

C O N T E N T S  
MINUTES OF A REGULAR MEETING  
BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA  
OCTOBER 16, 1985

Minutes of the regular meeting held on September 4, 1985 (18615)

Minutes of the special meeting held on September 23, 1985 (18615)

REPORT OF THE PRESIDENT OF THE UNIVERSITY

National Merit Scholarship Program (18613)

Report on Status of 1985-86 Budget (18614)

I. The University	<u>Page</u>
<u>Academic</u>	
University Policy on Certificates and Diplomas. . . . .	18615
Regents' Professors . . . . .	18621
University Center at Tulsa. . . . .	18621
General Education Requirements. . . . .	18622
<u>Administration and Finance</u>	
Oklahoma Open Records Act . . . . .	18623
Investments . . . . .	18623
Report of Associates and President's Partners Funds . . . . .	18625
Audit Reports . . . . .	18625
SNAG Program. . . . .	18627
<u>Operations and Physical Plant</u>	
Cogeneration. . . . .	18628
II. Health Sciences Center	
<u>Academic</u>	
Faculty Personnel Actions . . . . .	18629
<u>Student Affairs</u>	
Student Activity Fee Allocation . . . . .	18637

II.	Health Sciences Center (continued)	<u>Page</u>
	<u>Administration and Finance</u>	
	Litigation. . . . .	18637
	Administrative and Professional Personnel Actions . . . . .	18638
	Proposal, Contract, and Grant Report. . . . .	18641
	<u>Operations and Physical Plant</u>	
	Report on Major Capital Improvement Projects. . . . .	18641
III.	Norman Campus	
	<u>Academic</u>	
	Endowed Chair . . . . .	18641
	Programs in the College of Geosciences. . . . .	18642
	Faculty Personnel Actions . . . . .	18642
	<u>Student Affairs</u>	
	Student Association Budget. . . . .	18653
	Student Congress Resolution - Apartheid and Divestiture . . .	18654
	<u>Administration and Finance</u>	
	Administrative and Professional Personnel Actions . . . . .	18657
	Murray Case Sells Trust . . . . .	18661
	Air Force Agreement . . . . .	18662
	Proposal, Contract, and Grant Report. . . . .	18662
	Big Eight Conference Basketball Television Package. . . . .	18663
	Televising OU/Texas Football Game . . . . .	18664
	Purchase of Buses . . . . .	18665
	Purchase of Trolleys. . . . .	18666
	Purchase of Computer Equipment. . . . .	18667
	Purchase of Atomic Absorption Spectrophotometer . . . . .	18669

III. Norman Campus (continued)	<u>Page</u>
Transportation for Presidential Spouse. . . . .	18669
Typesetting for University Press Sales. . . . .	18670
<u>Operations and Physical Plant</u>	
Stanley B. Catlett Sr. Music Building Sitework. . . . .	18671
Energy Conservation Projects. . . . .	18671
Bids on Property in Osage County. . . . .	18672
Report on Major Capital Improvement Projects. . . . .	18672

MINUTES OF A REGULAR MEETING  
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS  
OCTOBER 16, 1985

A regular meeting of the Board of Regents of The University of Oklahoma was held in the Board Room of the Foundation Building on the Norman Campus of the University on Wednesday, October 16, 1985, beginning at 9:10 a.m.

Notice of the time, date, and place of this meeting was submitted to the Secretary of State as required by Enrolled House Bill 1416 (1977 Oklahoma Legislature).

The following Regents were present: Regent Julian J. Rothbaum, Chairman of the Board, presiding; Regents Tom McCurdy, Thomas Elwood Kemp, Charles F. Sarratt, Ronald H. White, M.D. (arrived at 10:30 a.m.), and Sarah C. Hogan.

Absent: Regent John M. Imel.

The following were also present for all or a part of the meeting: Dr. Frank E. Horton, President, Senior Vice President and Provost J. R. Morris, Provost Clayton Rich, Vice Presidents Anona L. Adair, David A. Burr, and Arthur J. Elbert, and Barbara H. Tuttle, Executive Secretary of the Board of Regents. Other executive officers present were: Mr. J. T. Edwards, Mr. Walter O. Mason, Mr. Gary L. Smith, Mr. Robert P. White, and Mr. Stanley M. Ward.

The minutes of the regular meeting held on September 4, 1985 were approved as printed and distributed prior to the meeting on motion by Regent McCurdy and with the following affirmative vote: Regents Rothbaum, McCurdy, Kemp, Sarratt, and Hogan. The Chair declared the motion unanimously approved.

The minutes of the special meeting held on September 23, 1985 were approved on motion by Regent McCurdy with the following affirmative vote: Regents Rothbaum, McCurdy, Kemp, Sarratt, and Hogan. The Chair declared the motion unanimously approved.

President Horton reported on his activities over the last few weeks. He said he has visited recently with alumni groups in Dallas and Fort Worth and yesterday in Duncan. He and Nancy appreciate sincerely the warmth and welcome they are receiving everywhere they go. Dr. Horton said he and his staff are continuing to work on options for presenting budget reports to the Regents. He reported also they are preparing for the inauguration, which will be held on October 24. He invited all present and others to join in this most important of academic ceremonies.

Dr. Horton said one of the University's major goals is to attract and maintain high quality students at the University. Since there has been a great deal of Board interest in the quality of our student body, he has asked

Dr. Steve Sutherland, Assistant Dean of the University College, to bring the Board up-to-date on our National Merit Scholarship Program and what we are doing to enhance that program and to encourage merit scholars to attend The University of Oklahoma.

Dr. Sutherland distributed information to the Regents including an article from the April 17, 1985 issue of the Chronicle of Higher Education listing the 50 institutions in the nation reporting the most freshman merit scholars in 1984. The distributed material also included information on the national merit scholarship procedure and the merit program in the State of Oklahoma for 1984. He also presented information on the number of merit scholars enrolled in the various Big Eight institutions and other institutions in the State of Oklahoma, including the number of college-sponsored merit scholars. Last year, The University of Oklahoma attracted 11 national merit scholars but only had three college-sponsored scholarships. This year, he said the University has 22 national merit scholars on campus, a doubling of the number of scholars in one year. The University was able to offer 13 college-sponsored scholarships this year as opposed to three last year.

Dr. Sutherland commented on the number of semi-finalists in 1986 in Oklahoma and the surrounding states. He said the University will be having a national merit day program on campus for the second year this week-end. Fifty-two semi-finalists came last year, and so far, 79 are registered for the program this year.

Dr. Sutherland also reported on the National Achievement Scholarship Program for outstanding Negro students (NASPONS). Dr. Sutherland said OU is the only institution in the State to belong to this program and that five achievement scholars are enrolled this year. He said OU is very interested in this program and pursuing involvement in it. An aim is to bring the two programs together and to attempt to recruit the most gifted students, not only in the State but in other states, to The University of Oklahoma.

The financial analyses for July, August, and September (incomplete), 1985 were included in the agenda for this meeting in the same format as had been presented over the previous three or four months. Dr. Horton distributed a financial analysis for 1985-86 for the period ending August 31, 1985 as shown on the attached pages (Exhibit A). He reviewed each page with the Regents. He asked for reactions to the data in this format so that he can provide the kind of information that will be helpful to the Regents. He stated one of the options is to continue using the information as we have in the past and add this new format to it.

During the discussion of the financial analysis, the Regents suggested the following:

1. The development of a long-range plan on increasing the income from the Professional Practice Plan.

2. A detailed explanatory paragraph to accompany each expenditure category in the financial analysis charts.
3. That both types of financial information continue to be provided.

Dr. Horton also distributed a summary of the monetary implications of the items included in this month's agenda and asked for comments. It was the consensus of the Regents that this type of information is helpful and that it should be provided each month. Regent Kemp asked that information be provided periodically on financial awards made to faculty and staff during the year and salary increases that are in addition to the regular yearly increase.

Dr. Horton said the financial analysis and the summary of agenda item financial implications will be modified in accordance with the discussions here and he will come back at the next Regents' meeting with a reasonably final format. However, he emphasized that it can be changed any time and he asked the Regents to let him know if they have any other suggestions for additions, changes, or deletions.

#### UNIVERSITY POLICY ON CERTIFICATES AND DIPLOMAS

The Oklahoma State Regents for Higher Education have a policy on granting certificates and diplomas in the various institutions in the State System. In addition, The University of Oklahoma has for some time had an implementing policy.

Experience has shown that some changes are desirable in the University policy. The proposed changes are as follows with deletions lined through and additions underlined:

In issuing certificates for whatever purpose, the University and all of its divisions shall conform to the following specifications, which have the authority of the Board of Regents:

- (1) Certificates bearing the name and the Seal or Coat of Arms of the University may be issued only by The University of Oklahoma, pursuant to the applicable legislation in each instance as created by the President and Board of Regents and/or the State as represented by the State Regents for Higher Education or the Governor and Legislature of the State of Oklahoma. Colleges, schools, departments, and other subdivisions of the University do not have such authority.

- (2) The Office of Admissions and Records is charged with the responsibility of administering the regulations governing the issuance of certificates. Except for those prepared by the Health Sciences Center and by Continuing Education and Public Service as provided elsewhere in this policy, all certificates are to be printed under the supervision of the Office of Admissions and Records with their that-office. The design and typography being of-all certificates-shall-be prescribed by the Office of Admissions and Records in consultation with the University Press. The University Press shall print all certificates to the extent to which their facilities and schedule permit such printing.
- (3) The diplomas of the University, for any and all degrees, may be changed only on recommendation of the President of the University and with the approval of the University Regents and of the State Regents for Higher Education.
- (4) No certificates intended as an extension or elaboration of the curricular requirements for a degree shall be issued by the University or any subdivision thereof, nor shall certificates be issued for courses, programs of study, or stages required by the University in the fulfillment of the prescriptions for a degree.
- (5) Curricular programs based upon University and/or State legislation, for which University credit is allowed but for which no degrees are granted (as, for example, the program in Office Administration), may be recognized by certificates, in a form to be prescribed from time to time.
- (6) Degrees achieved with honors, pursuant to University and/or State legislation, shall be recognized by diplomas attesting the character of such honors and their relative degree.
- (7) The University may confer from time to time Distinguished Service Citations upon persons of distinguished achievement, but not upon students regularly enrolled in any of its programs, in cooperation with the University of Oklahoma Association, and in conformity to the methods and procedures for the selection of such persons now existing. No other honorifics shall be so recognized.
- (8) Programs leading to professional proficiency of such an order as those provided by the University for fellows, residents, interns, and for other programs of professional

~~technical~~ training, whether terminal and without degree status, post-degree, or post-doctoral, at the Health Sciences Center and/or in the College of Medicine and an affiliated hospitals may be recognized by certificates in a form to be prescribed from time to time.

- (9) Certificates for other forms of professional proficiency than those hereinbefore described may be issued only if programs for the achievement of such proficiency have been approved by the University Regents and/or the State Regents for Higher Education and are incorporated in the official publications of the University describing its curricular requirements. Nothing in this section shall be construed to contravene the provisions of Section 4 hereof.
- (10) Certificates issued in conformity with University and/or State Legislation may be printed only in the name and under the authority of the University. Hence, no certificate of any character may be issued under authority of any other agency naming the University as a cooperating institution in the program of training sponsored cooperatively with the University by such agency, except that, as provided in Section 8 above, when the training is conducted by the College of Medicine and an affiliated hospital, a joint certificate of completion may be issued.
- ~~(11) Certificates of academic or professional proficiency may not be printed "in blank" for distribution to subdivisions of the University, but each shall be imprinted with the name of the person qualified to receive it.~~
- (11) ~~(12)~~ Certificates may be issued by the University, pursuant to appropriate University and/or State legislation, as incorporated in the official publications of the University from time to time, for attendance at University-sponsored programs of formal instruction and/or research at the pre- and post-doctoral levels, and such levels shall be recognized in such certificates. Such certificates shall conform to the provisions of Section 10 hereof.
- (12) Certificates may be issued through the area of Continuing Education and Public Service recognizing achievement of proficiency in some designated area through successful completion of either single or multiple course credit-free University-sponsored continuing education activities. Such activities may be conducted in asso-



ciation with recognized professional associations, business groups, government agencies and/or other academic units of the University and the certificate may so state, although certificates may only be issued by The University of Oklahoma. Certificates shall designate their issuing authority as "The University of Oklahoma, Continuing Education and Public Service," or, if applicable, "The University of Oklahoma, Continuing Education and Public Service, in association with (name of appropriate professional association or academic unit)."

Courses or sequences of courses upon which such certificates will be based must be submitted for prior review to, and must conform to requirements for course content and quality established by a review committee composed of representatives of Continuing Education and Public Service and of the University faculty.

Certificates recognizing achievement in credit free Continuing Education and Public Service activities will be administered through the Office of the Vice Provost for Continuing Education and Public Service. That office will be responsible for the design, printing, issuance and recording of all such certificates.

- (13) ~~Statements; rather than~~ Certificates; of participation in short courses, workshops, and professional gatherings may be issued by the University Colleges at the Health Sciences Center in a form to be prescribed from time to time, but such ~~statements~~ certificates shall avoid the appearance and/or the implications of academic credit or professional proficiency reserved to formal programs of academic study. ~~or research described in the official publications of the University and provided for in other sections of the Regulations hereinbefore numbered. -- Such statements may be printed in blank by the University of Oklahoma Press and distributed to responsible University officials and presented to those who are found by such officials qualified to receive them.~~
- (14) Certificates may be issued by the University, under appropriate legislation, to winners and participants in scholarly competitions sponsored by the University and conducted in its name, whether such contestants are of non-resident high school, undergraduate, or graduate status, in a form to be prescribed from time to time.

- ~~(15) Certificates shall be signed by the President of the University, the dean of the appropriate college, and the Registrar.~~
- ~~(16) All certificates issued by the University shall be subject to recording in the Office of Admissions and Records.~~
- (15) ~~(17)~~ All certificates may ~~shall~~ bear the Seal or Coat of Arms of the University, and all diplomas awarded on the achievement of a degree shall bear the Seals of the University and of the State Regents for Higher Education.
- (16) ~~(18)~~ The Regulations hereinbefore described shall supersede all previously published Regulations covering the subject of diplomas and certificates and shall take effect as of their date of passage. ~~this 8th day of October, 1964.~~
- (17) ~~(19)~~ Multiple Degrees; Late Application. Two degrees are not to be conferred on a student at the same commencement, unless the requirements for both degrees have been completed since the last commencement. In that case two degrees may be conferred on a student by special permission of the faculty or faculties concerned.

If a student does not apply for a degree when the requirements for the degree are complete and does apply for this degree later, the degree may be conferred by special permission of the faculty "as of" the year when the requirements were actually completed. When the degree is dated as of a previous year, an extra approved charge fee of \$10.00 will be assessed ~~charged~~ in addition to all other fees required for graduation.

- (18) ~~(20)~~ Duplicate Diplomas. The University of Oklahoma will issue a duplicate diploma when an original has been mutilated, provided the original diploma is returned to the Office of Admissions and Records.

The University will issue a duplicate diploma when the original diploma has been lost or destroyed, provided the recipient presents evidence in affidavit form that the original diploma has been lost or destroyed.

The University will issue a duplicate diploma under a change of name, provided the recipient presents a court order attesting the legal name change, the original diploma is returned to the Office of Admissions and Records or an affidavit is filed to the effect that the original diploma has been lost or destroyed, and the student's official educational record is changed accordingly.

Duplicate diplomas will be printed in the format and topography of the University's current diplomas, carrying current signatures, but bearing the original date of conferral and carrying the following notation printed in a single line directly below the seals and signatures: "Reissued by the University on \_\_\_\_\_, 19\_\_, in lieu of the diploma originally given under the above date."

Duplicate diplomas will be ordered at a time other than when the University is ordering diplomas for current graduates.

An approved A charge of \$15 will be made for a duplicate diploma, and the request must be submitted in writing, together with the fee, to the Office of Admissions and Records prior to ordering the diploma.

Because of the importance diplomas play professionally in the disciplines associated with the Health Sciences Center, Oklahoma-City-Campus, it will be understood that the Health Sciences Center will, when it is able to do so, supply diplomas as identical as possible to the original diploma and when that is not possible will use the regulations above.

The basic change will permit Continuing Education and Public Service to issue certificates without the Office of Admissions and Records being involved. Adequate safeguards are included to be sure certificates are not given indiscriminately. In addition, there are a few other housekeeping changes which will bring the existing practice and policy into line and provide clarification where needed.

If the revisions are approved, pages 2-52A through 2-56 in the Regents' Policy Manual will be amended accordingly.

President Horton recommended approval of the revisions to the University Policy on Certificates and Diplomas as shown above to be effective immediately.

Regent Rothbaum moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, and Hogan. Regent Sarratt abstained. The Chair declared the motion approved.

REGENTS' PROFESSORS

In a communication to the members of the Board of Regents dated September 24, 1985, President Horton reported his recommendation for appointment of Regents' Professors.

The criteria for the selection of Regents' Professors provides that individuals will receive a cash award of up to \$5,000. The funds for the two \$5,000 awards this year will be provided by The University of Oklahoma Associates.

President Horton recommended that Dr. James R. Burwell and Dr. Chesterfield G. Gunn be appointed Regents' Professors effective immediately.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, and Hogan. The Chair declared the motion unanimously approved.

UNIVERSITY CENTER AT TULSA

President Horton commented on his visits with those involved with the University Center at Tulsa in recent weeks. He believes this program is very important to the University and to Tulsa. He reminded the Regents that last session, the Legislature established a Board of Trustees for the University Center. He said they are moving forward with developing a physical presence in Tulsa. The University Center, however, will still be dependent on the four institutions, Northeastern Oklahoma State University, Langston University, Oklahoma State University, and The University of Oklahoma to provide the programs. He said there are, however, some limitations that hamper the University in the delivery of the programs. One is the regulation which provides that when more than one public institution offers work in a given field, the institution which is nearest geographically will normally be asked to serve, all other things being equal. He said the people in Tulsa and the Trustees are very, very desirous of The University of Oklahoma bringing programs to the University Center.

Dr. Horton introduced Mr. Jack Stout, Director of University Services in Tulsa, who continued with the report. He distributed enrollment information for the fall 1985 and a list of all programs offered at the University Center by all of the institutions. He called attention to the fact that The University of Oklahoma has six programs approved for instruction there. Twenty-three additional programs have been proposed but not yet approved. OSU and NEOSU also have program requests pending. He said the total enrollment in OU courses is about the same as it was in 1984, though the University is offering a few more courses in the programs that are already in operation. He said the University will continue the review of the pending programs and will be setting a priority order and making a determination about requesting approval of additional programs.

There was a discussion regarding whether these programs are draining from the Norman Campus and Health Sciences Center enrollments. Dr. Horton indicated that this could be but also addressed the fact that there are many place-bound students in the Tulsa metropolitan area who cannot, for many reasons, come to The University of Oklahoma to take classes. There was a discussion also of the funding of these programs. Mr. Stout indicated the stated plan is to deal with this as a consortium with the funds going directly to the institutions but earmarked for the Tulsa program.

Regent Sarratt asked for a list of the Trustees of the University Center at Tulsa and also expressed concerns about the establishment of another University in the State System.

#### GENERAL EDUCATION REQUIREMENTS

A history and status report on the review of general education requirements in the various colleges on the Norman Campus was included with the agenda for this meeting. Provost Morris reviewed the information included in the report. He reminded the Regents that in the spring of 1984, Dr. Morris Marx, then Associate Dean of Arts and Sciences, reported to the Board that the College would have its new requirements ready to implement in the fall of 1985. However, in the fall of 1984, Dean Burwell resigned, Dr. Marx was named Interim Dean and subsequently left the University in the spring of 1985. He said little was accomplished during the 1984-85 academic year. Interim Dean Russell Buhite has reactivated the College committee with the commitment of having a general education program to the faculty for a vote before the end of this semester. Dr. Horton said he has met with the General Education Requirements Committee of the College and he believes their report will be brought to closure as soon as possible.

Dr. Horton stated very often the fact that there are undergraduate programs at the Health Sciences Center is overlooked. He asked Dr. Rich to comment on the general education requirements at the Health Sciences Center.

Dr. Rich reported that about half of the students at the Health Sciences Center are undergraduates. All of them are there for their third and fourth years. All of the HSC programs accept students from the Norman Campus and other institutions in the State after two years of undergraduate work. The requirements for acceptance into the third and fourth years vary from program to program and these are the counterpart of the general education requirements on the Norman Campus. They must be completed, however, before the student is accepted at the Health Sciences Center. He said these lower division requirements are reviewed periodically by the college faculties. Dr. Rich said he will supply a chart at the next Regents' meeting that will indicate the individual program requirements and the date of the last review.

This was presented for information. No action was required.

## OKLAHOMA OPEN RECORDS ACT

The Oklahoma Open Records Act which was adopted by the 1985 Legislature and is effective November 1, 1985 requires that certain public records of the University be kept and maintained and opened to any person for inspection, copying, and/or mechanical reproduction during business hours. The Act defines a record to mean all documents including but not limited to any book, paper, photograph, microfilm, computer tape, disk, record, sound or film recording, video record or other material regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control, or possession of public officials, public bodies, or their representatives in connection with the transaction of public business, the expenditure of public funds, or the administering of public property. A record does not mean non-government personal effects.

Records of the institution not available to the public are those specifically required by law to be kept confidential. These records may include litigation, certain student records, donor records, certain personnel records, and others.

The University administration is in the process of developing an administrative policy which will (1) cover the details of records which are to be made available, (2) establish a fee to be charged to recover the direct cost of document search and reproduction and (3) establish a process to provide prompt and reasonable access to its records.

Dr. Horton stated the purpose of placing this on the agenda is to inform the Board of the nature of this act and the implications for the institution. As indicated, a new administrative policy will be in place by November 1 that will provide procedures for implementing this new State law. Dr. Horton said he does have concerns about some of the deficiencies of the legislation; such as the fact that at the current time the law does not speak to the additional costs this will place on an institution. He suggested that requests could become very costly. In other similar laws around the country, reimbursement for these costs is often included so that institutions, particularly educational ones, do not have to bear the additional staff costs. Other issues that may require some clarification or amendment may be discussed with the Regents at a later date.

This was reported for information. No action was required.

## INVESTMENTS

On September 25 J. & W. Seligman & Co., investment advisors, submitted the following investment recommendations on Regents' Endowment Funds:

Sell: 1,000 shares American Brands  
3,000 shares Herman Miller

October 16, 1985

18624

Buy: 1,000 shares Burroughs  
1,000 shares Automatic Data Processing

The sale of American Brands will be virtually a break-even transaction. There should be a gain of approximately \$20,000 on the sale of Herman Miller. This will eliminate the Regents' holdings in these two companies.

Burroughs and Automatic Data Processing were recommended for purchase in order to increase stock in the technology area. Both of these companies are in the business machines, computer service areas.

On October 7 J. & W. Seligman recommended the sale of 1,000 shares of Burroughs and 1,500 shares of Community Psychiatric Centers. The Burroughs was purchased very recently but J. & W. Seligman felt it should be sold immediately based on a recent earnings report that was issued shortly after the purchase. There was a small loss but selling at this time has the effect of limiting the loss. Community Psychiatric was recommended for sale in order to realize a gain of approximately \$20,000.

These recommendations were approved by the University Trust Officer and the President of the University and the transactions have been completed.

Over the summer there were several Certificates of Deposit and U.S. Treasury Bills which matured and were rolled over as follows:

\$100,000.00 Certificate of Deposit - American Exchange Bank, Norman, matured July 8, 1985. Reinvested at 7.75% to mature January 6, 1986.

\$100,000.00 Certificate of Deposit - City National Bank, Norman, matured July 8, 1985. Reinvested at 7.625% to mature January 6, 1986.

\$40,000.00 U. S. Treasury Bills, matured July 11, 1985. Purchased \$40,000.00 par value U. S. Treasury Bills maturing December 12, 1985.

\$260,000.00 U. S. Treasury Bills, matured July 18, 1985. Purchased \$260,000.00 par value Federal Home Loan Banks for a net amount of \$255,584.50 maturing October 16, 1985.

\$100,000.00 Certificate of Deposit - First National Bank, Norman, matured August 5, 1985. Reinvested at 7.85% to mature February 3, 1986.

\$1,065,000.00 U. S. Treasury Bills, matured August 22, 1985. Purchased \$1,100,000.00 par value U. S. Treasury Bills maturing March 6, 1986.

\$410,000.00 U. S. Treasury Bills, matured September 5, 1985.  
Purchased \$415,000.00 par value U. S. Treasury Bills maturing  
December 5, 1985.

\$295,000.00 U. S. Treasury Bills, matured September 5, 1985.  
Purchased \$300,000.00 par value U. S. Treasury Bills maturing  
December 5, 1985.

This was reported for information. No action was required.

#### REPORT OF ASSOCIATES AND PRESIDENT'S PARTNERS FUNDS

Following is the commitment of the funds of the University of Oklahoma Associates for the period July 1 through September 30, 1985:

Academic Support	\$51,500
College of Engineering - Gaseous Fuels Institute	\$20,000
College of Geosciences - Dean Stehli Support	6,500
Journalism - equipment fund	25,000

The following commitment was made of the President's Partners Funds for the period July 1 through September 30, 1985:

Industrial Engineering - salary support for Dr. Adedeji Badiru	\$10,000
---	----------

This was reported for information. No action was required.

#### AUDIT REPORTS

Dr. Horton reminded the Regents that an internal audit report of the Other Film Club was distributed to the Board on September 9. He presented the following executive summary of that audit:

The Other Film Club is a student organization on the Norman Campus. The Club's primary purpose is to provide the University community with quality cinema.

The audit revealed serious problems with records and documentation to support revenues and expenditures. Internal controls were not adequate to prevent possible misuse of funds. Approximately \$1,500 from box office receipts were not deposited to University accounts. In addition, the Club's University account as of June 30, 1985 had a deficit balance of \$2,444.57.



The Vice President for Student Affairs is addressing these problems. The Club has been placed on restrictive disciplinary probation until May 1986. In order for the probation to be lifted, the Club must eliminate the deficit balance and present a formal proposal to insure fiscal responsibility that must be approved by the Vice President for Student Affairs and the Director of Internal Auditing.

Dr. Horton reported also the Campus Film Series audit was completed during the month of September. This, however, was a routine internal audit and does not require review. A copy of the audit is available in the office of the Executive Secretary of the Board.

Dr. Horton said this method of discussing audits is in accordance with his proposal at the recent special meeting.

In response to questions from the Board on the audit of the Other Film Club, Vice President Adair indicated that there is a faculty or staff sponsor for each student organization account - there are about 300 student organizations. The faculty and staff sponsor and the organization's student president are responsible for seeing that the group abides by the guidelines the University has for the expenditure of funds. Ultimately, of course, the Vice President for Student Affairs is responsible. What occurred in this case, Dr. Horton said, was a violation of the guidelines that are established. Vice President Adair reported that as a result of this audit the staff in Student Affairs have met with every student organization that charges admission to an event and reviewed the guidelines with them. She emphasized that most of the time the students are very responsible in their fiscal affairs. She said, however, Student Affairs will be more strict with the student organizations in the future. She reported this group has almost taken care of their deficit.

Regent White arrived.

Regent Kemp addressed a number of questions to Internal Auditor John Eckert regarding the special audit and the status of the request to examine additional funds. Mr. Eckert stated he is waiting on a determination from this Board about continuing the review. In the Phase II report, he indicated that in order to continue the audit, he would have to go outside the University to gather information (Phase III) and he asked the Board's guidance. At this point, Mr. Eckert said he has not received guidance from the Board to continue. Regent Kemp asked if he has received an official statement from the Foundation Board that he cannot examine those books. Mr. Eckert reported not an official statement but unofficially he has been told that he cannot examine any more accounts.

Regent McCurdy, also a member of the Foundation Executive Committee, said he thinks that if the Board and the President of the University submit a request in writing to the Trustees of the Foundation that the University wants

to examine certain records, they will cooperate. He said the Trustees have never been asked by the Board for this information. In addition, he thinks there are some funds the Regents don't have any need to see. He believes the Trustees would like to see exactly what the Regents would like to have.

Regent Sarratt asked if the Board of Regents has the right to audit the Foundation funds. He referred to Chief Legal Counsel Ward's opinion dated March 21, 1985 and asked that the opinion be included in the minutes. It is attached hereto as Exhibit D.

Regent Kemp moved that John Eckert be given authority to examine the accounts included in Section F of his Phase II report on the review of certain Foundation funds.

During the discussion, Mr. Eckert commented that the examination of the additional funds in the Foundation is Phase IV of the audit. He believes that if he or his staff look at the additional accounts identified in Section F, that they will examine the first document and will be able to determine immediately there is no need to examine further. Phase III of the audit, Mr. Eckert said, is the examination of accounts outside the University and he does not believe the audit should be conducted outside the University. Regent Kemp expressed his concern about the fiduciary responsibility of the Board of Regents. Regent McCurdy stated he has full confidence in the Foundation Board and he does not know where this audit is headed.

*see page 18625 for correct*

Beth Powell, reporter for the Daily Oklahoman, objected at this point to the discussion because she said this was not included in her agenda.

The discussion continued with Regent White indicating a desire for more information about what these accounts actually are before he has to vote on the motion which is on the floor. He said he feels the need for some explanation from someone from the Foundation.

After further discussion, Regent Kemp withdrew his motion until the November meeting with the understanding that the Executive Director of the Foundation and the Foundation Executive Committee be notified this will be discussed and they be given the opportunity to be present.

#### SNAG PROGRAM

Under State law, when the Oklahoma Tax Commission owes an income tax refund to a debtor of the University, the University may make application with the Commission to hold and ultimately divert the refund or part of the refund to reduce or eliminate the debt owed The University of Oklahoma. If requested, the debtor is entitled to a hearing from a duly constituted authority at The University of Oklahoma with respect to the amount owed. This law process is sometimes referred to as the "SNAG" program.

While the Board of Regents has the ultimate responsibility for such decisions, the Board may delegate its responsibility to hear and decide such matters. It would be the duty of any such designee to receive evidence and decide the issue in accordance with State law.

President Horton recommended that the Board of Regents authorize the President, or the President's designee, full authority to hear and decide cases under this program.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### COGENERATION

Regent Kemp reminded the Board that the Steam and Chilled Water Plant at the Health Sciences Center provides steam and chilled water for the various facilities at the Oklahoma Health Center. The University only uses about 26% of the total but administers the plant and charges the other entities for the steam and chilled water they use. A year ago last spring, the Health Sciences Center solicited proposals for construction of a cogeneration plant and eventually entered into lengthy discussions with Don Smith/General Electric. They presented a proposal on a steam/buy contract that would allow OU to buy steam for a period of 15 years at a reduced rate and sell the extra electricity generated; however, they never did provide a guarantee that would save the University money. Regent Kemp said the soundness of the cogeneration technique seems to be generally accepted and the possibility of saving money is excellent. In order to explore the various cogeneration alternatives, he said Regent Sarratt, Mr. Ward, Mr. Smith, Professor John Purcupile, and he have visited several institutions to review cogeneration operations. Their first visit was to the University of Texas at Austin. They have had a plant in operation for several years and have a very successful operation. During this past month, they went to Stanford University and San Jose State University. The Stanford plant, he said, is just being completed; the San Jose plant has been operating for a couple of years. Mr. Kemp said that in order to pursue this matter, the University will need to negotiate with a financial institution, find a long-term supply of gas at a reasonable rate, and obtain agreements with the Oklahoma Corporation Commission and Oklahoma Gas and Electric Company. He said the staff is in the process of examining this matter further and trying to work out the various details.

Regent Sarratt also commented on the study that has been undertaken. He asked Mr. Smith to follow up with additional information, which he did. Mr. Smith also indicated it would take time to finalize this matter because all legal and financial details need to be examined very carefully. He said the committee will be bringing reports to the Board from time to time. Professor Purcupile also added to the report indicating there are two critical decisions to make - a determination on the size of the plant and how it will be financed.

Regent Sarratt indicated any Regent is welcome to participate in this study.

Regent McCurdy and other members of the Board expressed appreciation to Regents Kemp and Sarratt for taking the time and effort to study this matter in detail.

Regent Kemp also complimented the staff and expressed complete confidence in the competence of the staff in this matter.

#### HEALTH SCIENCES CENTER FACULTY PERSONNEL ACTIONS

##### LEAVES OF ABSENCE:

S. Joseph Barry, Professor of Communication Disorders, sabbatical leave of absence with full pay, January 1, 1986 through June 30, 1986. To study computer technology to facilitate his research and that of the department.

Carole A. Sullivan, Professor of Radiologic Technology, sabbatical leave of absence with full pay, January 1, 1986 through June 30, 1986. To do adult education research.

Yerradhoddi S. Reddy, Associate Professor of Physiology and Biophysics, sabbatical leave of absence with full pay, March 1, 1986 to September 1, 1986. To do research at the University of Sydney, Australia.

Christina A. Kasprisin, Clinical Assistant Professor of Nursing, leave of absence without pay, July 1, 1985 through January 11, 1986.

Constance M. Thompson, Clinical Assistant Professor of Nursing, leave of absence without pay, August 1, 1985 through January 11, 1986.

Loretta F. Thompson, Clinical Assistant Professor of Nursing, leave of absence without pay, July 1, 1985 through January 11, 1986.

Harriet L. Vaughan, Clinical Assistant Professor of Nursing, leave of absence without pay, September 1, 1985 through January 11, 1986.

Linda S. Wheeler, Clinical Assistant Professor of Nursing, leave of absence without pay, August 1, 1985 through January 11, 1986.

##### APPOINTMENTS:

Martin H. Welch, M.D., Professor of Medicine with tenure, \$75,000 for 12 months, January 5, 1986. Paid from 2208-2, Medicine, and D0319000, Medicine Operational, pos. 80.

Robert Alan Steinberg, Ph.D., Associate Professor of Biochemistry and Molecular Biology, \$42,000 for 12 months, January 1, 1986 through June 30, 1986. Paid from 2102-0, Biochemistry, pos. 0030.

Andreas Muller, Ph.D., Associate Professor of Health Administration, \$39,000 for 12 months, December 1, 1985 through June 30, 1986. Paid from 2502-6, Health Administration, pos. 0010.

Marc Stephen Rendell, M.D., Associate Professor of Medicine, \$75,500 for 12 months, August 1, 1985 through June 30, 1986. Paid from Saint Francis Hospital Medical Research Institute.

Peter Jay Sims, M.D., Ph.D., OMRF Associate Professor of Medicine, \$60,000 for 12 months, September 1, 1985 through June 30, 1986. Paid from Oklahoma Medical Research Foundation.

Judith K. Caldwell, Clinical Assistant Professor of Dental Hygiene, \$21,150 for 12 months, .80 time, September 1, 1985 through May 30, 1986. Paid from 2704-3, Dental Hygiene, and A0000069, College of Dentistry, pos. 0017.

Nancy A. Pees, Ph.D., Adjunct Assistant Professor of Environmental Health, without remuneration, August 27, 1985.

Tay Nhu Dang, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1985.

James Michael Pontious, Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1984.

Karen K. Hamilton, M.D., Assistant Professor of Medicine, \$50,000 for 12 months, October 1, 1985 through June 30, 1986. Paid from 2208-2, Medicine, pos. 0050.

Charles Petrus Herbst, Ph.D., Visiting Assistant Professor of Medicine, \$12,000 for 12 months, September 1, 1985 through June 30, 1986. Paid from C8125001, Double Blind Study, pos. 0074.

David Mark Stern, M.D., OMRF Assistant Professor of Medicine, \$42,000 for 12 months, September 1, 1985 through June 30, 1986. Paid from Oklahoma Medical Research Foundation.

Mary Kay Bass, Clinical Assistant Professor of Nursing, \$237.50 per month, .10 time, August 26, 1985 through June 30, 1986. Paid from 2007-4, Graduate Nursing Program, pos. 0164.

Emilio Vanoli, M.D., Visiting Assistant Professor of Physiology and Biophysics, without remuneration, August 1, 1985.

Daniel George Ford, Clinical Assistant Professor of Psychiatry and Behavioral Sciences, Tulsa, without remuneration, July 1, 1985.

Mary C. Snyder, Clinical Assistant Professor of Psychiatry and Behavioral Sciences, Tulsa, without remuneration, July 1, 1985.

Carmen Warren-Chioco, M.D., Assistant Professor of Psychiatry and Behavioral Sciences, \$67,797 for 12 months, July 22, 1985 through June 30, 1986. Paid from Veterans Administration, pos. 0020.

Deborah Ann Earley, Special Instructor in Audiology, \$22,560 for 12 months, August 15, 1985 through June 30, 1986. Paid from 2214-2, Department of Otorhinolaryngology, and B0333001, Children's Hospital Research, pos. 0010.

Paula Kathryn Casey, Adjunct Instructor in Clinical Laboratory Sciences, without remuneration, August 1, 1985.

Kathey Jean Keeter, Adjunct Instructor in Clinical Laboratory Sciences, without remuneration, August 1, 1985.

John J. McCormick, Adjunct Instructor in Clinical Laboratory Sciences, without remuneration, September 1, 1985.

Anita Kay McIntyre, Adjunct Instructor in Clinical Laboratory Sciences, without remuneration, August 1, 1985.

Larry A. Dyer, Clinical Instructor in Community Dentistry, \$340.00 per month, .20 time, September 1, 1985 through December 31, 1985. Paid from 1037-3, Community Dentistry, pos. 0063.

James Michael Willbanks, D.D.S., Clinical Instructor in Community Dentistry, \$690.00 per month, .40 time, September 1, 1985 through June 30, 1986. Paid from 1037-3, Community Dentistry, pos. 0062, and 1033-3, Restorative Dentistry, pos. 0016.

John Robert Ashley, M.D., Clinical Instructor in Dermatology, without remuneration, August 29, 1985.

Michael David John, M.D., Clinical Instructor in Dermatology, without remuneration, August 22, 1985.

William Michael Chop, Jr., M.D., Clinical Instructor in Family Practice, Tulsa, without remuneration, August 1, 1985.

William David Holloway, M.D., Clinical Instructor in Family Practice, Tulsa, without remuneration, August 1, 1985.

Elliott Hampton Howe, Jr., M.D., Clinical Instructor in Family Practice, Tulsa, without remuneration, September 1, 1985.

Marc Robert Hille, Clinical Instructor in Neurology, without remuneration, July 1, 1985.

Lynne A. Dunham, D.D.S., Clinical Instructor in Operative Dentistry, \$175.00 per month, .10 time, September 1, 1985 through June 30, 1986. Paid from 1033-3, Division of Restorative Dentistry, pos. 0089.

October 16, 1985

18632

Pamela Elaine Pierson, D.D.S., M.D., Clinical Instructor in Operative Dentistry, \$350.00 per month, .20 time, September 1, 1985 through June 30, 1986. Paid from 1033-3, Restorative Dentistry, pos. 0014.

Charles George Torbeck, II, D.D.S., Clinical Instructor in Operative Dentistry, \$175.00 per month, .10 time, September 1, 1985 through June 30, 1986. Paid from 1033-3, Restorative Dentistry, pos. 0059.

Timothy Robert Fagan, D.D.S., Clinical Instructor in Pediatric Dentistry, \$87.50 per month, .05 time, September 1, 1985 through May 30, 1986. Paid from 1036-3, Developmental Dentistry, pos. 0051.

Eugene A. Litteken, D.D.S., Clinical Instructor in Pediatric Dentistry, \$87.50 per month, .05 time, September 1, 1985 through May 30, 1986. Paid from 1036-3, Developmental Dentistry, pos. 0050.

Sharon Kay Verdel, Clinical Instructor in Psychiatry and Behavioral Sciences, Tulsa, without remuneration, July 1, 1985.

Sylvia Mae Breese, Associate in Anesthesiology, \$40,177 for 12 months, September 1, 1985 through June 30, 1986. Paid from A0000571, PPP-Anesthesiology-Administration, pos. 0930.

James Ray Wade, D.D.S., Preceptor in Dental Services Administration, without remuneration, July 18, 1985.

October 16, 1985

<u>NAME and TITLE(S)</u>	<u>ANNUAL FTE INCOME</u>	<u>ANNUAL GUARANTEED BASE SALARY</u>	<u>ANNUAL PPP EARNINGS POTENTIAL</u>	<u>EFFECTIVE DATE</u>
APPOINTMENTS:				
Stephen Ray Glore, Ph.D., Assistant Professor of Clinical Dietetics	\$33,000	\$28,000	\$5,000	8-15-85 thru 6-30-86
Sue Ann Washnock, Clinical Assistant Professor of Dental Hygiene	\$32,000	\$24,000	\$8,000	8-12-85 thru 6-30-86
Arthur Lee Jones, R.N., Ph.D., Assistant Professor of Nursing	\$38,062	\$31,718	\$6,344	8-5-85 thru 6-30-86
Vicki Ann Fuller, Clinical Instructor in Dental Hygiene	\$17,460	\$12,960	\$4,500	8-15-85 thru 5-15-86
Teri Lou Youngblood, M.T., Instructor in Clinical Laboratory Sciences	\$23,600	\$21,600	\$2,000	8-1-85 thru 12-31-85

CHANGES:

Barbara J. Holtzclaw, Associate Professor of Nursing	FROM: \$41,330 TO: 43,400	FROM: \$34,442 TO: 36,167	FROM: \$6,888 TO: 7,233	9-1-85 thru 6-30-86
Deborah A. Booton, Instructor in Nursing	FROM: \$30,474 TO: 33,093	FROM: \$25,395 TO: 27,395	FROM: \$5,079 TO: 5,516	8-1-85 thru 6-30-86

18633



October 16, 1985

18634

CHANGES:

\*E. William Allen, Professor of Radiological Sciences and Adjunct Associate Professor of Medicine, salary changed from \$67,379 to \$69,068 for 12 months, July 1, 1985. Paid from A0000181, Radiology Salary Supplement, pos. 0031, and VA Hospital.

Edward W. Allensworth, title changed from Associate Preceptor in Medicine to Clinical Assistant Professor of Family Medicine, without remuneration, June 1, 1984.

Mark R. Ambrosius, Adjunct Assistant Professor of Health Administration, salary changed from without remuneration to \$810.00 per month, .08 time, September 1, 1985 through December 31, 1985. Paid from 2502-6, Health Administration, pos. 0006.

Charles D. Bodine, title changed from Clinical Associate Professor to Clinical Professor Emeritus of Obstetrics and Gynecology, July 1, 1985.

Roy D. Clemens, title changed from Associate Preceptor in Medicine to Clinical Assistant Professor of Family Medicine, without remuneration, June 1, 1984.

Steven A. Crawford, Assistant Professor of Family Medicine; title of Associate Director, Shawnee Family Medicine Residency Program, deleted, July 1, 1985.

Braulio M. Cuesta, title changed from Associate Preceptor in Medicine to Clinical Instructor in Obstetrics and Gynecology, without remuneration, June 1, 1984.

My L. Dao, title changed from Research Associate to Research Assistant Professor of Microbiology and Immunology, salary changed from \$30,000 to \$33,000 for 12 months, September 1, 1985 through June 30, 1986. Paid from 2104-0, Microbiology and Immunology and C1108902, Surface Protein Antigens of Cardiogenic Streptococci, pos. 0024.

Terry Fruits, Clinical Instructor in Operative Dentistry, salary changed from \$175.00 per month, .10 time, to 87.50 per month, .05 time, September 1, 1985 through June 30, 1986. Paid from 1033-3, Restorative Dentistry, pos. 0037.

James Griffith, Clinical Instructor in Operative Dentistry, salary changed from without remuneration to \$175.00 per month, .10 time, September 1, 1985 through June 30, 1986. Paid from 1033-3, Restorative Dentistry, pos. 0061.

\*Increase from VA Hospital

Greg Hardman, Clinical Instructor in Operative Dentistry, salary changed from \$175.00 per month, .10 time, to \$87.50 per month, .05 time, September 1, 1985 through June 30, 1986. Paid from 1033-3, Restorative Dentistry, pos. 0038.

Michael J. Johns, title changed from Associate Preceptor in Medicine to Clinical Instructor in Family Medicine, without remuneration, June 1, 1984.

Lawrence K. L. Jung, title changed from Clinical Assistant Professor to OMRF Assistant Professor of Pediatrics, salary changed from without remuneration to \$31,000 for 12 months, August 1, 1985 through June 30, 1986. Paid by the Oklahoma Memorial Research Foundation.

Arnold L. Katz, Associate Professor of Medicine, Tulsa, salary changed from \$69,780 to \$52,530 for 12 months, August 1, 1985. Paid from 2805-5, Medicine, Tulsa Medical College, pos. 0002.

Parke H. Largent, Business Manager, College of Pharmacy; title of Clinical Assistant Professor of Pharmacy deleted, August 1, 1985.

Mary E. Overall, Clinical Assistant Professor of Nursing, salary changed from \$2,850 for 12 months, .10 time, to without remuneration, August 1, 1985.

Donald E. Parker, Professor of Biostatistics and Epidemiology, salary changed from \$39,300 to \$42,444 for 12 months, July 1, 1985 through February 28, 1986. Paid from 2504-6, Biostatistics and Epidemiology and C1114301, Factors Supporting Fund, pos. 0092.

Joe L. Potter, title changed from Associate Preceptor to Clinical Instructor in Medicine, without remuneration, June 1, 1984.

Loretta Primosch, Instructor and Audiovisual Librarian, Medical Library Science; given additional title of Staff Hygienist, Faculty Practice, College of Dentistry, salary changed from \$800.00 per month, .50 time, to \$1,300.00 per month, .80 time, September 1, 1985 through April 30, 1986. Paid from 6000-0, Health Sciences Center Library, pos. 0007 and A0000069, College of Dentistry, pos. 0022.

David A. Simon, Clinical Instructor in Fixed Prosthodontics, salary changed from \$5,250 for 10 months, .30 time, to \$175.00 per month, .10 time, September 1, 1985 through June 30, 1986; title Clinical Instructor in Occlusion deleted, September 1, 1985. Paid from 1033-3, Restorative Dentistry, pos. 0011.

Robert G. Small, title changed from Clinical Professor to Professor of Ophthalmology, July 1, 1984 through June 30, 1986.

\*Carl W. Smith, Jr., Professor of Radiological Sciences, salary changed from \$68,406 to \$72,866 for 12 months, July 1, 1985. Paid from A0000181, Radiology Salary Supplement, pos. 0011, and VA Hospital.

\*Increase from VA Hospital

October 16, 1985

18636

DuAnne F. Smith, Clinical Assistant Professor of Nursing, salary changed from without remuneration to \$237.50 per month, .10 time, August 26, 1985 through June 30, 1986. Paid from 2007-4, Graduate Nursing Program, pos. 0097.

Albert F. Staples, Professor and Chair of Oral Surgery, termination effective June 1, 1985 changed to retirement, named Professor Emeritus of Oral Surgery, June 1, 1985.

Myrna L. Udell, Clinical Assistant Professor of Nursing, salary changed from \$2,850 for 12 months, .10 time, to without remuneration, August 1, 1985.

Frances S. Watkins, Coordinator, Continuing Dental Education; given additional title of Adjunct Associate Professor of Periodontics, July 1, 1985.

TERMINATIONS:

Archille D. Brown, Clinical Associate Professor of Psychiatry and Behavioral Sciences, Tulsa, October 16, 1985.

Dana Burnett, Adjunct Instructor in Clinical Dietetics, August 1, 1985.

Yunik Chang, Associate Professor of Pharmacy, October 17, 1985. Accepted position at Therapeutic Technologies, Inc., Salt Lake City.

James C. Cox, Clinical Assistant Professor of Psychiatry and Behavioral Sciences, Tulsa, September 1, 1985.

Beverly J. Duffield, Clinical Assistant Professor of Psychiatry and Behavioral Sciences, Tulsa, September 1, 1985.

Susan E. Farrell, Clinical Associate Professor of Pediatrics, Tulsa, July 1, 1985.

Kurt S. Grieshober, Clinical Instructor in Operative Dentistry, July 1, 1985.

Julie C. Hodges, Adjunct Assistant Professor of Clinical Dietetics, August 1, 1985.

Diane Jenkins, Adjunct Instructor in Radiologic Technology, August 7, 1985.

Marsha A. Mauck, Adjunct Instructor in Radiologic Technology, August 7, 1985.

Thomas L. Peek, Clinical Instructor in Endodontics, June 1, 1985.

Robert E. Primosch, Associate Professor of Pediatric Dentistry, January 1, 1986.

October 16, 1985

18637

Joseph M. Schwartz, Clinical Assistant Professor of Psychiatry and Behavioral Sciences, Tulsa, September 1, 1985.

Mike Snowbarger, Clinical Instructor in Operative Dentistry, July 1, 1985.

Rajagopalan Sridhar, Adjunct Assistant Professor of Radiological Sciences and OMRF Research Assistant Professor of Pharmaceutical Sciences, July 1, 1984.

Robert B. Talbutt, Clinical Instructor in Psychiatry and Behavioral Sciences, Tulsa, October 1, 1985.

President Horton recommended approval of the personnel actions listed above.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### STUDENT ACTIVITY FEE ALLOCATION

Information on the proposed college student council budgets for the fiscal year 1985-86 for the Oklahoma City and Tulsa campuses was included in the agenda and is attached as Exhibit B.

President Horton recommended approval of the allocation of student activity fees for the Health Sciences Center for 1985-86 to the individual student government groups as shown and approval in principle of the expenditures.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### LITIGATION

A former full-time member of the University of Oklahoma Tulsa Medical College Faculty, Dr. Hans P. Norberg, resigned his position effective September 1, 1984. On the date of his resignation, Dr. Norberg owed the University's Professional Practice Plan \$158,699.36. Negotiations with Dr. Norberg and his attorney have not resulted in a settlement of this matter and it is now deemed necessary to bring suit against Dr. Norberg to collect the obligation owing to the University of Oklahoma. Accordingly, the Office of Legal Counsel requests permission of the Board of Regents to file an action to collect this account pursuant to applicable State law.

October 16, 1985

18638

Dr. Horton called attention to the fact that the administration is very hopeful of settling this matter out of court, but in the event it is not settled, this authorization is required in order to proceed with the litigation.

President Horton recommended the Board of Regents authorize the office of Legal Counsel to file the appropriate action.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### HEALTH SCIENCES CENTER ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS

##### LEAVE OF ABSENCE:

Billie J. Fogarty, Director, Student Affairs, College of Medicine, leave of absence without pay, October 16, 1985 through June 30, 1986.

##### APPOINTMENTS:

Robin H. Crawford, Nurse, Patient Education, Health Awareness Center, Tulsa, \$22,500 for 12 months, September 11, 1985. Professional Staff. Paid from A0030899, Department of Human Services, Tulsa Medical Education Patients Education Research Center, pos. 0005.

Connie Griffin, Education Specialist I, Department of Family Medicine, \$23,500 for 12 months, September 9, 1985. Professional Staff. Paid from C1202502, Predoctoral Training in Family Medicine, pos. 0713.

Margaret Kathleen Kilgore, Secretary to the Provost, \$21,000 for 12 months, September 9, 1985. Professional Staff. Paid from 0100-0, Office of the Provost, pos. 0006.

Barbara J. Mueth, Director of Student Affairs, College of Medicine, \$29,496 for 12 months, October 1, 1985. Administrative Staff. Paid from 2130-2, Office of Student Affairs and Admissions, and A0000091, PPP-Development Fund, pos. 0005.

Lynne V. Ozinga, Biomedical Engineer, Department of Medicine, \$22,000 for 12 months, August 5, 1985. Professional Staff. Paid from C8151001, Quinton Instrument Division of Robbins Comprehensive Computer System Electrocardiographics, pos. 0133.

Nancy Powell, Physician Assistant II, Department of Pediatrics, \$21,000 for 12 months, August 1, 1985. Professional Staff. Paid from D8100400, General Operating for Drug Studies - Hoffman LaRoche, pos. 0121.

October 16, 1985

18639

Charles Prentice, Director, Alumni Affairs, Department of Alumni Development, \$41,000 for 12 months, August 20, 1985. Administrative Officer. Paid from C5317008, CR Alumni Development, pos. 0005.

Susan Williams, Staff Assistant, College of Public Health, \$20,004 for 12 months, August 19, 1985. Professional Staff. Paid from C1246106, Health Professions Capitation Program, pos. 0016.

CHANGES:

Laura R. Aust, title changed from Secretary to the Provost to Legal Staff Secretary, Office of the Provost, September 9, 1985. Professional Staff.

Donna C. Brady, Research Nurse, Department of Medicine, salary changed from \$24,948 to \$25,410 for 12 months, July 1, 1985. Paid from D0112000, Medicine Cardiovascular, pos. 0143.

Mildred L. Christy, title changed from Manager, Student Records, to Manager, Student Enrollment, Admissions and Records, July 1, 1985. Managerial Staff.

Linda S. Council, Clinical Nurse Specialist, Obstetrics and Gynecology, salary changed from \$13,780 for 12 months, .50 time, to \$27,500 for 12 months, full time, August 1, 1985. Paid from D0303000, Research and Development, pos. 0021.

Maria-Elena M. Espinosa, title changed from Administrative Secretary to Administrative Manager, Department of Medicine, salary changed from \$20,880 to \$23,000 for 12 months, September 1, 1985. Managerial Staff. Paid from 2208-2, Department of Medicine, pos. 0187.

Patty Garst, Research Nurse, Department of Pediatrics, salary changed from \$23,956 for 12 months, full time, to \$11,978 for 12 months, .50 time, September 1, 1985. Paid from C5123003, Longitudinal Neurobe Behavioral Evaluation of Infants, pos. 0104.

Laura Grant, Nurse Clinician, Department of Surgery, salary changed from \$25,894 to \$26,224 for 12 months, July 1, 1985. Paid from A0000282, PPP-Surgery Neurosurgery, pos. 0046.

Judith L. Harris, Coordinator, Oklahoma Perinatal Care Project, Obstetrics and Gynecology, salary changed from \$33,096 to \$35,744 for 12 months, October 1, 1985. Paid from D0360800, Robert Woods Johnson Foundation grant, pos. 0060.

Jenny Haynes, title changed from Staff Secretary, Department of Anesthesiology, to Physician Assistant I, Obstetrics and Gynecology, salary changed from \$14,595 to \$22,000 for 12 months, September 23, 1985. Changed from Clerical to Professional Staff. Paid from A0000073, PPP-Gynecology and Obstetrics, pos. 0041.

October 16, 1985

18640

Londa S. Hill, title changed from Clinic Manager to Senior Clinic Manager, Department of Family Medicine, salary changed from \$24,837 to \$32,000 for 12 months, August 1, 1985. Managerial Staff. Paid from 3540-2, Family Medicine Clinic-Central, pos. 0010, and 3530-2, Family Medicine Clinic, NE 50, pos. 0002.

Patricia R. Hudgins, promoted from Research Assistant II to Research Nurse, Department of Medicine, salary changed from \$22,000 to \$24,200 for 12 months, August 1, 1985. Professional Staff. Paid from C8116201, Allocation of patient care funds personnel salaries for multi center Diltiazem Postinfarction trial and D0301300, Cardiology Trust Fund, pos. 0141.

Shala J. Klutts, Research Nurse, Department of Medicine, salary changed from \$23,100 to \$24,200 for 12 months, July 1, 1985. Paid from D0112000, Medicine Cardiovascular, pos. 0142.

Fayez N. Nahhas, Research Assistant II, Obstetrics and Gynecology, salary changed from \$21,400 to \$22,470 for 12 months, September 1, 1985. Paid from A0000073, PPP-Gynecology and Obstetrics.

Jan G. Womack, Assistant to the Provost for Academic Affairs; given additional title of Director of Institutional Research, July 1, 1985. Administrative Staff.

Kerry J. Zehr, Social Worker, Obstetrics and Gynecology Center, Tulsa, salary changed from \$10,710 for 12 months, .50 time, to \$21,420 for 12 months, July 1, 1985. Paid from A0020599, Department of Human Services, Tulsa Medical Education Foundation, pos. 0104.

#### TERMINATIONS:

Carol Bender, Staff Assistant, College of Public Health, August 3, 1985.

Scott Evans, Senior Clinic Manager, Department of Family Medicine, September 20, 1985.

Pamela J. Johnson, Medical Technologist, Department of Pediatrics, September 21, 1985.

Pamela J. Schwark, Nurse Clinician, Department of Obstetrics and Gynecology, September 16, 1985.

Neala J. Thompson, Research Nurse, Department of Medicine, September 17, 1985.

Dung V. Vu, Systems Analyst, Computing Services, September 1, 1985.

RETIREMENT:

L. E. Edmonston, Electric Shop Foreman, Site Support, July 31, 1985 (vacation pay through August 12, 1985).

President Horton recommended approval of the personnel actions listed above.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

PROPOSAL, CONTRACT, AND GRANT REPORT

A summary of proposals for contracts and grants for the Health Sciences Center, including the Tulsa Medical College branch, for September, 1985 was 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.

President Horton 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. He said the contract budgets may differ from the proposed amounts depending on these negotiations.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

REPORT ON MAJOR CAPITAL IMPROVEMENT PROJECTS

A report, a copy of which is attached hereto as Exhibit C, was presented to the Regents on major capital improvement projects in various stages of planning on the Oklahoma City Campus. No action was required.

ENDOWED CHAIR

In December, 1977 (page 14758), anonymous donors established the Benjamin H. Perkinson Professorship in Engineering with a gift of \$300,000.

The donors have been so pleased with the potential for excellence that could come from the Professorship that they decided to make an additional gift of \$450,000, making the position a fully endowed chair.



President Horton recommended the establishment of the Benjamin H. Perkinson Chair in Engineering and, on behalf of the Regents, the extension of the University's gratitude to the donors for their interest and generosity.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### PROGRAMS IN THE COLLEGE OF GEOSCIENCES

In February, 1984 (page 17814) the Board approved new degree programs for the College of Geosciences as follows:

Bachelor of Arts in Geography  
Bachelor of Science in Geography  
Bachelor of Science in Geosciences

The program requests were submitted to the Oklahoma State Regents for Higher Education for consideration in accordance with the usual procedures.

The University was notified recently that at a meeting on August 30, 1985 the State Regents approved these three instructional programs for implementation immediately.

This was reported for information. No action was required.

#### NORMAN CAMPUS FACULTY PERSONNEL ACTIONS

##### LEAVES OF ABSENCE:

Jack F. Parker, Regents' Professor and Professor of Education, sabbatical leave of absence with full pay, January 1, 1986 to July 1, 1986. To do research in the area of educational administration.

Floyd O. Calvert, Professor of Architecture, sabbatical leave of absence with full pay, January 1, 1986 to May 16, 1986. To develop a graduate level course, study, and to travel.

Bing-Man Fung, Professor of Chemistry, sabbatical leave of absence with full pay, January 1, 1986 to May 16, 1986. To do research in nuclear magnetic resonance study of liquid crystals and perfluorochemical blood substitutes.

Chong K. Liew, Professor of Economics, sabbatical leave of absence with full pay, January 1, 1986 to May 16, 1986. To complete a textbook.

Paul F. Kleine, Professor of Education, sabbatical leave of absence with full pay, January 1, 1986 to July 1, 1986. To lecture and do research in Portugal.

Edwin H. Klehr, Professor of Civil Engineering and Environmental Science, sabbatical leave of absence with full pay, January 1, 1986 to May 16, 1986. To continue work at the Slovak Technical University.

Russell W. Driver, Associate Professor of Management, sabbatical leave of absence with half pay, January 1, 1986 to May 16, 1986 and August 16, 1986 to January 1, 1987. To do research and writing.

Jacob F. Larson, Associate Professor of Music, sabbatical leave of absence with full pay, January 1, 1986 to May 16, 1986. To do research and writing.

Kenneth R. Wedel, Director and Professor of Social Work, sabbatical leave of absence with full pay, January 1, 1986 to July 1, 1986. To do research on government contracting for social services.

Tibor J. Herczeg, Professor of Physics and Astronomy, leave of absence without pay, January 1, 1986 through December 31, 1986. To work in Germany at the University Erlangen-Nurnberg.

Bret Wallach, Associate Professor of Geography, leave of absence without pay, October 16, 1985 through May 15, 1986. To work with the Ford Foundation in North Africa.

Wanda E. Ward, Assistant Professor of Psychology, leave of absence without pay, August 16, 1985 through December 31, 1985.

Harold Young, Professor of Law, sick leave of absence with full pay, August 16, 1985 through December 31, 1985.

#### APPOINTMENTS:

Marjorie Rose Downing, Adjunct Professor of Law, \$8,000 for 4.5 months, .50 time, August 16, 1985 through December 31, 1985. Paid from 227-201, College of Law, pos. 109.70.

\*Lotsee Patterson Smith, Principal Investigator, Library and Information Studies Grant, \$42,432 for 12 months, September 10, 1985 through November 9, 1986, and Visiting Associate Professor of Library and Information Studies, September 10, 1985. Paid from 155-932, Leadership Training.

Tom Elmer Morton, Adjunct Associate Professor of Petroleum and Geological Engineering, \$18,000 for 9 months, .50 time, August 16, 1985 through May 15, 1986. Paid from 127-276, Petroleum and Geological Engineering, pos. 9, OU Foundation Reimbursement.

\*Paid from grant funds; subject to availability of funds

Kathryn L. Brandenburg, Visiting Assistant Professor of Chemistry, \$9,794 for 4.5 months, .54 time, August 16, 1985. Changed to rate of \$10,687 for 4.5 months, .62 time, September 1, 1985 through December 31, 1985. Paid from 127-221, Chemistry, and 156-906, Synthesis Organotin Comp, pos. 12.60.

Katherine D. Hale, Visiting Assistant Professor of Communication, \$22,260 for 9 months, August 16, 1985 through May 15, 1986. Paid from 127-290, Communication (\$6,190 OU Foundation reimbursement) and 155-882, Minority Business Information, pos. 22.60.

Allen Dillard Boyer, Ph.D., Visiting Assistant Professor of Law, \$36,000 for 9 months, August 16, 1985 through May 15, 1986. Paid from 227-201, College of Law, pos. 037.65.

Ralph S. Crabtree, Instructor in Accounting, \$2,750 for 4.5 months, .25 time, August 16, 1985 through December 31, 1985. Paid from 127-213, Business Administration Instruction, pos. 21.60.

Richard L. Terwilliger, Instructor in Accounting, \$2,750 for 4.5 months, .25 time, August 16, 1985 through December 31, 1985. Paid from 127-213, Business Administration Instruction, pos. 29.60.

Kevin D. Watley, Instructor in Accounting, \$2,750 for 4.5 months, .25 time, August 16, 1985 through December 31, 1985. Paid from 127-213, Business Administration Instruction, pos. 30.60.

Carolyn Novotny-Anderson, Special Instructor in Botany and Microbiology, \$5,500 for 4.5 months, .50 time, August 16, 1985 through December 31, 1985. Paid from 127-282, Botany and Microbiology, pos. 7.60.

Brock J. Brown, Instructor in Geography, \$13,000 for 9 months, .50 time, August 16, 1985 through May 15, 1986. Paid from 127-241, Geography, pos. 17.60.

David R. Wanser, Visiting Instructor in Psychology, \$3,250 for 4.5 months, .25 time, August 16, 1985 through December 31, 1985. Paid from 127-283, Psychology, pos. 24.60.

Roland C. Barrett, Assistant Marching Band Director, \$12,000 for 9 months, .50 time, August 16, 1985 through May 15, 1986. Paid from 127-211, University Bands, pos. 2.60.

\*Jerry Lee Lott, Ph.D., Visiting Research Associate, Chemical Engineering and Materials Science, rate of \$42,000 for 12 months, .75 time, September 9, 1985 through June 9, 1986. Paid from 155-923, Substitution of Fog Oil, pos. 2.

\*Paid from grant funds; subject to availability of funds

October 16, 1985

18645

CHANGES:

\*Robert L. Baker, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$20,000 to \$20,700 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Steven C. Ballard, Assistant Director, Science and Public Policy, and Associate Professor of Political Science, salary changed from \$44,508 to \$48,000 for 12 months, July 1, 1985. Paid from 127-436, Science and Public Policy, pos. 3.65.

\*Joseph L. Barron, reappointed Supervisor of Instruction, FAA Management Training School, and Adjunct Assistant Professor of Political Science, salary changed from \$32,500 to \$33,800 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Joe A. Blocher, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$19,750 to \$20,600 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Thomas J. Carter, title changed from Assistant Professor of Economics to Acting Assistant Professor of Economics, salary changed from \$31,000 to \$29,500 for ~~12~~ months, August 16, 1985 through May 15, 1986. Paid from 127-213, Business Administration Instruction, pos. 69.60.

James N. Comas, title changed from Assistant Professor to Acting Assistant Professor of English, salary changed from \$21,000 to \$19,000 for 9 months, August 16, 1985 through May 15, 1986. Paid from 127-234, English, pos. 21.60 and 127-434, English Research, pos. 21.65.

\*James J. Comiskey, Scholar in Residence, Center for Economic and Management Research, salary changed from \$38,500 to \$40,425 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-330, IPA Assignment.

\*Larry G. Cope, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$19,900 to \$21,000 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Paid from grant funds; subject to availability of funds

October 16, 1985

18646

Dale V. Crawford, Project Coordinator, Architectural and Engineering Services; given additional title of Visiting Instructor in Landscape Architecture, salary increased from \$26,184 to rate of \$27,563.32 for 12 months, August 16, 1985 through December 31, 1985. Paid from 147-318, Architectural and Engineering Services, pos. 13.65, and 127-203, Architecture, pos. 42.60.

Steven C. Curtis, promoted from Assistant Professor to Associate Professor of Music, August 16, 1985.

\*Donald C. Davis, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$20,250 to \$21,150 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Wayne J. Elisens, Assistant Professor of Botany and Microbiology, beginning date changed from August 16, 1985 to January 1, 1986.

\*William F. Fitzpatrick, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$21,000 to \$22,300 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

John E. Francis, title changed from Acting Dean to Associate Dean of Academic Programs, College of Engineering; retains title of Professor of Aerospace, Mechanical, and Nuclear Engineering, September 11, 1985. Additional payment of \$500.00 per month cancelled.

Robert W. Gentry, Adjunct Associate Professor of Petroleum and Geological Engineering, salary changed from \$10,600 for 9 months, .25 time, to \$21,200 for 9 months, .50 time, August 16, 1985 through December 31, 1985. Paid from 127-276, Petroleum and Geological Engineering, pos. 12, OU Foundation reimbursement.

\*John T. Glenn, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$19,950 to \$20,950 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Brian C. Griffin, Instructor in Management, salary changed from \$6,000 to \$3,000 for 4.5 months, .25 time, August 16, 1985 through December 31, 1985. Paid from 127-213, Business Administration Instruction, pos. 129.60.

\*Paid from grant funds; subject to availability of funds

October 16, 1985

18647

Sue A. Harrington, Director, Library Technical Services, and Associate Professor of Bibliography, salary changed from \$34,000 to \$36,000 for 12 months, October 1, 1985. Paid from 127-600, University Libraries, pos. 003.65.

\*Moyer D. Harris, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$26,000 to \$27,000 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Guinnevere A. Hodges, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$19,900 to \$20,800 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Ralph R. Holman, reappointed Senior Supervisor of Instruction and Adjunct Assistant Professor of Political Science, FAA Management Training School, salary increased from \$38,500 to \$40,000 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Melinda Howard, title changed from Adjunct Instructor to Adjunct Assistant Professor of Human Relations, salary changed from without remuneration to \$1,500 for 4.5 months, .25 time, August 16, 1985 through December 31, 1985; returns to Adjunct Instructor, January 1, 1986. Paid from 127-286, Human Relations, pos. 12.60.

Elizabeth F. Hudson, Academic Counselor and Adjunct Assistant Professor of Architecture; given additional title of Adjunct Instructor in Human Development, salary changed from \$18,041.00 to \$24,041.04 for 12 months, August 16, 1985 through December 31, 1985. Paid from 127-379, Architecture Dean, pos. 4.65, 127-203, Architecture, pos. 807.6, and 127-249, Human Development, pos. 925.60.

\*Jack O. Johnson, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Assistant Professor of Political Science, salary increased from \$25,100 to \$26,100 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Rex M. Kimmel, reappointed Supervisor of Instruction, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$30,100 to \$31,300 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Paid from grant funds; subject to availability of funds

Joakim G. Laguros, David Ross Boyd Professor of Civil Engineering and Environmental Science; title changed from Acting Associate Dean to Academic Counselor, College of Engineering, \$200 per month payment while Acting Associate Dean discontinued, September 16, 1985. Paid from 127-222, Civil Engineering and Environmental Science, pos. 2, and 155-404, Use of Fly Ash as Binder, pos. 7.

Michael D. Layne, title changed from Assistant Professor to Acting Assistant Professor of Modern Languages and Literatures, salary changed from \$21,000 to \$19,000 for 9 months, August 16, 1985 through May 15, 1986. Paid from 127-268, Modern Languages and Literatures, pos. 2.60 and 127-468, Modern Languages Research, pos. 2.65.

Linda S. Lepak, Visiting Assistant Professor of Environmental Analysis and Policy, salary changed from \$15,750 to \$17,000 for 9 months, .75 time, August 16, 1985 through May 15, 1986. Paid from 127-213, Business Administration Instruction, pos. 45.60.

\*Maris L. Long, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Assistant Professor of Political Science, salary increased from \$24,500 to \$25,700 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Leslie A. Maddox, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$24,250 to \$25,600 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Michael A. Mares, Director, Stovall Museum, and Professor of Zoology; title of Associate Curator of Mammals changed to Curator of Mammals, Stovall Museum, salary increased from \$44,100 to \$46,000 for 12 months, July 1, 1985. Paid from 127-269, Stovall Museum, pos. 175.65.

\*Carla D. Mayes, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$22,400 to \$23,500 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

John A. McGinley, Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies; given additional title of Adjunct Assistant Professor of Meteorology, without additional remuneration, September 12, 1985.

\*William R. Merrill, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$24,000 to \$24,775 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Paid from grant funds; subject to availability of funds

Renee A. Meyers, title changed from Assistant Professor to Acting Assistant Professor of Communication, salary changed from \$22,000 to \$20,000 for 9 months, August 16, 1985 through May 15, 1986. Paid from 127-290, Communication, pos. 6.60.

David R. Morgan, Professor of Political Science and Director, Bureau Government Research, salary changed from \$45,577 to \$46,577 for 12 months, October 1, 1985. Paid from 127-243, Political Science, pos. 16.60, 127-443, Political Science Research, pos. 16.65, 127-440, Bureau of Government Research, and 155-693, Evaluate Tulsa Program.

\*Thomas E. Mullins, reappointed Senior Course Moderator, FAA Management Training School, and Adjunct Instructor in Political Science; given additional title of Program Development Specialist, FAA Management Training School, salary increased from \$28,000 to \$29,100 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Frank W. Nadeau, Jr., reappointed Supervisor of Instruction, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$28,300 to \$29,425 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Robert A. Nye, Professor of History, on .25 time sabbatical leave; given title of Principal Investigator, National Science Foundation grant, \$20,220 for 9 months, .54 time, August 16, 1985 through August 31, 1986. Paid from 155-914, National Science Foundation grant for research in Paris.

\*Martin L. Price, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$20,250 to \$21,350 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Annette Prince, Coordinator and Instructor in Legal Assistant Program; given additional title of Adjunct Professor of Law, salary changed from \$17,372 for 12 months, .80 time, to \$21,715 for 12 months, full time, paid an additional \$749.19 per month supplement for additional duties, August 16, 1985 through December 31, 1985. Paid from 227-201, College of Law, pos. 110.65, and 227-231, Paralegal, pos. 1.65.

\*Wesley L. Rampey, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Assistant Professor of Political Science, salary increased from \$22,050 to \$22,750 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Paid from grant funds; subject to availability of funds



- \*William H. Rogers, reappointed Senior Course Moderator, FAA Management Training School, and Adjunct Instructor in Political Science; given additional title of Project Development Specialist, FAA Management Training School, salary increased from \$21,250 to \$22,600 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.
- \*Thomas J. Ross, reappointed Project Director, FAA Air Traffic Controllers, Director, FAA Training Programs, and Adjunct Associate Professor of Political Science, salary changed from \$63,455 to \$60,666 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-788, FAA Air Traffic Controllers, and 127-570, University Services, pos. 905.
- \*Billie W. Russell, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Assistant Professor of Political Science, salary increased from \$30,700 to \$31,700 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.
- Avraham Scherman, Associate Professor of Education, salary changed from \$40,108 to \$40,280 for 12 months, July 1, 1985. Paid from 127-230, Education Instruction, pos. 32.60.
- \*Andrei Serban, Postdoctoral Research Associate in Geology and Geophysics, salary increased from \$19,000 to rate of \$22,857 for 12 months, October 1, 1985 through July 31, 1986. Paid from 155-628, NSF PYI Marine Kerogens.
- \*Kimberly M. Shelver, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$19,500 to \$20,300 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.
- \*Stephen Sloan, Professor of Political Science on leave, Senior Research Fellow, Air University, Maxwell AFB, salary increased from \$42,000 to \$44,853 for 12 months, August 1, 1985 through July 31, 1986. Paid from 155-625, IPA.
- \*Jimmy C. Smith, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Assistant Professor of Political Science, salary increased from \$19,750 to \$20,650 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.
- \*Clifford T. Stephens, reappointed Senior Course Moderator, FAA Management Training School, and Adjunct Instructor in Political Science; given additional title of Program Development Specialist, FAA Management Training School, salary increased from \$23,000 to \$23,700 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Paid from grant funds; subject to availability of funds

\*Robert L. Stinnett, reappointed Senior Course Moderator, FAA Management Training School, and Adjunct Instructor in Political Science; given additional title of Project Development Specialist, FAA Management Training School, salary increased from \$21,250 to \$22,450 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*William L. Taylor, Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from \$6,972 for 12 months, .24 time, to rate of \$10,294 for 12 months, .34 time, September 1, 1985 through June 30, 1986. Paid from 155-871, Cooperative Institute for Mesoscale Meteorological Studies II.

\*Charles A. Teel, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$24,950 to \$25,850 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Mary J. Terrell, reappointed Senior Course Moderator, FAA Management Training School; given additional title of Adjunct Instructor in Political Science, salary increased from \$20,000 to \$21,000 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Michele G. Tersine, Visiting Instructor in Management, salary changed from \$13,000 for 9 months, .50 time, to rate of \$19,500 for 9 months, .75 time, August 16, 1985 through December 31, 1985. Reverts to previous rate January 1, 1986. Paid from 127-213, Business Administration Instruction, pos. 124.60.

Richard J. Tersine, title changed from Professor to Baldwin Professor of Management, salary increased from \$54,100 to \$59,100 for 9 months, August 16, 1985. Paid from 127-213, Business Administration Instruction, pos. 114.60, \$5,000 reimbursement through OU Foundation.

\*Opal I. Thurman, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$25,750 to \$26,650 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Robert W. Thomas, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$25,000 to \$25,900 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Paid from grant funds; subject to availability of funds

October 16, 1985

18652

Henry J. Tobias, Professor and Acting Chair, Department of History, salary changed from \$42,243 for 9 months to \$56,324 for 12 months, July 1, 1985. Paid an additional \$200 per month while Acting Chair. Paid from 127-248, History, pos. 5.60, 127-448, History Research, pos. 5.65.

\*Thelma J. Vickers, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$24,350 to \$25,700 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

\*Edwin L. Weber, Jr., reappointed Supervisor of Instruction, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$30,100 to \$31,300 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

Mary R. Whitmore, Assistant Professor of Zoology, paid additional \$771.56 per month, August 16, 1985 through May 15, 1986. Paid from 127-297, Zoology, pos. 21.60 and 127-497, Zoology Research, pos. 21.65.

\*James D. Witherington, reappointed Senior Course Moderator and Program Development Specialist, FAA Management Training School, and Adjunct Instructor in Political Science, salary increased from \$24,950 to \$26,300 for 12 months, October 1, 1985 through September 30, 1986. Paid from 155-891, FAA Management Training School, pos. 905.

William W. Zimmerman, title changed from Instructor to Adjunct Professor of Education, salary changed from \$4,500 for 4.5 months, .50 time, to \$3,000 for 4.5 months, .25 time, August 16, 1985 through December 31, 1985. Paid from 127-230, Education Instruction pos. 79.60.

#### RESIGNATIONS:

Carolyn G. Hart, Assistant Professor of Journalism and Mass Communication, December 31, 1985.

Robert A. Seal, Director, Library Public Services and Associate Professor of Bibliography, University Libraries, November 21, 1985. Accepted another position.

#### RETIREMENTS:

John G. Burr, Professor of Chemistry, May 15, 1986; named Professor Emeritus of Chemistry.

Frances L. Carroll, Professor of Library and Information Studies, December 31, 1985; named Professor Emeritus of Library and Information Studies.

\*Paid from grant funds; subject to availability of funds

J. Lee Rodgers, Chair and David Ross Boyd Professor of Regional and City Planning, December 31, 1985; named David Ross Boyd Professor Emeritus of Regional and City Planning.

President Horton recommended approval of the personnel actions listed above.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

STUDENT ASSOCIATION BUDGET

A copy of the UOSA Omnibus Appropriations Act for November 1, 1985 through October 31, 1986 along with a letter of explanation from the Chair of Student Congress was included with the agenda for this meeting. Dr. Horton said these appropriations have been approved by Student Congress UOSA President Blaine Wesner, and Vice President Anona Adair.

A budget summary and line item budget comparison with 1984-85 is as follows:

FUNDS AVAILABLE

Lump Sum from Regents \$275,000.00

APPROPRIATIONS

Omnibus	247,268.19
Student Organizations	<u>27,731.81</u>
TOTAL	275,000.00

UOSA OMNIBUS APPROPRIATIONS ACT

<u>Organization</u>	<u>1984-85</u>	<u>1985-86</u>	<u>Difference</u>
UOSA Legislative Branch	9,715.00	10,006.14	+ 291.14
UOSA Judicial Branch	22,698.50	20,393.55	- 2,304.95
Student Assistance Center	9,439.00	8,126.70	- 1,312.30
Housing Center Association	9,877.30	8,140.22	- 1,737.08
UOSA Executive Branch	21,654.76	22,564.57	+ 909.81
UOSA Contingency Fund	3,500.00	3,635.00	+ 135.00
Model United Nations	2,952.81	2,279.45	- 673.36
Homecoming	684.62	750.84	+ 66.22
Ellison Operating Account	-0-	32,389.60	+32,389.60
Panhellenic Association	7,748.10	6,654.12	- 1,093.98
Interfraternity Council	7,004.10	6,604.26	- 399.84
Howdy Week	857.00	418.56	- 438.44
UOSA Commuter Center	15,375.80	12,890.64	- 2,485.16

<u>Organization</u>	<u>1984-85</u>	<u>1985-86</u>	<u>Difference</u>
Cate Center	5,979.20	5,220.83	- 758.37
Cross Center	4,582.00	4,316.50	- 265.50
Adams Center	6,198.20	5,332.37	- 865.83
Walker Tower	7,432.60	8,191.63	+ 759.03
Sooner Rally Council	945.00	547.50	- 397.50
Dad's Day	1,638.00	1,581.49	- 56.51
Campus Film Series	20,830.00	17,246.72	- 3,583.28
Campus Activities Council	2,686.86	3,115.40	+ 428.54
Speaker's Bureau	50,300.00	48,300.00	- 2,000.00
Mom's Day	2,332.50	2,489.86	+ 157.36
University Apartments Center	4,946.00	3,126.85	- 1,819.15
Athletic Housing Center	3,415.00	2,432.60	- 982.40
Winter Welcome Week	1,603.37	856.28	- 747.09
Summer Activities Council	791.00	-0-	- 791.00
UOSA Publications	335.00	384.45	+ 49.45
College Bowl	698.75	831.06	+ 132.31
Accounting Services	8,441.00	8,441.00	-0-
Reserve Fund	<u>10,338.53</u>	<u>-0-</u>	<u>-10,338.53</u>
	<u>245,000.00</u>	<u>247,268.19</u>	<u>+ 2,268.19</u>
Student Organization Allocation	<u>30,000.00</u>	<u>27,731.81</u>	<u>- 2,268.19</u>
	<u>275,000.00</u>	<u>275,000.00</u>	<u>-0-</u>

President Horton recommended approval of the lump sum UOSA appropriations for 1985-86 as shown above.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### STUDENT CONGRESS RESOLUTION

The following Resolution adopted by Student Congress on September 24, 1985 concerning apartheid and divestment was presented:

Title: A RESOLUTION CONCERNING APARTHEID

Whereas: It is universally accepted that the South African Government policy known as Apartheid is morally repugnant; and

Whereas: Students are rightfully concerned with the image and public stature of the University as it relates to national opinion and local operations; and

Whereas: As a public institution, the University of Oklahoma has an obligation to explain its actions to the viewing public; and

- Whereas: The University of Oklahoma's investment policy is based solely on profit which signals to the state and nation that the University is unconcerned with ethical considerations; and
- Whereas: A statement from an enlightened public institution can have a dramatic impact on local, state, national and international awareness of the atrocity that is Apartheid; and
- Whereas: A statement of action against the injustice of Apartheid will signal those fighting for equality in South Africa that the U.S. is not their enemy; and
- Whereas: Heightened public awareness can act to increase the rate at which the people of South Africa experience meaningful change.

LET IT THEREFORE BE RESOLVED THAT:

- Section 1: The University of Oklahoma Student Association hereby re-affirms its opposition to the policy of Apartheid.
- Section 2: The University of Oklahoma Student Association requests that the OU Board of Regents divest from those companies with holdings in South Africa.
- Section 3: In future decisions, the OU Board of Regents recognize the University's responsibility as a public institution to clarify the intent of its actions.

The Resolution was presented with a letter from Mary Jane Coffman, Chair of Student Congress, which included the following:

"Over the past several months, students have increasingly voiced the need for the University of Oklahoma Board of Regents to clarify its position in relation to investments currently held in companies doing business in South Africa. In the debate last Tuesday night, Congressmembers once again reflected the campus-wide opposition to apartheid--a policy of discrimination and oppression. That policy is clearly not aligned with OU's position as an institution of higher learning whose responsibility it is to educate and increase the awareness of our public supporters. In addition, the Congressmembers asserted that divestment from those companies in South Africa is the most precise and most easily recognized manner by which to fortify and clarify the University's opposition to such a policy.

Student Congress, representing the students of the University of Oklahoma, therewith urges the University of Oklahoma Board of Regents to divest from companies doing business in South Africa."

President Horton indicated Blaine Wesner, President of UOSA, wished to comment on the Resolution and he was invited to address the Board. Blaine commented that in his three and one-half years in student government on this campus, he has never seen a piece of legislation with such a broad range of

student support as this resolution has. This support, he said, includes the President of the Student Bar Association, the Graduate Student Association, the International Advisory Council, the Black Peoples Union, as well as the Commuter Center President and the Housing Center Association Director.

Mr. Wesner said he feels strongly that The University of Oklahoma has an obligation as a public institution to clarify the intent of any of its actions. Investments in South Africa are one such concern and an issue which he believes deserves more attention. Mr. Wesner said the strength of the backing on the primary issue, Section 3 of the Resolution, is unparalleled and is still growing and is the major item he would like to discuss with the Board. He said it is an issue that will not go away. It is something that must be faced and adequately addressed by the Board of Regents. Mr. Wesner said the University can no longer ignore the economic and ethical ramifications of investment decisions. Investing in companies with holdings in South Africa has a serious political and moral implication and as such must be addressed. Mr. Wesner believes it is insufficient to ignore the issue because to decline comment on such a heated public issue is to signal to the State and nation that The University of Oklahoma is unconcerned with the policy of apartheid. In essence, failure to speak on this issue is a statement in itself. He said the Student Association insists that the OU Regents address the issue of apartheid as it relates to our investment policy.

Mr. Wesner indicated as President of UOSA, he would be remiss in his duties as spokesman for the students if he didn't mention that there is some dissenting opinion on exactly what vehicle the University should use to express concern with apartheid. He distributed the following letter from a group of students:

"The issue of Apartheid as it relates to the University is an extremely complex issue which warrants very careful consideration. The issue at hand is not whether Apartheid is abhorrent (surely most students would agree that it is) but rather it is whether the University should respond to Apartheid, and if so, how.

University divestiture poses two potential dangers: an economic risk and a threat to the purpose of higher education. The economic risk comes about by limiting our investments by about forty percent (40%) in some of the top performing stocks offered.

The foundation has a fiduciary duty to the Board of Regents: to invest their endowments prudently for maximum growth and income, not to make political statements.

A university is like a corporate entity, it provides materials and facilities for higher education. The purpose of an American university is to provide a forum for the free formation and expression of thoughts and ideas. This basic principle is threatened when a university speaks institutionally for any one issue.

Those who are for divestiture say that it is as much a moral and a symbolic act as an economic one. By asking the Board of Regents to support divestiture as a moral expression, they appear to be unconcerned about the risk of compromising the fundamental principles involved."

Mr. Wesner went on to comment at length on the reasoning behind the Student Congress resolution. He also responded to questions and comments from members of the Board.

Regent McCurdy declared his opposition to apartheid but expressed the opinion the University should not get involved in political matters. Regent Kemp also declared himself as opposed to apartheid but wondered why the students have limited their concern to South Africa - why not Russia, Eastern block countries, and certain Central America countries.

The meeting recessed at 11:45 a.m. for lunch.

The meeting reconvened at 1:15 p.m. in the same location.

Regent Rothbaum stated that with the permission of the other Board members he would proceed with the balance of the agenda and continue the discussion of the student resolution following the completion of the agenda items.

#### NORMAN CAMPUS ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS

##### APPOINTMENTS:

Linda Carol Berardo, Manager, Financial Information Systems, Financial Services, Continuing Education and Public Service, \$30,000 for 12 months, September 10, 1985. Managerial Staff. Paid from 127-504, Financial Services, pos. 002.

Ronald Gene Campney, Auditor, Internal Auditing, \$22,500 for 12 months, September 23, 1985. Professional Staff. Paid from 127-007, Internal Auditing, pos. 9.65.

Deborah N. Greever, Medical Records Librarian, Goddard Health Center, \$27,400 for 12 months, October 1, 1985. Professional Staff. Paid from 179-107, Goddard Health Center, pos. 16.

Elizabeth A. Ham, Associate Editor (Retired), Oklahoma Geological Survey, \$12,000 for 12 months, .40 time, August 1, 1985 through June 30, 1986. Professional Staff. Paid from 327-201, Basic Geologic Investigations, pos. 002.65.

\*Richard G. Heyser, Program Consultant, Library and Information Studies, \$31,068 for 12 months, September 16, 1985 through November 9, 1986. Professional Staff. Paid from 155-932, Leadership Training, pos. 905.65.

Jan Lea Jackson, Director, Budget Office, \$48,600 for 12 months, November 4, 1985. Administrative Officer. Paid from 127-008, Budget Office, pos. 1.65.

\*Paid from grant funds; subject to availability of funds



October 16, 1985

18658

Howard Thomas Johnson, Technical Specialist, University Golf Course and Athletic Department, \$40,000 for 12 months, September 16, 1985. Professional Staff. Paid from 179-159, University Golf Course, pos. 5.65, and 171-121, Athletic Department, pos. 104.65.

Gary L. Watters, Assistant Director, Student Development, \$25,500 for 12 months, October 21, 1985. Managerial Staff. Paid from 127-131, Student Affairs and 177-171, Student Activities Office Fund, pos. 3.

CHANGES:

\*Lilburn H. Autry, Program Manager, Rehabilitation Administration and Management Programs, appointment ending date changed from June 30, 1986, to October 31, 1985. Paid from 155-661, Ramp National, and 155-916, Ramp Standards, pos. 905.

Anthony V. Bluitt, Director, Project Threshold, salary changed from \$37,707 to \$41,000 for 12 months, July 1, 1985. Paid from 127-280, Project Threshold Instruction Account, pos. 1.

William D. Brecht, title changed from Assistant Golf Professional and Assistant Manager to Golf Professional and Assistant General Manager, University Golf Course, September 1, 1985. Professional Staff.

Thelma G. Chilless, title changed from Staff Assistant to Administrative Assistant, Admissions and Records, September 1, 1985. Changed from Hourly to Managerial Staff.

Karen S. Deslongchamp, title changed from Secretary II to Financial Administrator, Arts and Sciences Dean's Office, salary changed from \$18,096 to \$21,500 for 12 months, July 1, 1985. Changed from Hourly to Managerial Staff. Paid from 127-375, Arts and Sciences Dean, pos. 13.65.

\*Cleta L. Dillard, Threshold Advisor, Project Threshold, salary changed from \$19,958 to \$21,555 for 12 months, June 1, 1985 through May 31, 1986. Paid from 155-816, Special Services 1986, pos. 4.

Marjorie Earley, Manager, Center for Economic and Management Research, salary changed from \$25,984 to \$27,000 for 12 months, July 1, 1985. Paid from 127-407, Center for Economic and Management Research, pos. 3.65.

A. Ann Glenn, Administrative Assistant to the Provost, Provost's Office, salary changed from \$34,600 for 12 months, full time, to \$25,950 for 12 months, .75 time, October 1, 1985. Paid from 127-384, Provost's Office, pos. 004.65.

\*Cynthia K. James, Project Specialist, School of Social Work, salary changed from \$19,200 to \$22,200 for 12 months, October 1, 1985 through January 31, 1986. Paid from 155-681, Performance-Based Contracts, pos. 905.65.

\*Paid from grant funds; subject to availability of funds

October 16, 1985

18659

Marc C. Johnston, title changed from Small Computer Consultant to Systems Development Consultant, Machine Rental, September 1, 1985. Professional Staff.

\*Barbara J. Laquer, title changed from Program Specialist to Program Development Specialist, Public Responsibility and Community Affairs, salary changed from \$29,188 to rate of \$31,500 for 12 months, October 1, 1985 through June 30, 1986. Professional Staff. Paid from 127-530, Public Responsibility and Community Affairs Administration, pos. 003, and 156-033, Payroll Clearing, pos. 905.

David L. LeCrone, promoted from Supervisor, Paint Shop, to Superintendent, Building Trades, Physical Plant, salary changed from \$12.04 per hour to \$29,686 for 12 months, October 1, 1985. Managerial Staff. Paid from 127-700, Office of the Director, Physical Plant and 147-201, Physical Plant Service Unit, pos. 20.

Michael A. Masopust, Assistant Program Director, Program Development Specialist, College of Liberal Studies; given additional title of Lecturer in English, salary changed from \$10,000 to \$13,600 for 12 months, .50 time, August 16, 1985 through December 31, 1985.

\*Charles F. Norman, title changed from Project Specialist to Program Development Specialist, Public Responsibility and Community Affairs, salary changed from \$18,273.60 to rate of \$20,500 for 12 months, October 1, 1985 through June 30, 1986. Professional Staff. Paid from 156-033, Payroll Clearing, pos. 905.

Robert E. Osborn, promoted from Electronic Technician, CAE Laboratory, to Electronic Instrumentation Specialist, Engineering Computer Network, salary changed from \$9.47 per hour to \$23,000 for 12 months, September 16, 1985. Changed from Hourly to Professional Staff. Paid from 127-239, Engineering Computer, pos. 180.

Danny E. Pickett, Head Athletic Trainer, Athletic Department; given additional title of Instructor in Health, Physical Education and Recreation, without additional remuneration, July 1, 1985.

\*C. Owen Pollard, title changed from Acting Program Development Specialist to Program Development Specialist, Rehabilitation Administration and Management Programs, salary changed from \$27,600 to rate of \$29,532 for 12 months, September 1, 1985 through October 31, 1985. Paid from 155-661, Ramp National, and 155-916, Ramp Standards, pos. 905.

\*Ron D. Provence, Program Specialist, Petroleum Safety Program, Oklahoma Center for Continuing Education, salary changed from \$25,992 to \$28,596 for 12 months, August 1, 1985 through September 30, 1986. Paid from 155-906, Petroleum Safety.

\*Paid from grant funds; subject to availability of funds

October 16, 1985

18660

\*Donald D. Riley, Threshold Tutorial Coordinator, Project Threshold, salary changed from \$19,096 to \$20,624 for 12 months, June 1, 1985 through May 31, 1986. Paid from 155-816, Special Services 1986, pos. 6.

\*Billy G. Rogers, promoted from Project Specialist to Program Specialist, Public Responsibility and Community Affairs; given additional title of Program Specialist, Urban and Community Programs, salary changed from \$16,950 to rate of \$20,500 for 12 months, October 1, 1985 through June 30, 1986. Professional Staff. Paid from 156-033, Payroll Clearing, Public Responsibility and Community Affairs, pos. 905 and 127-541, Urban and Community Programs, pos. 002.65.

\*Mendell Simmons, Threshold Advisor, Project Threshold, salary changed from \$19,210 to \$20,747 for 12 months, June 1, 1985 through May 31, 1986. Paid from 155-816, Special Services 1986, pos. 2.

Robert O. Smith, title changed from Head Golf Professional and General Manager to Golf Professional and General Manager, University Golf Course, September 1, 1985. Professional Staff.

Shirley W. Vaughan, Coordinator, Athletic Recruiting, Athletic Department, salary changed from \$26,500 to \$30,200 for 12 months, September 1, 1985. Paid from 171-121, Athletic Department, pos. 20.65.

Stanley M. Ward, Chief Legal Counsel; given additional title of Special Assistant to the President, without additional remuneration, October 17, 1985. Executive Officer.

Alice J. Watkins, Publication Editor, Center for Economic and Management Research, salary changed from \$21,879 to \$22,927 for 12 months, July 1, 1985. Paid from 127-407, Center for Economic and Management Research, pos. 6.65.

Leo Yanda, title changed from Engineer to Facilities Administrator, Auxiliary Services, January 3, 1983. Changed from Professional to Administrative Staff.

RESIGNATIONS:

Shaheen Ayub, Petroleum Engineer, Information Systems Programs, October 2, 1985.

JoAnn Carlson, Public Affairs Director, Energy Center, and Assistant Professor of Journalism, October 1, 1985. Moved out of state.

Joseph M. Chism, Petroleum Geologist, Information Systems Programs, October 1, 1985.

Rosina E. Dimson, Senior Data Analyst, Information Systems Programs, October 1, 1985.

\*Paid from grant funds; subject to availability of funds

October 16, 1985

18661

Stephen H. Hinkle, Senior Data Analyst, Information Systems Programs, October 28, 1985.

Roy M. Isenberg, Staff Psychologist, Goddard Health Center, September 30, 1985.

Anthony B. Mooreland, Senior Data Analyst, Information Systems Programs, October 24, 1985.

Max D. Payne, Course Moderator, FAA Management Training School, September 6, 1985.

Dennis L. Rowe, Manager, Computer Production Services, Information Systems Programs, October 1, 1985.

RETIREMENT:

Fred P. Goodwin, Mechanical Systems Specialist, Physical Plant Engineering, November 1, 1985 (accrued vacation through January 6, 1986).

President Horton recommended approval of the personnel actions listed above.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

MURRAY CASE SELLS TRUST

The University of Oklahoma was named as a residuary beneficiary under the will of Murray Case Sells along with nine other institutions. Mr. Sells died in 1953 and the will was admitted for probate in 1956. As a result of a series of lawsuits involving a codicil which was not admitted to probate, a Trust was established to operate the residual assets of the estate for the benefit of the ten beneficiary institutions. Included among those assets was Sells Petroleum, Incorporated which was dissolved in 1973 and the proceeds were distributed. However, in 1956 Sells Petroleum, Incorporated declared a dividend in kind and distributed certain royalties, over-riding royalties, production payments and oil and gas interests in properties located in Texas, Oklahoma, Mississippi, Louisiana and Indiana which were placed in the Trust.

The problem created by the Trust was that the Trustees were individuals as opposed to titles and all of the original Trustees have now passed away. Over the years Substitute Trustees have been named but in 1984 they expressed an interest in terminating the Trust and transferring the assets to a corporate trustee such as a bank.

At a meeting of the beneficiary institutions and the Trustees in August, 1984 there was a discussion of terminating the Trust. It was also suggested that a pro rata distribution of the remaining assets be made to each beneficiary institution. The termination is now taking place and the enclosed document entitled Agreement to Terminate Deed and Trust will effect the termination and will also provide for a pro rata distribution of the remaining assets. This course of action appears to be the desirable one for the University and has been approved by the University Trust Officer and Chief Legal Counsel.

President Horton recommended the Board of Regents approve the Agreement to Terminate Deed and Trust and authorize the President of the University to execute the document on behalf of the University.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### AIR FORCE AGREEMENT

A renewal of the agreement between the United States Air Force and The University of Oklahoma for housing and meals for Air Force personnel who will be attending the Air Force short course in communication on the Norman Campus has been proposed for the fiscal year 1985-86. The facilities to be made available in Yorkshire Apartments are: eight two-bedroom, two-bath furnished apartments. The contract will also provide for maid and daily linen service and three meals per day in Couch Cafeteria. The total amount of the contract for the 1985-86 fiscal year is \$84,002.84. A similar agreement has been in effect with the Air Force since 1972.

President Horton recommended that the President of the University or his designee be authorized to enter into the contract to provide apartments, maid and linen service, and food service for the 1985-86 fiscal year as explained above.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### PROPOSAL, CONTRACT, AND GRANT REPORT

A summary of proposals for contracts and grants for the Norman Campus for September, 1985 was included in the agenda for this meeting. A list of all contracts executed during the same period of time on proposals previously reported was also included.

President Horton 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. He said the contract budgets may differ from the proposed amounts depending on these negotiations.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### BIG EIGHT CONFERENCE BASKETBALL TELEVISION PACKAGE

President Horton reminded the Board members that there was a lengthy discussion at the September Board meeting regarding the proposed renewal of the Big Eight conference basketball television contract. He asked Mr. Ward to present a follow-up report. He said he does not recommend the Board take any action at this time. He suggests the matter be delayed to the November meeting in order for the administration to determine various options.

Mr. Ward reviewed the Big Eight Conference basketball television package with the Regents. He reminded them that the current contract is with Katz and was effective July 1, 1983. He reminded the Regents of the compensation to the Conference over the three-year period 1983-84 through 1985-86. Last year, Katz assigned the contract rights to Raycom. Raycom entered into negotiations with the Big Eight TV Committee last summer. Negotiations continued through the fall. On October 14, the Big Eight Conference by a vote of seven to one approved the Raycom four-year agreement for the period 1986-87 through 1989-90. Raycom has indicated that the amount of dollars guaranteed to the Conference will be reduced by 1/8 in the event The University of Oklahoma chooses not to participate in the contract. In addition, Raycom would not agree to any option to cancel the agreement prior to the end of the four-year period. Raycom also would not agree to give up the right to retain the Big Eight Conference tournament championship game for the Big Eight markets. Mr. Ward said our faculty representative and Athletic Director voted against this proposal for the following reasons:

1. There was no competitive bidding.
2. There was no bid solicitation or structuring.
3. There was no professional evaluation of other options.
4. The four-year option was eliminated.

Mr. Ward said, as suggested at the September meeting, the William Morris Agency was contacted and it was their opinion that the biggest problem with the contract was that there has been no testing of the market. Apparently the TV Committee of the Big Eight believes it should take what is available in view of the declining market.

With regard to the current contract as approved by the Big Eight, Mr. Ward said that Coach Tubbs does not think this is the best deal available and it is not a decision he is in support of at this time. The Athletic Director and faculty representative would reluctantly support the proposal. Mr. Ward said the formal agreement will be prepared and circulated among the Big Eight schools within the next 30 days. He believes it is premature to take any action until we determine what is actually in the formal written agreement.

In response to a question from Regent McCurdy about whether the University would be allowed to keep television income if the University does not go along with the Big Eight contract, Mr. Ward stated that matter will be addressed by the Big Eight Conference at a meeting in December.

#### TELEVISIONING OU-TEXAS FOOTBALL GAME

The University of Oklahoma invited bids for (1) a single live over-the-air (public) telecast and (2) a single pay-for-view telecast of the football game between The University of Oklahoma and The University of Texas on Saturday, October 12. It was the University's intent that the telecasting of this game would qualify for the Big Eight Conference single telecast exception rule. It was the intent that the Oklahoma City and Tulsa metroplex markets would be serviced, one by public TV and the other by pay-for-view.

The following responses were received:

Tulsa Cable Tulsa	50% of net after production/advertising expenses (estimated to be \$31,900 to \$75,050)
KTUL TV, Channel 8 Tulsa	\$15,000
Advantage Sports, Inc. Tulsa	\$100,000 or 60% of revenues for a State-wide network (Under Big 8 Conference rules this would constitute a network and all revenues would accrue to the Conference - OU's share approximately \$22,222)
Cox Cable of Oklahoma City	1/2 of gross (estimated to be up to \$125,000)
KTVY, Channel 4 Oklahoma City	\$49,444
KWTV, Channel 9 Oklahoma City	\$55,000

KOCO TV, Channel 5 Oklahoma City	\$80,055
-------------------------------------	----------

KOKH, Channel 25 Oklahoma City	\$55,126
-----------------------------------	----------

After reviewing the bids, the decision was made to broadcast the game live in the Oklahoma City market and over pay-for-view television in the Tulsa market. The bid of KOCO TV, Oklahoma City, was accepted for broadcasting the football game live over-the-air, and the bid of Tulsa Cable was accepted for the pay-for-view telecast in the Tulsa metroplex market.

Because of the short time available to solicit bids for this telecast, the award was made by the President of the University under the emergency provision of the Regents' Fiscal Management Policy.

This was reported for information. No action was required.

#### PURCHASE OF BUSES

Bids were recently circulated for the purchase of four bus coaches for use by the Parking and Transportation Department for the Norman Campus C.A.R.T. System. These are urban type buses rather than the school bus vehicles presently in use. These bids were considered by the Board of Directors of Central Oklahoma Transportation and Parking Authority at their meeting on September 27, 1985 as required by the Federal grant.

These buses are funded by a grant from the Federal Urban Mass Transportation Authority for 80% of the cost, with the balance of the cost from University account 179-110, Parking and Transportation.

Bids were received from:

Bluebird Body Company Fort Valley, Georgia	\$110,400.00/ea	\$441,600.00
Thomas Built Buses, Inc. Braziels' Thomas Bus Sales Yukon, Oklahoma	\$110,809.20/ea	\$443,236.80
Gillig Corporation Hayward, California	\$112,825.00/ea	\$451,700.00
Thomas Built Buses, Inc. Braziels' Thomas Bus Sales Yukon, Oklahoma	Alternate:	\$105,709.20/ea
		\$422,836.80*



\*Bid as a voluntary alternate, offering an alternate engine, which was not an approved engine due to shorter life expectancy and difficulty of maintenance.

President Horton recommended that the Board of Regents approve the C.O.T.P.A. award of a contract to Bluebird Body Corporation in the amount of \$441,600.00 of which the University of Oklahoma portion is to be \$88,320.00 for the purchase of four bus coaches.

#### PURCHASE OF TROLLEYS

Bids were recently circulated for the purchase of two trolley vehicles for use by the Parking and Transportation Department for the Norman Campus C.A.R.T. System. These trolleys are of a heavy duty construction, suitable for the urban transportation use intended. The award recommendation was considered by the Board of Directors of Central Oklahoma Transportation and Parking Authority at their meeting on September 27, 1985.

These trolleys are funded by a grant from the Federal Urban Mass Transportation Authority for 80% of the cost, with the balance of the cost from University account 179-110, Parking and Transportation.

Bids were received from:

Transportation Vehicles, Inc. Zellwood, Florida	\$ 94,300.00/ea.	\$188,600.00
Federal Motors, Inc. Ocala, Florida	\$ 94,500.00/ea.	\$189,000.00
Boyertown Body & Equipment Company, Inc. Boyertown, Pennsylvania	\$101,959.00/ea.	\$201,918.00
Transportation Vehicles, Inc. Zellwood, Florida	Alternate: \$119,500.00/ea.	\$239,000.00

After an extensive life cycle cost evaluation, a visit to the TVI factory, and two customer references, the low bid of Transportation Vehicles, Inc. was determined to be acceptable by the Director of Auxiliary Services.

President Horton recommended that the Board of Regents approve the C.O.T.P.A. award of a contract to Transportation Vehicles, Inc. in the amount of \$188,600.00, of which the University of Oklahoma portion is to be \$37,720.00 for two trolley vehicles.

Regent Sarratt said he had raised questions about purchasing the buses from outside the State of Oklahoma when the second lowest bidder appears to be from Oklahoma. He learned, he said, that Thomas Built Buses is from out-of-state, but maintains a sales office in Oklahoma.

Regent Sarratt moved approval of the buses and trolleys. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### PURCHASE OF COMPUTER EQUIPMENT

In 1982, the Norman Campus of the University implemented a five-year plan for the enhancement of its computing facilities. As called for in the plan the University needs to continue to replace obsolete peripheral devices and increase processing capacity to maintain acceptable service levels.

In July, IBM was provided a list of equipment requirements and asked to quote the largest discount available. Major equipment items included were disk storage to replace disk drives now over 10 years old and to provide additional on-line storage space for interactive processing, new technology magnetic tape peripheral devices to continue the conversion from obsolete tape equipment begun last year, new printers to replace equipment that has been in service for over 18 years, and conversion of our 3081 Model "D" to a Model "K" to increase processing power by 40% and double processor storage capacity.

The list price of the equipment included is \$1,937,482. However, consistent with the new educational policy offered to institutions nationwide, IBM has offered a discount of \$833,122 (43%) resulting in a net package price of \$1,104,360. This is substantially better than our normal educational discount and gives the University a unique opportunity to acquire needed equipment at an attractive price.

The required funds are available in the Computing Services operating account and in New College funding allocated to Computing Services.

President Horton recommended that the Board of Regents approve the award of a purchase order in the amount of \$1,104,360 to IBM Corporation for the purchase of the following equipment:

October 16, 1985

18668

MODEL	DESCRIPTION	QTY
-----	-----	---
3880-003	Storage Control	1
3380-AD4	Direct Access Storage Device	1
3380	Upgrade from AD4 to AE4	1
3380-BD4	Direct Access Storage Device	2
3380	Upgrade from BD4 to BE4	2
3380-B04	Direct Access Storage Device	2
3480-A22	Tape Control Unit	1
4451679	Dual Ctrl Unit Comm. Coupler	1
3480-B22	Magnetic Tape Unit	1
4245-020	Line Printer	1
3820-001	Page Printer	1
3035	Control Storage 128KB	1
3040	EIA Interface Cable 12 Meters	1
3050	EIA Interface Attachment	1
3065	4-1024KB Pattern Storage Cards	1
7171-001	ASCII Device Attachment Unit	1
4000	Eight Line Increment	6
4001	Spare Parts Kit	1
3274-C61	Control Unit	1
3701	External Modem Interface	1
6101	Response Time Monitor	1
6302	Comm Feat w/o Bus Mach Clock	1
4245-D20	Line Printer	1
3178-C20	Display Station Repair Center	12
3179-G10	Color Graphics Display Station	8
3290-001	Info Panel w/ 1503, 3210, 4730	6
5866-001	14,400 BPS Modem	4
3081	Upgrade from D32 to K32	1
	Add 32 Megs of Memory (K32 to K64)	1
	Add Perf. Improv. Feature (#4010)	1
3082	Add Perf. Improv. Feature (#4020)	1
3705	Add 1D Line Sets	9

October 16, 1985

18669

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

#### PURCHASE OF ATOMIC SPECTROPHOTOMETER

Bids were recently circulated for an atomic absorption spectrophotometer for use by the Oklahoma Geological Survey.

This instrument will be used for a wide variety of analytical applications including analysis of coal, water, carbonate rock and assorted mineral samples for University faculty, students and the general public. The new instrument will replace an obsolete Perkin-Elmer unit. The prices shown reflect the trade-in of the old instrument.

Funds are available from Oklahoma Geological Survey account 327-401 (\$24,296) and Federal Bureau of Mines Grant 155-889 (\$15,000).

Bids were received from:

Varian Instruments, Inc. Sugarland, Texas	\$39,296.00
Perkin-Elmer Corporation Richardson, Texas	\$42,650.00
Allied Analytical Systems Waltham, Massachusetts	\$43,200.25

The low bid of Varian Instruments, Inc. is acceptable to the Director of the Oklahoma Geological Survey.

President Horton recommended that the Board of Regents approve the award of a purchase order in the amount of \$39,296.00 to Varian Instruments, Inc. for the purchase of this atomic absorption spectrophotometer.

#### TRANSPORTATION FOR PRESIDENTIAL SPOUSE

President and Mrs. Horton view the position of President as a team effort. Studies such as Clark Kerr's Presidents Make a Difference and the recent book The President's Spouse: Volunteer or Volunteered, published by the National Association of State Universities and Land Grant Colleges, have urged support for the President's spouse in that role. Mrs. Horton will be devoting much of her energy to supporting The University of Oklahoma and in so doing will require transportation for many of her activities.

*See p. 18670  
action*

Therefore, the Chairman of the Board recommended that a mid-sized automobile, which would be replaced every three to four years, with maintenance and insurance provided be made available to Mrs. Horton through the OU Foundation. Gasoline will be paid for by Mrs. Horton except on unusually long trips on behalf of the University.

*see following page for details*

TYPESETTING FOR UNIVERSITY PRESS SALES

Bids were recently circulated for an annual blanket typesetting contract for University of Oklahoma Press books. The contract will cover labor and materials for typesetting for books published by University Press.

Payment will be made from University Press Sales account 179-104.

Bids were submitted on a unit price basis, per 1000 characters, and with page make up costs on a per page basis. The cost varied as to number and size of columns, plus item prices for other variable activities, including setting from magnetic media rather than from manuscript.

Bids were received from:

G&S Typesetters, Inc. Austin, Texas	\$47,062.50
Graphic Composition, Inc. Athens, Georgia	\$56,196.25
Harrison Typesetters, Inc. Portland, Oregon	\$84,032.50

The bids were evaluated on a unit price basis, with the total prices based on 33 publications, 300 pages, single column, 23 x 41 picas with footnotes, 15 illustrations and 10 proofs per publication.

The Director of University Press recommends that the primary blanket purchase order award be made to G&S Typesetters, Inc. and a secondary award made to Graphic Composition, Inc. to be used as a standby source.

President Horton recommended that the Board of Regents approve the award of purchase orders for the annual blanket typesetting contract as follows:

G&S Typesetters, Inc.	\$60,000.00
Graphic Composition, Inc.	<u>15,000.00</u>
	\$75,000.00

Regent White moved approval of the three preceding recommendations. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

## STANLEY B. CATLETT SR. MUSIC BUILDING SITEWORK

In order to complete the site development work around the first phase of the Stanley B. Catlett Sr. Music Building, it is necessary to construct several sidewalks and to perform additional concrete work that was not placed under contract with the base bid for the project. It is necessary to complete the concrete work at this time to avoid delays caused by inclement weather in the winter months. Flintco, Inc., the general contractor for the project, has furnished a change order quotation of \$51,621 for the installation of the sidewalks and completion of the related sitework. This change order is within the original \$7,000,000 budgeted for the project.

President Horton recommended that the Board of Regents authorize a change order to the construction contract for the Stanley B. Catlett Sr. Music Building in the amount of \$51,621 for the installation of the necessary sidewalks and related sitework.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

## ENERGY CONSERVATION PROJECTS

The University has applied for and received a U.S. Department of Energy matching grant for \$58,871 to implement energy conservation measures in the Carson Engineering Center.

Four energy conservation projects will be completed, including the conversion of the existing air-handling system to variable air volume, the installation of lighting control devices in three areas, replacement of existing air dampers with low leakage dampers, and replacement of selected incandescent lamps with fluorescent lamps. The total estimated cost for these projects is \$117,871. The payback period is estimated to be three years.

Federal grant monies of \$58,871 will be matched with \$59,000 of previously approved Section 13/New College Funds for completion of this work.

President Horton recommended that the Board of Regents authorize (1) acceptance of the Department of Energy grant of \$58,871 and (2) authorize design and construction of energy conservation projects in Carson Engineering Center with grant funds of \$58,871 and \$59,000 in matching funds from Section 13/New College Funds.

Regent White moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

## BIDS ON PROPERTY IN OSAGE COUNTY

At the September meeting (page 18596) the Board authorized advertising approximately 410 acres located in Osage County for bid. The property is described as follows:

East half Northeast Quarter and the Southeast Quarter  
Section 22, Southwest Quarter Section 23, Northeast  
Quarter of the Northeast Quarter of the Northwest  
Quarter Section 26, Township 20 North, Range 10 East

The invitation to bid indicated terms would be cash with settlement within 60 days, the Board reserved the right to reject any and all bids, and that the cost of advertisement would be borne by the successful bidder.

The following bids were received on October 8:

<u>Bidder</u>	<u>Bid per Acre</u>	<u>Total Bid</u>
Robert Duffield Tulsa	\$950.00 (Bid subject to financing)	\$389,500.00
Miljoil Company Sand Springs	\$841.26	\$344,917.00
George C. Creager Oklahoma City	\$301.00	\$123,410.00
Sand Springs Home Sand Springs	\$860.00	\$352,600.00

It is anticipated that the future growth of Sand Springs and Tulsa will have a very positive impact on this property in future years. This appears not to be a good time to sell property.

President Horton recommended that all bids be rejected.

Regent White moved approval of the recommendation. The following voted yes on the motion: Regents Rothbaum, McCurdy, Kemp, Sarratt, White, and Hogan. The Chair declared the motion unanimously approved.

## MAJOR CAPITAL IMPROVEMENT PROJECTS

A report on major capital improvement projects now under construction and in various stages of planning on the Norman Campus was presented to the Regents. No action was required.

At this point Regent Rothbaum returned to the Student Congress apartheid and divestment item as begun earlier in the meeting.

October 16, 1985

18673

Mr. Rothbaum recognized Mrs. Maggie Gover, representative of the Oklahoma Alliance Against Racist and Political Repression, a group which she said believes in majority rule and the right to vote. She urged the Regents to act on behalf of the students and all people of Oklahoma and the people of South Africa.

Mr. James Todd, father of an OU student, an OU graduate and a disabled veteran, urged adoption and approval of the UOSA Resolution.

Mr. Walter Mason said he had no plans to address the Board again after his statement at the meeting in September, but he feels he must support the student resolution. The issue, he said, is not dead and he believes that someday soon the Regents will consider the issue and believes they will come down on the right side. He urged the Regents to take an action today. He said any failure to consider the issue today will set the University back 20 years. He said he firmly expects the Board to take an action today and he begged the Regents to do so on behalf of the students and the people of the State of Oklahoma.

Dr. Belinda Biscoe, a representative of the Coalition of Oklahomans Against Apartheid, was also recognized. A copy of the Resolution adopted by the Coalition on October 9 had been distributed to the Regents and is as follows:

"WHEREAS, South Africa's system of governmentally imposed racial segregation known as apartheid denies basic human, political, and economic rights to the vast majority of its population, solely on the basis of race, and

"WHEREAS, U. S. corporations and financial institutions which do business in South Africa support the minority government by providing military hardware, heavy machinery, motor vehicles, computers, and money, all of which help maintain and enforce the system of apartheid, and

"WHEREAS, since U. S. firms hire less than 1% of the Black South African workforce, their presence in South Africa does far more to support apartheid than to benefit its victims;

"NOW THEREFORE, BE IT RESOLVED that the Coalition of Oklahomans Against Apartheid opposes and condemns U. S. corporate support of apartheid through trade, investment, and economic relations with South Africa, and

"BE IT FURTHER RESOLVED that the Coalition of Oklahomans against apartheid supports governmental and private divestment in South Africa and divestment in banks and companies doing business in South Africa, and

"BE IT FURTHER RESOLVED that the Coalition of Oklahomans Against Apartheid strongly supports and encourages the University of Oklahoma's divestment from companies which do business in South Africa, and



"BE IT FURTHER RESOLVED that the Coalition of Oklahomans Against Apartheid call upon President Reagan, our local and national officials as well as public and private institutions to renew this nation's commitment to the elimination of racism abroad and at home."


Dr. Biscoe said the Coalition of Oklahomans Against Apartheid was formed several months ago for the purpose of increasing awareness in the Oklahoma community about apartheid and the U. S. and international response to this repressive system. She said the group was founded by the Young Women's Christian Association of Oklahoma City and its members include the Urban League of Greater Oklahoma City, the League of Women Voters, the Oklahoma Alliance Against Racist and Political Repression, Church World Services, Oklahoma Conference of Churches, Opportunities Industrialization Center, the Oklahoma Center on South Africa, and many concerned individuals.

Dr. Biscoe reviewed the resolution adopted by the Coalition and commented also on other schools who have divested.

Others who addressed the Board were Associate Professor Jidolph G. Kamoche and Marva Crawford of the Oklahoma Council on South Africa.

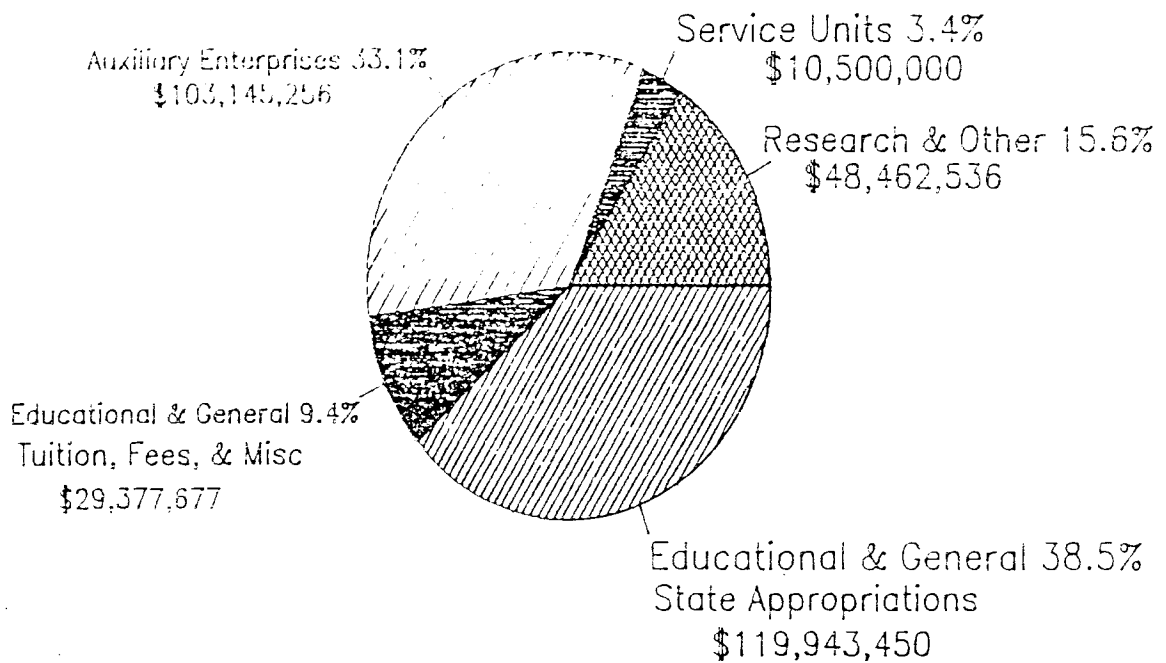
Regent Rothbaum expressed appreciation to those addressing the Board. He said this is an extremely important issue and not only a national, but an international problem. It has been discussed by universities all across the country; many have made decisions, and some have not. He suggested that President Horton study this problem with his staff and arrive at a group of options to present to the Regents so that the Board can discuss them and take a definite action at the November meeting. Dr. Horton agreed he would prepare a range of options and try to put together information with regard to the range of options.

There being no further business, the meeting adjourned at 2:05 p.m.

  
\_\_\_\_\_  
Barbara H. Tuttle  
Executive Secretary of the Board of Regents

# University of Oklahoma

## TOTAL BUDGETED REVENUE BY FUNCTION Fiscal Year 1985-86

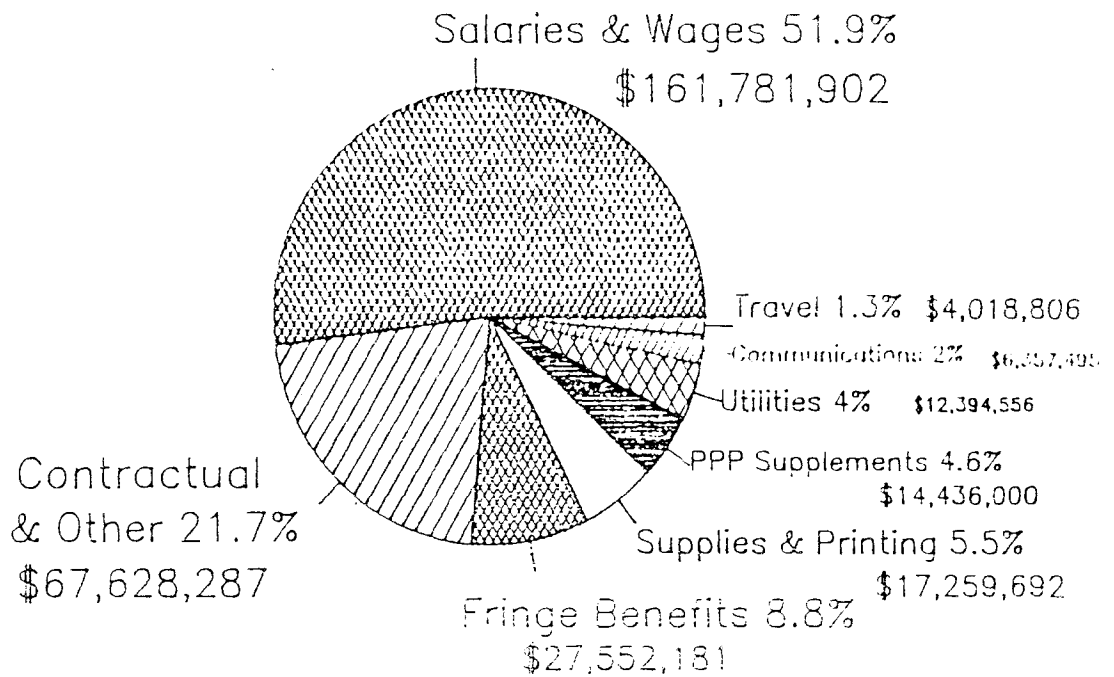


Total Budgeted Revenue by Function - \$311,428,919

# University of Oklahoma

## TOTAL BUDGETED EXPENDITURES BY CATEGORY

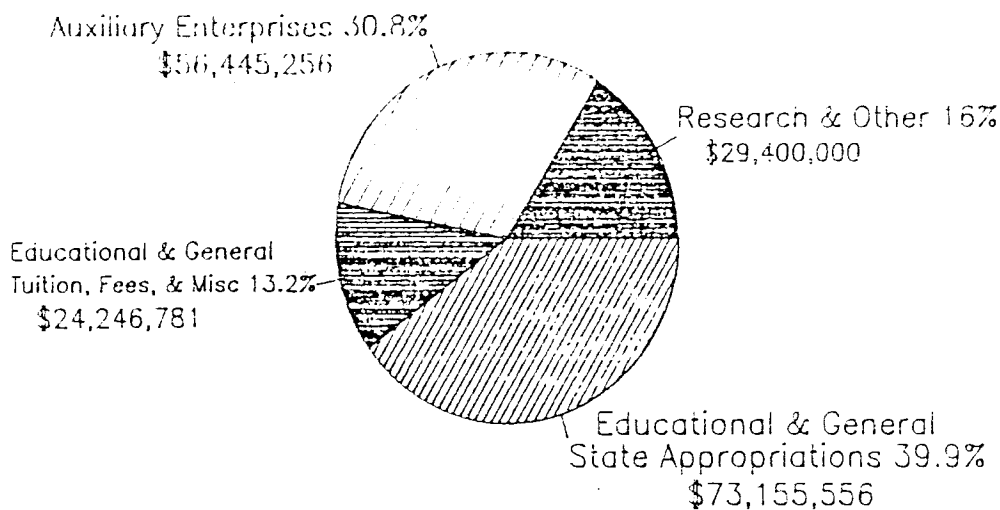
Fiscal Year 1985-86



**Total Budgeted Expenditures by Category - \$311,428,919**

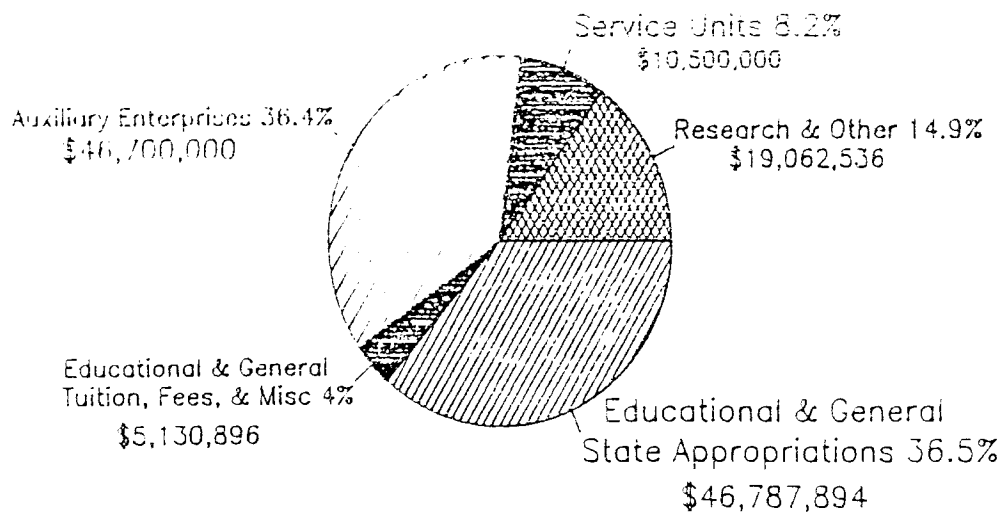
# University of Oklahoma

## Norman Campus TOTAL BUDGETED REVENUE BY FUNCTION Fiscal Year 1985-86



Total Budgeted Revenue by Function - \$183,247,593

## Health Sciences Center TOTAL BUDGETED REVENUE BY FUNCTION Fiscal Year 1985-86



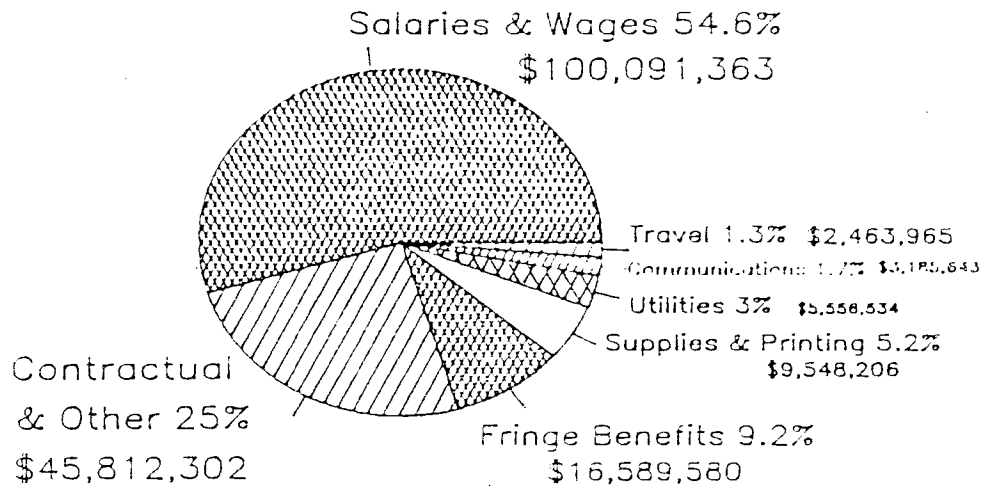
Total Budgeted Revenue by Function - \$128,181,328

# University of Oklahoma

## NORMAN CAMPUS

### TOTAL BUDGETED EXPENDITURES BY CATEGORY

Fiscal Year 1985-86

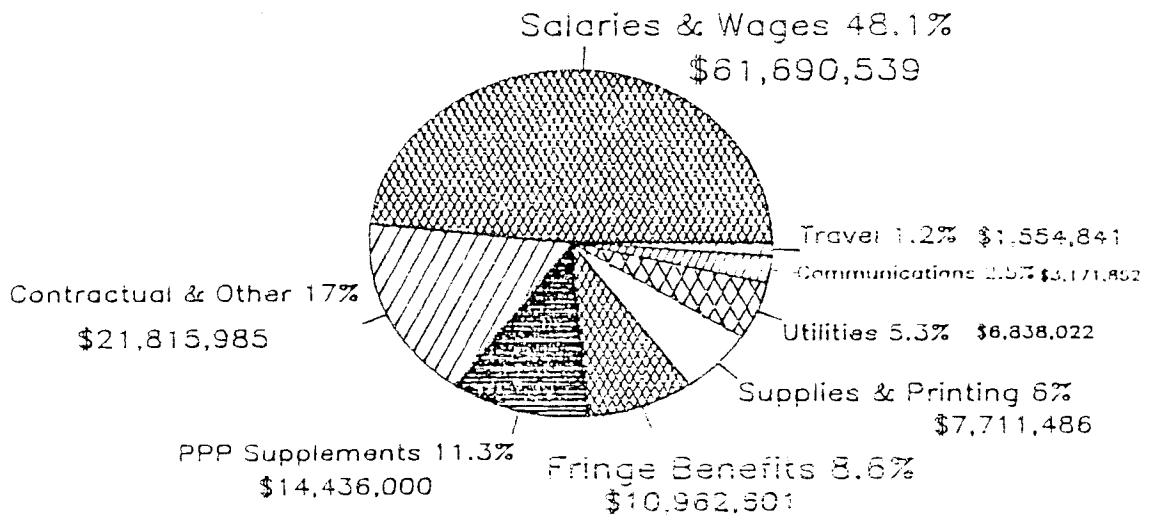


**Total Budgeted Expenditures by Category - \$183,247,593**

## HEALTH SCIENCES CENTER

### TOTAL BUDGETED EXPENDITURES BY CATEGORY

Fiscal Year 1985-86

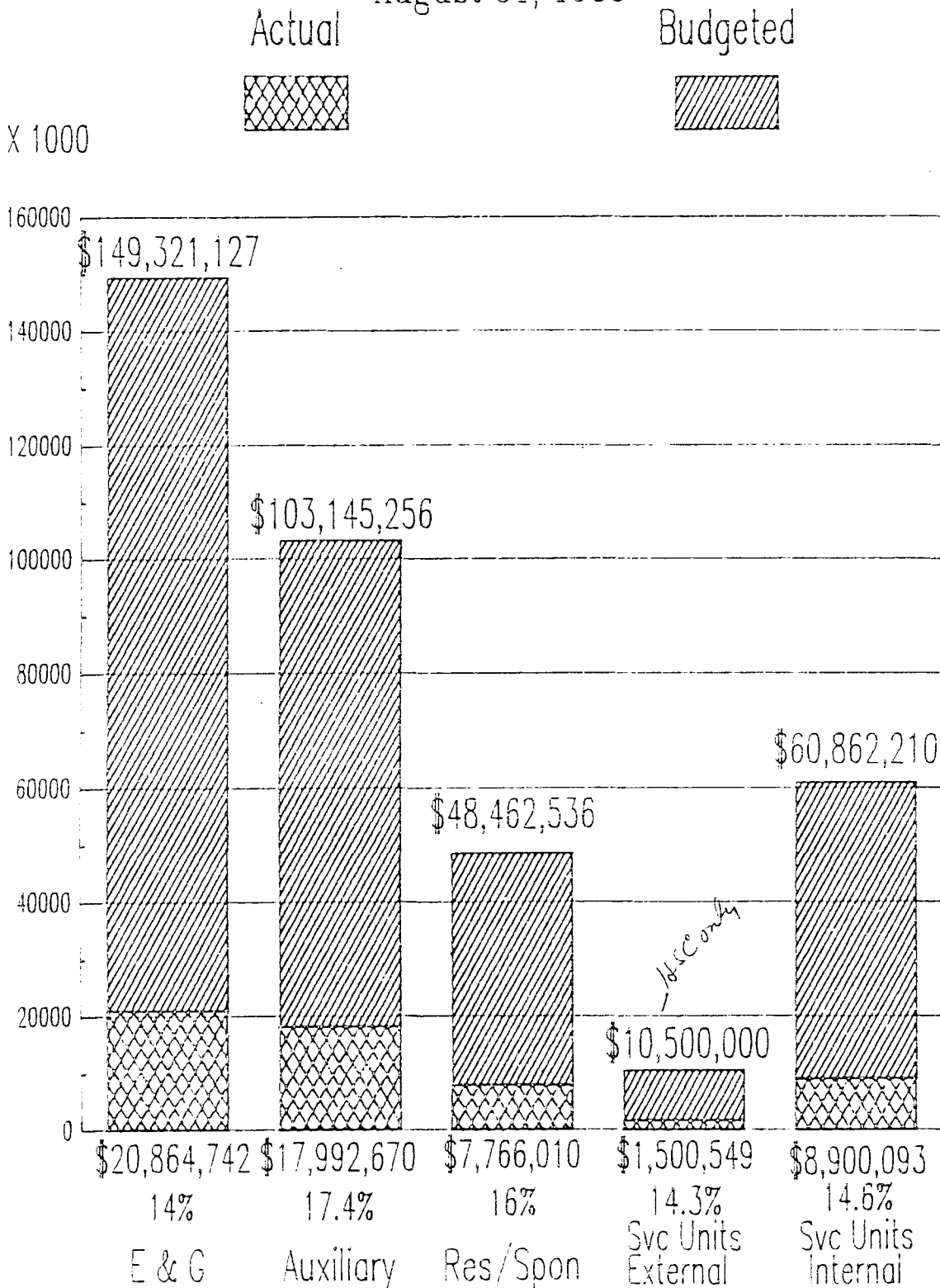


**Total Budgeted Expenditures by Category - \$128,181,326**

# University of Oklahoma

## BUDGETED VS. ACTUAL REVENUE

August 31, 1985

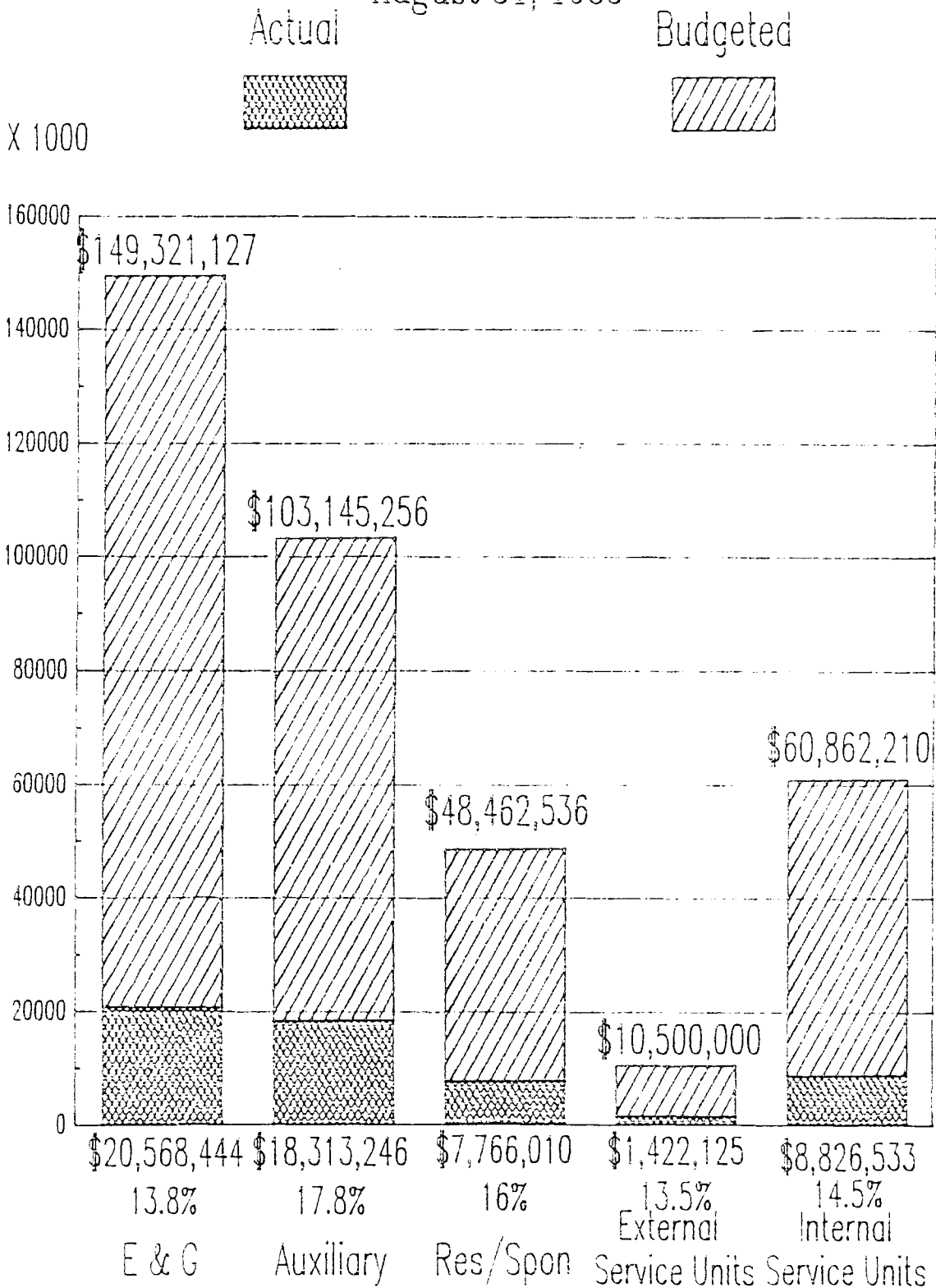


*all exp. below 17.1%  
 column that equals total  
 operating cost*

# University of Oklahoma

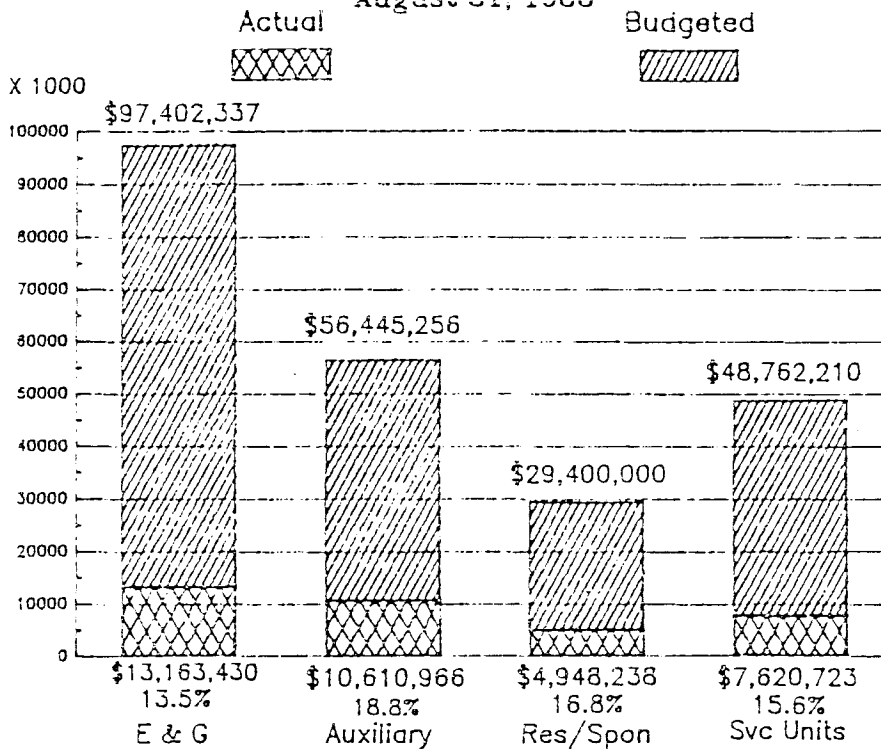
## BUDGETED VS. ACTUAL EXPENDITURES

August 31, 1985



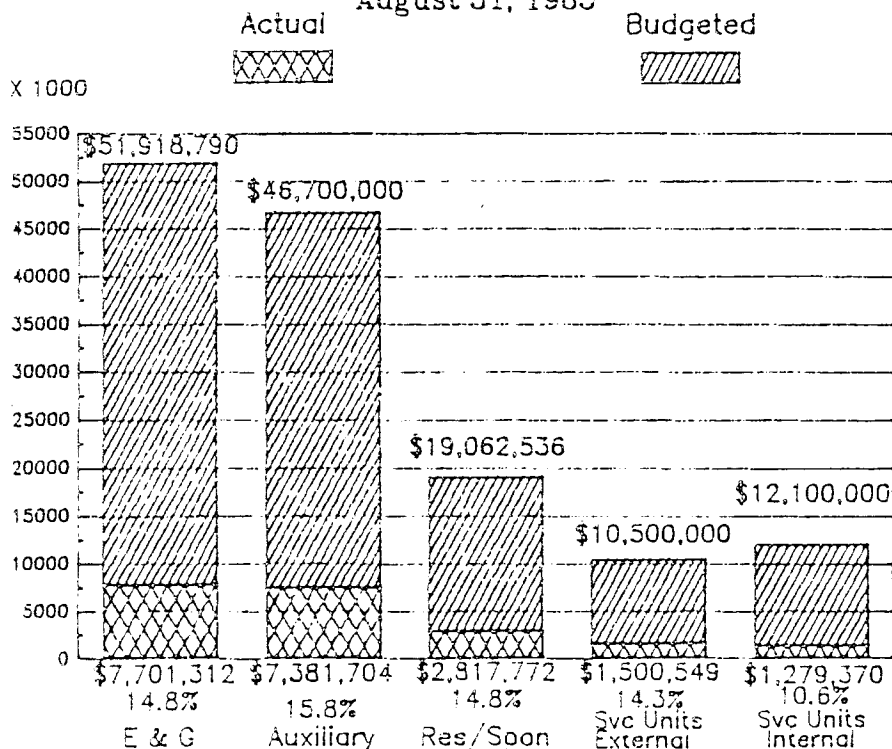
# University of Oklahoma

## Norman Campus BUDGETED VS. ACTUAL REVENUE August 31, 1985



## Health Sciences Center

### BUDGETED VS. ACTUAL REVENUE August 31, 1985



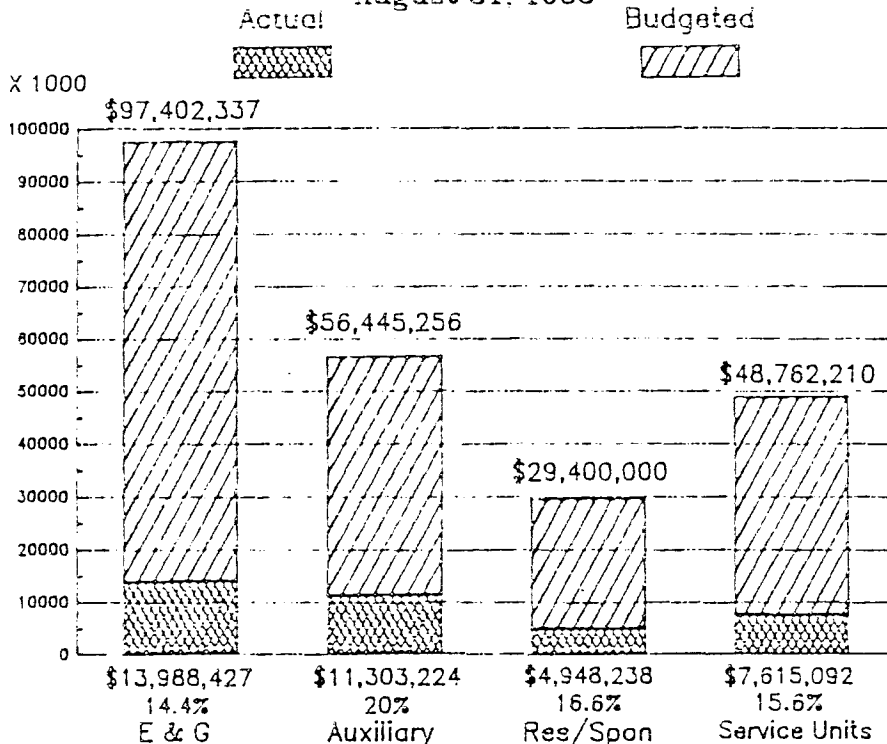


# University of Oklahoma

## Norman Campus

### BUDGETED VS. ACTUAL EXPENDITURES

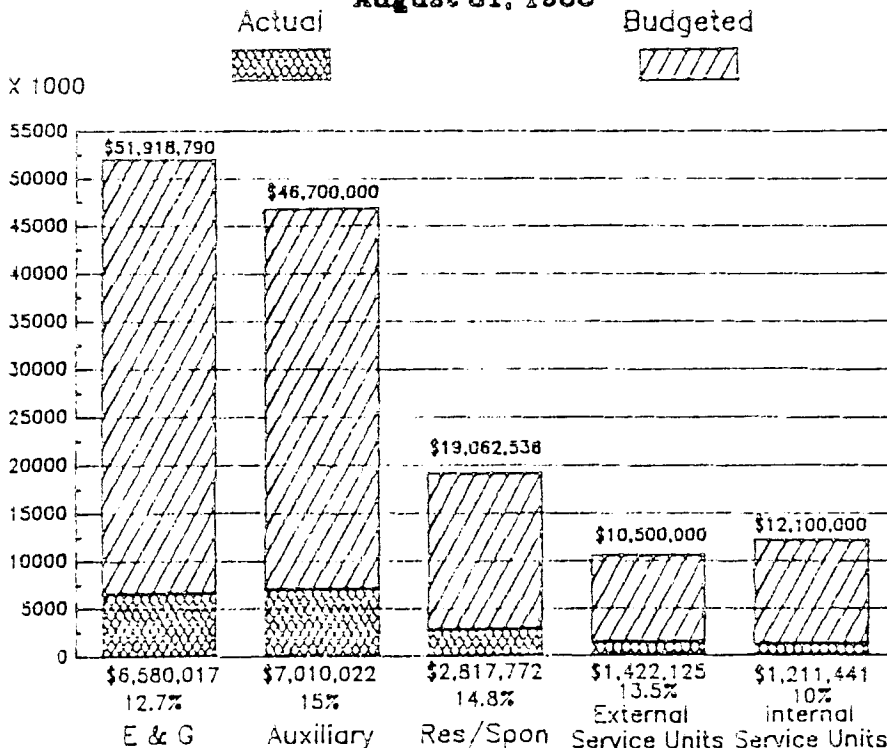
August 31, 1985



## Health Sciences Center

### BUDGETED VS. ACTUAL EXPENDITURES

August 31, 1985



UNIVERSITY OF OKLAHOMA  
Financial Analysis  
August 31, 1985

	Norman Campus	Health Sciences Center	Law Center	Geological Survey	Total
<b>EDUCATIONAL AND GENERAL REVENUES:</b>					
Original Budgeted Revenue	91,336,907	51,918,790	4,199,756	1,865,674	149,321,127
Changes in Budgeted Revenue	0	0	0	0	0
Rebudgeted Year End Balances	0	0	0	0	0
Current Budget	91,336,907	51,918,790	4,199,756	1,865,674	149,321,127
Year-To-Date Revenue	12,311,854	7,701,312	591,143	260,433	20,864,742
Projected Future Revenue	79,025,053	44,217,478	3,588,613	1,605,241	128,436,385
Total Estimated Revenue	91,336,907	51,918,790	4,199,756	1,865,674	149,321,127
Projected Revenue Shortfall	0	0	0	0	0
Budgeted Expenditures	91,336,907	51,918,790	4,199,756	1,865,674	149,321,127
Changes in Budgeted Expendit	0	0	0	0	0
Rebudgeted Year End Balances	0	0	0	0	0
Total Budgeted Expenditures	91,336,907	51,918,790	4,199,756	1,865,674	149,321,127
Year-To-Date Expenditures	13,394,730	6,580,017	372,612	221,095	20,568,444
Projected Future Expenditures	77,942,177	45,338,773	3,827,144	1,644,589	128,752,683
Total Estimated Expenditures	91,336,907	51,918,790	4,199,756	1,865,674	149,321,127
Projected Expenditure Reductions	0	0	0	0	0
<b>AUXILIARY ENTERPRISES/PROF. PRACTICE PLAN</b>					
Budgeted Revenue	56,445,256	46,700,000			103,145,256
Year-To-Date Revenue	10,610,966	7,381,704			17,992,670
Projected Future Revenue	45,834,290	39,318,296			85,152,586
Total Estimated Revenue	56,445,256	46,700,000			103,145,256
Projected Revenue Variance	0	0			0
Budgeted Expenditures	56,445,256	46,700,000			103,145,256
Year-To-Date Expenditures	11,303,224	7,010,022			18,313,246
Projected Future Expenditures	45,142,032	39,689,978			84,832,010
Total Estimated Expenditures	56,445,256	46,700,000			103,145,256
Projected Expenditure Reductions	0	0			0

Financial Analysis Continued

August 31, 1985

	Norman Campus	Health Sciences Center	Law Center	Geological Survey	Total
<b>RESEARCH &amp; OTHER SPONSORED PROGRAMS</b>					
Budgeted Revenue	29,400,000	19,062,536			48,462,536
Year-To-Date Revenue	4,948,238	2,817,772			7,766,010
Projected Future Revenue	24,451,762	16,244,764			40,696,526
Total Estimated Revenue	29,400,000	19,062,536			48,462,536
Projected Revenue Variance	0	0			0
Budgeted Expenditures	29,400,000	19,062,536			48,462,536
Year-To-Date Expenditures	4,948,238	2,817,772			7,766,010
Projected Future Expenditures	24,451,762	16,244,764			40,696,526
Total Estimated Expenditures	29,400,000	19,062,536			48,462,536
Projected Expenditure Reductions	0	0			0
<b>SERVICE UNITS - EXTERNAL ACTIVITY</b>					
Budgeted Revenue		10,500,000			10,500,000
Year-To-Date Revenue		1,500,549			1,500,549
Projected Future Revenue		8,999,451			8,999,451
Total Estimated Revenue		10,500,000			10,500,000
Projected Revenue Variance		0			0
Budgeted Expenditures		10,500,000			10,500,000
Year-To-Date Expenditures		1,422,125			1,422,125
Projected Future Expenditures		9,077,875			9,077,875
Total Estimated Expenditures		10,500,000			10,500,000
Projected Expenditure Reductions		0			0
TOTAL PROJECTED OPERATING REVENUE	177,182,163	128,181,326	4,199,756	1,865,674	311,428,919
TOTAL PROJECTED OPERATING EXPENDITURES	177,182,163	128,181,326	4,199,756	1,865,674	311,428,919
<b>*CAPITAL ADDITIONS:</b>					
Allotments for Capital Expenditures	37,517,995	2,503,486			40,021,481
Project Expenditures to Date	21,778,003	0			21,778,003
Balance Available for Expenditures	15,739,992	2,503,486			18,243,478
*Completed projects are deleted from total.					

Financial Analysis Continued

August 31, 1985

	Norman Campus	Health Sciences Center	Law Center	Geological Survey	Total
<b>SERVICE UNITS - INTERNAL RECHARGES</b>					
Budgeted Revenue	46,762,210	12,100,000			60,862,210
Year-To-Date Revenue	7,620,723	1,275,370		8,900,093	
Projected Future Revenue	41,141,487	10,820,630		51,962,117	
Total Estimated Revenue	46,762,210	12,100,000			60,862,210
Projected Revenue Variance	0	0			0
<b>Budgeted Expenditures</b>					
Budgeted Expenditures	46,762,210	12,100,000			60,862,210
Year-To-Date Expenditures	7,615,092	1,211,441		8,826,533	
Projected Future Expenditures	41,147,118	10,888,559		52,035,677	
Total Estimated Expenditures	49,762,210	12,100,000			60,862,210
Projected Expenditure Reductions	0	0			0

THE UNIVERSITY OF OKLAHOMA HEALTH SCIENCES CENTER  
STUDENT COUNCIL BUDGETS  
For Fiscal Year 1985-86

	College of Medicine	College of Dentistry	College of Nursing	College of Allied Health	College of Pharmacy	Graduate College	P. A. Program	Tulsa Medical College	Total
Beginning Cash Balance	\$10,136	\$9,005	\$9,752	\$2,181	\$8,289	\$32,448	\$2,387	\$2,076	\$76,274
Income:									
Estimated Activity Fees	49,224	24,198	24,000	30,540	16,650	26,500	1,840	6,552	179,504
Total Available Funds	\$59,360	\$33,203	\$33,752	\$32,721	\$24,939	\$58,948	\$4,227	\$8,628	\$255,778
Expenditures:									
Insurance	\$6,900	\$5,820	\$4,000	\$7,600	\$200	\$7,500	\$300		\$32,320
Student Association	584		300	350	200	630	100		2,164
Social Activities	12,924	3,000	2,500	2,000	2,650	7,000	500	2,500	33,074
Graduation			7,000	3,000	3,500		1,000		14,500
Travel	3,428	1,000			1,750				6,178
Operating	1,350		450	5,800	300	3,000			10,900
Class Allocation	8,790	5,000	5,550						19,340
Educational Activities	3,428	1,500		4,000	5,250	3,900	100		18,178
Student Lounge	9,845	4,842	4,000	6,000	3,300	2,400	200		30,587
Miscellaneous	400	4,000	1,475	1,000	1,170	9,000		2,500	19,545
Total Budgeted Expenditures	\$47,649	\$25,162	\$25,275	\$29,750	\$18,320	\$33,430	\$2,200	\$5,000	\$186,786
Estimated Cash Balance, June 30, 1986	\$11,711	\$8,041	\$8,477	\$2,971	\$6,619	\$25,518	\$2,027	\$3,628	\$68,992

EXHIBIT B  
10-16-85

PROJECTS UNDER CONSTRUCTION

Project	Architects or Engineers	Contractors	Contract Award Date	Original Adjusted Completion Date	Original Current Contract Amount	Status Percent Complete	Source of Funds
None							

PROJECTS IN VARIOUS STAGES OF PLANNING

Project	CMP Priority Number	Architects or Engineers	Contract or Letter	Estimated Cost	Status
Steam & Chilled Water System Expansion, Phase V	---	Frankfurt-Short-Bruza Associates	11/30/79	\$4,700,000	Construction has been completed on major portions of this project and planning is underway on other elements.
Family Medicine/University Center, Family Medicine Building, Phase I	NC1	Architectural & Engineering Services	---	\$6,532,641	Planning studies are underway and the architectural firm has been selected.
Family Medicine/University Center, Student-Alumni Center, Phase IIA	NC2	Architectural & Engineering Services	---	\$1,298,896	Planning studies are underway and the architectural firm has been selected.
Family Medicine/University Center, Preventive Medicine-Aerobics Center, Phase IIB	NC3	Architectural & Engineering Services	---	\$4,013,933	Planning studies are underway and the architectural firm has been selected.
Family Medicine/University Center, Outdoor Recreation Area, Phase III	NC4	Architectural & Engineering Services	---	\$ 250,262	Planning studies are underway and the architectural firm has been selected.

PROJECTS UNDER CONSTRUCTION

Project	Architects or Engineers	Contractors	Contract Award Date	Original Adjusted Completion Date	Original Current Contract Amount	Status Percent Complete	Source of Funds
Energy Center Building, Phase IIA	The Benham Group	Harmon Construction	07/14/83	<u>12/31/85</u> 05/14/86	\$ 9,229,613 \$10,045,972	80%	State Building Funds and private funds.
Energy Center Building, Phases IIIA and IIIA (Alternate)	The Benham Group	Harmon Construction	01/13/84	<u>12/31/85</u> 05/14/86	\$3,788,914 \$5,080,127	83%	State Building Funds and private funds.
School of Music Building, Phase IA	Kaighn Associates Architects Inc. and Bauer, Stark & Lashbrook, A Joint Venture	Flintco, Inc.	02/08/84	01/27/86	\$4,368,000 \$5,323,884	85%	State Building Funds and private funds.
Utility Systems Improvements, Electrical Distribution Extensions	C.H. Guernsey Company, Inc.	Physical Plant	---	11/1/85	\$1,417,200 \$1,429,002	90%	Utility Bond Funds.
Utility Systems Improvements, Building Automation System Additions	Physical Plant	Physical Plant	---	05/24/86	\$ 446,000	55%	Utility Bond Funds.
Indoor Practice Facility	Quinn and Associates	Milner Construction Company	08/01/85	01/28/86	\$ 871,840 \$ 873,340	10%	Private Funds.
School of Library Science Renovation	Architectural & Engineering Services	Physical Plant	---	---	\$ 100,000	80%	State Building Funds.
Utility Systems Improvements, Turbine Generator	C.H. Guernsey Company, Inc.	Kay Engineering Company	07/16/85	02/15/86	\$ 383,605	20%	Utility Bond Funds.
Building 134 Computer Space Renovation	Architectural & Engineering Services	Oklahoma Electric Supply Company	09/17/85	01/15/86	\$ 163,788	0%	Federal Funds.

Project	CMP Priority Number	Architects or Engineers	Contract or Letter	Estimated Cost	Status
Science Hall Renovation	M&R 20	Shaw Associates, Inc.	01/22/76	\$ 886,201	Inactive.
Gould Hall Renovation, Phase II	M&R 13B	Loftis, Bell & Downing Architects and Planners	07/22/82	\$ 1,695,000	Inactive.
Golf Course Improvement Program, Dam, Lake, and Pumping System, Part 1	---	Associated Engineers, Inc.	12/10/80	\$ 450,000	Final plans have been completed.
Golf Course Improvement Program, Water Distribution and Sprinkler System, Part 2	---	Architectural and Engineering Services	---	\$ 300,000	Final plans have been completed.
Golf Course Improvement Program, Landscaping and Other Improvements, Part 3	---	Architectural and Engineering Services	---	\$ 250,000	Preliminary studies are in process.
Golf Course Improvement Program, Effluent Line, Part 4	---	Associated Engineers, Inc.	12/10/80	\$ 150,000	Final plans have been completed.
Energy Center Building, Phases IIB, IIIB, IV and V	NC 1	The Benham Group	12/16/81	\$45,000,000	Phase IA is complete. Phases IIA and IIIA are under construction. A contract for Phase IIB and IIIB is pending. Design development plans for Phase IV are complete. Additional work on Phase IV is underway.
School of Music Building, Phase 1B, 1C and 1D	NC 2&3	Kaighn Associates Architects, Inc. and Bauer, Stack & Lashbrook A Joint Venture	04/08/82	\$13,400,000	Contract documents have been completed for Phases 1B, 1C and 1D. Phase 1A is under construction. Additional work on Phase 1B is on hold.
Brooks Street Parking Area	---	Lawrence, Lawrence, and Fletcher	07/27/79	\$ 750,000	Inactive.
Copeland Hall Addition	NC 4	Murray-Jones-Murray	03/01/83	\$ 5,000,000	Inactive.



Project	CMP Priority Number	Architects or Engineers	Contract or Letter	Estimated Cost	Status
College of Environmental Design Expansion	M&R 9	Architectural and Engineering Services	---	\$ 800,000	Inactive.
Career Planning and Placement Renovation	M&R 59	Architectural and Engineering Services	---	\$ 200,000	Inactive.
University Childhood Center	NC 27	Architectural and Engineering Services	---	\$ 800,000	Inactive.
N.E.L. Building Renovation	M&R 73	Architectural and Engineering Services	----	\$ 500,000	The telecommunications section of this project is complete. Plans for the second floor area have been completed.
Utility Systems Improvements	NC 5	C.H. Guernsey Company, Inc.	07/06/84	\$ 9,986,000	Initial studies are complete. Construction is underway. Plans for additional elements of work are in preparation.
Chilled Water Plant No. 1 Modifications	M&R 73A	---	---	\$ 458,000	A grant of \$210,000 has been received from DOE.
Max Westheimer Field, Ramp Area Reconstruction and Extension	NSI 7	Leard and Associates	----	\$ 2,000,000	The consultant's report has been received and is being reviewed.
Max Westheimer Field, Master Plan Update	---	Braun Binion Barnard, Inc.	04/01/85	\$ 65,000	Grants for this work have been awarded. An Environmental Assessment for Approach Protection has been completed and the master plan update is underway.
Biological Station Renovation and Improvements	M&R 22 and M&R 24	Architectural and Engineering Services	---	\$ 326,000	Preliminary plans have been prepared. Final plans are being completed. Bids were received August 29, 1985 and a construction contract is being processed.



*The*  
*University of Oklahoma*

EXHIBIT D  
10-16-85

OFFICE OF LEGAL COUNSEL  
660 Parrington Oval, Suite 213  
Norman, Oklahoma 73019  
(405) 325-4124

March 21, 1985

TO: Dr. Martin Jischke  
Interim President

FROM: Stanley M. Ward *SMW*  
Chief Legal Counsel

SUBJECT: Right of Board of Regents of the University of Oklahoma  
To Have Access to Books and Records of the University of  
Oklahoma Foundation, Inc. and For an Accounting

The Office of Legal Counsel has been requested to provide an opinion concerning the legal relationship between the Board of Regents of the University of Oklahoma (BOARD), a constitutional state agency, and the University of Oklahoma Foundation, Inc. (FOUNDATION), an Oklahoma nonprofit corporation. Integral to this issue, the following questions have been raised:

1. Is the BOARD the beneficiary of the FOUNDATION?
2. What are the BOARD's rights of inspection and examination of the books and records of the FOUNDATION?
3. Is the BOARD entitled to an accounting from the FOUNDATION?

As you know, the BOARD is a constitutional state agency by virtue of Article 13, §8 of the Oklahoma Constitution. It has enjoyed constitutional status since 1944, and has broad powers of government vested in the Regents to administer the University. Nevertheless, the strictures of the state legislature oftentimes severely limit the University's ability to expend monies. Accordingly, there was a perceived need to have a more flexible vehicle in the form of a tax exempt organization to accept and manage gifts for the benefit of the University unencumbered by the constraints imposed on the University as a state agency.

The Foundation was formed as a charitable trust on December 1, 1944, and was operated thereafter as a charitable trust until February 25, 1955. On that date it was incorporated as a nonprofit corporation by the State of Oklahoma. While its entity status was changed from a charitable trust to a nonprofit corporation, the original purpose of the Foundation remained unchanged, i.e., to promote and enhance

the educational mission of the University of Oklahoma. I have attached to this memorandum copies of the Articles of Incorporation, By-Laws, and Statement About Policies dated June 22, 1979. Ron D. Burton, Executive Director of the Foundation provided these documents and informed me that he is currently involved in a revision of the Statement About Policies which explains the handwritten interlineations contained in that document. It is unchallenged that from a historical review of the Foundation it has always existed to solely and exclusively benefit the University of Oklahoma. Article V of the Articles of Incorporation succinctly states in pertinent part:

"This Corporation is created, and shall be administered and operated exclusively, for the benefit of the University of Oklahoma, insofar as the same shall be in the aid of charitable, benevolent, religious, educational, scientific, and literary purposes, as, in the judgment of the Trustees, shall be in the furtherance of the public welfare and done to promote the well-being of mankind."

This Statement of Purpose is totally congruous with the Foundation's role as the Trustee of the charitable trust prior to incorporation on February 25, 1955.

During the past forty years, the more sophisticated charitable foundations have availed themselves of the benefits of incorporation. This phenomenon is described in California Nonprofit Corporations, Cal. Continuing Education of the Bar, 1969, Section 15, at pgs. 7 & 8 as follows:

"The principal drawback to using the trust form is the burden imposed on the trustee. Absent an agreement with a creditor to the contrary, a trustee is personally liable on contracts with third-persons.

The principal advantage of the corporate form of a nonprofit organization is that it accomplishes anything the other forms of organizations may accomplish, and often more."

As a general rule successful and prominent persons serve as trustees of foundations. Such persons do not desire to have undue personal exposure for their acts as trustees. Therefore, the nonprofit corporation offers an additional layer of insulation from liability not provided by a charitable trust. This distinct advantage caused the abandonment of the charitable trust as the foundation's favored legal vehicle several decades ago.

As a nonprofit corporation, the Foundation does not have shareholders. It does, however, have personal, corporate, and association members who achieve membership by making a contribution to the Foundation of at least \$100. The membership certificate has a term of fifteen (15) years unless the individual member sooner

dies. Foundation membership is provided in Article VI of the Articles of Incorporation.

The legal structure of the charitable trust is characterized by the trustor or creator, the trustee, and the beneficiary. In the case of the Foundation, before February 25, 1955, the trustees received donations and utilized the principal and interest from these gifts solely for the benefit of the University and in accordance with the donor's intent. As beneficiary of the charitable trust, the Board had the rights, powers and entitlements of a beneficiary of a charitable trust. After the incorporation of the Foundation, the Regents were no longer referred to as "beneficiary" but for all purposes the Regents were in fact the sole and exclusive beneficiary of the Foundation. This exact language which sets this forth in the Articles of Incorporation, Article V, is: "This Corporation is created, and shall be administered and operated exclusively for the benefit of the University of Oklahoma...". Thus, the Board is in fact the beneficiary of the corporate entity the same as it was the beneficiary of the predecessor charitable trust. Analogously and comparatively, it can be illustrated as follows:

OU Foundation, a charitable trust, from December 1, 1944 to February 25, 1955:

<u>Donors</u>	<u>Trustees</u>	<u>Beneficiary</u>
Individuals, Corporations and Associations	Appointed Individuals To Serve as Trustees	Board of Regents of the University of Oklahoma

OU Foundation after incorporation as a nonprofit corporation on February 25, 1955.

<u>Donors</u>	<u>Trustees</u>	<u>Beneficiary</u>
Individuals, Corporations and Associations (Members if gifts are in excess of \$100)	16-40 in Number All Of Whom Are Members Of The Foundation	Board of Regents of the University of Oklahoma

I am of the opinion that the Board of Regents of the University of Oklahoma is the exclusive "beneficiary" of the University of Oklahoma Foundation, Inc., and that the Board has the same rights, powers, privileges, and immunities that it enjoyed as the beneficiary of the charitable trust.

As the beneficiary of the Foundation, does the Board have the right to inspect the books and records of the Foundation? Article

Dr. Martin Jischke  
March 21, 1985  
Page 4

IX, p. 7, of the Foundation By-Laws provides, in pertinent part, as follows:

"The Board shall provide for a system of books and records designed to give a clear, accurate, full and detailed account of all the properties and dealings of the Foundation. Such records shall be kept on file at all times in the Office of the Foundation and shall be open for inspection at all reasonable times by any member of the Foundation.

The Executive Director of the Foundation shall be in charge of the books and records and shall keep and maintain them in such a way as to show a full and detailed account of all properties of the Foundation and to show a full and detailed account of all proceedings and transactions of the Board. He shall see that all notices are duly given in accordance with these By-Laws and execute and sign such instruments as the Board shall direct and he shall certify to the official acts of the Chairman or acting Chairman of the Board. He shall provide a seal for the Foundation which shall be circular in form and bear the name of the Foundation."

This language in the Foundation's By-Laws is parallel with that found in the Model Nonprofit Corporation Act with the exception that the Model Act is more expansive and allows the member, or his agent or attorney the right of inspection. Model Nonprofit Corporation Act, Commission on Corporate Laws of ABA, 1964. It is palpably clear that a "member" of the Foundation has at all reasonable times the right to inspect the books and records. However, both the Articles of Incorporation and By-Laws are silent with reference to the express right of the beneficiary to inspect the books and records. Thus, it is necessary to review fundamental charitable trust rules pertaining to the inspection of books and records by a beneficiary. In Bogert, Trust and Trustees, 2d Ed. Rev., §861, Securing Information, at pgs. 7 and 8 it is stated:

"The beneficiary is entitled to know what his rights under the Trust are and what the status of the trust administration is, so that he can secure performance or redress for a breach. This basic remedy includes inspection of the trust property and records and papers, securing from the trustee relevant information, and obtaining an accounting in Court."

And in Section 391 at p. 206 Bogert, supra, says:

"The powers, duties and liabilities of trustees for charity are, with only a few exceptions, the same as in the case of private trusts."

Likewise, Fletcher, Cyclopedia Corporations, Rev. Vols., Vol. 1, §2.75, in discussing the comparison between charitable trusts and nonprofit corporations states:

"The rules governing charitable trusts are applicable, and there is a duty to follow the declared purposes, and not to divert assets to other uses--and this duty is supposed to be enforced by the Attorney General of the State."

Oklahoma's statutory provisions pertaining to nonprofit corporations disclose a paucity of decisions interpreting the nonprofit corporation in this jurisdiction. To determine the statutory right of inspection of books and records in a nonprofit corporation, it is necessary to review 18 O.S. 1981 §1.71 of the Business Corporations Act entitled "Inspection of Corporate Records". Subsection b. provides:

All records specified in Section 16 of this Act, whether required to be kept in the registered office or in lieu of which a statement may be there kept, shall be kept by every corporation open to inspection or examination, and to the taking of extracts of the making of abstracts therefrom, by each shareholder or voting trust certificate holder, in person or by agent or attorney, at any reasonable time, for any proper purpose, at the place where such records are usually kept."

Subsection e. of Section 1.71 further provides:

"e. Nothing herein contained shall impair the power of any court of competent jurisdiction, upon proof by a shareholder, or other person possessing such right, of proper purpose, to compel by mandamus, or otherwise, the production for examination by such shareholder, or such other person, the books and records of a corporation."

In Wologyn v. Begarek, Okl., 378 P.2d 1007 (1963), the Oklahoma Supreme Court was forced to review the absence of rights of inspection in the nonprofit corporate statutory provisions in this state and stated, at p. 1010 as follows:

"For the purpose of this opinion we will assume, but without deciding, that the rights of inspection granted under such Act (Business Corporation Act) are applicable."

Then the Court cited an Illinois case holding that the right of inspection had to be "for a proper purpose" which it found to be a purpose lawful in character, wherein a stockholder in good faith seeks information bearing upon the protection of its interest and that of other stockholders in the corporation, and not contrary to the interest of the corporation, as distinguished from one seeking to gratify his curiosity or proceeding for speculative or vexacious

Dr. Martin Jischke  
March 21, 1985  
Page 6

purposes. Another Illinois decision, Morris v. Broadview, Inc., 52 N.E. 2d 769 (1944) cited by the court in Wologyn, supra, held that at common law stockholders had the right to examine at reasonable times the records and books of the corporation, but mandamus would not issue as a matter of course to enforce mere naked right or to gratify mere idle curiosity, and it was necessary for petitioner to show some specific interest at stake rendering the inspection necessary, or some beneficial purpose for which examination was desired. The Oklahoma Law Review, Symposium on Corporation Law, Vol. 30, Summer 1977, No. 3, at pgs. 616-621 contains a well-written article entitled, "Shareholder's Inspection Rights." At p. 616, the author writes:

"American Courts have repeatedly affirmed the long-established common law right of a shareholder to inspect corporate books and records. This right at common law, stated in general terms, is that every shareholder of a private corporation has the right, by reason of his interest therein, to inspect and examine the books and papers of the corporation at 'reasonable times and places' and for 'proper purposes'."

This author concludes that the Oklahoma Supreme Court based on its broad interpretation of the term "proper purpose" in Wologyn, supra, is apt to continue to apply the expansive approach in future cases dealing with other types of inspection (of books and records) requests.

It is unfortunate that neither the Nonprofit Corporations provisions, 18 O.S. 1981, §§851-864, nor the Supreme Court have directly addressed the inspection of books and records issued with express certainty as this issue pertains to nonprofit corporations. However, I am of the opinion that the historical charitable trust predicate permitting inspection of books and records by the beneficiary coupled with the Wologyn "expansiveness" gives to the Board the right to inspect the Foundation's books and records when such request is made in "good faith" and for a "proper purpose".

Article IX of the Foundation's By-Laws expressly compels the Executive Director of the Foundation to be in charge of its books and records and to keep and maintain them in such a way as to show a full and detailed accounting of all proceedings and transactions of the Foundation. In keeping with this policy, the Foundation has an annual independent external audit of its financial affairs by a Big 8 accounting firm and makes this audit report available to its membership. Any member of the Foundation has an entitlement to the report of the independent auditors together with access to the books and records as hereinabove discussed. The Board as beneficiary of the Foundation, would also have the right to receive and review a copy of the auditor's report and to in good faith and for a proper purpose examine the books and records necessary to support or challenge the accuracy of reported audit findings.

Dr. Martin Jischke  
March 21, 1985  
Page 7

My conference with Ron D. Burton was very cordial and he expressed an unequivocal willingness to assist the Board when the Board deems it necessary to inspect the books and records of the Foundation. His primary request is that the Foundation be afforded reasonable notice and specificity requesting information in order to permit his staff to assemble and make available these books and records. He advised me that the Foundation has over 3,000 managed accounts and that an invoice for each expenditure made by the Foundation is an integral part of the account file. As a lawyer and accountant, Mr. Burton is cognizant of the Board's right to examine the Foundation's books and records when the request is made in good faith and for a proper purpose, and more importantly, that the sole reason for the existence of the Foundation is to promote and enhance the educational mission of the University of Oklahoma.

In conclusion, it is my opinion that (1) the Board of Regents of the University of Oklahoma is the "beneficiary" of the Foundation; (2) the Board of Regents of the University of Oklahoma has the right as beneficiary to inspect the Foundation's books and records when the request for inspection is made in good faith and for a proper purpose, and (3) the Board of Regents of the University of Oklahoma has an entitlement to an accounting as beneficiary from the Foundation.

SMW:pd