because the cash outflow of payroll precedes the cash inflow from the billings to the participating hospitals. This condition is typical at the end of most accounting periods.

STATEMENT OF PLANT FUNDS (Schedule IV):

The Norman Campus has received additional allotments of \$2,688,192 through August 31. This increase is attributable to the following projects: Energy Center \$869,246, Lloyd Noble Center Addition \$1,000,000, Max Westheimer Airpark Runway \$156,936, Lloyd Noble Center Roof/Wall \$395,000, Gould Hall Renovation \$126,510, Art Studio Renovation-Phase III \$30,000, and Classroom Renovation/Equipment 1990 \$110,500.

In addition, Vice President Elbert called attention to the current year-to-date revenues column which reflects \$3.7 million collected through August 31. Last year at this time, he said, \$2.9 million had been collected and this represents an increase of \$800,000, \$600,000 of which is at the Norman Campus and \$200,000 at the Health Sciences Center. Since most of the tuition is collected in September, he said this only reflects a few days of the fall activities but the major point is that there was concern last year about tuition and fee income because of under-enrollment but the University will not have that problem this year; enrollment is stable and the budget will be stable as a result of that. Under federal grants and contracts revenue, Vice President Elbert said projections for this year's fiscal budget were made back in the spring and they were extremely conservative. He said the experience for the first two months of this fiscal year suggests that we are going to do much better and it is appropriate to reflect increased activity in that area so the budget has been increased by \$2 million. He called attention to the item Merchandise Purchased for Resale in the expenditures column and the fact that current year-to-date expenditures are only \$224,034 compared to \$1,043,000 last year. He said the huge difference is due to the fact that as of August 31 last year the University was operating its own bookstore and this year it is not.

Vice President Farley called attention to the fact that current revenues are under expenditures by \$2.651 million as of August 31. He said this should not cause alarm at this point in the budget year because it is very early. He said the majority of the revenues under expenditure numbers are the result of activities at the Health Sciences Center. He noted that external service units reflect a fairly significant decrease this year compared to last year. He reminded the Regents that two major service units at the Health Sciences Center are Telecommunications and the Steam and Chilled Water Plant where OU is providing services to other agencies at the Health Center. This year the State of Oklahoma instituted a new accounting system as of July and has had a bit of trauma with generating payments as a result of that system. They are a bit behind in making their transfers between agencies and have not been able to process the bills and make payments to us in a timely manner. He said this difference is simply a timing difference and the numbers will change over the next few months.

Vice President Farley also called attention to Professional Practice Plan Revenues which are very similar to the numbers at this time last year, which means that revenues at this point in the year are continuing to come in as budgeted. As a result of the State's change in the State PPO for employees, there may be a change. He said there is a little drop off of scheduling of visits with physicians but at this time the administration does not think that is going to have a significant impact on the Professional Practice Plan. He called attention to the expenditures under the Professional Practice Plan and that these are up a bit above what had been projected but again he does not think there is any cause for concern because it is early in the year. Professional Practice Plan revenues are more than adequate to cover the expenses and reserves and the accounts receivable in the Professional Practice Plan are more than adequate to cover any kind of temporary overexpenditure.

Dr. Farley called attention to the grants and contracts indirect cost reimbursement in the General University Reserves report which now stands at \$166,963. He said this reflects a substantial reduction in the amount of reserves that are available compared with the number for June 30. As a result of the success in attracting grants and contracts at the Health Sciences Center, the amount of cash flow that is required to finance those contracts before reimbursement is received had to be increased and this calls for a reduction in the reserve. He said this is a positive sign and means there are more grants and contracts at the Health Sciences Center so more cash has to be provided to finance the expenditures until the University is reimbursed. He also called attention to the fact that the Utility System Reserve at the Health Sciences Center is significantly reduced from the amount at June 30. This is a result of the July authorization of the Board to defease the 1973 bonds. He said this number probably will decrease more in the next month or so because of a tender offer out for approximately this amount of money for a portion of the 1979 bonds. By reducing the amount of bonds outstanding, the debt service payments will be reduced and the Health Sciences Center will be able to implement a fairly significant reduction in rates to all of the customers and to OU.

No action was required on this report.

NORMAN CAMPUS STUDENT ASSOCIATION BUDGET

Summaries of the budgets proposed for the expenditure of the Student Activity Fees allocated to UOSA for 1990-91 were included in the agenda and are as follows:

UOSA BUDGET FOR 1990-91 FISCAL YEAR

FUNDS AVAILABLE

Lump Sum appropriated

\$340,060.00

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APPROPRIATIONS

Omnibus	\$279,889.33
Student Organizations & Sports Clubs	<u>60,170.67</u>
TOTAL	\$340,060.00

UOSA OMNIBUS APPROPRIATIONS ACT

<u>Organization</u>	<u>1989-90</u>	<u>1990-91</u>	<u>Difference</u>
UOSA Legislative Branch	\$ 8,569.50	\$ 11,403.24	\$+ 2,833.74
UOSA Judicial Branch	23,098.38	27,894.60	+ 4,796.22
Student Assistance Center	16,360.58	21,463.18	+ 5,102.60
Housing Center Association	6,583.78	6,323.67	- 260.11
UOSA Executive Branch	24,212.23	25,687.14	+ 1,474.91
UOSA Contingency Fund	-0-	-0-	-0-
Homecoming	550.49	397.50	- 152.99
Ellison Hall Operating Account	21,544.86	38,394.74	+16,849.88
Panhellenic Association	5,086.69	3,717.04	- 1,369.65
Interfraternity Council	5,745.18	4,659.75	- 1,085.43
Howdy Week	172.50	538.25	+ 365.75
UOSA Commuter Center	10,829.03	12,945.45	+ 2,116.42
Cate Center	5,104.75	4,753.01	- 351.74
Adams Center	5,215.36	5,136.24	- 79.12
Walker Tower	6,033.35	5,542.74	- 490.61
Spirit Council	160.22	542.14	+ 381.92
Dad's Day	1,754.72	5,214.45	+ 3,459.73
Campus Film Series	20,174.74	16,559.40	- 3,615.34
Campus Activities Council	2,494.71	2,864.60	+ 369.89
Speaker's Bureau	60,026.25	65,052.53	+ 5,028.28
Mom's Day	1,559.74	1,915.20	+ 355.46
University Apartment Center	3,313.63	5,132.73	+ 1,819.10
Athletic Housing Center	2,315.25	2,542.09	+ 226.84
Winter Welcome Week	551.22	1,059.68	+ 508.46
UOSA Publications	710.00	637.50	- 72.50
College Bowl	912.97	1,071.46	+ 158.49
Accounting Services	<u>8,441.00</u>	<u>8,441.00</u>	<u>-0-</u>
	\$241,521.13	\$279,889.33	\$+38,368.20
Student Organizations/Sports Club	<u>50,178.87</u>	<u>60,170.67</u>	<u>+ 9,991.80</u>
	\$291,700.00	\$340,060.00	\$+48,360.00

GSS BUDGET FOR FISCAL YEAR 1991

FUNDS AVAILABLE

Lump Sum Appropriated

\$32,256.00

APPROPRIATIONS

GSS Omnibus	\$14,216.85
Law School (including Law Student Organizations)	9,676.80
Conference Grants	4,000.00
Graduate Student Organizations	<u>4,362.35</u>
TOTAL	\$32,256.00

GSS OMNIBUS APPROPRIATIONS ACT

<u>Organization</u>	<u>1989-90</u>	<u>1990-91</u>	<u>Difference</u>
GSS Legislative Branch	\$ 9,524.90	\$14,216.85	\$+ 4,691.95
Law School	-0-	9,676.80	+ 9,676.80
Conference Grants	500.00	4,000.00	+ 3,500.00
Special Events Contingency Fund	<u>500.00</u>	<u>-0-</u>	<u>- 500.00</u>
	\$10,524.90	\$27,893.65	\$+17,368.75
 Graduate Student Organizations	 <u>16,731.10</u>	 <u>4,362.35</u>	 <u>-12,368.75</u>
	\$27,256.00	\$32,256.00	\$+ 5,000.00

Copies of the Student Congress Omnibus and the Graduate Student Senate Omnibus Appropriations Acts for November 1, 1990 through October 31, 1991 also were distributed to the Regents.

Vice President Anona Adair, Student President Craig Adkins, Student Congress Chair Mo Goff, and Graduate Student Senate Chair Steve Lazarus were invited to make comments.

Vice President Adair introduced the students and reminded the Regents that the Student Activity Fee for 1990-91 had been allocated by the Board of Regents and included \$372,316 to the Student Association. Craig Adkins reported that of the total amount appropriated to the students by the Regents, \$340,060 was allocated to Student Congress and \$32,256 to the Graduate Student Senate. Mo Goff, Chair of Student Congress, said Congress received this year \$45,000 above last year's total allocation. Of this total, approximately \$20,000 was absorbed by salary adjustments due to an increasing federal minimum wage. He noted also that a new account has been established from which all salaries and stipends are disbursed. This aids in the necessary bookkeeping but also makes the allocations to the various Omnibus organizations seem reduced when compared to previous budgets. He said Omnibus organizations are all of the housing centers, branches of UOSA, and divisions of Campus Activities Council. \$276,000 was allocated to these groups in a process judged fair and equitable by Student Congress.

Steve Lazarus commented on the Graduate Student Senate Appropriations Act. He called attention to the fact that there are three line items that did not appear previously. These are the Vice Chair stipend, a separate allocation for students in the College of Law, and a contingency fund. He said the Law

students have been receiving between \$9,000 and \$10,000 from the total GSS budget but this year and in the future, the Law allocation will be decided based on the percentage of hours for which Law students are enrolled in comparison with the remainder of the graduate student community. This year that number is approximately 30%. The funds then will be distributed internally to the Law student organizations.

President Van Horn recommended approval of the lump sum UOSA appropriations for Student Congress in the amount of \$340,060 and for the Graduate Student Senate in the amount of \$32,256 as shown on the budget summaries above.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

Regent White was out of the meeting room for a short period of time during which Regent Hogan presided.

AMENDMENTS TO CHARTER GOVERNING STUDENT PUBLICATIONS

President Van Horn said the Charter Governing Student Publications at The University of Oklahoma has been under review by the Publications Board for several months. The Board has proposed a number of changes which are summarized as follows:

1. The criteria for student editors and board members is clarified and strengthened.
2. Compliance with University policies is substituted for specific statements to avoid amending this document as University policies change.
3. The title School of Journalism and Mass Communication replaces School of Journalism.
4. The title Editorial Supervisor was changed to Editorial Advisor to more accurately reflect the duties of the position and the expectations of the Publications Board.
5. The requirement that Editorial Advisors be members of the faculty has been made permissive.

The Charter Governing Student Publications was approved by the Board of Regents on October 18, 1973 and amended on December 9, 1982. The proposed changes are reflected in Exhibit B attached with the words to be deleted in medium helvetica overstrike and the words to be added in bold helvetica underline.

President Van Horn recommended that the Board of Regents approve changes in the Charter Governing Student Publications as proposed.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

FACULTY PERSONNEL POLICY REVISIONS - HEALTH SCIENCES CENTER

President Van Horn said a committee composed of the Provost, Assistant Provost for Academic Affairs, Legal Counsel, Dean of Pharmacy and the past and current chair of the Health Sciences Center Faculty Senate recently conducted a complete review of the Faculty Handbook and recommends the changes, modifications and deletions to the Faculty Personnel Policy as shown in Exhibit C attached. Proposed deletions are lined through and additions are underlined.

Provost Rich said the revisions clarify the intent of the policies, correct wording that has led to misinterpretations and add timelines to the faculty appeals process. These changes do not alter the intent of the currently approved policies. The Faculty Senate was consulted at length on the changes to and establishment of timelines to the current faculty appeals process.

President Van Horn recommended the Board of Regents approve the proposed revisions to the Health Sciences Center Faculty Personnel Policy.

Regent West moved approval of the recommendation. The following voted yes on the motion: Regents Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

NEPOTISM POLICY MODIFICATION

On an occasional basis, requests have been submitted to the University Regents for exceptions to the policy of the Board of Regents prohibiting the employment of two persons who are related within the third degree to be appointed to positions in the same budgetary unit. These exceptions generally have been for short periods of time. It seems appropriate at this time to add language to the Nepotism Policy which will permit exceptions upon approval of the President of the University without going to the Board of Regents.

The complete Nepotism Policy with the phrases to be added underlined is as follows:

Except as prohibited by the laws of the State of Oklahoma, relationship by consanguinity or by affinity shall not, in itself, be a bar to appointment, employment or advancement by The University of Oklahoma nor (in the case of faculty members) to eligibility for tenure of persons so related.

But, no two persons who are related by affinity or consanguinity within the third degree shall be given positions in which either one is directly responsible for making recommendations regarding promotion, salary or tenure for the other; nor shall either of two persons so related who hold positions in the same budgetary unit be appointed (or, as in the case of members of Committee A of an academic unit, elected) to an executive or administrative position in that unit or to a position involving administrative responsibility over it, as long as the other person remains in the unit, without first receiving the written approval of the Provost, or the appropriate Vice President, and the President. In the event a waiver is granted, performance evaluations and recommendations for compensation and promotion will be made by one not related to the individual being evaluated. The Board of Regents will be notified at the next meeting of any waivers.

Relatives that are within the third degree of relationship to an employee by blood or marriage are as follows:

Spouse; parent; grandparent; great-grandparent; parent, grandparent or great-grandparent of spouse; uncle or aunt; uncle or aunt of spouse; brother or sister; son or daughter; son-in-law or daughter-in-law; grandson or granddaughter or their spouse; and great-grandson or great-granddaughter or their spouse.

President Van Horn recommended that the Board of Regents approve a modification to the current Nepotism Policy as explained above.

Mr. Fred Gipson reviewed the rationale for the proposed modification. During the discussion, Regent Noble inquired about notification to the Board of Regents when waivers are granted. It was agreed that a new third paragraph would be added to the policy to read: The Board of Regents will be notified at the next Board meeting of any waivers.

With this additional modification, Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

AGREEMENT FOR TECHNOLOGY LICENSING ASSISTANCE - OKLAHOMA STATE DEPARTMENT OF COMMERCE

Under the University Patent Policy the Board of Regents holds the rights to a body of technology in the form of inventions made by faculty, staff or students. The University attempts by various means to commercialize these technologies. As one means of finding commercialization opportunities, the Regents have authorized individuals or companies to seek licensees for technologies owned by the University.

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The Oklahoma Department of Commerce (ODOC) has begun an inventors' assistance program. Recently ODOC provided OU with \$15,000 to defray the expenses of some foreign patent filings on one OU technology. In the course of negotiating that assistance, ODOC indicated that they would like to have an ongoing relationship with OU under which they could try to find licensees for OU technologies.

Mr. Skip Coddling of the University's intellectual property law firm has drafted an agreement which is similar to other technology licensing agreements which have been approved by the Regents except that it does not specify a technology. If the Regents approve this agreement, it would allow representatives of ODOC to deal directly with the Vice Provosts for Research Administration for authority to market a specific technology. The agreement would be ongoing (at the discretion of the two parties) and would allow OU and ODOC to cooperate in this fashion without having to go back to the Regents each time for approval.

The agreement sets forth the terms and conditions under which ODOC shall operate. The salient provisions of the recommended agreement are as follows:

- a. OU will have sole and exclusive discretion both on whether to allow ODOC access to a particular technology as well as the terms of any technology agreement with any party located by ODOC including whether or not to enter into any agreement.
- b. If OU does enter into an agreement with any party located by ODOC, then any license fees or royalties received by OU as a result will be divided 80 percent to OU and 20 percent to ODOC. This division of money does not apply to money paid to OU for research or to a faculty member for consulting, all of which would go to OU or the faculty member, even if those items are provided for in the same license agreement.
- c. ODOC will pay all expenses incurred in connection with the agreement and the University will incur no financial obligation other than the division of income noted above.
- d. The original term of the agreement is for 12 months. However, the agreement automatically renews unless either OU or ODOC chooses to terminate the agreement.

This agreement has been reviewed and approved by the Office of Legal Counsel.

President Van Horn recommended that the Board of Regents approve an agreement under which the Oklahoma Department of Commerce will undertake to find licensees for certain technologies owned by the University. He recommended also that the President be authorized to execute the agreement.

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Regent Noble moved approval of the recommendations. The following voted yes on the motion: Regents Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

CONTRACT WITH OKLAHOMA BIOTECHNOLOGY CORPORATION

The Health Sciences Center has been involved for several years with the Presbyterian Health Foundation and Oklahoma Medical Research Foundation (OMRF) in a joint technology transfer and economic development program based on the biomedical research of the Health Sciences Center and OMRF, much of which is conducted jointly. A technology assessment was carried out to determine the potential market value of research. The results of that appeared promising so plans were initiated using consultants from Battelle in Columbus, Ohio for a for-profit seed-capital company and marketing operation. These activities have been funded by the three institutions with Presbyterian Health Foundation supplying half of the funds and the other half split evenly between the Health Sciences Center and OMRF.

The plans for a for-profit seed-capital corporation and the participation of the Health Sciences Center were reviewed by the Regents at the February, 1989 Health Sciences Center Committee meeting, and an update was provided by President Van Horn in February, 1990. The name was to be Oklahoma Biotechnology Corporation (OBC). Capital was to be raised from local businessmen and the Health Sciences Center's involvement was to enter into licensing agreements when desired by both parties so that OBC could develop selected technologies commercially.

Private capital in the amounts needed is not available so the plans for OBC now call for it being converted to a nonprofit corporation dedicated to consulting and help with assessing and marketing new technologies emanating from research of the Health Sciences Center and OMRF.

The corporation is to have a six member Board of Directors with two members appointed upon recommendation of each participating institution. The effort has been to have board members whose business backgrounds would help with the objectives of OBC. Current members are Mr. John Snodgrass, Mr. William Beard, Mr. G. Rainey Williams, Jr., and Mr. Jerry Marshall. Two additional members are to be appointed upon recommendation of President Van Horn.

An operating committee reporting to the Board consists of Jean Gumerison, President of the Presbyterian Health Foundation, Dr. William G. Thurman, President of OMRF, and Provost Clayton Rich. A scientific advisory committee and a marketing advisory committee are yet to be appointed.

Prior to the appointment of the operating committee this summer, the University was not fully involved in decisions about OBC. The staffing of OBC was completed this spring and consists of the interim coordinator and corporate

vice president, Mr. Garrett Miles, and the project manager/director and corporate vice-president, Mr. William Aven. It is anticipated that, over time, Mr. Aven will become the president and assume the responsibilities of the interim coordinator. Mr. Aven has extensive experience in marketing and commercial development of pharmaceutical and biomedical technologies.

The services to be provided by OBC include maintenance of an inventory of all biomedical technology within the University, evaluation of technologies as requested by the University for stage of development and maturation, marketability and potential for patent prosecution, assistance with the identification of potential vendors for specified technologies, and assistance in initiating the transfer of technologies into the marketplace. The actual negotiation and agreements would be made by the University but with advice and active marketing assistance as requested from OBC.

All proceeds from patenting and licensing activities for patents owned by the University would accrue to the University (subject to the University's agreements with faculty or other institutions when there are shared intellectual property rights). The only source of revenue for OBC will be grants from Presbyterian Health Foundation and OMRF and the proposed contract with the University.

The Health Sciences Center will have full jurisdiction about whether to involve OBC in any given project or whether to use some other approach such as a commission agreement with some other entity. Similarly, OBC would select projects deemed most promising for development, with that determination made by its Board of Directors based upon recommendation from the scientific and advisory committees and approved by the operating committee.

The proposed budget for OBC is as follows:

	<u>Actual</u> <u>1990-91</u>	<u>Projected</u> <u>1991-92</u>	<u>Estimated</u> <u>1992-93</u>
Administrative			
- Interim Coordinator & Corporate President	\$ 50,000	\$ 25,000	\$ 10,000
- On-call Financial Consultant			
Corporate Treasurer	1,000	6,000	30,000
- Projects Manager I			
Corporate Vice-President	45,000	55,000	70,000
- Secretarial - part time	10,000	20,000	20,000
- Salary Burdens (i.e., tax, insurance, etc.) Approximately 20% of above	20,000	17,000	25,000
Travel			
- \$1,000 estimate per trip per person	15,000	20,000	20,000

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	<u>Actual</u> <u>1990-91</u>	<u>Projected</u> <u>1991-92</u>	<u>Estimated</u> <u>1992-93</u>
Physical Plant			
- Rent - \$700/month, 3 yr. lease	\$ 8,400	\$ 9,600	\$ 10,800
- Telephone & Fax	3,600	3,600	4,000
Equipment			
- Computer	3,000	3,000	5,000
- Furniture	3,000	3,000	3,000
Miscellaneous			
- Petty Cash	2,400	2,400	2,400
- Postage	1,200	1,200	1,200
- Supplies	2,400	2,400	2,400
- Entertainment, meetings, Associations	<u>3,000</u>	<u>3,000</u>	<u>3,000</u>
Total	\$168,000	\$171,200	\$206,800

The University would contract to pay \$56,000 which is one-third of the budget of \$168,000 in 1990-91 in return for the services described above. Presbyterian Health Foundation and OMRF each pay a like amount.

The University's continued participation in future years will be decided after review and evaluation of the benefits and cost of the program during the initial two years. The budget in 1991-92 would be one-third of the projected \$171,200.

The current plan is for OBC to concentrate on work done in the Health Sciences Center and OMRF. However, once fully operational, and if this approach is successful, OBC could include biotechnology projects University-wide and possibly biotechnology work at OSU or elsewhere. Such expansion probably would require additional staff.

President Van Horn requested authorization to enter into a contract to pay Oklahoma Biotechnology Corporation \$56,000 for technology assessment and marketing services in 1990-91 and, further, requested authorization to make two appointments to the corporation's Board of Directors.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

REGENTS' ALUMNI AWARDS

Regents' Alumni Awards are given each year to honor up to 10 individuals, either alumni or friends of The University of Oklahoma, who have given generously of their time and services to the University. Donors who provide

financial support in addition to giving generously of their time and talent will not be eliminated. However, this is not an award based solely on monetary contributions. Special attention is given to alumni who have continued their active support after recent graduation.

Nominations are submitted by alumni, friends, and employees of the University. Selection of the recipients is made by a committee appointed by the President of the OU Alumni Association. The committee is composed of three alumni, one faculty member, one staff member, and one student.

Recipients are honored each year at a luncheon preceding a home football game. The award presentations are scheduled this year for November 23 and will be presented by the Chairman of the Board of Regents. Recipients will receive a plaque and their names will be placed on a large replica of the plaque in the Oklahoma Memorial Union.

The committee has met and selected these individuals:

Ricky Dale Akin - Austin, Texas
 Richard G. Askew - Bartlesville, Oklahoma
 Mitchell L. Burrus - Simi, California
 Gerald Heller - Tulsa, Oklahoma
 Stephen A. Janger - McLean, Virginia
 E. Lee Mills - Lafayette, Louisiana
 Nancy Sue Reavis O'Brian - Norman, Oklahoma
 Robin Siegfried - Tulsa, Oklahoma
 Jacqueline Wallace Strong - Phoenix, Arizona
 The Honorable Ralph G. Thompson - Oklahoma City, Oklahoma

President Van Horn recommended the Board of Regents confirm the Regents' Alumni Awards for 1990.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

Regent White returned to the meeting.

ENDOWED POSITIONS

President Van Horn presented the following information on new/modified endowed positions:

The G. T. and Libby Blankenship Chair in the History of Freedom

Mr. and Mrs. G. T. Blankenship have provided funds for a Chair in the History of Freedom. This Chair is intended for a teacher-scholar distinguished for outstanding excellence in undergraduate teaching as well as research. This

research and teaching focus of the chair holder are to be devoted to historical and contemporary issues in freedom, including the history of democracy in the ancient world and the American Constitution and its intellectual foundations. The chair holder will teach a full sequence of undergraduate courses, including introductory courses as well as courses in the general education core. The chair holder will also be expected to undertake a program of public outreach, organizing both scholarly conferences as well as symposia directed at a broader audience of Oklahoma citizens. With its definition of the professor as teacher, The G. T. and Libby Blankenship Chair in the History of Freedom places OU in the very forefront of the national movement to reemphasize the importance of undergraduate teaching in the mission of a great university. With its focus upon the history of liberty, it celebrates the ideal of an education for citizenship which shaped the vision of the Founders of the United States and the Founders of The University of Oklahoma. In every sense this would be an extraordinary chair, a unique chair, which would perform an extraordinary service for the students of The University of Oklahoma.

The Robert E. and Doris Klabzuba Professorship of Geology and Geophysics

The School of Geology and Geophysics is striving to maintain its historic role as one of the premier educational programs in the resource-related earth sciences. Currently, the competition for the best faculty in the United States is intense. The Robert E. and Doris Klabzuba Professorship of Geology and Geophysics will help the School either attract new excellent minds to the faculty or retain superior faculty. Only by recruiting and maintaining quality faculty over the next few years can the University position itself well for the next century. The support of the Klabzuba family in giving this second Professorship is an example of the dedication that our alumni have toward maintaining the best possible School of Geology and Geophysics.

The Glenn R. Watson Centennial Professorship of Law

Mr. Glenn R. Watson, senior partner in the law firm of Richards, Watson, and Gershon in Los Angeles, California, has generously pledged a gift to establish an endowed professorship in the College of Law. Mr. Watson, though a resident of California since shortly after World War II, has maintained a love and loyalty to his alma mater. The professorship made possible by this gift will strengthen and enrich academic programs in the College of Law. As the College trains the attorneys for the changing conditions of the 21st Century, this endowment will enable it to recruit outstanding teachers and scholars.

The Eberly Family Chair in Geology and Geophysics

The distinguished history of the University's School of Geology and Geophysics in petroleum geology and in the development of geophysical techniques for petroleum exploration is internationally acknowledged. Continued excellence in these and other areas will depend in part on the University's ability to attract nationally known leaders to head the School. The Eberly

Family Chair in Geology and Geophysics is pledged in support of the intellectual and administrative leader of the School and Director. Endowing the Directorship will help insure the long-term quality and stability of this important asset to the State of Oklahoma.

The Eberly Family Chair in Petroleum and Geological Engineering

The School of Petroleum and Geological Engineering has a rich tradition and heritage in energy education, research, and service. This endowment reserved for the position of the Director of the School will enhance the University's ability to attract an individual of national and international stature with the ability to sustain the School's programs of distinction and to contribute to the development of the energy technology of the future.

The John F.Y. Stambaugh Centennial Professorship of Accounting

Mr. Irvin Frank has provided funds for the establishment of the John F.Y. Stambaugh Centennial Professorship of Accounting. The proceeds from the endowment will be used by the College of Business Administration to retain or recruit an outstanding Accounting professor. This professorship was designed to add luster and strength to one of the University's strongest academic units. The School of Accounting consistently garners high national ranking for its research productivity and has distinguished alumni serving in the accounting and allied professions throughout the world.

The Dean A. McGee Chair of Ophthalmology

At the March, 1990 meeting, the Board approved the Centennial Professorship of Visual Science. Additional gifts have been received from the Oklahoma Eye Foundation in order to change the endowed professorship to the Dean A. McGee Chair of Ophthalmology. The University's Department of Ophthalmology is recognized nationally for its contributions to the ever-expanding field of ophthalmologic medicine. The establishment of this Chair in Ophthalmology will allow an outstanding scientist to provide leadership into the emerging medical arenas of visual science including bio-optics, bioengineering, and optical monitoring systems.

Centennial Professorship of Dermatology Research

The Department of Dermatology requests authorization to transfer \$73,200 of independent operation funds (Professional Practice Plan) to the Regents' Endowment account for use to create an endowed professorship. This \$73,200 combined with \$51,800 of private donor funds in the Department of Dermatology account at The University of Oklahoma Foundation will establish the endowed professorship with the minimum \$125,000 requirement.

The purpose of this transfer is to qualify for State matching funds of \$250,000 to establish the Centennial Professorship of Dermatology Research. In the event the State match is not forthcoming, the funds provided by the Department are to be returned. The Department plans to complete funding of the professorship from private sources within the next two or three years.

Prior to modern scientific breakthroughs in molecular biology it was believed that viruses did not cause cancer. Now through the use of sophisticated molecular gene probes and viral probes, the viral causes of skin cancers, cervical cancers, lupus and other life-threatening diseases can be determined. This endowed position in the Department of Dermatology will allow the University to attract a top dermatologist/scientist to work at the forefront of molecular biology and genetic engineering to assist in the prevention and cure of these debilitating dermatological diseases.

Requests have been or will be submitted to the Oklahoma State Regents for Higher Education to allocate matching funds for these positions. This will bring the University's total requests for State Regents' matching funds to \$15,800,000, of which \$14,575,000 already has been allocated.

President Van Horn recommended that the Board of Regents:

1. Acknowledge with appreciation the recent gifts of Mr. and Mrs. G. T. Blankenship, Mr. Glenn R. Watson, Mr. Irvin Frank, the Eberly family, Mr. and Mrs. Robert E. Klabzuba, the Oklahoma Eye Foundation, and the Department of Dermatology to establish seven new endowed positions and to change an endowed professorship to an endowed chair.
2. Authorize designation of the positions as set forth above.
3. Authorize the transfer of Independent Operation Funds (Professional Practice Plan) to the Regents' Endowment account for the Centennial Professorship of Dermatology Research.

Regent Lewis moved approval of the recommendations. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, and West. Regent Blankenship abstained. The Chair declared the motion approved.

On behalf of the University and the Board of Regents, Regent White expressed deep appreciation to Regent Blankenship and his wife, Libby, for the new endowed chair and there was a round of applause. Regent Blankenship said this was a wonderful opportunity they were very pleased to have and that the University means a great deal to them.

ACCEPTANCE OF GIFT TO REGENTS' ENDOWMENT FUND

The University recently received and accepted a cash gift in the amount of \$75,000 from the estate of Robert H. Huston, Jr. for the benefit of the College of Engineering in its programs of petroleum production. The Last Will and Testament of Robert H. Huston, Jr. contains no restrictions requiring the gift to be held in perpetuity and, therefore, the entire gift is expendable

for the College of Engineering and its programs of petroleum production. However, it is the opinion of the Dean and Assistant Dean of the College of Engineering that the intent of the donor can best be met by making the gift a part of the Regents' Endowment and Other Participating Funds, with only the investment earnings being utilized by the College of Engineering in its programs of petroleum production. It is the intent of the College of Engineering to use subsequent distributions from Mr. Huston's estate for the purchase of much needed equipment consistent with Mr. Huston's wishes.

It is recommended that the gift be formally designated as a quasi-endowment fund and made a part of the Regents' Endowment and Other Participating Funds. As such, the fund will function like an endowment fund with only the investment earnings being spent for the College of Engineering in its programs of petroleum production. At any time, however, the entire gift may be totally expended for the purpose intended by the donor at the discretion of the College of Engineering and the Board of Regents.

President Van Horn recommended that the gift received from the estate of Robert H. Huston, Jr., for the benefit of the College of Engineering in its programs of petroleum production, be made a part of the Regents' Endowment and Other Participating Funds as a quasi-endowment fund. Said quasi-endowment fund is to be named "The Robert H. Huston, Jr., Memorial Endowment Fund". As such, the fund will function like an endowment fund but may be totally expended for the purpose intended by the donor at any time at the discretion of the College of Engineering and the Board of Regents.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

1991 MEETING DATES

An item was included in the agenda pertaining to changing the January, 1991 meeting date. The issue was discussed briefly but no action was taken.

FIELD SUPPORT FOR MICROBIAL OIL RECOVERY PILOT PROGRAM

The U. S. Department of Energy has awarded a grant to the University for a pilot project, a joint research project of the School of Petroleum and Geological Engineering and Department of Botany and Microbiology for experimentation of microbial activity through molasses injection into non-producing oil wells. Sullivan and Company are the operators of an oil producing field near Stillwater which has four inactive wells suitable for this pilot project. The project includes clean-out of the wells, with one well to be used for injection and three wells to be used for production if the process is successful. Sullivan is to furnish all equipment, utilities, road improvements and

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storage equipment. Sullivan is a long established private oil and gas company in Tulsa which has extensive interests in oil and gas properties from the Gulf Coast to Canada.

This project is planned for a six-month period and funds are available from U. S. Department of Energy grant account 157-841, Microbial Field Pilot Study.

Previous arrangements were initiated with Tenneco Corporation and Mesa Corporation, but both firms transferred operation of this area before final agreement could be reached. Sullivan is now the operator of these wells and, after extensive negotiations, the following agreement has been reached on the costs for this project:

One-Time Costs

1. Well clean out
 2. Labor and equipment for pumping, tubing, casing, wellhead boxes, collecting system, injection, separation, and storage
 3. Electrical lines
 4. Road Improvement
- | | |
|-----------|--------------|
| Sub-Total | \$ 81,200.00 |
|-----------|--------------|

Monthly Operating Costs

1. Equipment rental
 2. Maintenance
 3. Utilities
 4. Field Supervision
 5. Overhead
6 months at \$7,480/month
- | | |
|----------------|------------------|
| Sub-Total | <u>44,880.00</u> |
| TOTAL CONTRACT | \$126,080.00 |

President Van Horn recommended that the Board of Regents approve the award of a purchase order to Sullivan and Company in the amount of \$126,080.00 to provide field support for the Microbial Oil Recovery Pilot Project, a research project funded by the USDOE.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

ENERGY CENTER PHASE IVE MOVABLE EQUIPMENT

The following is a summary of the proposed awards. In each case, the proposal is to accept the low bid received for the specified items and products identified as the base bid.

<u>Items</u>	<u>Company</u>	<u>Award</u>
1. Metal Office Furniture	Scott Rice Company	\$323,048.68
2. Office Seating	Goldsmith's, Inc.	\$303,112.17
3. Classroom Tables and Seating	Educational & Institutional Cooperative Service, Inc.	\$ 86,159.56
4. Wood Office Furniture	Educational & Institutional Cooperative Service, Inc.	\$ 97,021.63
Total		<u>\$809,342.04</u>

Bid specifications were prepared by University staff for the purchase and installation of movable equipment for Phase IVD, the Tower Interiors, and classroom and office elements of Phase IVA, the Tower Base. The movable equipment and furnishings bid package included the desks, chairs, file cabinets, bookcases, computer tables and support equipment for the faculty and staff offices, research laboratories, teaching laboratories and support spaces in the Tower and includes seating for the recently completed classrooms and other office and support spaces located in the Phase IVA portion of the building.

Some adjustments in the number of furniture and equipment items may be required in order to meet final project requirements. All adjustments or modifications in the quantities included in purchase orders will be based upon unit cost prices as quoted by the vendors at the time of bidding.

These purchases will be funded from the Sarkeys gift.

The following is a summary of the bids received for the items of furniture and equipment which meet the specifications:

1. Metal Office Furniture Group

A. Scott Rice Company Oklahoma City	\$323,048.68
B. Educational & Institutional Cooperative Service, Inc. Dallas	\$329,439.11
C. Goldsmith's, Inc. Oklahoma City	\$403,340.37

Bids were received from two firms for alternate products which did not meet the specifications. In both cases, the cost of the proposed alternate items exceeded the cost of the items bid as specified by the low bidder. Therefore, it is recommended that the purchase order be awarded to Scott Rice Company, the low bidder providing the items specified.

2. Office Seating Group

A. Goldsmith's, Inc. Oklahoma City	\$303,112.17
B. Ingram & Company Drumwright, Oklahoma	\$304,522.46

Six other companies submitted bids based on products which did not meet the specifications or which were incomplete.

It is recommended that the purchase order be awarded to Goldsmith's, Inc., the low bidder providing items as specified. This bid was approximately \$80,000 less than the original University estimate for this group of items.

3. Classroom Tables and Seating Group

A. Educational & Institutional Cooperative Service, Inc. Dallas	\$ 86,159.56
B. Scott Rice Company Oklahoma City	\$ 88,762.52
C. Thompson Book & Supply Company Oklahoma City	\$ 95,464.00
D. John Hudson Company Oklahoma City	\$104,271.27

It is recommended that the purchase order be awarded to Educational & Institutional Cooperative Service, Inc., the low bidder providing the items as specified.

4. Wood Office Furniture Group

A. Educational & Institutional Cooperative Service, Inc. Dallas	\$ 97,021.63
B. Scott Rice Company Oklahoma City	\$101,170.50

It is recommended that the purchase order be awarded to Educational & Institutional Cooperative Service, Inc., the low bidder providing items as specified.

The bid documents also were provided to 30 other furniture and equipment suppliers located primarily in Oklahoma.

President Van Horn recommended that the Board of Regents approve the award of four purchase orders with a combined cost of \$809,342.04 as shown above in the amounts indicated to furnish the selected items of movable equipment for Phase IVD of the Energy Center.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

PURCHASE OF TROLLEY VEHICLES

At the December, 1989 meeting, the Board of Regents approved the award of a purchase order for the purchase of two trolleys from Boyertown Body and Equipment Company. The University recently received notification that Boyertown Body and Equipment Company has filed for bankruptcy and will be unable to fulfill the purchase order. Therefore, the purchase of the two trolleys was rebid recently.

The trolleys are for use in the CART (Cleveland Area Rapid Transit) system and are replacing two trolleys which have been sold. The bid specifications provide for heavy-duty construction and suitability for urban use. Both trolleys include wheelchair lifts to provide access for handicapped passengers.

The purchase is contingent upon approval by the Board of Directors of COTPA for the COTPA split share of the funding (80%). The cost of these vehicles is funded by the Federal Urban Mass Transit Authority (\$180,080.00), with the balance (\$45,020.00) funded from the sale of two trolleys and the CART operations account. COTPA will also provide 50% of the operating expenses.

The award will be made by COTPA to Lazy N Custom Manufacturing Company, the low bidder on the project.

Bids were received as follows:

<u>Bidder</u>	<u>Cost Each Vehicle</u>	<u>Total Cost</u>	<u>OU Prorated Amount</u>
Lazy N Custom Mfg. Company Warrensburg, Illinois	\$112,550.00	\$225,100.00	\$45,020.00
Transi-Corp, Inc. Evergreen, Alabama	145,916.00	291,832.00	58,366.40

President Van Horn recommended that the Board of Regents approve the award of a purchase order to the Central Oklahoma Transportation and Parking Authority (COTPA) in the amount of \$45,020.00 as the University's share (20%) of the cost of replacing two trolley vehicles to be used by the Parking and Transportation Department.

Regent Hogan moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

PURCHASE OF IMAGE ANALYSIS SYSTEM

The College of Medicine, Department of Urology, needs to do research to quantify DNA ploidy patterns where approximately 10,000 cells will be measured in order to detect near normal DNA patterns, enhance resolution of more peaks, and increase detection of malignancy.

Research has shown that many genetic changes occur during the development of malignancy and indicate these changes can be plotted in order to predict the risk of an individual developing a malignancy in the future. This research includes application of these "cancer markers" in high risk populations as well as in vitro studies in cancer biology. Many of these genetic changes that take place in the cell are interrelated and are best studied simultaneously. This image analysis system will be used to quantify at least four cancer markers simultaneously.

The imaging system described will allow image capture, permanent image storage and simultaneous high speed analysis of at least four discreet fluorochromes which can be used to label oncogenes, tumor associated antigens, DNA, genes, cell growth receptors or cell differentiation proteins. This image analysis system will allow the versatility and speed necessary to evaluate new cancer markers as they are developed.

Bids were sent to Dynatech, Carl Zeiss, and Olympus. Dynatech was low bid; however, their system did not meet several specifications required in the bid. Bids were as follows:

Dynatech Chantilly, Virginia	\$184,119
Carl Zeiss, Incorporated Dallas, Texas	\$197,483
Carl Zeiss, Incorporated Thornwood, New York	\$207,500
Olympus Lake Success, New York	No Bid

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The administration recommends a purchase order be awarded to Carl Zeiss, Incorporated for \$197,483 on the basis of low bid meeting all specifications. Funds for this purchase are listed below:

OCAST Account	C4197101	\$ 6,000
Presbyterian Health Foundation	C5116101	6,000
Cyto Diagnostics	C7134001	6,000
Presbyterian Health Foundation	C5334601	105,000
Dorothy M. Preston Medical Research	A0000791	56,483
DHHS, Center for Disease Control	C1135102	10,000
Center for Disease Control	C2114501	8,000

President Van Horn recommended the Board of Regents authorize the award of a purchase order to Carl Zeiss, Incorporated, Dallas, in the amount of \$197,483 for the purchase of an image analysis system.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

PURCHASE OF FLUORESCENCE ACTIVATED CELL SORTER

The College of Medicine, Department of Microbiology and Immunology, is in need of an instrument that will accomplish state-of-the-art cell sorting and will provide state-of-the-art cell analysis to all investigators on the HSC campus and throughout the State of Oklahoma. The presence of the instrument on campus will be a powerful recruiting tool for recruitment of individuals into the Molecular Medicine Center and into the clinical and basic science departments as well.

The instrument will be used to perform cell analysis of cells from animals or humans which have been labelled with fluorescent markers to identify parameters of the cells. The instrument is for clinical and basic science research that specifically involves sorting of labelled cell populations so that these populations can be studied in tissue culture or by whatever research technique required by the investigator.

The Becton Dickinson FACStar Plus Dual Laser Flow Cytometer System, for cell sorting, is the only known system on the market that will meet the researchers' needs. System includes two scilloscopes, computers (including color graphics) color printer, 20 MB disk drive, several software programs, cell positioning unit, dye raser head, laser bench and optics, full channel resolution, pulse processor, file transfer program and cable.

Overall the instrument will upgrade the research capability on the HSC campus so that investigators can compete nationally and internationally in their scientific research, helping to generate more external funding.

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The instrument will be housed in a core facility on or near the Molecular Medicine Center and will be available to all faculty. A highly skilled technical staff will operate the instrument and will coordinate the use of it by faculty. The Flow Cytometry Core facility should be open by January, 1991.

Funds for this purchase are listed below:

OCAST Account	C5112901	\$107,000
Presbyterian Health Fund	C4391401	166,923
BioMedical Research Support Grant	C1125209	145,270

President Van Horn recommended the Board of Regents authorize the award of a purchase order to Becton Dickinson for the purchase of a fluorescence activated cell sorter in the amount of \$312,350.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

PURCHASE OF ELECTRONIC KEY TELEPHONE SYSTEMS

The Health Sciences Center Telecommunications Department is primarily responsible for the Oklahoma Health Center telephone system. In 1986, it was the consensus of the Oklahoma Health Center Telephone Committee that standards be established for telephone system offerings to departments within their agencies.

To establish standards, the Telecommunications Department evaluated many electronic key systems on the market. During the evaluation, various manufacturers' products were tested in house and vendors were interviewed to obtain additional information about their products. The AT&T state-of-the-art electronic key telephone system was selected as the standard, following the original bid in February, 1988.

At the December, 1988 Regents' meeting, the recommendation to award a purchase order to AT&T for electronic key telephone systems in the amount of \$120,000 was approved for the period of January 1, 1989 through December 31, 1989. Customer demand for the new technology had far exceeded the original estimate. As of March, 1989 customer requests exceeded \$120,000. Due to the volume of the requests, it was felt by bidding a larger quantity the University would obtain a substantial savings. To address the need, bids were solicited and a contract to MicroAge was approved at the May, 1989 Regents' meeting. The MicroAge contract was a 13 percent savings over the previous prices.

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To address the ongoing need to systematically replace electromechanical key telephone systems with state-of-the-art electronic key systems, bids were sent to six vendors. The low bid from MediaSoft, Inc. dba MicroAge reflects a 23 percent saving over the previous bid. Five responses were received as follows.

<u>VENDOR</u>	<u>OFFER</u>
MediaSoft, Inc. dba MicroAge Oklahoma City	\$212,365.00
Frontier Computer Corporation Dallas, Texas	
Base Bid	\$290,170.00
Alternate Bid	\$279,950.00
Source, Inc. Richardson, Texas	\$281,440.00
Midwest Telephone Co. Inc. Indianapolis, Indiana	\$253,390.15
AT&T Oklahoma City	\$218,599.20

The Telecommunications and Purchasing Departments have evaluated the responses and the administration's recommendation is to accept the low bid from MediaSoft, Inc. dba MicroAge on an as-needed basis. The low bid also includes one percent discount if paid in 20 days.

The cost of these purchases will be recovered by monthly charges to the ordering department or agency over a 12-month period. The cost recovered includes a 15 percent markup to offset the Telecommunications Department overhead expenses. Title of the equipment remains with the University. Funds are available in budget account 38250090 Site Support-Telecommunications.

President Van Horn recommended the Board of Regents authorize the award of a contract to MediaSoft, Inc. dba MicroAge for AT&T Spirit Electronic Key Telephone Systems on an as-needed basis at an estimated total cost of \$212,365.

Regent West moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

PURCHASE OF HIGH VOLUME DUPLICATOR

The existing high volume duplicator in the Law Center, a Xerox 9400, was leased/purchased in 1981 to duplicate law student materials, continuing legal education seminar materials, and legal assistant student materials. During the time it has been in operation, the duplicator has averaged 3,000,000 copies per year. It has reached the end of its useful life and is currently experiencing excessive down-time for repairs. The major control parts are being replaced and the manufacturer can no longer guarantee the availability of parts. When the machine is being serviced or subject to waiting for a part, materials are sent to outside copy shops which increases the selling price of materials for students. The annual service contract cost is escalating such that it is no longer economical to maintain the equipment.

Only one bid was received because there are only two manufacturers of high volume duplicators. The bid received was as follows:

Xerox, Inc.		\$122,400
Oklahoma City	Trade-In	(13,000)
	Bonus Point	<u>(8,000)</u>
	Net	\$101,400

The machine offered by Xerox, Inc. meets all specifications and offers several labor saving features.

The cost of this purchase will be charged to the Law Center account 227-201. The Law Center reserve funds were budgeted in the Fiscal Year 1991 budget to support the purchase of the replacement duplicator.

President Van Horn recommended that the Board of Regents approve the award of a purchase order to Xerox, Inc. in the amount of \$101,400.00 for the purchase of a new high volume duplicator.

Regent Hogan moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

SARKEYS ENERGY CENTER DONOR RECOGNITION

In recognition of the major gifts provided by a number of individuals and corporations to assist in funding the Sarkeys Energy Center, it is proposed that the spaces listed below be identified as indicated. In each case, a permanent bronze marker will be affixed to the building recognizing the assistance.

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Area: Fifth Floor
Designation: Conoco Floor
Donor: Conoco, Inc., Wilmington, Delaware

Area: Seventh Floor
Designation: Phillips Petroleum Company Floor
Donor: Phillips Petroleum Company, Bartlesville, Oklahoma

Area: Tenth Floor
Designation: Shell Geosciences Computer Laboratory
Donor: Shell Oil Company, Houston, Texas

Area: First Floor, Room C118
Designation: Mobil Thermodynamics Laboratory
Donor: Mobil Oil Corporation, New York, New York

Area: First Floor, West Atrium
Designation: Gaylord Student Lounge
Donor: Mr. and Mrs. Edward L. Gaylord & Family, Oklahoma City

Area: First Floor, East Atrium
Designation: Gaylord Faculty Lounge
Donor: Mr. and Mrs. Edward L. Gaylord & Family, Oklahoma City

Area: Central Plaza
Designation: O'Brien Plaza
Donor: Mr. and Mrs. Brian E. O'Brien, Houston, Texas

Area: Second Floor, Room M204
Designation: Buckthal Classroom
Donor: Mr. and Mrs. W. Paul Buckthal, Amarillo, Texas

Area: First Floor, Room C103
Designation: Dresser Laboratory
Donor: Dresser Foundation, Dallas, Texas

Area: Second Floor, Room N202
Designation: Graves Family Classroom
Donor: J. M. Graves Family, Tulsa, Oklahoma

Area: Second Floor, Room P201
Designation: Bracken Classroom
Donor: Barth and Linda Bracken, Oklahoma City

Area: First Floor, Room A101
Designation: Texaco X-Ray Laboratory
Donor: Texaco Philanthropic Foundation, Inc.

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Area: Second Floor, Room A235
Designation: Kerr-McGee Classroom
Donor: Kerr-McGee Corporation, Oklahoma City

Area: Second Floor, Room P203
Designation: I. A. O'Shaughnessy Foundation Classroom
Donor: The I. A. O'Shaughnessy Foundation, St. Paul, Minnesota

Area: First Floor, Room P105
Designation: Mershon Laboratory
Donor: Mr. and Mrs. Paul M. Mershon, Jr., Monticeto, California

Area: Second Floor, Room B204
Designation: The Williams Companies Foundation, Inc. Laboratory
Donor: The Williams Companies Foundation, Inc., Tulsa, Oklahoma

Area: Second Floor, Room B205
Designation: Occidental Oil & Gas Corporation Laboratory
Donor: Occidental Oil & Gas Corporation, Tulsa, Oklahoma

Area: Seventh Floor, Office Suite 711
Designation: Mills Suite
Donor: Mr. and Mrs. E. Lee Mills, Lafayette, Louisiana

Area: Third Floor, Suite T301
Designation: Hale Suite
Donor: Mr. and Mrs. G. Carl Hale, Edmond, Oklahoma

Area: 8th Floor, Office Suite 810
Designation: Klabzuba Suite
Donor: Mr. and Mrs. Robert E. Klabzuba, Fort Worth

Area: 3rd Floor, Tower Base
Designation: Saxon Conference Suite
Donor: Bill D. and Wylodean Saxon, Dallas

President Van Horn recommended that the Board of Regents approve the designation of the facilities and spaces identified above and located in the Sarkeys Energy Center in recognition of major gifts provided by individuals and organizations.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

PROFESSIONAL SERVICE AGREEMENT

Department of Internal Medicine-Tulsa and Hillcrest Medical Center - \$80,000

NEW - Internal Medicine desires a teaching component that provides medical students and residents the understanding of the role of a geriatrician in the delivery of health care to the elderly. Hillcrest Medical Center desires to establish a geriatric assessment center in conjunction with establishing a geriatric rehabilitation unit with Kaiser Rehabilitation Center. Internal Medicine-Tulsa will provide academic and professional services of Insung Kim, M.D. in connection with the project. Hillcrest Medical Center will reimburse OU for such services. The term of this contract is from July 23, 1990 through July 22, 1991. This contract has been reviewed by our Legal Counsel. Funds will be deposited and expended through account A0010299 - PPP TMC-Internal Medicine Group.

President Van Horn recommended the Board of Regents approve the professional service agreement for the Health Sciences Center as set forth above.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

NAVY ROTC PLAZA AND FLAG COURT

On January 29, 1990, Dr. William W. Talley requested that The University of Oklahoma accept a gift from him that would include the design and construction of a flag plaza at the Armory Building to honor the Navy ROTC program and its 50th year anniversary at The University of Oklahoma. At that time, Dr. Talley was to be responsible for financing and contracting the work and his gift to the University was to be the completed flag plaza. The value of work to be accomplished was estimated to be \$32,000. Professional services for the design work for the plaza were to be provided by The Benham Group at no cost to the University.

University staff reviewed plans and specifications and participated in the opening of bids with Dr. Talley. A contract was issued between Dr. Talley and Barbour & Short Construction Co., Inc. and Marcum's Nursery, the successful bidders. Construction work was begun on August 14, 1990 and installation of landscape plant materials was successfully accomplished on September 14, 1990 in preparation for the ceremonial dedication of the area and transfer of the Naval ROTC Command on September 15, 1990.

Dr. Talley now requests that the gift from him be a cash donation to the University of Oklahoma Foundation, Inc. and that the Foundation be allowed to disburse payment for contracted work.

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President Van Horn recommended that the Board of Regents accept with appreciation the \$32,000 gift from Dr. William W. Talley for the construction of the Navy ROTC Plaza and Flag Court and request the OU Foundation to disburse payments for the contracted work.

Regent West moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

PROPOSALS, CONTRACTS, AND GRANTS

Summaries of proposals for research and training contracts and grants for the Norman Campus and for the Health Sciences Center for August, 1990 were included in the agenda for this meeting. A list of all contracts executed during this same period of time on proposals previously reported was also included.

A summary of the information presented and fiscal year 1990 and fiscal year 1991 month and year-to-date data is as follows:

	<u>Fiscal Year 1991</u>		<u>Fiscal Year 1990</u>	
	<u>August</u>	<u>Year-to-Date</u>	<u>August</u>	<u>Year-to-Date</u>
<u>Norman Campus</u>				
Proposals Submitted	\$8,191,287	\$137,225,110	\$11,650,952	\$17,912,193
Grant & Contract Awards	2,765,086	6,424,497	2,026,747	3,554,739
Total Expenditures	3,603,830	7,471,190	3,629,720	7,152,979
Total Projected FY 91 Expenditures and FY 90 Actual Expenditures		\$ 43,300,000		\$42,668,351
<u>Health Sciences Center</u>				
Proposals Submitted	\$ 756,177	\$ 5,483,177	\$ 3,901,785	\$ 8,982,146
Grant & Contract Awards	6,293,748	9,364,627	1,775,253	7,423,954
Total Expenditures	1,948,931	3,613,774	1,432,091	2,679,111
Total Projected FY 91 Expenditures and FY 90 Actual Expenditures		\$ 22,798,277		\$20,725,706

President Van Horn recommended that the President of the University or the President's designees be authorized to execute contracts on the pending proposals as negotiations are completed. The contract budgets may differ from the proposed amounts, he said, depending on these negotiations.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

UTILITY EASEMENTS

At the April 1990 meeting the Board of Regents approved a lease with Phillips 66 Company for the construction and operation of a service station in the southwest corner of Westheimer Airpark/Swearingen Research Park. In order to provide access and utility service to the Phillips site, it will be necessary to extend 24th Avenue NW and to construct the initial elements of water and sanitary sewer mains. Phillips 66 Company is responsible for the completion of this work along with construction of the service station.

Once the water and sewer mains are in place it is the administration's recommendation to transfer these improvements to the City of Norman for management and administration of the utility services and facilities. One approximately 25 foot utility easement has been located on each side of the 24th Avenue NW extension and both are described in detail as follows:

East Utility Easement

A tract of land located in the Southeast Quarter (SE/4) of Section Twenty Three (23), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing at the Southeast Corner of said SE/4; Thence S89°24'30"W on the South Line of said SE/4 for a distance of 1041.42 feet; Thence N00°35'30"W for a distance of 50.00 feet to the point of beginning said point being on the North Right-of-Way Line of West Robinson Street; Thence S89°24'30"W on said Right-of-Way Line for a distance of 12.68 feet; Thence N45°35'30"W for a distance of 35.36 feet; Thence S89°24'30"W for a distance of 10.58 feet; Thence N01°55'50"W for a distance of 45.81 feet; Thence N00°35'30"W for a distance of 139.20 feet; Thence N89°24'30"E for a distance of 24.33 feet; Thence S00°35'30"E for a distance of 185.00 feet; Thence S45°35'30"E for a distance of 35.36 feet to the point of beginning, containing 0.110 acres more or less.

West Utility Easement

A tract of land located in the Southeast Quarter (SE/4) of Section Twenty Three (23), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing at the Southeast Corner of said SE/4; Thence S89°24'30"W on the South Line of said SE/4 for a distance of 1191.42 feet; Thence N00°35'30"W for a distance of 50.00 feet to the point of beginning said

point being on the North Right-of-Way Line of West Robinson Street; Thence N44°24'30"W for a distance of 35.36 feet; Thence N00°35'30"W for a distance of 185.00 feet; Thence N89°24'30"E for a distance of 24.33 feet; Thence S00°35'30"E for a distance of 187.99 feet; Thence S44°24'30"W for a distance of 31.13 feet to a point on the North Right-of-Way Line of West Robinson Street; Thence S89°24'30"W on said Right-of-Way Line for a distance of 27.32 feet to the point of beginning, containing 0.119 acres more or less.

A sketch depicting the location of the 24th Avenue NW extension and the two utility easements was provided for the Regents. As designed, the sewer line will be located in the easement on the east side of 24th Avenue and the water main will be located to the west. However, both easements are non-exclusive and are adequate to accommodate future installation of telephone, electrical, gas and other services as required.

President Van Horn recommended that the Board of Regents approve proposed utility easements to the City of Norman, authorize the administration to request that the City accept water and sewer main improvements and assume management and maintenance responsibility for these utility services.

Regent Noble moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

ENERGY CENTER PHASE IVD SUBSTANTIAL COMPLETION

Terra Construction, Inc., the general contractor, has completed all of the work included in Phase IVD, the Tower Interiors, of the Energy Center Building project. This phase involves the construction of interior partitions; floor coverings; doors; lighting systems; electrical power distribution systems; local heating, ventilation and air conditioning; ceilings; painting; and other items of work necessary to complete all interior space.

Under the terms of the construction contract with the Board of Regents, the firm is required to substantially complete the building on or prior to September 15, 1990. A series of inspections has been completed by representatives of The Benham Group, the project architects and engineers, Terra Construction, Inc., and the University. A final punch list of incomplete items was developed by the project architects and has been provided to the contractor. It has been determined that the building was substantially complete September 15, 1990. Final payments will be made when it is determined that all remaining items of work required by the contract have been completed.

President Van Horn recommended that the Board of Regents accept Phase IVD, the Tower Interiors, of the Energy Center Building project as substantially complete effective September 15, 1990 and that final payments be made to Terra Construction, Inc. upon completion of all outstanding punch list items.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

INVESTMENTS

During the month of August, 1990, the following investment transactions were made based upon investment recommendations provided by J. & W. Seligman & Co.:

Sales:

2,500 Shares	American International Group, Inc.
300 Shares	Capital Cities/ABC, Inc.
3,000 Shares	Circus Circus Enterprises, Inc.
5,000 Shares	Comcast Corporation - Class A
2,500 Shares	Comcast Corporation - Special Class A
5,000 Shares	Community Psychiatric Centers
3,000 Shares	National City Corporation
4,000 Shares	Sara Lee Corporation

The allocation of resources within the fund following these investment transactions was well in line with the Regents' investment policy. A schedule presenting the status of the Regents' Endowment and Other Participating Funds Consolidated Investment Fund as of August 31, 1990 was provided.

The President and the University Trust Officer approved the Seligman recommendations, and these transactions have been completed.

This report was presented for information. No action was required.

SARKEYS ENERGY CENTER PLAQUES AND LETTERS

In order to meet the terms and conditions of the Sarkeys Foundation agreement with the University and to have the Sarkeys Energy Center plaques and building identification letters and the recognition plaques for the Energy Center founders and charter members installed in time for the dedication of the building, it was necessary to place orders for the required letters and plaques between meetings of the Board of Regents.

The University's Fiscal Management Policy authorizes the President to commit funds in the event of a demonstrable emergency. Due to the limited time available between the announcement and the acceptance of the Sarkeys Foundation gift at the September meeting of the Board of Regents and the established date for the building dedication, it was not possible to follow routine bidding procedures and normal contract award sequences for the acquisition of the required

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plaques and building identification letters. As a result, President Van Horn authorized the purchase of the following items at a combined cost of \$47,606.30. The required items were included in the Energy Center project budget.

<u>Items</u>	<u>Amount</u>
Building Identification Letters	\$ 5,086.30
Sarkeys Foundation and Donor Plaques	<u>42,520.00</u>
Total Cost	\$47,606.30

This report was for information only. No action was required.

INTERNAL AUDIT FINDINGS

The Internal Audit policy of the Board of Regents provides that the Director of Internal Auditing makes quarterly reports to the Regents on internal audits and post audits that have been completed since his last report. The policy also provides that the Director of Internal Auditing has the opportunity at each Regents' meeting to report on any condition which in his judgment could adversely affect the University. Mr. John Eckert, Director of Internal Auditing, did not have any significant findings to report at this meeting.

OKLAHOMA MEMORIAL UNION BALLROOM IMPROVEMENTS

At the July meeting, the Board of Regents reviewed the information presented on the renovations proposed in the Oklahoma Memorial Union and the need to borrow funds to accomplish these renovations. The Regents approved the Oklahoma Memorial Union borrowing \$300,000 to renovate and improve the ballroom. One of the conditions of this approval was that the plans for the renovation of the ballroom be presented to the Board of Regents for approval before any of the \$300,000 be expended.

President Van Horn said he had invited Mr. Paul Reed, Chairman of the Union Board of Trustees, Mr. Bob Lewis, Treasurer of the Union Trustees, and Mr. Charles Swaim, Executive Director of the Union, to this meeting to discuss the status of the proposed improvements.

Mr. Reed explained the composition of the Union Board and its Executive Committee. He said it was necessary to spend \$150,000 on infrastructure activities such as redoing the electrical, some asbestos abatement, and that sort of thing which delayed the ballroom improvements. This was Phase I and is now complete. The plan is that Phase II, which is the ballroom project itself, will proceed in November with an RFP for an architect or design firm. The Union Board expects to choose an architect in January, 1991 and in March, 1991 preliminary plans and options will be presented. The Union Board hopes that

the final plans can go out for bids in May so that most of the construction can be accomplished during the summer and the project completed in September, 1991. He asked Mr. Swaim to review the drawings which provide information on the scope of Phase II.

Mr. Swaim said Phase II includes the main staircase coming up from the lower levels, the two restrooms that are adjacent to the ballroom, the ballroom area itself, the storage areas adjacent to the ballroom, and Dining Rooms 5 and 6. He said the plans call for a corridor that will provide access to the ballroom from the parking center. He said the key elements of the project will be providing a new sound system, acoustical improvements, a new lighting system, and improving the electrical circuits. They will also be doing a lot of finish detail and they are working with a historical preservationist right now. He said they anticipate carpeting the whole area to improve acoustics.

The proposed scope of the project was discussed at length including questions from Regents about additional restrooms on the third floor, especially at the north end of the building where the dining facilities currently are located. Mr. Reed and Mr. Swaim agreed they would discuss with the architects the possibility of providing additional restrooms at the north end of the third floor. Mr. Reed said after engaging the architect they anticipate having a more formal presentation that would be more helpful.

Mr. Lewis reported on the financing of the project. He said Phase I is completed and is paid for. The Union Board anticipates that Phase II will probably cost about \$300,000 and they do have a loan commitment from Security Bank in Norman for \$500,000 at 8.5% for 15 years which is a very good interest rate. They are conservatively estimating that the 15% service charge will more than cover the debt service payments on the full \$500,000.

This report was presented for information and discussion. No action was needed at this time.

**ACADEMIC PERSONNEL ACTIONS
ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS
LITIGATION**

Regent Gullatt moved the Board meet in executive session for the purpose of discussing personnel issues and litigation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

The executive session was held in Dining Room 7 of the Union beginning at 11:00 a.m. with President Van Horn and Mrs. Tuttle. The Regents reconvened in regular session at 12:12 p.m. in Dining Room 5.

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ACADEMIC PERSONNEL ACTIONS

HEALTH SCIENCES CENTER:

Leaves of Absence:

Sabbatical Leaves of Absence:

Manville G. Duncanson, Jr., Professor and Chair of Restorative Dentistry, sabbatical leave of absence with full pay, June 1, 1991 through August 31, 1991 and June 1, 1992 through August 31, 1992. To do research.

Jean C. Elbert, Associate Professor of Pediatrics, sabbatical leave of absence with full pay, January 1, 1991 through June 30, 1991. To do research.

Michael S. Gilmore, Associate Professor of Microbiology and Immunology, sabbatical leave of absence with full pay, January 1, 1991 through June 30, 1991. To do research at Cambridge University.

Raphella Sohler, Associate Professor of Nursing, sabbatical leave of absence with full pay, January 1, 1991 through June 30, 1991. To serve as a Visiting Scholar at Harvard University.

Appointments or Reappointments:

Robert Howard Aikman, M.D., Clinical Associate Professor of Family Practice, Tulsa, annual rate of \$24,000 for 12 months (\$2,000.00 per month), .30 time, September 1, 1990 through June 30, 1991. Paid from C6153201, Maintenance and Operation Department of Family Practice.

Sunil Kumar, M.D., Assistant Professor of Anesthesiology, annual rate of \$50,000 for 12 months (\$4,166.66 per month), October 10, 1990 through June 30, 1991. Paid from A0000571, PPP Anesthesiology Administration.

Thomas Heriot Carter, M.D., Ph.D., Assistant Professor of Medicine, annual rate of \$60,000 for 12 months (\$5,000.00 per month), January 1, 1991 through June 30, 1991. Paid from D0319000, Medicine Operational.

Haraldine Anita Stafford, M.D., Ph.D., Assistant Professor of Medicine, annual rate of \$60,000 for 12 months (\$5,000.00 per month), January 1, 1991 through June 30, 1991. Paid from D0319000, Medicine Operational.

Lynn Ann Miller, M.D., Clinical Instructor in Family Practice, Tulsa, annual rate of \$12,000 for 12 months (\$1,000.00 per month), .10 time, July 1, 1990 through June 30, 1991. Paid from A0000198, PPP-TMC Family Practice Department.

M'Lisa Lynn Sheldon, Adjunct Instructor in Physical Therapy, FTE: \$62,000, Base: \$42,000 for 12 months (\$3,500.00 per month), PPP: \$20,000, August 20, 1990 through June 30, 1991. Paid from C4230003, PPP Central State Hospital.

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Changes:

Nabih R. Asal, Professor of Biostatistics and Epidemiology; given additional title Interim Chair of Biostatistics and Epidemiology, salary temporarily changed from annual rate of \$55,343 for 12 months (\$4,611.92 per month) to annual rate of \$61,343 for 12 months (\$5,111.92 per month), September 7, 1990 through June 30, 1991. Paid from 2504-6, Biostatistics and Epidemiology.

Lynnette Calvert, title changed from Visiting Associate Professor to Clinical Associate Professor of Pediatrics, Tulsa, salary changed from without remuneration to annual rate of \$24,000 for 12 months (\$2,000.00 per month), .40 time, August 1, 1990 through June 30, 1991. Paid from C6153201, Maintenance and Operation, Department of Family Practice.

Martiece Carson, title changed from Clinical Instructor in Neurology to Clinical Assistant Professor of Psychiatry and Behavioral Sciences, salary changed from without remuneration to annual rate of \$6,000 for 12 months (\$500.00 per month), 7.5 time, September 1, 1990 through June 30, 1991. Paid from 22209120, Psychiatry Neurology and Behavioral Sciences.

Keith W. Curtis, Associate Professor of Health Administration; title changed from Vice Chair to Interim Chair of Health Administration, salary temporarily changed from annual rate of \$39,003 for 12 months (\$3,250.25 per month) to annual rate of \$45,003 for 12 months (\$3,750.25 per month), September 1, 1990 through May 15, 1991; title changes to Vice Chair and salary to \$39,003 for 12 months, May 16, 1991 through June 30, 1991. Paid from 2502-6, Health Administration.

George L. Dale, Associate Professor of Medicine; beginning date of appointment changed from July 1, 1990 to October 15, 1990 through June 30, 1991.

David Griffiths, Clinical Instructor in Family Practice, Tulsa, salary changed from without remuneration to annual rate of \$12,000 for 12 months (\$1,000.00 per month), .10 time, July 1, 1990 through June 30, 1991. Paid from A0000198, PPP-TMC Family Practice Department.

Israel Henig, Clinical Assistant Professor of Obstetrics and Gynecology, Tulsa, salary changed from without remuneration to annual rate of \$30,000 for 12 months (\$2,500.00 per month), .50 time, July 1, 1990 through June 30, 1991. Paid from 2809-5, Obstetrics and Gynecology, Tulsa.

Jude T. May, Professor of Health Administration and Adjunct Professor of Pediatrics; given additional title of Interim Associate Dean, College of Public Health, salary temporarily changed from annual rate of \$44,144 for 12 months (\$3,678.67 per month) to annual rate of \$51,644 for 12 months (\$4,303.67 per month), August 1, 1990 through June 30, 1991. Paid from 2500-6, Dean's Office, College of Public Health, and 2502-6, Health Administration.

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Milton C. Olsen, Clinical Associate Professor of Psychiatry and Behavioral Sciences, Tulsa, salary changed from without remuneration to annual rate of \$60,000 for 12 months (\$5,000.00 per month), August 1, 1990 through June 30, 1991. Paid from 28139150, TMC Psychiatry.

Daniel J. Schneider, Professor of Biostatistics and Epidemiology; title of Chair of Biostatistics and Epidemiology, deleted, September 6, 1990.

Resignations and/or Terminations:

Allen C. Meadors, Professor and Chair of Health Administration; Adjunct Professor of Pharmacy and of Medicine, September 20, 1990 (with accrued vacation through November 5, 1990).

Chock Tsering, Assistant Professor of Neurology, July 1, 1990.

Retirements:

S. Joseph Barry, Professor of Communication Disorders, October 31, 1990; named Professor Emeritus of Communication Disorders.

Ilse von Brauchitsch, Assistant Professor of Medical Library Science and Reference Librarian, Health Sciences Library, September 10, 1990.

NORMAN CAMPUS:

Leaves of Absence:

Sabbatical Leaves of Absence:

Kaan Akin, Associate Professor of Mathematics, sabbatical leave of absence with half pay, January 1, 1991 to May 16, 1991. To participate in a research program at Brandeis University, the Massachusetts Institute of Technology, and Northeastern University.

Norman L. Crockett, Professor of History, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To do research.

Wayne T. Crouse, Professor of Music, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To write and present a program of Mozart transcriptions at The Royal Academy of Music in London, England.

Charles F. Gettys, Professor of Psychology, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To do research.

Joanne B. Hendrick, Associate Professor of Instructional Leadership, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To write a book.

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Lawrence M. Leemis, Associate Professor of Industrial Engineering, sabbatical leave of absence with half pay, January 1, 1991 through December 31, 1991. To do research in Washington, D.C.

Patrick L. Skubic, Associate Professor of Physics and Astronomy, sabbatical leave of absence with half pay, January 1, 1991 to May 16, 1991. To do research and conduct experiments at Cornell University.

Stephen Sloan, Professor of Political Science, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To do research.

Mary S. Vehik, Associate Professor of Anthropology, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To complete a book.

Barry L. Weaver, Associate Professor of Geology and Geophysics, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To write and travel.

D. Lawrence Wieder, Associate Professor of Communication and of Sociology, sabbatical leave of absence with full pay, January 1, 1991 to May 16, 1991. To write.

Leaves of Absence Without Pay:

Petr Chylek, Professor of Meteorology, leave of absence without pay, August 16, 1990 through December 31, 1990. Doing research at Daljousie University, Halifax, NCAR, and State University of New York-Albany.

Gregory D. Kunesh, Professor of Drama and Director, School of Drama, leave of absence without pay, January 1, 1991 through June 30, 1992. Accepted a Visiting Professorship at Rutgers University.

Peter B. Kutner, Professor of Law, leave of absence without pay, January 1, 1991 through May 15, 1991. To do research.

John Thompson, Associate Professor of Electrical Engineering and Computer Science, leave of absence without pay, August 16, 1990 through May 15, 1991. Working in industry for research purposes.

Leave of Absence With Partial Pay:

Deborah K. Watson, Associate Professor of Physics and Astronomy, leave of absence at .50 time, August 16, 1990 through May 15, 1991.

Appointments or Reappointments:

John P. Klingstedt, Clinical Professor of Accounting, annual rate of \$53,200 for 9 months (\$5,911.11 per month), August 16, 1990 through May 15, 1991. Paid from 127-213, Business Administration Instruction, pos. 704.60.

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Robert Cecil Dauffenbach, Ph.D., Professor of Business Administration and of Economics with tenure, and Director of the Center for Economic and Management Research, annual rate of \$80,500 for 12 months (\$6,708.33 per month), October 20, 1990. Paid from 127-407, Center for Economic and Management Research, pos. 2.65.

Kulathur Subrahmanyam Rajesethupathy, Visiting Associate Professor of Electrical Engineering and Computer Science, annual rate of \$23,000 for 9 months (\$2,555.55 per month), .50 time, August 16, 1990 through May 15, 1991. Paid from 127-231, Electrical Engineering and Computer Science, pos. 706.60.

Lawrence A. Warzel, reappointed Adjunct Associate Professor of Petroleum and Geological Engineering, rate of \$3,172.50 for 4.5 months (\$705.00 per month), .15 time, August 16, 1990 through December 31, 1990. paid from 127-276, Petroleum and Geological Engineering, pos. 708.60.

Bonita A. Daly, Assistant Professor of Accounting, annual rate of \$60,000 for 9 months (\$6,666.67 per month), January 1, 1991 through May 15, 1991. If Ph.D. not completed by December 15, 1990, title will be changed to Acting Assistant Professor of Accounting and salary changed to \$58,000 for 9 months. Paid from 127-213, Business Administration Instruction, pos. 13.60.

Walter David Ballew, Visiting Assistant Professor of Electrical Engineering and Computer Science, annual rate of \$42,640 for 9 months (\$4,737.77 per month), August 16, 1990 through May 15, 1991. Paid from 127-231, Electrical Engineering and Computer Science, pos. 704.60.

Paul William Enouen, Visiting Assistant Professor of Electrical Engineering and Computer Science, rate of \$7,000 for 4.5 months (\$1,555.56 per month), .25 time, August 16, 1990 through December 31, 1990. Paid from 127-231, Electrical Engineering and Computer Science, pos. 705.60.

Patrick Kelso Miller, Visiting Assistant Professor of Electrical Engineering and Computer Science, rate of \$10,000 for 4.5 months (\$2,222.22 per month), .50 time, August 16, 1990 through December 31, 1990. Paid from 127-231, Electrical Engineering and Computer Science, pos. 709.60.

Cadathur V. Rajagopalan, Visiting Assistant Professor of Electrical Engineering and Computer Science, rate of \$7,000 for 4.5 months (\$1,555.55 per month), .25 time, January 1, 1991 through May 15, 1991. Paid from 127-231, Electrical Engineering and Computer Science, pos. 708.60.

Mohammad Hassan Shafazand, Visiting Assistant Professor of Electrical Engineering and Computer Science, rate of \$13,000 for 4.5 months (\$2,888.88 per month), .65 time, August 16, 1990 through December 31, 1990. Paid from 127-231, Electrical Engineering and Computer Science, pos. 707.60.

James Sluss, Visiting Assistant Professor of Electrical Engineering and Computer Science, rate of \$20,800 for 4.5 months (\$4,622.22 per month), August 16, 1990 through December 31, 1990. Paid from 127-231, Electrical Engineering and Computer Science, pos. 702.60.

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JoNel Mundt, Visiting Assistant Professor of Marketing, annual rate of \$48,200 for 9 months (\$5,355.56 per month), August 16, 1990 through May 15, 1991. Paid from 127-213, Business Administration Instruction, pos. 717.60.

Changes:

Ann Balazs, title changed from Assistant Professor to Acting Assistant Professor of Marketing, salary changed from annual rate of \$51,000 for 9 months (\$5,666.67 per month) to annual rate of \$48,000 for 9 months (\$5,333.33 per month), August 16, 1990 through May 15, 1991. Paid from 127-213, Business Administration Instruction, pos. 735.60.

Joonmo Cho, title changed from Assistant Professor to Acting Assistant Professor of Economics, salary changed from annual rate of \$41,000 for 9 months (\$4,556.00 per month) to annual rate of \$38,000 for 9 months (\$4,222.22 per month), August 16, 1990 through May 15, 1991. Paid from 127-213, Business Administration Instruction, pos. 737.60.

F. Stephen Knippenberg, title changed from Visiting Associate Professor to Associate Professor of Law, August 16, 1990 through May 15, 1991.

Ann M. Liberatore, Assistant Professor of Instructional Leadership; beginning date of appointment changed from August 16, 1990 to January 1, 1991 through May 15, 1991.

Walter A. Nicewander, Professor of Psychology; title Chair of Psychology, deleted, July 1, 1991; changed from 12 month basis to 9 month basis; salary changed from annual rate of \$58,375 for 12 months (\$4,864.58 per month) to annual rate of \$47,761 for 9 months (\$5,306.78 per month), July 1, 1991. To be off payroll July 1, 1991 through August 15, 1991. Paid from 127-283, Psychology, pos. 12.60, and 127-483, Psychology Research, pos. 12.65.

Walter R. Phillips, title changed from Visiting Distinguished Professor of Law to Professor of Law, August 16, 1990 through December 31, 1990.

Drue K. Schuler, title changed from Assistant Professor to Acting Assistant Professor of Marketing, salary changed from annual rate of \$51,000 for 9 months (\$5,666.67 per month) to annual rate of \$48,000 for 9 months (\$5,333.33 per month), August 16, 1990 through May 15, 1991. Paid from 127-213, Business Administration Instruction, pos. 736.60.

Wanda J. Smith, title changed from Assistant Professor to Acting Assistant Professor of Management, salary changed from annual rate of \$49,000 for 9 months (\$5,444.44 per month) to annual rate of \$46,000 for 9 months (\$5,111.11 per month), August 16, 1990 through May 15, 1991. Paid from 127-213, Business Administration Instruction, pos. 738.60.

Leale E. Streebin, Professor of Civil Engineering and Environmental Science; named Professor Emeritus of Civil Engineering and Environmental Science, July 1, 1990.

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William M. Tabb, title changed from Visiting Associate Professor to Associate Professor of Law, salary changed from rate of \$30,000 for 4.5 months (\$6,666.66 per month) to annual rate of \$60,000 for 9 months (\$6,666.66 per month), August 16, 1990 through May 15, 1991. Paid from 227-201, College of Law, pos. 702.65.

Joseph B. Walther, title changed from Assistant Professor to Acting Assistant Professor of Communication, salary changed from annual rate of \$33,000 for 9 months (\$3,666.67 per month) to annual rate of \$31,000 for 9 months (\$3,444.44 per month), August 16, 1990 through May 15, 1991. Paid from 127-290, Communication, pos. 11.60.

Resignations and/or Terminations:

Sally A. Jackson, Associate Professor of Communication, December 31, 1990.

Curtis S. Jacobs, Associate Professor of Communication, December 31, 1990.

Retirements:

Jack M. Bickham, David Ross Boyd Professor of Journalism and Mass Communication, May 15, 1991; named David Ross Boyd Professor Emeritus of Journalism and Mass Communication.

Mildred K. Laughlin, Professor of Library and Information Studies, May 15, 1991; named Professor Emeritus of Library and Information Studies.

President Van Horn recommended approval of the academic personnel actions shown above.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

President Van Horn reported on the following death:

George M. Ewing, George Lynn Cross Research Professor Emeritus of Mathematics, on September 24, 1990.

ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS

HEALTH SCIENCES CENTER:

Resignation and/or Termination:

Victor P. Gaines, Special Assistant to the Vice Provost for Educational Services, October 31, 1990 (with accrued vacation through November 12, 1990).

NORMAN CAMPUS:

Appointments:

Arthur M. Adkins, Assistant Director, Finance and Operations, University Press, annual rate of \$40,000 for 12 months (\$3,333.33 per month), September 4, 1990. Managerial Staff. Paid from 127-445, University Press Publications Division, pos. 9.65, and 179-104, University Press Sales Division, pos. 8.65.

Allen R. Moore, Director of Computing and Telecommunications Policy, President's Office, annual rate of \$40,000 for 12 months (\$3,333.00 per month), September 4, 1990 through August 31, 1991. Professional Staff. Paid from 127-002, President's Office, pos. 7.65.

Changes:

Kenneth R. Conklin, title changed from Director, Annual Giving, to Associate Director, University Development, August 1, 1990. Administrative Staff.

*Cleta L. Dillard, reappointed Academic Counselor, Threshold, salary changed from annual rate of \$25,800 for 12 months (\$2,150.00 per month) to annual rate of \$27,864 for 12 months (\$2,322.00 per month), September 1, 1990 through August 31, 1991. Professional Staff. Paid from 158-413, Special Services Disadvantaged Students, pos. 905.

George Hargett, title changed from Airpark Administrator, Westheimer Airpark, to Administrator, University Research Park, October 1, 1990. Administrative Staff.

*Leonard A. Haymans, reappointed Assistant Director, ISD, FAA Air Traffic Controllers, salary changed from annual rate of \$42,200.04 for 12 months (\$3,516.67 per month) to annual rate of \$49,613 for 12 months (\$4,134.42 per month), October 1, 1990 through September 30, 1991. Managerial Staff. Paid from 156-004, FAA 1991 Payroll Clearing Account, and 152-526, FAA Program Reserve Account, pos. 905.

*Elizabeth G. Jackson, reappointed Education Specialist, FAA Air Traffic Controllers, salary changed from annual rate of \$25,854.36 for 12 months (\$2,154.53 per month) to annual rate of \$29,640 for 12 months (\$2,470.00 per month), October 1, 1990 through September 30, 1991. Professional Staff. Paid from 156-004, FAA 1991 Payroll Clearing Account, pos. 905.

*Nadine F. Jewell, reappointed Education Specialist, FAA Air Traffic Controllers, salary changed from annual rate of \$25,854.36 for 12 months (\$2,154.53 per month) to annual rate of \$29,640 for 12 months (\$2,470.00 per month), October 1, 1990 through September 30, 1991. Professional Staff. Paid from 156-004, FAA 1991 Payroll Clearing Account, pos. 905.

*Paid from grant funds; subject to availability of funds

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- *Jill E. Kendall, reappointed Academic Counselor, Threshold, salary changed from annual rate of \$22,150 for 12 months (\$1,846.00 per month) to annual rate of \$23,700 for 12 months (\$1,975.00 per month), September 1, 1990 through August 31, 1991. Professional Staff. Paid from 158-413, Special Services Disadvantaged Students, pos. 905.
- *Rex M. Kimmel, reappointed Director, FAA Air Traffic Controllers, salary changed from annual rate of \$55,125 for 12 months (\$4,593.75 per month) to annual rate of \$57,887 for 12 months (\$4,823.92 per month), October 1, 1990 through September 30, 1991. Administrative Staff. Paid from 152-526, FAA Program Reserve Account, and 156-004, FAA 1991 Payroll Clearing Account, pos. 905.
- *Mark E. Mitchell, reappointed Education Specialist, FAA Air Traffic Controllers, salary changed from annual rate of \$25,854 for 12 months (\$2,154.50 per month) to annual rate of \$29,640 for 12 months (\$2,470.00 per month), October 1, 1990 through September 30, 1991. Professional Staff. Paid from 156-004, FAA 1991 Payroll Clearing Account, pos. 905.
- *Alice M. Moore, reappointed Education Specialist, FAA Air Traffic Controllers, salary changed from annual rate of \$25,854.36 for 12 months (\$2,154.53 per month) to annual rate of \$29,640 for 12 months (\$2,470.00 per month), October 1, 1990 through September 30, 1991. Professional Staff. Paid from 156-004, FAA 1991 Payroll Clearing Account, pos. 905.
- *D. Dean Riley, reappointed Academic Counselor, Threshold, salary changed from annual rate of \$25,225 for 12 months (\$2,102.00 per month) to annual rate of \$26,740 for 12 months (\$2,228.34 per month), September 1, 1990 through August 31, 1991. Professional Staff. Paid from 158-413, Special Services Disadvantaged Students, pos. 905.
- *Mendell Simmons, reappointed Academic Counselor, Threshold, salary changed from annual rate of \$25,885 for 12 months (\$2,157.00 per month) to annual rate of \$27,955 for 12 months (\$2,329.58 per month), September 1, 1990 through August 31, 1991. Professional Staff. Paid from 158-413, Special Services Disadvantaged Students, pos. 905.
- *James M. Todd, reappointed Assistant Director of Operations, FAA Air Traffic Controllers, salary changed from annual rate of \$47,250 for 12 months (\$3,937.50 per month) to annual rate of \$49,613 for 12 months (\$4,134.42 per month), October 1, 1990 through September 30, 1991. Managerial Staff. Paid from 156-004, FAA 1991 Payroll Clearing Account, and 152-526, FAA Program Reserve Account, pos. 905.
- *Hai T. Tran, reappointed and title changed from Project Director to Program Director, Bilingual Education Multifunctional Resource Center, annual rate of \$45,000 for 12 months (\$3,750.00 per month), October 1, 1990 through September 30, 1991. Changed from Professional Staff to Administrative Staff. Paid from 158-145, Bilingual 1990, pos. 905.65.

*Paid from grant funds; subject to availability of funds

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Larry W. Vice, reappointed ISD Specialist, FAA Air Traffic Controllers, salary changed from annual rate of \$28,641.60 for 12 months (\$2,386.80 per month) to annual rate of \$29,494.40 for 12 months (\$2,457.87 per month), October 1, 1990 through September 30, 1991. Professional Staff. Paid from 156-004, FAA 1991 Payroll Clearing Account, pos. 905. Paid from grant funds; subject to availability of funds.

Retirement:

Anona L. Adair, Vice President for Student Affairs, December 31, 1990 (with accrued vacation through February 20, 1991).

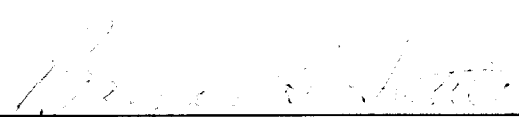
President Van Horn recommended approval of the administrative and professional personnel actions shown above.

Regent Gullatt moved approval of the recommendation. The following voted yes on the motion: Regents White, Hogan, Lewis, Noble, Gullatt, West, and Blankenship. The Chair declared the motion unanimously approved.

LITIGATION

No action was necessary as a result of the discussion in executive session of the pending litigation.

There being no further business the meeting adjourned at 12:15 p.m.



Barbara H. Tuttle
Executive Secretary of the Board of Regents

The University of Oklahoma

Statement of Revenues and Expenditures
All Funds, All Campuses

For the Period Ending August 31, 1990

	Original Annual Budget	Current Revised Annual Budget	Percent of Total	Current Y-T-D Actual	Percent of Current Budget	Previous YTD Actual	Percent of Previous Year Current Budget
Revenue:							
State Appropriations	\$137,878,210	\$137,878,210	33.3%	\$22,953,444	16.7%	\$20,813,908	16.6%
Student Tuition and Fees	33,332,598	33,332,598	8.0%	3,690,241	11.1%	2,889,632	8.0%
Federal Grants and Contracts	55,771,416	57,844,266	14.0%	9,503,137	16.4%	8,507,951	16.3%
State and Local Grants and Contracts	14,702,696	14,957,096	3.6%	2,152,482	14.4%	1,978,541	14.6%
Private Gifts, Grants and Contracts	20,095,707	21,268,457	5.1%	3,731,097	17.5%	2,971,269	17.7%
Endowment Income	1,312,332	1,312,332	0.3%	184,433	14.1%	452,732	61.4%
Sales & Services of Educational Activities	4,295,062	4,295,062	1.0%	342,345	8.0%	391,046	11.1%
Auxiliary Enterprises	52,291,720	52,291,720	12.6%	7,608,969	14.6%	6,576,787	11.9%
External Service Units	9,515,258	9,515,258	2.3%	658,369	6.9%	1,391,830	16.4%
Professional Practice Plan	60,601,620	60,601,620	14.6%	10,645,171	17.6%	10,518,561	17.9%
Residency Income	4,918,610	4,918,610	1.2%	850,276	17.3%	758,151	17.1%
Other Sources	13,856,995	13,856,995	3.3%	2,358,056	17.0%	1,683,874	14.7%
Subtotal Revenue	408,572,224	412,072,224	99.4%	64,678,020	15.7%	58,934,282	15.3%
Budgeted Reserve	456,932	456,932	0.1%	456,932	100.0%	81,932	100.0%
Current Distributions from Reserve	0	2,175,196	0.5%	2,175,196	100.0%	0	0.0%
Total Revenue	409,029,156	414,704,352	100.0%	67,310,148	16.2%	59,016,214	15.3%
Expenditures:							
Teaching Salaries	73,738,185	73,776,421	17.8%	8,873,611	12.0%	8,369,912	12.6%
Other Professional Salaries	67,993,861	71,746,038	17.3%	12,218,989	17.0%	11,081,611	17.7%
Hourly Staff Salaries	55,939,339	57,159,704	13.8%	8,907,089	15.6%	8,564,863	16.1%
Associated Fringe Benefits	39,160,347	39,492,650	9.5%	6,885,442	17.4%	5,897,737	15.7%
Prof. Practice Salary Supplements	19,877,429	19,877,429	4.8%	4,521,236	22.8%	3,905,426	19.5%
Supplies and Materials	20,437,863	20,059,973	4.8%	3,424,009	17.1%	2,829,403	19.7%
Library Books and Periodicals	3,226,678	3,226,678	0.8%	658,976	20.4%	300,742	10.4%
Equipment	11,858,518	12,173,671	2.9%	2,354,752	19.3%	2,141,365	17.8%
Travel	5,711,583	5,880,766	1.4%	1,022,040	17.4%	992,720	17.8%
Communication	6,303,140	6,290,078	1.5%	804,550	12.8%	1,131,212	19.5%
Utilities	14,653,333	19,812,156	4.8%	2,929,662	14.8%	2,200,008	15.1%
Computing Supplies and Equipment	8,494,235	8,503,351	2.1%	1,268,200	14.9%	872,514	10.6%
Maint. & Repair of Buildings & Grounds	9,255,443	10,245,745	2.5%	2,245,029	21.9%	1,957,743	16.6%
Professional and Technical Fees	5,172,677	5,172,677	1.3%	1,615,294	31.2%	953,464	13.7%
Contractual & Related Current Expenses	36,179,413	29,959,903	7.2%	4,530,186	15.1%	3,393,189	11.8%
Scholarships and Fellowships	10,454,906	10,454,906	2.5%	3,495,496	33.4%	3,012,084	35.7%
Merchandise Purchased for Resale	4,368,610	4,368,610	1.1%	224,034	5.1%	1,043,593	21.7%
Debt Service	2,487,436	2,487,436	0.6%	362,167	14.6%	188,566	5.8%
Indirect Cost Recovery	7,259,653	7,559,653	1.8%	1,587,444	21.0%	1,369,561	16.0%
Premiums-Property/Liability Insurance	3,277,714	3,277,714	0.8%	253,949	7.8%	313,650	34.1%
Patient Refunds	1,025,669	1,025,669	0.3%	103,299	10.1%	106,770	11.0%
Laboratory Testing	774,582	774,582	0.2%	244,615	31.6%	149,166	10.9%
Membership/Registration Fees	1,237,779	1,237,779	0.3%	1,431,681	115.7%	1,331,930	25.9%
Total Expenditures	408,888,393	414,563,589	100.0%	69,961,750	16.9%	62,107,229	16.2%
Current Revenues over/(under) Expenditures	\$140,763	\$140,763		(\$2,651,602)		(\$3,091,015)	
Internal Service Units	\$87,319,771	\$87,319,771	100.0%	\$24,905,438	28.5%	\$13,312,568	17.2%

The University of Oklahoma
Summary of Reserves
 For the Period Ending August 31, 1990

Schedule II

GENERAL UNIVERSITY RESERVES

DEFINITION OF RESERVES: *That portion of the University's resources which are not currently budgeted for expenditure or otherwise held for specific future uses, projected to year end. As such, resources of this nature are available to fund future capital projects, operating needs, and/or unforeseen contingencies for any lawful purpose of the University.*

<u>TYPE/SOURCE OF RESERVE</u>	<u>NORMAN</u>	<u>HSC</u>	<u>TOTAL</u>
UNALLOCATED GENERAL UNIVERSITY RESERVES			
Norman Campus	\$3,318,327		\$3,318,327
Health Sciences Center		\$724,481	724,481
Law Center	159,212		159,212
Oklahoma Geological Survey	91,833		91,833
TOTAL GENERAL UNIVERSITY	3,569,372	724,481	4,293,853
GRANTS AND CONTRACTS INDIRECT COST REIMBURSEMENT	327,675	166,963	494,638 (1)
AGENCY SPECIAL (Unrestricted Interest Income)	244,481	2,067,608	2,312,089 (2)
REVENUE BOND RESERVES IN EXCESS OF REQUIRED AMOUNTS			
Utility System	227,207	725,748	952,955
Housing System	398,902	0	398,902
Student Facilities	248,179	0	248,179
Stadium System	484,450	0	484,450
TOTAL REVENUE BOND RESERVES (Excess)	1,358,738	725,748	2,084,486 (3)
SECTION 13/NEW COLLEGE	0	0	0
TOTAL RESERVES AS OF JUNE 30, 1990	\$5,500,266	\$3,684,800	\$9,185,066

(1) Net of working capital requirements of \$3,471,384 for the Norman Campus Sponsored Programs, and \$3,200,000 for the Health Sciences Center Sponsored Programs.

(2) Amount which can be invested for general institutional purposes for the University. The interest earnings are used for general institutional purposes.

(3) Amount which can be invested for the benefit of each individual bond system.

AUXILIARY & SERVICE UNIT DESIGNATED RESERVES

<u>TYPE/SOURCE OF RESERVE</u>	<u>NORMAN</u>	<u>HSC</u>	<u>TOTAL</u>
AUXILIARY ENTERPRISES			
Contingency Reserves	\$2,110,694	\$6,494	\$2,117,188
Renewals & Replacements	1,475,688	29,282	1,504,970
Capital Improvements	7,104,598	0	7,104,598
Debt Service (Required Reserve at Trustee Bank)	3,087,988	0	3,087,988 (3)
Total Auxiliary Enterprises	13,778,968	35,776	13,814,744
SERVICE UNITS			
Contingency Reserves	696,505	682,869	1,379,374
Renewals & Replacements	959,774	999,033	1,958,807
Capital Improvements	2,339,706	351,277	2,690,983
Debt Service (Required Reserve at Trustee Bank)	1,540,939	3,108,057	4,648,996 (3)
Total Service Units	5,536,924	5,141,236	10,678,160
TOTAL DESIGNATED RESERVES	\$19,315,892	\$5,177,012	\$24,492,904

Total University Combined Statement of Changes in Fund Balance

For the Period Ending August 31, 1990

	Current Revised Annual Budget	Beginning Fund Balance (1)	Y-T-D (2) Additions	Y-T-D (2) Deductions	Ending Fund Balance
Norman Campus					
Educational and General	\$122,575,505	\$21,288,253	\$16,246,663	\$16,939,167	\$20,595,749
Grants and Contracts	43,300,000	1,256,979	7,645,058	7,471,189	1,430,848
Private Gifts	1,029,490	35	65,784	150,103	(84,284)
Endowment Funds	812,332	6,558,510	184,433	207,926	6,535,017
Sales & Services of Educ. Activities	3,510,062	1,137,490	342,345	571,539	908,296
Auxiliary Enterprises	51,812,756	12,930,933	7,495,576	8,751,770	11,674,739
Scholarships	6,892,419	67,181	2,058,001	2,071,201	53,981
Student Loans	2,000,000	12,676,772	318,724	988,006	12,007,490
Institutional Support Activities	798,330	526,799	371,233	209,114	688,918
Student Activity Fees	1,399,183	457,649	139,401	179,489	417,561
Student and Other Organizations - Agency Accounts	3,444,346	1,147,679	573,362	411,423	1,309,618
Internal Service Units	70,177,722	8,128,347	11,138,856	13,783,876	5,483,327
Total Norman Campus	307,752,145	66,176,627	46,579,436	51,734,803	61,021,260
Law Center	5,685,022	1,191,351	769,209	608,007	1,352,553
Oklahoma Geological Survey	2,048,487	157,369	345,706	278,048	225,027
Health Sciences Center					
Educational and General	62,945,557	1,042,233	10,663,605	11,087,804	618,034
Grants and Contracts	30,349,304	4,006,625	5,099,695	5,099,695	4,006,625
Private Gifts	0	0	0	0	0
Endowment Funds	500,000	0	0	0	0
Sales & Services of Educ. Activities	0	0	0	0	0
Auxiliary Enterprises	478,964	203,082	115,080	138,152	180,010
External Service Units	9,515,258	3,490,363	658,369	1,496,311	2,652,421
Professional Practice Plan	60,263,383	30,850,295	10,643,484	12,245,559	29,248,220
Scholarships	5,000	0	1,600	1,600	0
Student Loans	15,637	5,186,625	13,508	3,355	5,196,778
Residency	4,918,610	67,529	850,276	998,363	(80,558)
Student Activity Fee	320,000	139,422	39,957	20,961	158,418
Student and Other Organizations Agency Accounts	84,707	66,783	36,951	32,968	70,766
Internal Service Units	12,110,328	3,132,695	904,242	1,988,332	2,048,605
Total Health Sciences Center	181,506,748	48,185,652	29,026,767	33,113,100	44,099,319
Less Internal Service Units	82,288,050	11,261,042	12,043,098	15,772,208	7,531,932
GRAND TOTAL	\$414,704,352	\$104,449,957	\$64,678,020	\$69,961,750	\$99,166,227

(1) Unaudited Fund Balance as of 6/30/90, pending completion of annual audit in November, 1990.

(2) Cash Basis.

Statement of Plant Funds
All Funds, All Campuses

For the Period Ending August 31, 1990

<u>Funding Source</u>	<u>Project Budget</u>	<u>Allotment This Year</u>	<u>Allotment To Date</u>	<u>Expenditures This Year</u>	<u>Expenditures To Date</u>	<u>Allotment Balance</u>
State Appropriations	\$27,039,060	\$33,605	\$21,159,495	\$106,028	\$20,686,123	\$473,372
Federal Grants and Contracts	14,005,800	0	12,591,864	1,004,218	10,458,241	2,133,623
State Grants and Contracts	0	0	0	0	0	0
Private Gifts, Grants and Contracts	46,143,722	1,898,141	27,982,003	537,665	25,655,200	2,326,803
Section 13/New College	14,047,242	267,010	11,052,633	719,346	8,206,973	2,845,660
Other Income - Bonds	39,350,871	395,000	39,240,871	68,011	37,854,297	1,386,574
Auxiliaries	1,943,340	94,436	1,621,774	93,349	1,209,720	412,054
Total	<u>\$142,530,035</u>	<u>\$2,688,192</u>	<u>\$113,648,640</u>	<u>\$2,528,617</u>	<u>\$104,070,554</u>	<u>\$9,578,086</u>

Words deleted by the Publications Board are in ~~medium-Helvetica-overstrike~~
Words added by the Publications Board are in bold Helvetica underlined

CHARTER GOVERNING
STUDENT PUBLICATIONS
At
THE UNIVERSITY OF OKLAHOMA
As Approved by
THE BOARD OF REGENTS
of
THE UNIVERSITY OF OKLAHOMA
OCTOBER 18, 1973

Amended by the University of Oklahoma Board of Regents, ~~December-9,-1982~~

Preamble

By authority of the Board of Regents and the President of the University of Oklahoma and on behalf of the University community, the Publications Board presents this charter governing specific Student Publications, said charter representing the general framework of operations of the Publications Board.

Section I--The Publications Board Authority

The Publications Board of the University of Oklahoma receives its authority from the University Board of Regents through the President of the University and the Vice President for Student Affairs.

Section II--The Publisher Function

The Board of Regents of the University of Oklahoma is the legal publisher of and has ultimate responsibility for *The Oklahoma Daily* and *Sooner* yearbook and such other student publications as may be established, recognized, financed, controlled, and directed by the Publications Board, which Board is delegated the operating and policy-making responsibilities for such student publications.

Section III--*The Oklahoma Daily*

The Oklahoma Daily is a student newspaper with responsibility to the University community; secondarily, it provides opportunity for laboratory experience for students in the School of Journalism and Mass Communication. The Publications Board has the responsibility for seeing to it that both these functions are performed.

In order to best serve the University community and fulfill the historic check and balance role a newspaper plays on government and society, *The Oklahoma Daily* must preserve its independence. Student newspaper editorial freedom of expression requires student responsibility for presenting news and opinion accurately, fairly and completely.

Section IV--*The Sooner* yearbook

The *Sooner* yearbook is a student yearbook with responsibility to the University community. The Publications Board has the responsibility of seeing to it that this function is performed.

Section V--The Charge of the Publications Board

The single charge of the Publications Board is to assure, on behalf of the Regents, the highest quality of publications under its direction for the entire University community. This charge implies these general powers and responsibilities:

- A. Recommending, establishing, implementing, and monitoring sound editorial, fiscal, production, and personnel policies.
- B. Long-range planning in all areas of responsibility.
- C. Assuring due process when, in the judgment of the Board, a staff member acting on its behalf must be removed for cause.

Section VI—Regular Meetings

The Publications Board will meet no less than ~~eight~~ **six** times during the academic year. ~~Its first meeting of the new academic year shall be no later than during the third week of classes each fall semester.~~ Dates shall be set by the chair.

Section VII—Summer Meetings

Meetings shall be called by the chair as necessary during the summer session. Because some members may be unalterably away from the University during the summer session, the chair shall regard those who are reasonably accessible to the University as the total membership of the Board and shall alter accordingly the quorum rule, hereinafter detailed, during such periods.

Section VIII—Publications Board Membership

To represent fully the total community it is to serve, the Publications Board shall be composed of 11 voting members and 4 non-voting members as follows:

- A. One member representing the University President (Appointed by the University President)
- B. One member representing the faculty-at-large (Appointed by the President from nominations made to him by the Faculty Senate)
- C. One member representing the University Employees' Executive Council (Appointed by the President from nominations made to him by the Council)
- D. One professional representative who is a member of the working press in the State of Oklahoma (Appointed by the President from nominations made to him by the Board of Directors of the Oklahoma Press Association)
- E. The Director of the School of Journalism **and Mass Communication** (ex-officio, voting)
- F. One member to represent the Journalism **and Mass Communication** Faculty (Elected by the Journalism **and Mass Communication** Faculty)
- G. One member representing *The Oklahoma Daily* (A student who has held a major staff position on *The Daily*, elected by the fall *Oklahoma Daily* staff to serve one (1) year, beginning that fall)
- H. One member representing the *Sooner* yearbook (A student who has held a major staff position on the *Sooner* and will be holding a major position during his term on the Board, elected by the *Sooner* yearbook staff each fall to serve one (1) year, beginning that fall)
- I. One member representing publications-at-large (Selected by the Publications Board from students petitioning the Board for membership. This member must have held a major staff position on one of the publications published by the Board)
- J. One member representing the student body (Appointed by the student body president, with the advice and consent of the Student Congress)
- K. One member representing the student body (Elected at-large from the student body in the spring campus elections)
- L. The Director of Student Publications (ex-officio, non-voting)
- M. The Editorial Supervisor(s) **Adviser(s)** (ex-officio, non-voting)
- N. The Editor of *The Oklahoma Daily*, during tenure in that position (ex-officio, non-voting)
- O. The Editor of the *Sooner* yearbook, during tenure in that position (ex-officio, non-voting)

Section IX—Other Criteria Eligibility Requirements for Board Membership

These additional criteria eligibility requirements for Publications Board membership shall be applicable:

- A. For all student membership, each
 - 1. shall be enrolled as full-time a student in a degree program at the University of Oklahoma (excepting correspondence and extension credit work); ~~i.e., be enrolled in the equivalent of no less than 12-semester-hours (six in the summer) at the time of appointment~~ and making satisfactory academic progress during the term of membership,
 - 2. student members are not required to enroll during summer term,
 - 23. shall be a student in good standing, i.e., not on academic or disciplinary probation,
 - 34. shall have posted no less than a 2.0 2.25 grade average in the long semester immediately preceding selection to the Board, shall have no less than a 2.0 2.25 cumulative grade point average, and shall maintain no less than 2.0 2.25 during the term of appointment,
 - 45. shall not graduate from the University prior to completion of the term of appointment to the Board.

- B. Additionally, the member representing *The Daily* shall have served at least one semester at the time of application in a major staff position on that paper, ~~i.e., as a major staff writer or in a higher position.~~
 - C. The member representing the *Sooner* shall have served at least one semester at the time of application in a major staff position on that yearbook, ~~i.e., as a section editor or in a higher position.~~
 - D. For the at-large position, the member must have served on the staff of *The Daily* or *Sooner*, as defined in B and C above.
 - E. For non-student members,
 - 1. Faculty and staff must be employed by the University at no less than .75 time (including split appointments),
 - 2. The professional representative must be an active member of the working press of Oklahoma.
- Methods of selection are left to the appointing authority as approved by the Regents excepting the positions representing *The Daily*, *Sooner*, and publications-at-large. In the latter cases, the following procedures apply:
- A. In addition to applicable student membership criteria above, the editor of *The Oklahoma Daily* shall accept nominations from qualified students during the first five days of publication of *The Daily* during the fall semester. He shall call a staff meeting on the sixth day of publication and those students holding the positions of copy editor and higher shall elect from among the applicants, recording the votes by name and transmitting in writing to the chair of the Publications Board.
 - B. In addition to applicable student membership criteria above, the editor of the *Sooner* shall accept nominations from qualified students during the first five class days of the fall semester. The editor shall call a staff meeting on the sixth day of classes and those students holding the positions of section editor or higher shall elect from among the applicants, recording the votes by name and transmitting these in writing to the chair of the Publications Board.
 - ~~C. In addition to applicable student membership criteria above, the Publications Board shall accept applications for the position of publications-at-large member during the first five consecutive class days in the last full calendar month of the fall/spring semester. The period is to be chosen by the chair. The Board shall review all applications. A motion and second are necessary to vote on an applicant.~~
 - C. Applicants for the publications-at-large member's position will execute the proper application forms at the specified filing times. The Board will select the member-at-large at the last meeting of the spring semester after reviewing all applications.

Section X—Terms of Office

Terms of student members of the Publications Board shall be one year. Appointment may not be successive. Terms of non-student members normally will be three years and can be successive. ~~However, to provide necessary continuity on the Board, non-students term beginning in the Fall of 1973 shall be:~~

- ~~A.—member representing the faculty-at-large three years~~
- ~~B.—member representing alumni and working press of Oklahoma two years~~
- ~~C.—member representing Employee's Council two years~~
- ~~D.—member representing Journalism faculty one year~~
- ~~E.—member representing University faculty one year~~
- ~~F.—member representing University President one year~~

~~after which terms, each appointment will be for three years.~~ All terms commence with the first fall meeting.

Section XI—Board Vacancies

If an unexpired term should occur, the chair shall report the vacancy to the appointing authority and request a replacement. If a vacancy occurs with reference to *Daily*, *Sooner* or at-large positions, the previously detailed selection procedures shall be followed but in a different time frame as determined by the chair.

A Publications Board member absent three consecutive meetings shall be declared ineligible for membership, his seat vacated, and the appointing authority requested to appoint a replacement.

Section XII—Board Chair and Secretary

The Board shall elect its own chair from the voting faculty members of the Board and the chair shall have the right to vote on all issues. The secretary shall be elected from voting or non-voting Board members.

Election of the chair is by routine nomination and election procedures. In the absence of the chair from a meeting of the Board, the chair may delegate powers (except voting) and responsibilities of the chair to any member of the board.

Election of the secretary is by routine nomination and election procedures. In the absence of the secretary, the chair-permanent or temporary-may delegate the powers and responsibilities of the secretariat to any member of the Board.

Section XIII--The Board Executive Committee

The Executive Committee is composed of the chair of the Board, the director of the School of Journalism and Mass Communication, and one student chosen by the Board from among the voting members of the Board. In the event that the director of the School of Journalism and Mass Communication is elected chair of the Board, the Board elects a third member from among its voting membership.

The Executive Committee is, in effect, the day-to-day publisher of the publications and exists primarily to see that the policies and procedures of the Board are carried out, and to settle disputes as follows:

When an editorial supervisor-adviser and an editor reach a point of disagreement on a matter which cannot be resolved between them, they shall take the following steps:

1. If the situation needs to be decided within a matter of a few hours, the editor or supervisor-adviser will call upon the Executive Committee to make a decision.
2. In cases where time is not a critical factor, the editor or editorial supervisor-adviser may request a 72-hour waiting period and call an emergency meeting of the Board to be held within 72 hours.
3. In all such appeals the decision of the Board is final.

The Executive Committee is empowered to make emergency decisions of any kind in those areas in which the Publications Board has authority. Such decisions must be reported for its approval to the full Board at its next meeting.

Section XIV--Authority Over Publications

The Publication Board shall have direct supervision and control of *The Oklahoma Daily* and *Sooner* yearbook and other such publications as the Board may establish. It shall be the duty of the Publications Board to promulgate appropriate operating policies and procedures manuals for the publication under its control and to see to it that these policies and procedures are made available to Board employees and adhered to. The policies and procedures manuals should be reviewed for updating at least annually, and copies shall be provided the President, the Vice President for Student Affairs, and the Executive Secretary of the Regents.

In addition, the facilities and equipment of *The Oklahoma Daily* and *Sooner* yearbook shall ~~not be used for production of publications not recognized as publications of the Board or other official publications of the University.~~ be used in compliance with University policy.

Section XV--Authority to Establish, Consolidate, Discontinue

When, in the judgment of the Publications Board, conditions warrant such action, it may establish or discontinue any student publication under its control, subject to the approval of the President.

Section XVI--Properties and Funds

All properties, funds, securities, goodwill and titles of the *Sooner* yearbook, *The Oklahoma Daily*, Journalism Press or the Publications Board held for the University of Oklahoma Board of Regents by the Publications Board shall be managed in accordance with the fiscal management policy of the University of Oklahoma.

Section XVII--Authority Over Business Affairs

The Publications Board shall have the power to govern directly or through its authorized representatives or employees the business affairs of the publications under the control of the Publications Board, provided that such governance is consistent with and participant in current University accounting, purchasing and contracting and all other University policies and practices. The Board, or its designated employees, retain the power to set advertising and mail subscription rates, yearbook prices, and employee pay rates within appropriate University, administrative, state and national guidelines.

The Board shall review and recommend an annual operating budget for the new fiscal year in accord with the University's budget schedule. Such budgets shall be forwarded through channels to the President as a recommendation, and an information copy of each budget supplied to the University Budget Council upon request. The Board shall undertake a five-year capital improvement plan for the publications and facilities under its control and revise said plan annually as appropriate to reflect changes in priorities for such improvements. The plan, along with estimated costs, shall be supplied to the Vice President for Student Affairs and to the President as a recommendation.

Section XVIII—Staff Organization

It shall be the responsibility of the Publications Board to determine the staff organizations of *The Daily* and *Sooner* and any other publication (s) which may be established by the Board.

Section XIX—Principal Employees of the Board

The principal employees of the Publications Board are the editors of *The Oklahoma Daily* and *Sooner* year-book, the Director of Student Publications and the Editorial Supervisors-Advisers of the publications.

Section XX—Selection of Editors

The following criteria eligibility requirements must be met by applicants for the position of editor of *The Oklahoma Daily*:

- A. Applicant must be a ~~full-time undergraduate~~ student in a degree program at the University of Oklahoma (~~excepting correspondence and extension work~~) ~~and be enrolled in the equivalent of no less than 12 at least 9 semester hours (six in the summer)~~ making satisfactory academic progress at the time of application and during term of appointment.
- B. Shall be an enrolled student (except during summer session) in good standing, i.e., not be on academic or disciplinary probation during term of appointment.
- C. Shall have posted no less than a 2.0 2.25 grade point average in the long semester immediately preceding ~~selection to~~ application for the position of editor, and shall have no less than 2.0 2.25 cumulative grade point average.
- D. Shall not graduate from the University prior to the completion of the term of appointment to the position of editor.
- E. Shall have served ~~at least one semester on~~ *The Daily* in the a staff position of news editor or higher.
- F. ~~Unless already completed,~~ shall have completed a course in journalism law ~~during the semester served~~ prior to serving as editor.
- G. It is preferred that a student chosen as editor complete a course in editorial writing during tenure unless already completed.
- H. Shall not hold an elective or appointive position in student government during tenure as editor.

The following criteria must be met by applicants for the position of editor of *The Sooner*:

- A. Applicant must be a ~~full-time undergraduate~~ student in a degree program at the University of Oklahoma (~~excepting correspondence and extension work~~) ~~and be enrolled in the equivalent of no less than 12 at least 9 semester hours (six in the summer)~~ making satisfactory academic progress at the time of application and during term of appointment.
- B. Shall be an enrolled student (except during the summer session) in good standing, i.e., not be on academic or disciplinary probation.
- C. Shall have posted no less than a 2.0 2.25 grade point average in the long semester immediately preceding ~~selection to~~ application for the position of editor, and shall have no less than 2.0 2.25 cumulative grade point average.
- D. Shall have served ~~at least one semester on~~ *The Sooner* in the a staff position of section editor or higher.
- E. Unless already completed, shall complete a course in journalism law during the semester term served as editor.
- F. Shall not hold an elective or appointive position in student government during tenure as editor.

Applicants will meeting the eligibility requirements must execute the proper application forms at the specified filing times, appear before the Board for interviews at a time prescribed by the chair, and certify by

their signatures on the application forms that they have read, understand, and will uphold the policies and procedures pertinent to the positions for which they apply.

The Board shall have the authority to waive any or all of the requirements for either of these positions if there are no candidates who meet all of the requirements ~~and~~ or if in the opinion of the Board there is an otherwise qualified candidate.

Voting on applicants for these positions will be done only for those that arise from a motion and second from voting members of the Board. Voting will be by ~~ballot~~ roll call which the secretary shall record in the minutes of the meeting.

Terms of appointment for editors are:

- A. One semester for *The Daily*.
- B. One year for the *Sooner*.

Section XXI—Director of Student Publications

When the position of Director of Student Publications is vacant, the Board will interview applicants based on pre-determined criteria when this position is vacant. A two-thirds vote of the voting membership of the Board shall be necessary for hiring or dismissal.

The Director of Student Publications is delegated the following responsibilities by the Publications Board:

- A. Principal fiscal officer of the Board with prime responsibility to effect prudent fiscal control over the Board's business.
- B. Hiring and terminating personnel under his charge, specifically in the clerical, advertising, and production areas.
- C. Maintaining adequate financial records and reporting to the Board non-routine developments and transactions.
- D. The preparation and annual updating of a long-range plan for systematic growth of Student Publications and the preparation of an annual operating budget for the coming fiscal year to be submitted for Board approval ~~prior to either before or at the first meeting after~~ submission to other University authorities.
- E. Being aware of the policies and procedures of the Board, to uphold them, and to recommend ways in which they can be strengthened.

Section XXII—Editorial Supervisors-Advisers

There shall be an editorial supervisor-adviser for each publication under the control of the Publications Board. When the Editorial Supervisors-Advisers' positions are vacant the Board will: ~~interview applicants based on pre-determined criteria when the positions are vacant:~~

- A. establish the qualifications needed at the time,
- B. interview qualified applicants, and
- C. select the most qualified person.

A two-thirds vote of the voting membership of the Board shall be necessary for hiring or dismissal.

The Editorial Supervisors-Advisers of *The Daily* and *Sooner* shall be delegated these general responsibilities:

- A. Principal supervisor-adviser of the editorial content of the publications and the professional conduct of their staffs.
- B. Awareness of the sensitive role the publications play in the total University community.
- C. Shall adhere to the principle that editorial freedom of expression is a basic requirement for the college publications. ~~However, supervisors must realize that while college students possess the same constitutional rights of freedom of expression off-campus as any other American citizen, their rights of free expression may be modified on-campus by reasonably imposed institutional regulations, i.e., these policies which show no evidence of discrimination, deprivation of due process, or arbitrary and capricious action.~~
- D. Understanding and adhering to the policies and procedures of the Board contained in this document and in the documents affecting publications over which they have supervisory responsibilities.
- E. Shall assist the editors of *The Oklahoma Daily* and *Sooner* yearbook to understand the objectives of these publications and to fully comprehend their responsibilities and duties as editors.

Concerning the Editorial Supervisor-Adviser positions:

- A. The Editorial Supervisor-Adviser of *The Oklahoma Daily* and the Sooner Yearbook ~~can~~ shall be a member of the faculty of the School of Journalism and Mass Communication (~~who shall be given a~~

~~reduced teaching load to enable him or her to fulfill this position) and employee of the Publications Board with a reduced teaching load.~~ He or she shall be appointed jointly by the Director of the School of Journalism and Mass Communication and the Director of Student Publications with approval of two-thirds of the Publications Board. The salary can shall be equally divided between the School of Journalism and Mass Communication and the Publications Board. ~~In matters pertaining to lab work,~~ For academic work including the lab, he/-or-she shall report to the Director of the School of Journalism and Mass Communication. In publications supervisory matters, he/-or-she shall report to the Publications Board.

~~B.~~ The Editorial Supervisor-Adviser of the *Sooner* yearbook shall be appointed by the Director of Student publications with approval of two-thirds of the Publications Board. In publications supervisory matters, he or she shall report to the Publications Board.

~~C.B.~~ The relationship between the Editorial Supervisors-Advisers and the staffs of *The Oklahoma Daily* and the *Sooner* yearbook shall be that of adviser and liaison between the Publications Board and the staffs. The relationships between the Editorial Supervisor-Adviser of *The Oklahoma Daily* and laboratory students shall be teacher-student.

Section XXIII—Other Personnel

The Board Executive Committee shall take an indirect role in the appointment of all other personnel related to the operations of *The Daily* and *Sooner* by:

- A. Requiring the editors of its publications to present their staffs for approval by the Committee.
- B. Requiring that the Director of Student Publications present monthly a complete report of all personnel appointments and terminations.

In the event that the Board Executive Committee is divided on any such appointment, the appointment shall be brought to the full Board for its action.

Section XXIV—Due Process

In all matters relating to the discipline or dismissal of an employee of the Publications Board, care shall be taken to insure due process. Employees other than those directly hired by the Board shall have a hearing upon request under the appropriate University policy. Employees hired directly by the Board shall have an opportunity for a hearing before the Board prior to any University hearing.

Section XXV—Parliamentary Procedure

The Publications Board shall establish its own parliamentary procedures, excepting quorum and proxy rules as follows:

For purposes of Publications Board meeting, a quorum is one more than one-half of the individuals who have been named or elected to the Board, i.e., if there are 11 voting members of the Board, seven voting members present constitute a quorum. In all cases, a majority of the voting members present is required to enact any motion.

~~--A proxy vote on questions before the Board may be cast by a voting member if the proxy is submitted in writing to the one who is to cast it and a copy filed with the secretary prior to the meeting of the Board.~~

Section XXVI—Amendments to this Charter

Provisions of this charter may be amended by a two-thirds vote of the voting membership of the Publications Board. Such amendments will be effective only after approval by the Regents.

3.7.3 **PROBATIONARY PERIODS**

(j) A faculty member at any rank who is denied tenure shall be retained on the faculty until the end of the academic year following that in which there was notification of the denial, unless there are reasons (Section 3.11) to the contrary he/she was considered for tenure, unless he/she is dismissed according to Section 3.11. Should the faculty member initiate an appeal such an appeal shall not have the effect of extending the faculty member's terminal year, should tenure be denied as specified in Section 3.7.5.(p).

(k) A faculty member at any rank who is denied tenure cannot be reappointed into a regular term (tenure-track) or consecutive term position.

(K) (l) Faculty members accorded tenure will normally commence their continuous appointments in the academic year immediately following the Regents' action.

3.7.5. **PROCEDURES FOR TENURE DECISION**

(c) While Responsibility for gathering complete information on professional activity rests with the individual faculty member. The chair is also responsible and should assume a share of this responsibility to be certain that all tenure recommendations are initiated on the basis of full documentation, which must be considered by any person or group making a recommendation. The Chair should assist the faculty member in determining what to include in the tenure documentation. The chair may also solicit information to include with the candidate's tenure documentation. The candidate is entitled to review the information to include with the candidate's tenure documentation. The candidate is entitled to review the information in his/her tenure file with the exception of letters which were solicited by the Chair with the assurance of confidentiality.

(p) The faculty member under review may appeal to the Faculty Appeals Board at any time during the tenure review process if he or she believes that procedural violations occurred or academic freedom was violated. He or she may appeal discrimination on the basis of race, sex, age, creed, or ethnic

or national origin ~~may be appealed~~ to the Committee on Discrimination. Appeals must be made within 30 calendar days after discovery of the alleged violation. ~~The review process will be suspended until a resolution is effected. Such an appeal shall not have the effect of extending the faculty member's terminal year, should tenure be denied. The tenure review process is suspended while an appeal to either the Faculty Appeals Board or Committee on Discrimination is pending. Where the tenure appeal prevents the tenure process from being completed before the end of the terminal year (Section 3.7.3(j)), the appeal shall not extend the faculty member's terminal year even if the appeals process is not completed. Should tenure ultimately be granted, the faculty member will be reinstated.~~

3.8 FACULTY EVALUATION

Faculty evaluation is a continuous process, both prior to and following the granting of tenure. An annual review of each faculty member's performance is the responsibility of the academic dean and the chair of the specific academic unit. A systematic procedure for accomplishing such evaluations shall be developed in each academic unit with the participation and approval of the dean and Provost. The criteria for evaluation shall be carefully and clearly stated and must be in accord with and shall not supercede the criteria in Section 3.7.4. ~~Although~~ The criteria stated in Section 3.7.4 are basic to an ongoing faculty evaluation system, and shall govern the process. Specific faculty assignments and the specific mission of the unit may modify the relative weight given to any one area of professional activity, but only as approved after approval in writing by the dean and Provost.

Tenure decisions, salary adjustments, and promotions in rank shall be based on systematic evaluations of faculty performance in the areas of teaching, research and service and evaluation of the faculty member's overall contribution to the mission of the University.

3.10.2 PROCEDURES FOR PROMOTION DECISIONS

(a) ~~Recommendations~~ The process regarding advancement in rank shall originate in the academic units, by according to procedures to be determined by the Provost.

(b) On rare occasions the college dean or the Provost may require the chair of an academic unit to initiate consideration of promotion for an individual faculty member. In such a case, the academic unit must forward a recommendation to the Dean or Provost whether or not it is favorable.

(c) ~~While Primary responsibility for gathering complete information on professional activity rests with the individual faculty member. The chair should assume a share of this responsibility to be certain that all promotion recommendations are initiated on the basis of full documentation. All such documentation must be considered by any person or group making a recommendation.~~ The Chair will solicit letters of evaluation of the faculty member's academic performance in the areas of teaching, research and service. The candidate is entitled to review the information in his/her promotion file with the exception of letters which were solicited by the chair with the assurance of confidentiality.

(d) All recommendations must be in writing. Reasons must be given for all recommendations except for a recommendation based on any polling of the unit's faculty members. Recommendation of the dean and Provost must be provided to the unit's chair as well as to the candidate.

~~3.13.1~~ 3.12.2 **THE FACULTY APPEALS BOARD**

(a) The Faculty Appeals Board is a standing body which responds to matters of tenure abrogation, dismissal, severe sanctions, alleged violations of academic freedom or academic due process, and other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy unresolved through administrative procedures. The Faculty Appeals Board considers all such matters brought before it in a timely manner by individual faculty members, academic units, or the President.

(b) The Faculty Appeals Board of the Health Sciences Center shall consist of forty (40) tenured faculty members representing fairly the existing colleges on the Health Sciences Center campus. The members shall be elected from among all full-time faculty whose duties are primarily nonadministrative. [i.e. not at the level of

Assistant/Associate Dean, Dean, Assistant/Associate/Vice Provost or Provost]. All terms shall be four years. Membership on the Board is not a disqualification for service on other University councils or committees.

(c) Each Faculty Appeals Board shall annually elect its own chair and vice chair from among those whose terms are nearest expiration.

(d) Responsibilities of Faculty Appeals Board chairperson

(1) The chairperson shall determine if the complaint is appealable, for example, whether the initial deadline, as set in section 3.13.3(a), has been met or whether the complaint is concerned with the failure to follow University policy, or alleged unfairness in the application of University policy.

(2) The chairperson may, at any time, meet with the complainant and respondent, either together or separately, to discuss the points of the complaint. The intent will be to resolve differences where possible and to seek a resolution and/or dismissal of the appeal.

(3) Ordinarily the University Chief Legal Counsel or a member of his/her staff not otherwise involved will serve as the legal advisor to the Faculty Appeals Board. If the Chair of the Faculty Appeals Board determines that some other course is desirable he/she may request a meeting with the President. In such instances when the Chair of the Faculty Appeals Board continues to desire outside counsel following a meeting with the President, the President shall appoint other counsel with the concurrence of the Chair of the Faculty Appeals Board to advise the Hearing Committee.

(4) The chairperson after consulting with the legal counsel assigned to the board, shall have the final decision on any procedural issues raised which are not addressed by the Faculty Handbook and in which there is an absence of agreement by the complainant and respondent.

(5) All responsibilities of the chairperson will be relinquished and passed to the vice-chairperson if the appeal is from a faculty member of the same college as the chairperson.

~~(d)~~ (e) All members of the Board are eligible for re-election. Terms of service shall begin July 1 and end June 30 except that, if a hearing is in progress at this time, any retiring member of the Board who is on the Hearing Committee shall be continued on the committee until the case in process is closed.

~~(e)~~ (f) If a member of the Board, not serving on a hearing committee, ceases to be a full-time member of the faculty, or if his or her duties become primarily administrative, the Senate shall elect a replacement to complete the term.

~~(f)~~ (g) Members on the Board who have an appeal pending before the Board shall be suspended from all Board activities until the appeal is resolved.

3.13 **ALLEGED VIOLATION OF ACADEMIC FREEDOM,
ACADEMIC DUE PROCESS, OR OTHER GRIEVANCES
CONCERNING THE ALLEGED FAILURE TO FOLLOW
UNIVERSITY POLICY OR ALLEGED UNFAIRNESS
IN THE APPLICATION OF UNIVERSITY POLICY**

~~3.13.2~~ 3.13.1 **REQUEST FOR A HEARING**

(a)(1) Any faculty member or academic unit who believes that either academic freedom or academic due process has been violated or alleges other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy should first seek prompt redress through regular administrative channels, which would include the chair, dean and Provost. If, this fails to produce the administrative review does not provide a satisfactory result, and if the faculty member or academic unit wishes to continue the appeal he/she may submit a written complaint outlining the specific points of appeal and requesting a formal hearing to the Chair of the Faculty Appeals Board no later than 45 calendar days after he/she has become or should have become becoming aware of the alleged violation. Seeking redress through regular administrative channels does not extend the 45 day time allowed for filing an appeal.

(2) The time intervals specified in the preceding and following sections are guidelines and should be maintained unless waived by the Chair of the Faculty Appeals Board for unusual circumstances or

in order to allow continuing progress towards informal resolution of the complaint.

(3) The Faculty Appeals Board process is a lay process which relies on peer review and the common sense, sound judgement, good character, and sense of fairness of each Hearing Committee. The Faculty Appeals Board procedures should strive to diminish formality and rigidity. The process is not to be considered a trial but is a system of internal review to effect a just and fair disposition of a grievance.

(b) When reason arises to questions the fitness of a faculty member whose conduct may warrant dismissal or the imposition of a severe sanction and when attempts to resolve the matter by the appropriate administrative officer(s) have not yielded an acceptable result, the President shall submit a written complaint outlining the specific charges and requesting a hearing to the Chair of the Faculty Appeals Board. (moved to new 3.11.2)

(b) When the President decides that he or she will recommend dismissal or other severe sanctions to the Regents, the President must so notify the faculty member in writing. If that sanction is not accepted by the faculty member, the faculty member may initiate an appeal by submitting a written request for a hearing to the chair of the Faculty Appeal Board within 15 calendar days of the date of the President's letter.

(c)(1) Upon receipt of the written complaint as set out in (a) of this section and prior to initiating the formal hearing process, the Chair of the Faculty Appeals board shall ask the respondent to submit, within 15 working days, a statement in writing outlining the specific points of defense. Upon receipt of this statement, the Chair of the Faculty Appeals Board shall, within 30 working days of receiving the respondent's statement, convene the complainant, the respondent, and two members of the Faculty Appeals Board, who shall be selected by the Chair in the same manner as members and alternates (Section 3.13.2(d)) and shall be ineligible to serve on the Hearing Committee for that particular case, to discuss the points of the complaint, to resolve differences, where possible, and to seek resolution of the matter at issue. Formal minutes of these discussions will not be taken, and no data, findings, or recommendations from these discussions will be forwarded to the Hearing Committee except as provided in Section 3.13.3.

~~(2) An informal discussion of the complaint will take place and~~
If a satisfactory resolution ~~can be~~ is reached, the Chair of the Faculty Appeals Board will summarize and forward the facts of the case in writing to the ~~Provost, President, and faculty member complainant and the respondent.~~

(3) If the issues involved in the complaint ~~cannot be~~ are not resolved within 45 working days from receipt of the formal request for hearing, The Chair of the Faculty Appeals Board will initiate formal procedures.

~~3.13.4~~ 3.13.2 **HANDLING OF CHARGES** **FORMAL PROCEDURE**

All matters brought to the Faculty Appeals Board shall be handled according to the following procedures, which are designed to ensure fairness and due process.

~~(a) At least twenty days before the hearing, the complainant shall present to the respondent a written statement embodying:~~

~~(a) If the informal discussion described in section 3.13.1(c)(1) does not produce a satisfactory result, the Chair of the Faculty Appeals Board will request the complainant to submit to both the chair and the respondent, within 20 working days of the informal discussion, a written statement embodying:~~

- ~~(1) Relevant policies in effect at the University~~
- (1) Relevant policies of the academic unit, the College, the Provost's Office, President's Office, and the Board of Regents.
- (2) The written complaint (~~3.13.2(a)~~) (3.13.1(a)).
- (3) A summary of the evidence upon which the complaint is based.
- (4) A list of witnesses to be called, a brief summary of their testimony, and a list of exhibits to be presented

~~(b) The respondent shall reply with a statement including:~~

(b) The Chair of the Faculty Appeals Board will upon receipt of the complainant's statement, request the respondent to submit to both the

chair and the complainant, within 20 working days, a written statement including:

- (1) Relevant policies of the academic unit, the College, the Provost's Office, President's Office and the Board of Regents.
- (2) (1) The written response outlining the specific points of defense (3.13.2(c)(1)) (3.13.1(c)(1)).
- (3) (2) A summary of the evidence to be used in refuting the charges.
- (4) (3) A list of witnesses to be called, a brief summary of their testimony, and a list of exhibits to be presented.

3.13.3 Formal Procedures

(a) (c) Within 5 working days after the informal discussion (3.13.1(c)(1)) the Chair of the Faculty Appeals Board will proceed with the selection of the hearing committee by submitting the list of names of the eligible Board members shall be given to both parties. Prior to the selection of hearing committee members and alternate members. The list shall not include a member of the same academic unit or one who is related by consanguinity or affinity to the respondent or complainant. Members and alternates currently serving on another hearing shall also be ineligible. The Chair of the Faculty Appeals Board shall also determine that no one on the list has a bias related to the person(s) or issue at hand.

(b) (d) Within 5 working days after submitting the list of eligible board members to both parties, the Chair of the Faculty Appeals Board, upon notification of impending proceedings by the complainant and after preliminary discussion has not resolved the matter (3.13.2(c)) (3.13.1(b)), shall will select seven members of the Board to constitute the Hearing Committee, three (3) additional members to serve as alternates, and ten members to be available for maintaining the alternate pool should replacements become necessary through personal disqualification or challenge of individuals initially selected. The selection of members and alternate members of the Hearing Committee shall be made by lot and it shall be made in the presence of the Chair of the Faculty Senate or a designated representative. The complainant and the respondent in the hearing shall be invited to be present or to send a representative. The Chair of the Faculty Appeals Board shall notify members of their selection to the Hearing Committee, of the parties involved, and provide a brief description of the general nature of the issue.

~~(c)~~ (e) The complainant and the respondent in the case may each, by written request to the Chair of the Faculty Appeals Board within 10 working days of the initial selection, ask that members or alternates of the Hearing Committee be disqualified on grounds of bias or personal interest in the case. A member or alternate of the Hearing Committee may disqualify himself or herself on personal initiative or in response to such challenge for cause as provided for in this section. If, however, a challenge for cause is disputed, the whole Faculty Appeals Board (including the members selected for the Hearing Committee, except for those challenged) shall decide by majority vote whether cause has been shown.

~~(d)~~ (f) After challenges for cause have been acted on, the complainant and the respondent additionally, shall each have may make a maximum of two peremptory challenges of members selected for the Hearing Committee within 5 working days of the date such challenges for cause are resolved.

~~(f)~~ All decisions regarding initial disqualifications shall be made prior to the first meeting of the Committee to elect its own chair ~~(3.13.3(k))~~ (3.13.2(1)).

(g) Members of the Hearing Committee who have been disqualified, and any members who, by reason of extended illness or absence from the campus, are unable to serve, shall be replaced ~~immediately~~ from among alternate members by the Chair of the Faculty Appeals Board. Alternates who are disqualified, ill or otherwise unavailable, or who become members of the hearing committee will be replaced from among the reserve pool (3.13.2(d)) by the Chair of the Faculty Appeals Board.

~~(e)~~ (h) A list of hearing committee members and alternates shall be given to all parties and unless a written objections lodged within 10 days, the list shall stand as chosen. A finalized list of Hearing Committee members and alternates will be given to all parties within 10 working days of resolving any challenges of the membership of the hearing committee or alternates by the complainant or the respondent. If no challenges are offered the finalized list must be completed within 20 working days of the initial selection of the hearing committee and alternates by the Chair of the Faculty Appeals Board.

~~(h)~~ (i) If a member of a Hearing Committee ceases to be a tenured, full-time member of the faculty, he or she shall be replaced from among the alternates.

~~(i)~~ (j) If the duties of a Hearing Committee member become primarily administrative, the remainder of the Board shall decide by a majority vote whether such member shall continue to serve on the Hearing Committee until the conclusion of the case or shall be replaced from among the alternates.

~~(j)~~ (k) The pool of three (3) alternate members shall be maintained according to selection procedures in Section 3.13.3(b). Alternate members shall attend all meetings of the Hearing Committee.

~~(k)~~ (l) Within 20 working days after the hearing committee and the alternates have been finalized. The Hearing Committee shall elect its own chair and set the date of the hearing. Every effort must be made to hold the hearing within the next 40 working days.

~~3.13.4~~ 3.13.3 **HANDLING OF CHARGES**

~~3.13.4(e)~~ (a) Before the hearing proceeds, within 20 working days after the respondent has submitted the written response outlined in section 3.13.2(b), the Chair of the Faculty Appeals Board shall meet once more with the parties involved, as appropriate, and attempt to solicit an agreement which can be put into writing in an effort to resolve the matter at this point.

~~(c)~~ (b) If the issues cannot be resolved at this point, the complainant and respondent, with the Chair of the Faculty Appeals Board and the Hearing Committee, shall attempt to agree in writing upon the hearing procedures and other matters concerning the handling of the case including which issues are to be heard. In the absence of an agreement on procedures, the Chair of the Faculty Appeals Board shall determine the hearing procedures. In either case, the procedures should be finalized within 30 working days.

~~(f)~~ If the faculty member denies the charges but wishes to waive a hearing, he or she may do so. In such event, the Hearing Committee will rest its recommendations upon the evidence agreed upon by the stipulation of the parties. If such agreement cannot be reached within thirty (30) days, the matter will be set down for the hearing before the committee.

(f) (c) The parties may agree to waive a hearing and submit the case to the hearing Committee on agreed stipulation. The Hearing Committee will then rest make its findings and recommendations upon evidence contained in or referred to in the stipulation within 30 working days.

~~3.13.5~~ 3.13.4 **HEARING REGULATIONS**

The following regulations shall apply:

(a) The ~~faculty member parties~~ shall have the right to ~~be present~~ attend the hearing and to be accompanied by a colleague or counsel, or by both, to advise him or her. The names of such ~~persons, when identified,~~ advisors and/or counsel shall be provided to the President Chair of the Hearing Committee at least 15 days prior to the hearing. Costs for such representation are borne by the ~~faculty member.~~ respective parties

All hearings will be closed unless either the complainant or the respondent requests of the Chair of the Faculty Appeals Board that it be open. The final decision will rest with the Chair of the Faculty Appeals Board.

(b) The President or his designee may attend the hearing and may have a representative or counsel, or both.

~~(c) The Faculty Appeals Board may seek advice from the University Legal Counsel or select counsel from a panel of three or more names developed by the Dean of the University's College of Law. The panel will be made up of professors from the College of Law who are available to provide procedural advice or be present at the Hearing.~~

(c) Ordinarily the University Chief Legal Counsel or a member of his/her staff not otherwise involved will serve as the legal advisor to the Faculty Appeals Board. If the Chair of the Faculty Appeals board determines that some other course is desirable he/she may request a meeting with the President. In such instances when the Chair of the Faculty Appeals Board continues to desire outside counsel following a meeting with the President, the President shall appoint other counsel with the concurrence of the Chair of the Faculty Appeals Board to advise the Hearing Committee.

(d) The Chair of the Hearing Committee shall serve as liaison for communication to and from the complainant or respondent and the

Hearing Committee. Communications related to evidence and hearing procedures should be directed to the Chair of the Faculty Appeals Board. Neither party shall communicate orally or in writing with individual committee members during the hearing procedure. To ensure that information provided to the Hearing Committee by either party is part of the official documentation of the proceeding, each party is provided with a copy.

(e) The Chair of the Hearing Committee is responsible for maintaining an a full and accurate and careful record of the proceedings. This shall consist of a tape recording, or, at the option of either party, a written transcript taken by a court reporter, and shall include copies of all exhibits, or other materials distributed at the hearing.

~~(k) (f)~~ A full transcript shall be taken at the hearing; it shall be made available in identical form and at the same time to the Hearing Committee, the President's Office, and the faculty member. Either party may request a copy of the recording of the proceedings. The recording will be maintained in the Office of the Legal Counsel for a period of five years. The full cost of recording the proceedings shall be borne by the University.

~~(f) (g)~~ The hearing shall be closed unless the faculty member either the complainant or the respondent requests it be open. If the hearing is closed, such information and facts as are made public shall be released only by permission of the Hearing Committee.

~~(g) (h)~~ The Committee shall proceed by considering the statements of both parties written before the time of the hearing. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter shall be received. The written statements of both parties, as provided in Section 3.13.1 ((a) and (c)) and evidence taken or considered beyond the written statements described in Section 3.13.4 shall be received heard by the entire Committee at the hearing and not beforehand.

~~(h) (i)~~ Both parties to the contention shall have the right to present, examine, and cross-examine witness.

~~(i) (j)~~ The principles of confrontation shall apply throughout the hearing.

~~(j) (k) The President's Office shall make available to the faculty member such authority as it possesses to require the presence of witnesses. and shall reimburse the faculty member for any reasonable cost attendant upon the appearance of percipient witnesses at the hearing.~~

~~(l) The full text of the findings and the recommendations of the Hearing Committee shall be made available at the same time to both parties.~~

~~(m) (1) The Board of Regents of the University of Oklahoma shall not be liable for any costs whatsoever incurred by the faculty member complainant except as set forth in this section.~~

~~(n) (m) The Committee may proceed to its finding and recommendations without having the record of the hearing transcribed; or it may await the availability of a transcript of the hearing if it feels its recommendations would be aided thereby. IN EITHER CASE The report of the hearing committee will be submitted to the provost within 10 working days of the conclusion of the hearing regardless of whether the written transcript of the hearing is available.~~