

**C O N T E N T S**  
**MINUTES OF A REGULAR MEETING**  
**THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS**  
**DECEMBER 8, 1994**

Minutes (24168)

**THE UNIVERSITY OF OKLAHOMA**

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**CAMERON UNIVERSITY**

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**MINUTES OF A REGULAR MEETING  
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS  
DECEMBER 8, 1994**

A regular meeting of the Board of Regents governing The University of Oklahoma and Cameron University was called to order in the Board Room of the Foundation Building on the Norman Campus of the University beginning at 8:39 a.m. on Thursday, December 8, 1994.

The following Regents were present: Regent E. Murray Gullatt, Chairman of the Board, presiding; Regents G. T. Blankenship, J. Cooper West, Stephen F. Bentley, Melvin C. Hall, Donald B. Halverstadt, M.D., and C. S. Lewis III.

Others attending all or a part of the meeting included David L. Boren, President of The University of Oklahoma, Provosts James F. Kimpel and Jay H. Stein, Vice Presidents Jerry B. Farley and Mark E. Lemons, Interim Vice Presidents Richard E. Hall and Eddie C. Smith, Mr. Fred Gipson, Chief Legal Counsel, Ms. Beth Wilson, Affirmative Action Officer, and Dr. Chris Purcell, Executive Secretary of the Board of Regents.

Those attending the meeting from Cameron University were Don Davis, President of the University, Provost Terral McKellips, Vice Presidents Louise Brown and Don Sullivan, and John Sterling, Controller.

Notice of the time, date, and place of this meeting was submitted to the Secretary of State, and the agenda was posted in the Office of the Board of Regents on or before 8:30 a.m. on December 7, 1994, both as required by 25 O.S. 1981, Section 301-314.

## **MINUTES**

Regent Hall moved approval of the minutes of the special meeting held on November 7, 1994 and the regular meeting held on November 7-8, 1994 as printed and distributed prior to the meeting. The following voted yes on the motion: Regents Gullatt, Blankenship, West, Bentley, Hall, Halverstadt, and Lewis. The Chair declared the motion unanimously approved.

## **THE UNIVERSITY OF OKLAHOMA**

### **REPORT OF THE PRESIDENT OF THE UNIVERSITY**

President Boren reported on his first three weeks in office. He said the first day was filled with meetings and visiting with various groups, including Provosts, Vice Presidents, Deans and University officers; the Employee Liaison Council from HSC; the Norman Campus Staff Senate; lunch with students at Couch Cafeteria; and he met with student leaders representing major student organizations, housing organizations, the Greek system, ethnic organizations, student government and commuter students. Later in the day President Boren said he addressed a joint faculty meeting which was very uplifting and encouraging for him in the sense of partnership with the faculty. Following the faculty meeting he said he attended a meeting of the search committee for the position of Vice President for Institutional Advancement. The final meeting was with 100 members of the President's Leadership Class at the President's Home.

Mrs. Boren also spent a full first day which included a luncheon meeting with Mrs. George Cross and Mrs. Paul Sharp and the leadership of the University Women's Association to discuss family life on campus and how faculty spouses might become more involved. The second day was spent on the Health Sciences Center Campus where the President said he addressed over 350 medical students with open discussion. This was followed by lunch with the Provost and HSC Deans and then a large well attended reception. The welcome could not have been warmer.

Last week, President Boren said, was the kick-off of the roundtable discussions. Ten faculty members and spouses attended and hosted tables of six students each--both faculty and students were from many varied disciplines--and a keynote speech was given by Ambassador Ed Perkins, formerly Ambassador to South Africa and now to Australia.

President Boren discussed several initiatives that are now being pursued:

- A focus on the reinvigoration of the undergraduate experience by recognizing, rewarding and promoting great teaching and encouraging mentoring and advising.
- Establishing a process to focus attention on the University's principal mission--education. Budgetary policies must reflect that mission. Private fund raising is key to having a margin of excellence and development efforts must be reorganized and coordinated on all of OU's campuses.

Following the tragic accidental death of Jason Whitrock, a student, President Boren said he met with the sorority and fraternity presidents to discuss ways to make sororities and fraternities and all housing units the kind of communities that really improve the quality of life on the campus. There has been excellent response from students as well as alumni to helping achieve this.

President Boren said in keeping with the strong desire to be one community and one family, he asked Dr. Tom Boyd, Chair of the Norman Campus Faculty Senate, to be present and share hopes and aspirations and provide a direct report.

Professor Boyd said he has observed a growing demoralization among the faculty. After serving in the Faculty Senate the past four years almost every discussion in any faculty meeting includes the subject of money, which he felt was driven by the money questions. He said the questions of financing higher education are very large and complex and the University will continue to deal with them, however, what he was hearing from the faculty was a sense of not being a full partner in the process and of perceiving themselves as being to some degree disenfranchised from the rich process of making the system work. The underlying sense of demoralization began to change with the inspiration of the address Mr. Boren gave upon accepting the Presidency. Since that time there has been within faculty members a high level of excitement as well as concern over what the University is doing, how it can be done better and how it can be supported. Professor Boyd said the faculty executive committee told him to congratulate everyone on the dialogue and communication and crossing of boundaries. The faculty wants to be a full partner in making this University happen.

Dr. Boyd said the number one issue before the faculty is the issue of retirement. It is a front line, critical issue and the faculty will work diligently with the President and administration to bring about the best possible solution. President Boren responded a mini retreat has

been planned to discuss this serious retirement issue. The faculty are undercompensated and the impact of a greater contribution to teacher retirement would have the effect of greatly reducing the take-home compensation of faculty and staff. He said the administration will be talking with the OSU leadership and with the legislative delegation about a strategy and fair solution to this issue.

President Boren highlighted a number of recent achievements of the University:

- The OKLAHOMA DAILY received the 1994 National Pacemaker Award from the Associated College Press, one of only five college newspapers in the country.
- The OU Press received the Barbara Sudler Award for best work of fiction or nonfiction of a Western American subject by a woman author. This is the fifteenth major award received by the Press in 1994.
- Assistant Professor of the History of Science Gregg Mitman received the Gustave Art Award in History given by the Council of Graduate Schools in the U.S. This is awarded to one young scholar who has earned a doctorate in the past seven years and has published a book deemed to be of outstanding scholarly significance.
- Assistant Professor of Art Susan Caldwell received a Governor's Arts Award for her contributions to art and education, particularly the teaching of visual art and art history for 17 years.

President Boren said retired faculty are an important part of our community and many have indicated they would love to continue to contribute in any way they can. In order to stretch resources at a low cost in terms of high quality and enormous contribution, he said he cannot think of a better way than to give some senior retired faculty the opportunity to serve the University. President Boren said he will be announcing next week the appointment of a committee co-chaired by J.R. Morris and Paul F. Sharp to examine how to better use retired faculty resources in these times of tight resources and small faculty numbers. He ended his remarks with a thank you for the invitation to come and be a part of The University of Oklahoma family.

## **INTERNAL AUDITING QUALITY CONTROL REVIEW BY THE STATE AUDITOR AND INSPECTOR**

During the previous legislative session H.B. 1842 was enacted. This bill changed two provisions of the law that relate to audits of higher education institutions. First, the provision prohibiting contracting of the external audit with the same firm for a period longer than three years was changed to five years. Second, a new provision was added requiring the State Auditor and Inspector to perform a quality control review of all higher education internal auditing functions, if requested, at least once every three years.

In response to that law, the State Auditor and Inspector has performed a quality control review of the University's internal auditing department that began on November 14, 1994. Copies of the State Auditor and Inspector's report resulting from that review have been distributed to the President and the Regents. A copy has also been provided to the President of Cameron University which contracts its internal auditing function with the University.

The Honorable Clifton H. Scott, State Auditor and Inspector, accompanied by Mr. Stephen L. Tinsley, Director of State Agency Audit Division, and Ms. Brenda G. Holt, Audit Manager of State Agency Audit Division, were present at the meeting to the report to the Board.

Mr. Scott said The University of Oklahoma is the first University in the State that requested the quality control review on the Internal Auditing Department. There were no significant findings. He assured the Regents the Internal Auditing operation is functioning the way it should and meets all of the required standards.

This report was presented for information and discussion. No action was proposed.

### **1993-94 EXTERNAL AUDIT AND ANNUAL FINANCIAL REPORTS**

Deloitte & Touche LLP has completed the University audit for the year ended June 30, 1994. Copies of the Independent Auditor's Report and the Annual Financial Reports were mailed to the Regents with the agenda.

The audit was conducted in accordance with generally accepted auditing standards and in accordance with the engagement letter dated April 21, 1994. Based upon the audit, Deloitte & Touche issued opinions that the financial statements of both the Norman and Health Sciences Center campuses present fairly, in all material respects, the financial position of the University. The complete opinion statements for both campuses are included in the audit report.

In addition, Deloitte & Touche issued a Letter of Recommendations and Other Audit Communications outlining recommendations to improve internal control for each campus. This letter was also enclosed and included a management response to each recommendation.

Mr. Don Williams and Mr. Joe Evans, representatives of Deloitte & Touche were present at the meeting to review the report and to answer questions.

Mr. Williams stated the audit went very well and there are no significant issues to be discussed. There is a clean opinion on each of the financial statements. He reviewed the Letter of Recommendations for the Board, which included required communications and also "big picture" issues and the result of the current status of issues that have been addressed in prior years.

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

### **CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING**

The Government Finance Officers Association of the United States and Canada (GFOA) has awarded Certificates of Achievement for Excellence in Financial Reporting to The University of Oklahoma Norman Campus and the Health Sciences Center for the Component Unit Financial Reports (CUFR) for the fiscal year ended June 30, 1993. Each campus prepared and submitted a CUFR independently of each other and both CUFR's qualified for the Certificate. The Certificate of Achievement is a prestigious national award recognizing conformance with the highest standards for preparation of state and local government financial reports.

In order to be awarded a Certificate of Achievement, a government unit must publish an easily readable and efficiently organized CUFR whose contents conform to program standards. Such CUFR must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. The Controllers' offices at each campus were responsible for preparing the financial information which received the Certificate of Achievement for the second consecutive year. A CUFR for the fiscal year ended June 30, 1994 has been prepared which we believe continues to conform to the Certificate of Achievement program requirements, and is being submitted to GFOA.

Vice President Farley said due to the fine work of the accounting staffs on both campuses, the University has again this year received an award for the financial reports that have been prepared. This is a remarkable achievement and very few universities have received this award. President Boren said this award recognizes our reports as having met the very highest standards. He thanked Terry Henson, John Moore, Chris Kuwitzky, Steve Stanley, Terri Turkington, Julie Forthman, and others who worked with them and the certificates were presented to those staff members present.

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

## **POST-SEASON ATHLETIC CONTEST**

Board of Regents' policy provides that Board approval is required prior to the acceptance of any post-season athletic contest. The football team has received an invitation to participate in a post-season football game. A coalition of conferences and bowls has been established. By agreement with the Big Eight Conference, the University and the Bowls within this coalition, The University of Oklahoma has been selected for participation in the Weiser Lock Copper Bowl. The team has voted and indicated that they desire to accept a bowl bid.

Many arrangements necessary for the University's participation in a bowl game must be made; therefore, it is necessary to seek approval of the second portion of the above proposed action. Provisions outlined in Regents' policies regarding post-season athletic contests will be followed.

President Boren recommended the Board of Regents (1) authorize the President, in concert with the Athletic Director and the Head Football Coach, to accept the post-season bowl game invitation extended to The University of Oklahoma, (2) authorize the Athletic Director or his designee to award purchase orders and sign contracts associated with The University of Oklahoma's participation in a post-season bowl game, and (3) authorize the Athletic Director or his designee to negotiate an agreement with The University of Oklahoma Foundation to advance bowl-related expenses as required.

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

## PRIORITY SEATING PROGRAM FOR FOOTBALL

At the end of the 1994 football season, the current priority seating programs for football expire. The Underdeck and Upperdeck chairback seats (STEP I and STEP II respectively) have completed two priority cycles (1975 through 1984; 1985 through 1994). The Row 29/30 chairback seats completed one priority cycle (1982 through 1991) and were renewed for three years (1992 through 1994) so all chairback priority periods could be synchronized. The ASDP is an annual program.

The donation required for a seating priority in Row 29/30 chairback seats (ASEP - 192 seats) for the 3-year period 1992-1994 was \$500 per seat per year.

The donation required for a seating priority in Underdeck chairback seats (STEP I - 1409 seats) was originally \$2,500 per seat payable within three years (\$250 per seat per year) for the first 10-year period 1975-1984. In 1978-79, these donors were invited to extend their priorities for a second 10 years (1985-1994) under an early renewal plan at the same price. In 1984, the required donation for these seats became \$500 per seat per year for the second 10 years (1985-1994).

The donation required for a seating priority in Upperdeck chairback seats (STEP II - 1626 seats) was originally \$1,000 per seat payable within three years (\$100 per seat per year) for the first 10-year period 1975-1984. In the 1978-79 early renewal plan, these donors were invited to extend their priorities for a second 10 years (1985-1994) at the same price. In 1984, the required donation for these seats was increased to \$200 per seat per year for the second 10 years (1985-1994).

It is recommended that the chairback seating priority be established as follows:

Priority Period:	Three years (1995 through 1997 football seasons).
Annual Cost:	\$500 per seat per year for Underdeck and Row 29/30. \$200 per seat per year for Upperdeck.
Payment Schedule:	Annually with the first payment due by February 1, 1995, and each February 1 thereafter until the total amount has been paid.
Early Payment:	Donations paid by February 1, 1995 for priority seating for the entire 3-year period (1995-1997 football seasons) shall be \$1,250 per seat for Underdeck and Row 29/30 and \$500 per seat for Upperdeck.
Renewal Rights:	Each current chairback seatholder will have the first right of renewal on their 1994 chairback seats as rotated for 1995 at proposed rates.
Rotation Plan:	Annually.

Monies derived from the resale of the football chairback seats will be dedicated to the Athletic Department's capital improvement projects.



Since the programs have expired, it is time to establish criteria for the priority on these seats. It is recommended that the current annual donor program (ASDP) be changed to the annual Athletic Donor Program (ADP). Monies derived from the ADP will be dedicated to the general operational support of the Athletic Department, including areas such as academic support, compliance, and gender equity.

President Boren recommended the Board of Regents authorize the Athletic Department to (1) implement a 3-year (1995 through 1997 football seasons) priority seating donor program for the football chairback seats with donations at the prices established in 1984 of \$500 per seat per year for those chairback seats located in the Underdeck and Row 29/30 and \$200 per seat per year for those chairback seats located in the Upperdeck area; and (2) change the present annual Athletic Scholarship Donor Program (ASDP) to the annual Athletic Donor Program (ADP).

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

## NUMBER NYNE CRISIS LINE

At the request of The University of Oklahoma Board of Regents, information regarding Number Nyne Crisis Line services and training is presented below. Number Nyne Crisis Line, a service of the University since the 1960s, is directed by University faculty and staff and operated by University students, most of whom are undergraduate psychology students and graduate community counseling students. Supervision for Number Nyne Crisis Line was assumed from the Counseling and Testing Center, Division of Student Affairs, by the Counseling Psychology Program, Department of Educational Psychology, College of Education, in August 1993.

The crisis line operates seven days a week from 8 p.m. to 4 a.m., serving as an after-hours resource for students and community members. Although Number Nyne Crisis Line is located on the Norman Campus, calls are received from the entire Oklahoma City metropolitan area. Staff members attempt to help callers by utilizing their counseling skills and making referrals upon request to various community agencies trained to handle issues ranging from housing to therapy.

Number Nyne Crisis Line currently is supervised by Professor Cal Stoltenberg, Director of Training for the Counseling Psychology Program, Department of Educational Psychology, College of Education. Professor Stoltenberg, other Counseling Psychology faculty, and Counseling Psychology doctoral students--including the crisis line coordinator, a third-year doctoral student in Counseling Psychology--train the Number Nyne Crisis Line staff members.

Training includes eight hours of lectures given by Counseling Psychology faculty and doctoral students on topics such as basic counseling, suicide, depression, rape counseling, child abuse, crisis theory, and referral skills. Additional training is provided through role-playing exercises and by having trainees listen to actual calls to learn through modeling how to assist callers. Finally, experienced staff members supervise students when they begin taking calls and provide feedback regarding their performance.

As the skills used by Number Nyne Crisis Line staff members are similar to those taught in the Counseling Psychology Program, the use of Counseling Psychology faculty ensures that the training of the coordinator and staff members will remain consistent with the needs of those who benefit from Number Nyne Crisis Line services.

Dr. Kimpel introduced Professor Cal Stoltenberg and Sean Turner, a graduate student with supervisory responsibilities for the Number Nyne Crisis Line program. Professor Stoltenberg reviewed some of the history of this campus service. He said the average number of calls per evening is three. The training procedures are constantly under review and changes are made to improve them. Training includes role playing of telephone situations, working on the line with experienced Number Nyne personnel, observation and listening in as experienced staffers are working the line, and processing telephone calls until the trainees can take primary responsibility for working the lines alone. There are two crisis line numbers and a third line which is the business number. There is always a back-up person for the staff member who is on duty at any given time. The business line can be used if the staff member needs assistance or advice from a more experienced member. There are lots of resources available. The staff is on a volunteer basis entirely.

This report was presented for information and review only. No action was required.

## GEORGE LYNN CROSS SCULPTURE

A group of alumni have established an account at the OU Foundation to commission and finance a sculpture of Dr. Cross to be displayed outdoors in a suitable area surrounded by appropriate landscaping. When the sculpture is completed, it will be officially received and accepted by the University. Chair of the fund-raising effort is G. T. Blankenship, Vice Chairman of the Board of Regents.

President Boren recommended the Board of Regents enthusiastically endorse a project to produce a life-size sculpture of Dr. George Lynn Cross, seventh President of The University of Oklahoma, as an appropriate expression of deep appreciation and respect for the outstanding contributions he has made to the University and his historical importance to The University of Oklahoma.

President Boren said there are a number of alumni and friends of the University and many members of the faculty who have approached him and members of the Regents to suggest that because of the historic importance of Dr. Cross, there should be an appropriate memorial to him and to his values so that future generations of students might be inspired by him. He served longer as President of the institution and led the University through the peaceful adjustment to racial desegregation on our campus. Dr. Cross built a comprehensive University. When he became President, there were 98 graduate students and when he retired there were 3,637. When he became President, there were 250 students in University housing facilities on the campus and after World War II he included student families and single students and over a period of time there were well over 8,000 housed on the campus. In many ways George Cross was the true architect of the University as it is.

President Boren said it is also his recommendation, notwithstanding any other Regents' policies because of the extraordinary circumstances, that the additional room which will be added to Boyd House as a community gathering place, a place where lectures can be held for up to 100 people at the back of that house and where the University community will

gather on many occasions, be named after Cleo Cross. Just as Dr. Cross was the leader from Evans Hall, in many ways Mrs. Cross was the leader from Boyd House, creating that sense of family that we all admire. President Boren said it would be very appropriate for the Board to take action recognizing the contributions of both of them at the same time. There is a lot of enthusiasm. The fund raising, all private funds, is already underway and an account has been opened at The University of Oklahoma Foundation for this purpose. Paul Moore, a native Oklahoman now qualified as an outstanding sculptor, is at work on the preliminary sketches and along with the University's landscape department is considering what might be placed in front of Evans Hall surrounded by suitable benches, a place where it would be inviting for students and faculty to gather and visit together. President Boren said he enthusiastically recommends that the Regents endorse this proposal and that they also take the action in terms of naming the room which will soon be constructed at Boyd House after Mrs. Cleo Cross.

Regent Hall moved approval of the President's amended recommendation as follows:

That the Board of Regents enthusiastically endorse a project to produce a life-size sculpture of Dr. George Lynn Cross, seventh President of The University of Oklahoma, as an appropriate expression of deep appreciation and respect for the outstanding contributions he has made to the University and his historical importance to The University of Oklahoma. Also, that the additional room to be added to Boyd House during the restoration and to be used as a University community gathering place be named after Cleo Cross in recognition of her contributions to the University, not withstanding any Regents' policies.

The following voted yes on the motion: Regents Gullatt, Blankenship, West, Bentley, Hall, Halverstadt, and Lewis. The Chair declared the motion unanimously approved.

## HONORARY DEGREES

President Boren reported earlier to the Board his expectation of presenting at the December meeting nominees and alternates to receive honorary degrees at the Spring, 1995 commencement.

The University policy and the policy of the Oklahoma State Regents for Higher Education on awarding honorary degrees were included in the agenda for reference. The composition of the Honorary Degrees Screening Committee is set forth in the University policy. The individuals who served on the Committee are:

Dr. James F. Kimpel, Senior Vice President and Provost, Norman Campus  
Dr. Jay H. Stein, Senior Vice President and Provost, Health Sciences Center  
Mr. C. S. Lewis III, Regent  
Mr. Fred J. Bennett, Vice President for University Affairs  
Dr. Roger Shalhope, History  
Dr. Roger Brumback, Pathology  
Dr. S. Lakshmiarahan, Computer Science  
Dr. Carole Sullivan, Dean, College of Allied Health  
Dr. David Young, Dean, College of Arts and Sciences  
Professor Francine Weatherby, Nursing  
Dr. Richard Cosier, Dean, College of Business Administration

President Boren said the University Regents and administration desire that the names of the nominees and alternates remain confidential until final arrangements are made for the nominees to be present at commencement.

President Boren recommended that the nominee list as discussed with each Regent prior to the meeting be approved for honorary degrees.

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

## **ONETIME STIPENDS FOR LAW CENTER FACULTY AND STAFF**

At the November meeting, the Board of Regents approved stipends for The University of Oklahoma with the exception of the Law Center. At that time, the Law Center was in the process of analyzing possible salary savings and reallocation possibilities to determine if funds were available for onetime stipends. After careful review, funds have been identified primarily from salary savings with a portion from the Law Center reserve for the award of stipends to the Law Center faculty and staff.

The cost of the recommended Law Center stipends and associated fringe benefits will be \$78,327. The plan would provide stipends to 38 faculty and 34 staff holding permanent appointments with a starting date before January 1, 1994. The plan awards \$1,500 to faculty, \$1,000 to staff with J. D. degrees, \$750 to other monthly staff and \$500 to hourly staff.

A detailed list of staff earning \$40,000 and above and all Law faculty to receive stipends was mailed to the Regents under separate cover.

President Boren recommended approval of onetime stipends for the Law Center as presented.

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

## **COLLEGE OF LAW ENROLLMENT FEE AND NON-RESIDENT TUITION**

Consistent with other professional degree programs—including Medicine, Dentistry, and Veterinary Medicine—at the State's comprehensive universities, the College of Law proposes a flat per-semester enrollment fee and non-resident tuition structure. The proposal includes separate charges for resident and non-resident students. In addition to the flat per-semester assessment—which includes support for course enrollment, library resources, computing, reproduction of materials, and law enrichment activities—all students would remain subject to the University's \$5.15 per-credit-hour student activity fee, which supports campus-wide services; the student facility fee; and the student health fee.

Under the proposed structure, students enrolled in 12 or more hours in the Fall and Spring semesters would be assessed the flat per-semester enrollment fee/non-resident tuition as outlined on the chart below. Students enrolling in fewer than 12 hours a semester and those enrolling in summer school would be assessed a per-hour charge. The average law student enrolls in 15 credit hours per regular semester to complete the 90 hours required to graduate. Thus, a resident law student enrolled in 15 credit hours per semester would pay \$3,600 per year under the proposed structure compared to \$2,847 per year under the current structure (not including student activity, facility, and health fees).

<u>For</u>	<u>Current</u>	<u>Requested</u>
Oklahoma residents:		
Enrollment flat fee	\$94.90* per semester credit hour (sch)	\$1,800.00* per semester for full-time student (12 credit hours or more)
		\$120.00* per sch for fewer than 12 hours and summer session
Non-residents:		
Enrollment flat fee	\$ 94.90 per sch	\$5,550.00* per semester for full-time student (12 credit hours or more)
Non-resident tuition	<u>\$201.25 per sch</u> \$296.15* per sch	
		\$370.00* per sch for fewer than 12 hours and summer session

\* In addition to the enrollment fee/non-resident tuition charges proposed per semester or per hour, law students would continue to be assessed the University's \$5.15 per-credit-hour student activity fee, which supports campuswide services; the student facility fee; and the student health fee.

The proposed enrollment fee/non-resident tuition structure is consistent with the approach taken by nine of 13 of the OU College of Law's peers as well as many of its competitors nationwide. The proposed fee structure will provide students with flexibility in curricular decision-making and may allow some to enroll in more courses than required to graduate without incurring additional costs. The flat rate would eliminate additional special fees and provide the College of Law with a more refined and consistent budgeting process.

Approval of this proposed enrollment fee/non-resident tuition structure would not change the OU College of Law's position relative to its peers. A survey of the College of Law's peer institutions indicates that—even with the proposed increase—OU will continue to be the least costly school in the Big 8 and the lowest cost school in the state. In addition, only 15 schools in the country are less expensive than OU.

Currently, the College of Law receives 56% of its budget from State appropriations, 32% from tuition, and 12% from grants and private contributions. Comparatively, tuition provides 49% of the University of Colorado law school budget; 45% of the University of Nebraska law school budget; 73% of the University of Minnesota law school budget; and 37% of the University of Indiana's law school budget.

The tuition increase is necessary to make progress in the face of rapidly increasing costs and budget deficiencies in recent years. OU's law faculty salaries remain in the bottom 20% of all law schools in the country and are well below peer institutions. Recruitment and retention of faculty will become a serious problem without some budget improvements in the immediate future. The College of Law Library budget requires at least \$100,000 per year above present rates to keep pace with inflation. A larger amount is required to develop the quality of collection, services, and technology that the students, bench, and bar of Oklahoma expect and deserve. Additional funds for student services must become available.

The additional revenue provided by a tuition increase would support scholarships, student recruitment, student support services, enrichment speakers, student organizations, and moot court teams. Without a tuition increase, activities such as portions of the college's summer school program, faculty research and travel, and equipment purchases will be in serious jeopardy.

It is the goal of the College of Law to be ranked in the top third to top quarter of law schools nationwide in terms of academic excellence. The tuition increase is vital to achieving that goal. Students currently enrolled in the College of Law have been apprised of this request. The actual impact on each of the 550 Oklahoma residents enrolled at the law school would be approximately \$85 per month during an academic year.

Comparative information on Big Eight and Big Ten Public Universities' Law School Tuition and Fees for FY95 was included in the agenda.

Implementation of the proposed enrollment fee/non-resident tuition structure in 1995-96 requires approval by the Oklahoma State Regents for Higher Education and the State Legislature.

President Boren recommended the Board of Regents approve the changes in the College of Law's general enrollment fee and non-resident tuition structure as presented above for 1995-96 and authorize the submission of this proposal to the Oklahoma State Regents for Higher Education.

Dean Goplerud said he wished to underscore several areas where additional revenue is sorely needed such as library budget, student services, and faculty recruitment and retention. The Law Library budget ranks 160th of 170 approved law schools in the country in terms of dollars spent per full-time student and 109th out of 177 law schools in terms of new volumes. New technologies need to be added to the program to give students and faculty access to research and learning tools that are available. In the area of student services, the Dean stated the intent is to undertake very intense student recruitment to keep the best and brightest Oklahoma residents from going away to other law schools. Then we need to keep students, to support them with strong tutorial and mentoring programs, to improve the enrichment speakers' program and support new court programs, as well as provide additional financial aid. Dean Goplerud said faculty recruitment and retention comes down to salaries. OU's faculty salaries are in the bottom 20% in the country. The University is at risk of losing 8 to 10 faculty because of salary levels.

The Dean commented the Student Bar Association passed a Resolution showing support for a 15% increase, not the 25% level the administration is proposing.

Dean Goplerud introduced three students who were present for this discussion: Ms. Beth Stathos, President of the Student Bar Association (SBA) and a third-year student, Mr. Dirk O'Hara, a member of the SBA Executive Committee and a third-year student, and Mr. Jason Maxwell, Class President for second year.

Mr. O'Hara said he was appointed chair of the SBA Tuition Committee. This committee's proposal to support a 15% tuition increase and a change to the flat rate proposal from the present per-hour rate was approved by the SBA. There is strong support from the student body for this 15% increase and there are lobbying efforts in which the students would be willing to participate to get this increase passed. He said the Third Clause of the SBA Resolution states: "The students of the College of Law seek to increase the value of their

education by recruiting and retaining quality faculty, staff and students, improving research, teaching and office facilities and generating positive influences to anyone in contact with The University of Oklahoma College of Law." It will take money and that is why the students are stepping up and saying we are willing to pay more because we are getting a bargain. OU is the least expensive school in both the Big Eight and Big Ten. In response to a question, Mr. O'Hara said the students definitely have mixed emotions about a 20% or 25% increase.

Dean Goplerud said the goal is to provide the students with far more than they pay for. It is very possible to be a top quarter law school at bottom 20% costs for students, even with a 20-25% tuition increase.

Mr. Jason Maxwell also commented. He said there is support from the first- and second-year students for a 15% increase. Next year, if it looks like another increase is needed, the support from the students will probably be there.

Following further discussion, Chairman Gullatt suggested the Regents request the \$1,800 flat per-semester fee but commit to phasing it in over a period of two years.

Regent Lewis moved approval of a tuition and enrollment fee increase to be phased in over a two-year period, with an increase for 1995-96 of 15% and then for 1996-97 the Board will review and consider another increase of 10%. The following voted yes on the motion: Regents Gullatt, Blankenship, West, Bentley, Hall, Halverstadt, and Lewis. The Chair declared the motion unanimously approved.

## **MEDICAL AND DENTAL ENROLLMENT FEES AND TUITION INCREASE**

In accordance with policy set by the Oklahoma State Regents for Higher Education, institutions are required to submit requests for authorization to change fees that are assessed students as a condition of enrollment and as a condition for academic recognition for completion of prescribed courses. The State Regents' staff will schedule public hearings for concerned parties to voice their views. Fee changes requested by institutions, if approved by the State Regents and the Oklahoma State Legislature, take effect the following fall semester.

State revenues have been flat for several years with mandatory cost increases of approximately one million dollars each year. The Health Sciences Center was forced to reallocate 5% in FY 1994 in order to address a 3% reduction in State appropriations and to address mandatory cost increases. In FY 1995, the Health Sciences Center reallocated 3% to meet mandatory cost increases to address high priority programs and to provide for minimal stipend payments for faculty and staff. Additional revenues are necessary to address program priorities, mandatory cost increases, and provide salary increases for FY 1996. Enrollment fees, tuition and State appropriations are the primary sources of revenue supporting the educational programs. State appropriations are not likely to increase sufficiently to provide revenues necessary to meet ongoing mandatory costs and a salary increase program. The combination of increased enrollment fees and tuition, a small increase in State appropriations, and some reallocation of funds, may provide sufficient revenues for a salary increase program that will maintain the quality of current educational programs.

A schedule comparing enrollment fees and tuition rates to surrounding regional states and the national average was included in the agenda. Medical resident student enrollment fees could be increased by 15% and still be 10.4% below the average rate compared to regional

states and 12.6% below the national average. Dental resident student enrollment fees could be increased by 15% and still be 16.4% below the average rate compared to regional states and 9.6% below the national average. A 15% tuition increase for resident and non-resident medical and dental students would generate approximately \$867,000 in additional enrollment fees and tuition.

Increasing enrollment fees and tuition raises the ongoing issue of how much of the educational cost should be paid by the student and how much should be paid by the State. However, enrollment fees and tuition increases are necessary to help maintain the quality of our programs and to meet national accreditation standards. The Administration recommends that a proposal be forwarded to the State Regents requesting a 15% increase in enrollment fees and tuition for medical and dental students.

Current resident annual enrollment fee rates for medical and dental students are \$6,567 and \$5,444, respectively. A 15% increase will raise the rates to \$7,551 for medical and \$6,261 for dental. Current non-resident annual tuition rates for medical and dental students are \$16,227 and \$13,508, respectively. A 15% increase will raise the rates to \$18,660 for medical and \$15,534 for dental.

President Boren recommended the Board of Regents approve a proposal be forwarded to the State Regents requesting a 15% increase in enrollment fees and tuition for medical and dental students for both resident and non-resident students.

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

#### **FUNDING FOR ENDOWED POSITION - COLLEGE OF DENTISTRY**

The College of Dentistry requests authorization to transfer \$125,000 of independent operation funds to the Regents' Fund to establish a professorship in the name of Dr. William E. Brown, the founding dean of The University of Oklahoma College of Dentistry. The remaining \$125,000 for the professorship will be raised from private contributions.

As founding dean of the College of Dentistry, Dr. Brown served 17 years until his retirement in 1988. He also served as Interim Provost during a period of time when many of the new buildings and programs were established at the Health Sciences Center. Dr. Brown is a nationally and internationally known educator and humanitarian who has held leadership positions with the American Dental Association, the American Association of Dental Schools, and the Kellogg Foundation.

The William E. Brown Professorship in Dentistry	\$125,000
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President Boren recommended the Board of Regents authorize the transfer of Independent Operation Funds (Professional Practice Plan) to the Regents' Fund for the College of Dentistry to establish The William E. Brown Professorship in Dentistry.

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



## PROFESSIONAL SERVICE AGREEMENT

New--College of Medicine, Department of Obstetrics and  
Gynecology and Renaissance Centers for Women, Inc.

\$175,000

The Renaissance Centers for Women, Inc. (RCW) operates obstetrical and gynecological health centers which will offer the Department of Obstetrics and Gynecology both a teaching and educational facility. RCW also will provide a satellite environment for clinical opportunities and medical training for medical students in the areas of obstetrics and gynecology. Obstetrics and Gynecology will provide the clinical staff and board certified physicians to fulfill the needs of RCW. Site of practice has been temporarily waived by the Executive Dean of the College of Medicine. The term of the contract is December 1, 1994 through June 30, 1995. The contract has been reviewed by Legal Counsel. Funds will be deposited and expended through Account #0000073-Obstetrics-Gynecology PPP Collections.

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

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

## PROFESSIONAL LIABILITY INSURANCE RENEWAL - HEALTH SCIENCES CENTER

The Professional Practice Plans establish the relationship that exists between the University and the members (faculty) with respect to academic programs of the respective colleges and patient care activities of the faculty or other professional activities. The patient care activities are conducted for the care and benefit of the patient who is treated and to whom the faculty is directly responsible with respect to the medical services provided. As such, the faculty need individual malpractice insurance. The University is not included in the coverage. Insurance policies are selected by the individual faculty members and Physicians Liability Insurance Company (PLICO) is the most common insurer. The Practice Plans provide for disposition of gross collected income and malpractice insurance as an acceptable expenditure from these revenues. Authority is therefore requested so these renewals can be processed and paid on a timely basis. Funds are available in the respective Professional Practice Plan accounts sufficient to pay for the malpractice insurance.

Included in the agenda was a schedule of malpractice payments by departments for the past 12 months. Examples of PLICO rates and coverages are included with a statement of the Board of Regents' liability. PLICO rates for 1994 increased approximately 6% and for 1995 the professional liability rates will increase approximately 6%.

The 1994 rates for Physicians Liability Insurance Company (PLICO) coverage and cost varies from a low of \$100,000 per any one claim and \$300,000 aggregate per year with no surgery costing \$1,532 annually to a maximum cost of \$28,625 for \$5 million per any one claim and \$5 million aggregate per year in the high cost surgery specialty. There are nine specialty classifications, listed below, and six coverage levels within each specialty classification. PLICO indicated the most common coverage is for \$3 million per any one claim and \$3 million aggregate per year. The rates for \$3 million coverage by the nine specialties are listed as follows:

<u>Specialty Class</u>	<u>Annual Premium (including policy fees)</u>
1. No Surgery	\$ 3,467.00
1A. Urgent Care	5,129.00
2. Minor Surgery (superficial)	5,580.00
3. Surgery, no major surgery	7,055.00
4. Surgery, Laryngology, Otology, Otorhinolaryngology, Rhinology, Emergency Medicine Major Surgery	16,619.00
5. Anesthesiology, Surgery: Abdominal, Cardiac, Cardiovascular Disease, General, Gynecology, Hand, Head and Neck	17,176.00
6. Surgery: Plastic, Plastic Otorhinolaryngology, and Vascular	18,276.00
7. Surgery: Thoracic and Traumatic	19,156.00
8. Surgery: Neurology, Obstetrics and Gynecology, and Orthopedics	23,471.00

#### Board of Regents' Liability

Liability of State agencies for torts of its employees committed after October 1, 1985 is governed by the Governmental Tort Claims Act, which states that physician faculty members are not employees or agents of the State for purposes of the Act when not acting in an administrative capacity or engaged in teaching duties. The definition of employee in the Statute further provides that the State shall not be liable for the tortious conduct of a physician while practicing medicine or providing medical treatment to patients. The courts have not answered the question of whether acting as attending physician is practicing medicine or providing medical treatment as well as teaching. The answer may depend on the extent of the attending physician's involvement in the patient's care. Where the involvement is limited it is likely that they will decide that the limitations of liability set out in the Act would apply in that case, but that the physician's insurance company would absorb the liability.

The University might, however, have potential liability in a medical malpractice case for the acts or omissions of the University employed support personnel, such as nurses, or for a claim of improper supervision of students or residents. Maximum liability for the Board of Regents of The University of Oklahoma would be \$100,000 per claim and the Regents would not as individuals have a liability.

President Boren recommended authorization be delegated to the President or his designee to renew malpractice insurance policies to provide professional liability insurance coverage for all Professional Practice Plans in the Health Sciences and all allopathic (MD) residents and medical students. The total cost is estimated not to exceed \$3,410,000.

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

## **PURCHASE OF TELRAD DIGITAL SYSTEMS AND PARTS FOR THE OKLAHOMA HEALTH SCIENCES CENTER TELECOMMUNICATIONS DEPARTMENT**

The Health Sciences Center provides telephone services for the Oklahoma Health Center complex and includes a full range of services. Many of the customers need private branch exchanges (PBX) to accommodate their needs. Since 1988, HSC has standardized the PBX purchases to obtain volume discounts and limit the vendors in order to provide in-house service on a standard brand name. The Health Sciences Center provides full service to the customer including installation and maintenance of systems. The spirit system is the smaller system used by a number of agencies with reduced telephone needs. AT&T no longer produces or provides the Spirit system. The Health Sciences Center will continue to service the existing Spirit systems, but new Spirit systems are not available.

The HSC bid the specifications for PBX replacement equipment and Telrad Telecommunications, Inc. was the low bidder with systems that could be sized to meet the customer's needs from the smaller Spirit system to the larger full featured Merlin/Legend systems. The cost of these systems will be recovered from the ordering department or agency.

Customers served by HSC Telecommunications and their approximate percent of gross sales are as follows:

University Hospitals	29%
OUHSC	27%
Oklahoma City Clinic	12%
Presbyterian Hospital	8%
Oklahoma State Department of Health	8%
State Department of Environmental Quality	8%
Other	8%

It is the recommendation of administration to award a purchase order to Telrad Telecommunications, Inc. for the low bid on an as-needed basis at an estimated cost of \$200,000. Capital funds are available for the initial purchase of equipment in Telecommunications Account 38250090. The Telecommunications account will be reimbursed by the University department or agency ordering the equipment, i.e., Oklahoma State Department of Health, The University Hospitals, etc.

President Boren recommended the Board of Regents authorize the Health Sciences Center to issue a purchase order to Telrad Telecommunications, Inc. for purchase of Telrad digital systems and parts on an as-needed basis. The estimated total cost is \$200,000 through December 31, 1995.

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

## **BIOMEDICAL SCIENCES BUILDING ROOF REPLACEMENT**

At the July 1993 meeting, the Board of Regents approved the Biomedical Sciences Building Mechanical Room and Roof Replacement project as a part of the reallocation of unexpended Section 13 and New College Funds. The project was estimated to cost \$230,000. Plans were prepared and bids taken to construct the project. Two bids were submitted and both were significantly above the funds available.

To reduce the cost of the project, the scope of the work was changed and the plans were modified to remove the mechanical room structure and replace the existing roofing membrane. Four bids were received, of which two were disqualified for irregularities. Anchor Roofing Company submitted the lowest acceptable bid in the amount of \$123,483. Because there is a probability that some existing roof insulation is wet and will require replacement, unit prices for replacement of roof insulation were incorporated into the bid. The maximum cost for insulation replacement is not expected to exceed \$37,000.

Bids were sent to 18 vendors. Four responses were received from the following:

Southwestern Roofing & Metal, Inc.  
Oklahoma City

Anchor Roofing Company  
Yukon, Oklahoma

Standard Roofing Company, Inc.  
Oklahoma City

Aduddell Roofing & Sheet Metal, Inc.  
Moore, Oklahoma

It is the recommendation of administration to award the contract to Anchor Roofing Company in an amount not to exceed \$160,483.

President Boren recommended the Board of Regents approve the award of a purchase order to Anchor Roofing Company in the amount of \$123,483 to replace the existing roof of the Biomedical Sciences Building and authorize the President or his designee to increase the purchase order by an amount up to \$37,000 for the replacement of insulation.

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

## **BIOMEDICAL RESEARCH CENTER**

At the June 1994 meeting, the Board of Regents approved the schematic design and phasing plan for the Biomedical Research Center and authorized the administration to proceed with design development and construction documents for Parts I and II at a cost of \$24 million. The design team for the project is HTB of Oklahoma City with MBT Associates of San Francisco and Affiliated Engineers, NW, of Seattle.

The design development cost estimate was \$4.1 million over the schematic design estimate. This is due to an increase in necessary mechanical space, local construction inflation and the architect's underestimation of building costs. The administration reviewed cost reduction options with the faculty research scientists on the Design Team. It was decided that the current level of quality must be maintained to provide a suitable environment for biomedical research. A number of cost reduction items were identified for a total of \$500,000 in savings without affecting the quality of construction. The rest of the reduction will be achieved by changing the bidding plan and bidding the vivarium as an alternate.

The project includes a four-story laboratory building, consisting of 105,000 gross square feet at a cost of \$24 million. The Base Bid includes the laboratory building, with the Fourth Floor unfinished, at a cost of \$20 million. Alternate Number One will fit-out the Fourth Floor at a cost of \$4 million. The funding plan includes \$17.9 million in State Bond funds and \$6.1 million in private funds. If favorable bids are received, additional space will be constructed for a vivarium as planned; if not, it will be part of a later phase and the Campus Master Plan will be modified to reflect this change.

President Boren recommended the Board of Regents approve the current bidding plan for the Biomedical Research Center and related changes to the Campus Master Plan.

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

## **FAMILY MEDICINE CENTER AND UTILITY TUNNEL**

At the July 1993 meeting, the Board of Regents approved the award of a construction contract to Lippert Bros., Inc. in the amount \$4,556,193 for the construction of the Family Medicine Center. At the December 1993 meeting, the Board of Regents approved the award of a construction contract to Lippert Bros., Inc. in the amount of \$132,300 for the construction of a Steam and Chilled Water Plant utility tunnel to serve the new building.

On September 21, 1994, an inspection of the utility tunnel was completed by representatives of Lippert Bros., Inc., the project architect and engineers, Site Support and Architectural and Engineering Services. A punch list of incomplete or deficient items was developed by the project architect and given to Lippert Bros., Inc. On October 26, 27 and 28, 1994, an inspection of the new building was completed and a punch list of incomplete or deficient items of work was developed by the project architect and given to Lippert Bros., Inc. for corrections or completion.

The University administration recommends that the tunnel extension project be accepted as substantially complete, effective September 21, 1994, and the Family Medicine Center be accepted as substantially complete, effective November 17, 1994, and that final payments be made to Lippert Bros., Inc. following the completion of all work.

President Boren recommended the Board of Regents (1) accept the Family Medicine Center and utility tunnel extension as substantially complete and (2) authorize final payment to Lippert Bros., Inc. following the completion of all punch list items.

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

## **SATTRN SATELLITE DOWNLINK NETWORK TRAINING PROGRAM STATIONS**

The College of Continuing Education (CCE) has a five-year contract with the State Department of Human Services (DHS) to deliver social service and program policy training to DHS providers and clients throughout the State via a Satellite Network Training (SATTRN)

program. The contract total is currently approximately \$2 million. The project provides for development and delivery of comprehensive, professional training to the employees, providers, and clients of DHS. The training is to be delivered by interactive live video wherever possible. There have been 82 video training sites selected and the purchase and installation of the necessary remote satellite equipment is a part of the project.

Bids were solicited from 10 companies which could have performed all or part of the project. The bids were structured on a purchase or lease basis as well as equipment provider and equipment maintenance. Four bids were received as follows:

	<u>Heifner Comm. Columbia, MO</u>	<u>McConnell Spokane, WA</u>	<u>Ford A-V Oklahoma City</u>	<u>OSU-TV Stillwater</u>
1. <u>Purchase Basis*</u>				
Base Cost Per Site	\$5,240	\$5,501	\$6,533	\$7,845
Total 60 Sites	\$314,400	\$330,920	\$391,920	\$470,700
*Additional costs will be added depending upon the number of roof installations versus ground installations. The total of these costs are estimated between \$25,000 and \$40,000.				
2. <u>Lease Basis</u>				
Total 5 year installed lease cost	No bid	\$777,600	\$618,392	\$539,700
3. <u>Maintenance Costs</u>				
Total annual Cost for 82 sites	\$41,000	\$108,240	\$30,750	\$47,400

The lowest cost option for the project would be to purchase the stations from Heifner at a base cost of \$314,400 and to have Ford A-V maintain the stations at a cost of \$30,750 per year. A comparison versus the lowest cost lease option over a five-year period would be as follows:

	<u>Purchase Basis</u>		<u>Lease Basis</u>
Heifner cost	\$314,000	OSU Lease	\$539,700
Ford Maintenance	<u>153,750</u>	OSU Maintenance	<u>237,000</u>
	\$486,150		\$776,700

The purchase cost of \$314,000 would be financed by a 6% internal loan from agency special pooled cash to Television Satellite Service operations. The purchase would be charged to Television Satellite Service operations account 127-9514. Heifner is in the process of installing an initial purchase of 22 stations and the work is progressing satisfactorily. DHS is in agreement with this contract award recommendation.

President Boren recommended that the Board of Regents approve the award of two contracts as follows:

1. To Heifner Communications for the installation of 60 downlink satellite stations in the base amount of \$314,400 to be financed by a five-year internal loan (6% interest) from agency special pooled cash to the College of Continuing Education's Television Satellite Services entity.
2. To Ford Audio Video for the maintenance of 82 downlink satellite stations at a cost of \$30,750 per year over a five-year period.

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

### **SAM NOBLE OKLAHOMA MUSEUM OF NATURAL HISTORY**

At the July 1988 meeting, the Board of Regents authorized the administration to proceed with the development of a master plan and feasibility study and preliminary plans for the funding, design and construction of a new facility to house the Oklahoma Museum of Natural History. The master plan was accepted as complete by the Board at its meeting in March 1990. In November 1991, the electors of the City of Norman approved the issuance of bonds in an amount not to exceed the sum of \$5 million to be used for the Museum project. Since March of 1990, the joint venture architects for the project, Kaighn Associates Architects, Inc. and Crissman Solomon Bauer Architects Inc., have worked with representatives of the University, the City of Norman and the State of Oklahoma to develop the plans and preliminary design for the new facility, and in January 1994 the Board of Regents gave preliminary approval to the Schematic Design Phase plans. In May 1994 the Board of Regents, at the request of the City of Norman in order to issue the City's bonds, determined to construct the museum and determined that sufficient funds and pledges were available to complete the project.

It is anticipated that the Design Development Phase plans for the Museum will be completed in January 1995 and that the Board of Regents will be requested to approve Construction Documents in September 1995 for bid in October and November 1995. The construction contract for the Sam Noble Oklahoma Museum of Natural History project should be awarded in November 1995, with construction to begin immediately thereafter.

The City of Norman has requested the President sign an agreement prior to the City issuing the bonds in the amount of \$5,000,000 for the Sam Noble Museum of Natural History. The agreement, a copy of which was included in the agenda, states that if the budget is reduced below the amount of \$35,000,000 that the City will be reimbursed proportionately as determined in the agreement. The current budget for the project is \$37,500,000.

President Boren recommended the Board of Regents (1) approve an Agreement with the City of Norman, Oklahoma regarding the amount of City bond funds to be provided for the Sam Noble Oklahoma Museum of Natural History and (2) authorize the President to sign the agreement.

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

## SALE OF LOGAN APARTMENTS

The Board of Regents approved the closing of Logan Apartments and authorized University administration to initiate the actions necessary to sell the apartments at the July 1994 Regents' meeting.

The Logan Apartments were constructed in 1919 and transferred to The University of Oklahoma in 1945 by a grant of David M. Logan. The transfer agreement requires the University to operate the property as an apartment house as long as the property is suitable for such use with the revenue derived from operations to be used to maintain and preserve the property. At such time the property becomes unsuitable for apartment use, the transfer agreement authorizes the University to sell the property and invest and hold the proceeds intact with the income from the investment being used for scholarships to aid needy and deserving students.

This complex of 12 one bedroom and 12 efficiency units, is now costly to maintain and requires substantial capital improvements in excess of \$400,000 to meet University standards of quality for its residential facilities. No other uses for the apartments have been identified by the University.

Proceeds from this sale, along with the accumulated funds from operation, would be used to establish scholarships for deserving University of Oklahoma students. These scholarship funds would become part of the Regents' Fund and be administered by the Office of Financial Aid of The University of Oklahoma.

The property was appraised at \$125,000 and was offered for bid "as is."

The following bids were received and all have formally agreed to extend their bid to December 1994:

James A. Lester	\$180,000.00 - Bid contingent upon the completion of a Phase I Environmental Impact Report and the acceptance thereof by his bank.  BID NON-COMPLIANT DUE TO CONTINGENCY
Judith Hadley	\$138,760.00 - Bid to include any furniture, appliances, air conditioners, and heaters therein, closing on or before October 28, 1994 (formally extended to December 31, 1994).
James A. Lester	Four Duplexes on Faerie Queen and the University to retire \$65,000 of mortgage on Faerie Queen property. Bid contingent upon the completion of a Phase I Environmental Impact Report and the acceptance thereof by his bank.  BID NON-COMPLIANT DUE TO CONTINGENCY



James A. Lester

Four Duplexes on Faerie Queen and the University to retire \$105,000 of the mortgage on the Faerie Queen property.

The immediate cash cost to the University of this bid is \$230,000 (\$105,000 to James Lester and \$125,000 to the Logan Scholarship Fund). The appraised value of the Faerie Queen property is \$175,000 so the University would be paying \$55,000 more than the appraised value.

C & W Management Corp. \$1,000.00 or work with the University to restore the property.

President Boren recommended the Board of Regents award the sale of real property located at 720 Boyd Street otherwise known as the Logan Apartments to Judith Hadley, the high compliant bidder, and authorize the President or his designee to finalize the sale.

Regent West commented that he seriously questions the wisdom of selling a piece of property on Boyd Street close to the University. Vice President Farley said this recommendation was brought to the Board only after very careful analyzation. He said the conclusion was reached that this is not a piece of property the University should continue to operate as a residence hall for students. It has become very expensive to maintain. Last July the Board approved the administration going forward with soliciting proposals for the sale of the property. In all of the past master plans for the campus the western boundary proposed for the campus was the centerline or the alleyway of the block between College and Chautauqua. Dr. Farley said there are no plans he is aware of to move in this direction from the University's west perimeter of the campus. There was a provision in the agreement by which this property was provided to the University that should the University discontinue using it for a residence for students, it could be sold and the proceeds of the sale would be placed in a scholarship fund to be used for needy students. However, if the property is not used as a residence for students, the University is not required to sell it. If the property is not used as a residence for students, something must be done with it as it cannot be boarded up and left to deteriorate. It could be demolished for approximately \$100,000. The appraised value of the building if it is demolished could be placed in a scholarship fund and that value would be approximately \$125,000 to \$140,000 and then the property would be maintained as a vacant piece of property and that is certainly an option. The conclusion of the administration was that presently the University does not have a use for the property, it is not contiguous to the campus being two blocks away from the campus and the best recommendation would be to offer the property for sale. In response to a question, Dr. Farley said to bring the property into compliance with the way the University maintains residence halls and with fire and safety codes, in order to continue to maintain it as a student residence, would cost in the vicinity of \$440,000. He said the decision was that it would not be a wise use of funds to try to restore the property as a residence for students. In response to a question, Dr. Farley said he does not know the appraised value of the land itself. The current value of residential property in this area is approximately \$2.00 a square foot, so the land might be worth from \$10,000 to \$15,000.

Chief Legal Counsel Fred Gipson said legally the position the University has taken time and time again on bids of this nature is that if a matter is out for bid and the bid that is received does not comply with the terms and conditions of the Request for Proposal, then the alternative the Board of Regents has is to accept a bid that is in compliance with the terms and conditions or to reject all bids and go out for bid again. In this particular case, the bid submitted by Mr. Lester did contain conditions and is not in compliance with the original Request

and therefore the recommendation by Legal Counsel to Vice President Farley was to reject that bid and present to the Board an alternative of either accepting the other bid or rejecting all bids and going out for bid again.

Regent Halverstadt expressed the same concern as Regent West. He said this particular proposal is really an example of what the University's policy is or should be relative to acquisition, improvements or disposal of land. He said he is not aware of such a policy and it would seem there is some persuasion in considering retaining any and all land the University has in reasonable proximity of the campus. It is not possible to know at this time where the University will be 20-30 years from now relative to whether more land is needed for the campus. The University should think strongly about retaining the land even if it requires some funds for demolishing the structure on the property. If it is possible, there needs to be some examination of a general policy of land acquisition and retention. Some attention might be given to that over time.

Regent Hall asked for clarification of the conditions by the donor in terms of the future use of the property. If the University were to retain the property but demolish the structure, what would that do in terms of the conditions under which it was transferred to the University? Mr. Gipson said under the terms of the transfer, the University would have to establish a scholarship fund. The University is not in a position of demolishing the building and letting the property sit and being in compliance with the terms of the original transfer.

Regent Lewis commented it is going to cost the University \$225,000 in order to end up retaining a vacant tract of property with a value of \$15,000 and unless a future need for the property has been identified, it seems it would be better to go ahead and sell it and generate some value from this tract while it still has a salable value before further deterioration or demolition. President Boren agreed that expending over \$200,000 and then maintaining a vacant lot would be of concern to him. He said he understands the need for planning and a master plan is essential showing where the University is presently and where the campus might expand if further expansion is required.

Chairman Gullatt said regardless of the specific decision that is made by the Board on this property today, he would ask the administration to develop some guidelines as to acquisition and disposition of real estate and to define the area beyond the current University boundaries in which the University is interested. These guidelines would provide for future consistency in how decisions on obtaining or retaining property are made. Dr. Farley said there is not a formal, printed master plan; it has been a general rolling plan of how we would acquire property as it became available that was contiguous to the campus. In recent years the administration has generally been looking to the east and south sides of campus rather than to the west side for expansion.

In response to a question, Vice President Farley said the bids were opened in September and the administration asked that it be extended to the end of December. The University could go back to the bidders and ask if they would be willing to extend their bids again and if so, this issue could be brought back to the Board in January or even later. Another option would be to reject all bids and resolicit bids later.

Regent Lewis said in light of the public meeting held in November on the parking garage issue and the familiarity that everyone has of the historic nature of the neighborhood to the west, even if we do not have a formal master plan for future acquisitions, it is hard to believe that moving three blocks to the west into the historic neighborhood in our lifetime is going to be

a viable part of a master plan. President Boren said he is working on setting up a joint committee of members of the historic neighborhood and University community so there will be a good neighbor policy. To go three blocks west would cause serious encroachment into the neighborhood.

Following further discussion it was generally agreed to ask the bidders for another extension and to consider this matter again. One of the two bidders, Mr. James A. Lester, was present and described his background as a land owner in Norman and the reasons he would like to purchase the Logan Apartments property. He said if his bid was accepted by the University, he would add a clause to the abstract that if the University ever wishes to purchase the property from him, he would sell it back at the appraised value and would also give the University first option on his Faerie Queen property. He discussed his plans for renovating the Logan Apartments himself. In response to a Regent's question as to what the problems would be if this sale was rebid at a later date, Dr. Farley said the building is currently secured and winterized and it would just be held in its present condition.

Regent Hall moved the Board of Regents reject all bids and rebid the sale of the property. Regent Halverstadt requested the motion be amended to include the development of guidelines for real estate acquisition and disposition prior to the rebidding. Regent Hall agreed to this amendment. This matter will be discussed at the March meeting.

The following voted yes on the motion as amended: Regents Gullatt, West, Bentley, Hall and Halverstadt. The following voted no: Regents Blankenship and Lewis. The Chair declared the motion approved.

## **FORMAL AGREEMENT WITH CITY OF NORMAN ON SEWAGE TREATMENT CHARGES**

The City of Norman has asked that we formalize an agreement for their treatment of University sewage. We have operated under an informal letter since 1978 which the City has become uncomfortable with in recent years because it does not reflect all of the current city ordinances/code provisions relative to sewage treatment charges and apparently has never been approved by the City Council.

We have met with City officials on several occasions to discuss how we arrived at the informal agreement now in use and to determine what changes should be addressed. Negotiations with the Director of Finance and Director of Public Works have centered around how to handle the ordinance requirements which now include a user service charge that they strongly believe should apply to our residential student housing (dormitories and apartments) and a capital improvements charge. A third issue relates to a simpler method for calculating what portion of the potable water we use actually goes into the sewage collection system for treatment by the City.

The proposed agreement, which was included in the agenda, reflects the outcome of our negotiations with the City. The agreement would be effective at the beginning of the fourth quarter. The increase in cost to the University would be approximately \$88,000 per year which would be split evenly between student housing and E&G funds.

President Boren recommended the Board of Regents approve the proposed formal agreement with the City of Norman for calculation and payment of sewage treatment charges.

Regent Halverstadt moved approval of the recommendation. The following voted yes on the motion: Regents Gullatt, Blankenship, West, Bentley, Halverstadt, and Lewis. Regent Hall was out of the room at the time of this vote. The Chair declared the motion unanimously approved.

## ELM AVENUE PARKING FACILITY

At its November meeting, the Board of Regents authorized the administration to proceed with the development of plans for a parking structure to be located south of Catlett Music Center. In order to facilitate ingress and egress to the Elm Avenue Parking Facility, improvements must be made to the Boyd Street and Elm Avenue intersection. The City has agreed to help secure Federal and State matching funds for these improvements. Two alternatives have been proposed. If the project is approved and funded in FY 1996, the University's share of the costs will be \$123,900. If the matching funds are received after FY 1996, the improvements must be made in two phases. Phase I University cost is \$125,000 to construct the Elm Avenue right turn lane. Phase II additional cost is \$54,500 to widen Boyd Street. The following table summarizes the costs identified in the charts on proposed funding for implementation of Plan I and Plan II which were included in the agenda:

	<u>Plan I</u>	<u>Plan II</u>	
		<u>Phase I</u>	<u>Phase II</u>
Federal Funds	\$589,000	\$ 0	\$545,000
City of Norman Funds	197,650	55,000	136,050
University of Oklahoma Funds	<u>123,900</u>	<u>125,000</u>	<u>54,500</u>
Total	\$910,550	\$180,000	\$735,550

The University of Oklahoma and the City of Norman have proposed an agreement to include the following:

1. Access Points: All vehicular access to the garage structure will be from Elm Avenue.
2. Height: The maximum overall height of the walls enclosing the parking structure shall be 40 feet, excluding necessary elevator or stair towers, light fixtures and other normal parking facility features.
3. Setback: The distance between the property line and the proposed parking facility along College Avenue should be a minimum of 15 feet.
4. Design and Materials: The parking structure exterior should reflect the design and incorporate the materials that are being used for the Catlett Music Center addition.
5. Landscaping: The University has demonstrated a commitment to superior landscaping design. Landscaping will be installed around the structure, especially in front of the College Avenue facade.

6. Lighting: The entire campus area is heavily pedestrian oriented, and adequate lighting is needed to provide a safe environment, however, high-intensity, non-directional lighting can be intrusive to the neighborhood and should not be utilized.
7. Traffic Impacts: The parking facility will be used on a daily basis and will be used whenever major events will be held at the various fine arts buildings. Closing Cruce Street will focus all of the traffic toward Elm Avenue and have a major impact on the intersection of Boyd Street and Elm Avenue. A traffic analysis indicates the need for a north-bound right turn lane on Elm Avenue, as well as left turn lanes on Boyd Street (both east and west bound). The University and the City have agreed to share the local costs of that project, which will be supplemented with State and Federal funding.

President Boren recommended the Board of Regents approve a proposal between The University of Oklahoma and the City of Norman (1) to submit a joint application for Federal and State support for the Boyd Street and Elm Avenue intersection improvements, and (2) to agree to certain construction features, points of access, and intersection improvements.

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

## PROPOSALS, CONTRACTS, AND GRANTS

A list of awards and/or modifications in excess of \$ 100,000 or that establish or make policy for the University, or that otherwise involve a substantial or significant service to be performed by the University was included in the agenda. Comparative data for fiscal years 1994 and 1995, current month and year-to-date, was also included.

The Provisions of Goods and Services policy (amended December 4, 1992) provides that new contracts and grants in excess of \$100,000 must be referred to the Board of Regents for ratification. In addition, in those cases where a contract, grant, document, or arrangement involved would establish or make policy for the University, or otherwise involve a substantial or significant service to be performed by the University, that contract, arrangement, or document shall be referred to the Board of Regents for approval.

### OCTOBER SUMMARY:

#### Norman Campus and Health Sciences Center Combined Data

- Research expenditures are approximately the same as last year at \$18.3 million, awards are down 6% (\$27.7 million vs. \$29.5 million), but proposal activity is up 74% (\$79.3 million vs. \$45.5 million).

#### Norman Campus

- Research expenditures are down 7% from last year (\$10.1 million vs. \$10.9 million), awards are down 17% (\$13.1 million vs. \$15.7 million), but proposal activity is up 109% (\$57.8 million vs. \$27.7 million).

- College of Continuing Education expenditures are up 1% from last year at \$5.4 million, awards are up 12% (\$10.0 million vs. \$8.9 million), and proposal activity is up 41% (\$11.3 million vs. \$8.0 million).

#### Health Sciences Center

- Research expenditures are up 11% over last year (\$8.2 million vs. \$7.4 million), awards are up 6% (\$14.6 million vs. \$13.8 million), and proposal activity is up 20% (\$21.5 million vs. \$17.9 million).
- Total expenditures are up 8% over last year (\$16.0 million vs. \$14.8 million), awards are up 12% (\$26.0 million vs. \$23.2 million), and proposal activity is up 22% (\$25.6 million vs. \$21.0 million).

President Boren recommended the Board of Regents ratify the awards and/or modifications for October 1994 as submitted.

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

## REPORT OF ASSOCIATES AND ACADEMIC EXCELLENCE COMMITMENTS

### ASSOCIATES FUNDS:

Following is the commitment of funds of The University of Oklahoma Associates for the period July 1 through September 30, 1994:

Academic and Research Support	\$158,162
Scholarships/Fellowships	411,784
Associates Appreciation Dinner	21,093
Total	<u>\$591,039</u>

The following are expenditures of Associates funds that were restricted by donors to the various colleges on the Norman Campus for the same period of time:

COLLEGE OF ARCHITECTURE	
Faculty Development	\$265
Student Support	100
Staff Development	35
Outreach Expenses	240
Total	<u>\$640</u>

COLLEGE OF ARTS AND SCIENCES  
No expenditures to report this quarter.

COLLEGE OF BUSINESS ADMINISTRATION	
Student Scholarships	<u>\$2,000</u>

COLLEGE OF EDUCATION	
Renewal of membership (dues)	<u>\$80</u>

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COLLEGE OF ENGINEERING	
Scholarships	\$12,750
Public Relations	<u>250</u>
Total	<u>\$13,000</u>

COLLEGE OF FINE ARTS  
No expenditures to report this quarter.

COLLEGE OF GEOSCIENCES	
"Earth Sci" photograph	\$24
Interview Tapes	3
Scholarship Certificates	71
Student Recruiting	<u>527</u>
Total	<u>\$625</u>

GRADUATE COLLEGE  
No expenditures to report this quarter.

COLLEGE OF LAW	
Faculty Professional Development	\$2,715
Student Support	500
Transferred to other funds by donor requests	<u>2,928</u>
Total	<u>\$6,143</u>

COLLEGE OF LIBERAL STUDIES  
No expenditures to report this quarter.

LIBRARY	
Library materials-Western History Collection	<u>\$941</u>

MUSEUM OF ART  
No expenditures to report this quarter.

EXECUTIVE AFFAIRS  
No expenditures to report this quarter.

STUDENT AFFAIRS	
Scholarships	<u>\$1,663</u>

UNIVERSITY AFFAIRS	
Scholarships	<u>\$570</u>

ACADEMIC EXCELLENCE FUND:

Following is the commitment of funds of The University of Oklahoma Academic Excellence Fund for the period July 1 through September 30, 1994:

Academic and Research Support	<u>\$10</u>
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This report was presented for information. No action was required.

## REGENTS' FUND INVESTMENTS

During the month ended October 31, 1994, the investment transactions listed below were made based upon investment recommendations provided by J. & W. Seligman & Co. These transactions were designed to sell or reduce three holdings as sources of funds to initiate two new investments with reliable growth prospects.

### Purchases: New Holdings

2,800 Shares	Colgate-Palmolive Company
5,000 Shares	General Motors Class E

### Sales:

3,900 Shares	Morton International
2,000 Shares	Walt Disney
10,000 Shares	Wheelabrator Technologies

Colgate-Palmolive Company is a diversified personal care and household products company that is best known for its oral care line of products. The company's major product groups include fabric care products, oral care products, household surface care, and body care, which includes the Palmolive soap line of products. Colgate also has a highly profitable line of pet dietary food, which is sold under the Hills brand.

General Motors Class E, or Electronic Data Systems (EDS) is a leader in the market for global information technology services. EDS dominates the rapidly growing market for facilities management, or outsourcing, in which it designs, installs and operates business information and communications systems to help its customers reduce their operating costs and focus on their core business.

The allocation of resources within the fund following these investment transactions was in line with the Regents' Investment policy. A schedule presenting the status of the Regents' Fund Consolidated Investment Fund as of October 31, 1994 was included in the agenda.

These Seligman recommendations were approved and these transactions have been completed.

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

## ACADEMIC PERSONNEL ACTIONS ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS INTERIM VICE PRESIDENT FOR UNIVERSITY AFFAIRS LITIGATION

Regent Lewis moved the Board meet in executive session for the purpose of discussing personnel-related issues and hearing a report by Chief Legal Counsel on pending litigation as listed above. The following voted yes on the motion: Regents Gullatt, Blankenship, West, Bentley, Hall, Halverstadt, and Lewis. The Chair declared the motion unanimously approved and announced the meeting would reconvene in regular session at 1:00 p.m. The executive session began at 11:50 a.m. in the small Board Room.



The executive session ended at 1:35 p.m. and the Regents reconvened in regular session at 1:38 p.m. in the Board Room with all Regents present.

## ACADEMIC PERSONNEL ACTIONS

### Health Sciences Center:

#### Appointments or Reappointments:

Anil Minocha, M.D., Associate Professor of Medicine, annual rate of \$85,000 for 12 months (\$7,083.33 per month), November 1, 1994 through June 30, 1995. Paid from A0000074, PPP Medicine, pos. 140529.

James Thomas Howard, M.D., Clinical Associate Professor of Psychiatry and Behavioral Sciences, annual rate of \$80,000 for 12 months (\$6,666.66 per month), November 1, 1994 through June 30, 1995. Paid from 22209520, Psychiatry, Neurology, and Behavioral Sciences; B0335001, Children's Memorial Hospital Reimbursement; and A0008091, PPP Psychiatry Dean's Fund Supplement, pos. 190500.

Paul L. DeAngelis, Ph.D., Assistant Professor of Biochemistry and Molecular Biology, annual rate of \$60,000 for 12 months (\$5,000.00 per month), December 1, 1994 through June 30, 1995. Paid from 21029500, Biochemistry and Molecular Biology, pos. 095700.

David Wayne Paul, M.D., Assistant Professor of Family Medicine, annual rate of \$70,000 for 12 months (\$5,833.33 per month), October 1, 1994 through June 30, 1995. Paid from 2218-2, Family Medicine, and A0002190, HCA Occupational Medicine Account, pos. 180200.

#### Changes:

Andrew A. Lasser, Clinical Assistant Professor of Pediatrics; title changed from Clinical Professor to Adjunct Professor of Health Administration and Policy; title Interim Associate Dean, College of Public Health, deleted; salary changed from annual rate of \$103,379 for 12 months (\$8,614.92 per month) to without remuneration, October 18, 1994.

Carol Mannahan, Assistant Professor of Nursing; changed from tenure track faculty to consecutive term faculty, September 1, 1994 through June 30, 1995.

Daniel A. Nelson, Clinical Assistant Professor of Psychiatry and Behavioral Sciences, Tulsa; salary changed from without remuneration to annual rate of \$83,000 for 12 months (\$6,916.66 per month), January 1, 1995 through June 30, 1995. Paid from 2813-5, Psychiatry and Behavioral Sciences, Tulsa, pos. 257250.

Robert L. Petrone, Clinical Instructor in Medicine, Adjunct Instructor in Urology and in Biostatistics and Epidemiology, salary changed from without remuneration to annual rate of \$64,100 for 12 months (\$5,341.67 per month), October 1, 1994 through June 30, 1995. Paid from A0000274, PPP Medicine Pulmonary, pos. 149380.

Dennis E. Salazar, Clinical Instructor in Medicine, Tulsa, salary changed from annual rate of \$10,400 for 12 months (\$866.66 per month), .20 time, to annual rate of \$5,200 for 12 months (\$433.33 per month), .10 time, November 1, 1994 through June 30, 1995. Paid from A0010299, PPP TMC Internal Medicine Group Practice, pos. 250410.

Gwenda Sharp, Adjunct Instructor in Occupational Therapy, salary changed from without remuneration to annual rate of \$20,420 for 12 months (\$1,701.67 per month), .50 time, November 1, 1994 through June 30, 1995. Paid from 2718-6, Occupational Therapy, pos. 236400.

Jack L. Wagner, Assistant Professor of Medical Library Science; title changed from Cataloger to Head of Monographic Services, Robert M. Bird Health Sciences Library; salary changed from FTE: \$31,981, annual rate of \$30,981 for 12 months (\$2,581.75 per month), PPP: \$1,000 to FTE: \$34,981, annual rate of \$33,981 for 12 months (\$2,831.75 per month), PPP: \$1,000, September 1, 1994 through June 30, 1995. Paid from 60009500, Library, pos. 413700.

**Norman Campus:**

**Leave of Absence:**

Gary L. Thompson, Associate Professor and Chair of Geography, short term disability leave of absence with pay, July 7, 1994 through December 31, 1994.

**Appointments or Reappointments:**

Fred M. Shelley, reappointed Visiting Associate Professor of Geography, salary remains at annual rate of \$40,000 for 9 months (\$4,444.44 per month), August 16, 1994 through December 31, 1994. Paid from 122-7241, Geography, pos. 703.60.

Zinaida Kogan, reappointed Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary remains at annual rate of \$22,102 for 12 months (\$1,841.84 per month), .50 time, November 1, 1994 through February 28, 1995. Paid from 125-5884, ARM CART, pos. 905.65. Paid from grant funds; subject to availability of funds.

**Changes:**

Younane Abousleiman, Senior Research Associate, School of Petroleum and Geological Engineering, salary changed from annual rate of \$48,000 for 12 months (\$4,000.00 per month) to annual rate of \$50,400 for 12 months (\$4,200.00 per month), July 1, 1994 through December 31, 1994. Paid from 195-6386, Petroleum and Geological Engineering, and 125-6904, Stress and Pressure Distribution, pos. 905.65. Paid from grant funds; subject to availability of funds.

Milton Bishop, reappointed Senior Research Associate, School of Petroleum and Geological Engineering, salary changed from annual rate of \$42,000 for 12 months (\$3,500.00 per month) to annual rate of \$43,680 for 12 months (\$3,640.00 per month), July 1, 1994 through December 31, 1994. Paid from 125-6333, Fracturing Fluid Character, pos. 905.65. Paid from grant funds; subject to availability of funds.

Leonid N. Germanovich, Senior Research Scientist, School of Petroleum and Geological Engineering, salary changed from annual rate of \$61,532 for 12 months (\$5,127.66 per month) to annual rate of \$62,824 for 12 months (\$5,235.34 per month), July 1, 1994 through December 31, 1994. Paid from 195-6386, Petroleum and Geological Engineering, pos. 905.65. Paid from grant funds; subject to availability of funds.

Peter J. Lamb, Professor of Meteorology and Director, Cooperative Institute for Mesoscale Meteorological Studies; given additional title Director, International Center for Disaster Research, without additional remuneration, November 1, 1994.

Dezhang Lin, title changed from Visiting Assistant Professor to Research Associate, School of Petroleum and Geological Engineering, salary changed from annual rate of \$21,009 for 9 months (\$2,334.34 per month), .50 time, to annual rate of \$56,560 for 12 months (\$4,713.33 per month), full time, July 1, 1994 through December 31, 1994. Changed from 9-month to 12-month faculty. Paid from 195-6386, Petroleum and Geological Engineering, pos. 905.63.

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Donald J. Maletz, Associate Professor of Political Science, salary changed from annual rate of \$57,446 for 12 months (\$4,787.17 per month) to annual rate of \$47,001 for 9 months (\$5,222.33 per month), January 1, 1995. Changed from 12-month to 9-month faculty. Paid from 122-7243, Political Science, pos. 28.60.

Michael B. Santos, Assistant Professor of Physics and Astronomy; given additional title Chairman, Engineering Physics Program, without additional remuneration, December 1, 1994 through December 1, 1997.

Bret Wallach, Professor of Geography; given additional title Acting Chair of Geography, without additional remuneration, September 14, 1994 through December 31, 1994.

Resignation and/or Termination:

Beverly R. Fletcher, Assistant Professor of Human Relations, December 31, 1994.

Retirements:

Harvey Blatt, Professor of Geology and Geophysics, December 31, 1994.

Marcia M. Goodman, History of Science Collections Librarian and Associate Professor of Bibliography, University Libraries, December 31, 1994.

Mary Jo Ruggles, Assistant Professor of Music, January 9, 1995; named Professor Emeritus of Music.

President Boren recommended approval of the academic personnel actions shown above.

Regent Blankenship moved approval of the recommendation. The following voted yes on the motion: Regents Gullatt, Blankenship, West, Bentley, Hall, and Lewis. Regent Halverstadt was out of the room at the time of this vote. The Chair declared the motion unanimously approved.

President Boren reported the following death:

Gerald T. Kowitz, Professor Emeritus of Education, on November 24, 1994.

## **ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS**

### **Health Sciences Center:**

Appointment or Reappointment:

Sherry L. Evans, Assistant to the President-Health Sciences Center, President's Office, annual rate of \$44,030 for 12 months (\$3,669.16 per month), December 1, 1994.

Change:

James R. Stalcup, Physicians Assistant II, Department of Orthopaedic Surgery and Rehabilitation, salary changed from annual rate of \$43,000 for 12 months (\$3,583.00 per month) to annual rate of \$47,000 for 12 months (\$3,916.64 per month), September 28, 1994. Professional Staff. Correction of appointment salary approved at November, 1994 meeting. Paid from A0000077, PPP Orthopaedic Surgery, pos. 159675.

Norman Campus:

Changes:

Marilyn D. Connor, Director of Student Development; given additional title Assistant to the Vice President for Student Affairs, salary changed from annual rate of \$43,000 for 12 months (\$3,587.50 per month) to annual rate of \$50,000 for 12 months (\$4,166.66 per month), December 1, 1994. Paid from 142-7131, Student Development, pos. 102.65. Reorganization of Student Affairs.

Judith M. Murphy, title changed from Interim Executive Assistant to the President, President's Office, to Coordinator of Annual Fund, University Development, salary changed from annual rate of \$42,500 for 12 months (\$3,541.67 per month) to annual rate of \$38,000 for 12 months (\$3,166.67 per month), November 16, 1994. Changed from Administrative Staff to Managerial Staff. Paid from 152-7161, University Development, pos. 106.65.

Phil T. Newkumet, Director of Student Support Services; given additional title Assistant Dean of Students, Student Affairs, salary changed from annual rate of \$53,500 for 12 months (\$4,458.30 per month) to annual rate of \$60,000 for 12 months (\$5,000.00 per month), December 1, 1994. Paid from 142-7147, Student Support Services, pos. 101.65. Reorganization of Student Affairs.

David A. Penn, Assistant Director, Center for Economic and Management Research; given additional title Adjunct Assistant Professor of Economics, without additional remuneration, August 16, 1994 through May 15, 1995.

Resignations and/or Terminations:

William L. Batson, Special Assistant to the President, President's Office, October 1, 1994.

Gary Gibbs, Head Football Coach, effective December 30, 1994. Approval of this resignation will include resolution of all issues related to the current employment commitment through June 30, 1999.

James Latting, Director of Continuing Legal Education, College of Law, January 9, 1995.

Retirement:

David L. LeCrone, Manager, Building Trades, Physical Plant, December 31, 1994 (with accrued vacation through January 26, 1995).

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

Regent Hall moved approval of the recommendation. The following voted yes on the motion: Regents Gullatt, Blankenship, West, Bentley, Hall, and Lewis. Regent Halverstadt was out of the room at the time of this vote. The Chair declared the motion unanimously approved.

**INTERIM VICE PRESIDENT FOR UNIVERSITY AFFAIRS**

An item was included in the agenda providing for the consideration by the Board of Regents of an appointment of an Interim Vice President for University Affairs.

Regent Halverstadt moved the appointment of David Maloney as Interim Vice President for University Affairs at a salary of \$117,500 for 12 months, effective January 1, 1995. He also moved that the Regents make an exception to their policy 1.15 on the appointment of Interim Officers so as not to preclude Mr. Maloney from consideration for the position if he desires to be a candidate.

Regent Lewis requested the motion be amended to include Mr. Maloney's appointment as Vice President-Designate effective immediately. The following voted yes on the motion as amended. Regents Gullatt, Blankenship, West, Bentley, Hall, Halverstadt, and Lewis. The Chair declared the motion unanimously approved.

## LITIGATION

No report was given.

## CAMERON UNIVERSITY

### REPORT OF THE PRESIDENT OF THE UNIVERSITY

President Davis presented the following report:

#### Fitness Center Nears Completion

Structural and roof repairs to the Fitness Center should be complete before Christmas, allowing reopening of the facility early in the spring semester. The facility was closed slightly more than a year ago when engineers reported structural problems which could have resulted in building failure during extreme weather conditions. GGG Construction of Lawton is completing structural work some four months ahead of the contract schedule. The basketball courts will be refinished and running track refurbished prior to reopening. Concrete work on the swimming pool reconstruction will be accomplished over the next 10 days. The pool, which has been closed nearly four years, should be reopened by February 1. A financial settlement has been reached with contractors for all issues related to the swimming pool, and litigation is pending against architects, engineers and contractors regarding structural and roof repairs.

#### Financial Aid Continues Annual Increase

Financial aid to Cameron students during the 1993-94 school year continued a spectacular annual increase with a total \$11,377,435 awarded to 3,686 recipients, an average award of \$3,087. This compares to the 1992-93 total \$10,112,389 to 3,645 participants, an average \$2,774. Financial aid has increased each year by approximately \$1 million since the 1988-89 school year. The number of recipients and the average award also increased each school year. The 1988-89 total was \$5,732,442 to 2,652 recipients, an average of \$2,162. The 1993-94 total includes Pell Grants, \$3,264,220 of the total grants, \$4,327,718; loans, \$4,621,114; workstudy, \$523,792; scholarships, \$2,042,886; and miscellaneous, \$138,075.

### American Star Farmer Award

The National Future Farmers of America recognized Cameron student Brian Johnson of Gotebo with its highest honor, the 1994 "American Star Farmer Award." One individual in the nation is awarded the honor each year. Mr. Johnson, a junior majoring in animal science, is one of 103 agriculture majors at Cameron University. Mr. Johnson owns 160 acres and rents another 100 acres. He and his father also rent an additional 1,120 acres on which they raise wheat, forage and cotton crops, and also raise sheep and cattle.

### KCCU Fall Drive

Cameron Public Radio Station KCCU renewed 250 memberships and gained 100 new members during its October, 1994 fall drive. It raised \$30,500 of a \$35,000 goal for programming, with 50 pledge forms yet to come in. Pledges included \$8,000 from the Ardmore area alone. Members matched a \$4,800 McMahan Foundation Challenge Grant and a \$5,000 Noble Foundation Challenge Grant.

### Electronic Mail Covers Campus

Electronic mail now reaches more than 60 percent of Cameron faculty and staff. Nearly 300 Cameron employees can be reached via Pegasus Mail on the campus Novell Network. Use of the network for mass mailings allows instant delivery and saves paper, printing and distribution costs.

## **RENOVATION OR MODERNIZATION OF ELEVATORS AT SHEPLER CENTER, THE ESTABLISHMENT OF A BUDGET THEREFOR, AND MODIFICATION OF CAMPUS MASTER PLAN**

Controls for the eight elevator cars in Shepler Center are performing unsatisfactorily and the service firm which maintains the equipment has recommended modernization of the controls and cars by installing microprocessors. The manufacturer of the currently installed equipment has suggested that the poor performance currently being experienced is the result of deficient and negligent maintenance and that a renovation or overhaul of existing equipment will remedy the problems.

The solicitation for proposals will invite elevator manufacturers and service companies to examine and evaluate Cameron's equipment and its condition and to submit technical and cost proposals to put the equipment in proper operating order. The estimated cost of modernization is \$470,000, while renovation and overhaul costs are projected to be significantly less. A comparison of proposals is necessary to determine which course is in the University's best interests.

Cost of the project will be divided evenly between E&G and auxiliary accounts, since the functions of Shepler Center are evenly divided between academic or administrative functions and housing. Following an expenditure of \$470,000.00, the balance in Cameron's Auxiliary Repairs and Replacement account would be approximately \$1,193,000, while the remaining E&G operating reserve will be approximately \$1,715,000, representing an 8.29 percent reserve.

President Davis recommended the Board of Regents authorize the solicitation of proposals for the renovation or modernization of elevators at Shepler Center, the establishment of a budget of \$500,000 to accomplish the project, and the modification of the Cameron University Campus Master Plan to include the project.

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

### **ESTABLISHMENT OF BUDGET AND BIDDING PROCEDURES FOR THE CAMERON UNIVERSITY SCIENCES COMPLEX**

Through the partnering process approved by the Board of Regents last August to construct the Cameron University Sciences Complex, representatives of the University have worked with Urban Design Group, as Architect, and Flintco, Inc., as Construction Manager, to revise plans and specifications which meet the needs of the University and develop bidding packages to build the facility within the budget of available funds. The design and cost development portions of the preconstruction phase are now complete and the trade group packages are ready for competitive bidding.

The project has been divided into six trade group packages for bidding. Those packages are as follows:

1. Site Work and Utilities

Soil preparation, excavation, paving, temporary walks and utilities are included in this bid package. Estimated costs of the elements follow:

Site Work	\$314,119
Site Utilities	<u>117,060</u>
GROUP TOTAL	\$431,179

2. Structure, Roof and Masonry

Purchase and erection of steel, structural concrete, roofing and masonry are the major components in this trade group. Components and their estimated costs follow:

Structural Concrete Work	\$ 490,045
Site Concrete	36,750
Reinforcing Materials	90,520
Steel (Materials)	692,343
Steel Erection	230,279
Roofing	210,870
Masonry	<u>276,680</u>
GROUP TOTAL	\$2,027,487

3. Drywall, Acoustical, Glazing and Doors

Walls, ceilings, windows and doors fall in this category. Estimated costs for each follows:

Sealants and Joint Backing	\$ 18,890
Steel Doors and Frames (Materials)	27,326
Wood Doors and Frames (Materials)	43,327
Finish Hardware (Materials)	45,427
Aluminum Framing and Glazing	213,877
Drywall and Acoustical	736,225
Dryvit	181,197
Tape and Bed and Paint	181,076
GROUP TOTAL	<u>\$1,447,345</u>

4. Mechanical, Plumbing and Electrical

Since it is a laboratory building, the mechanical, plumbing and electrical elements of the project comprise a substantial part of the costs. Their estimated costs follow:

Mechanical and Plumbing	\$3,130,355
Electrical	858,998
Mechanical Controls	295,275
Fire Protection	95,280
Hydraulic Passenger Elevator	35,500
GROUP TOTAL	<u>\$4,415,408</u>

5. Laboratory Equipment, Millwork and Flooring

Estimated costs for laboratory equipment, terrazzo, tile and floor coverings follow:

Laboratory Equipment	\$ 983,444
Millwork	37,935
Resilient Flooring and Carpet	26,333
Ceramic Tile	34,127
Specialties	25,130
Toilet Specialties (Materials)	19,038
Controlled Temperature Rooms	95,563
Terrazzo	157,400
GROUP TOTAL	<u>\$1,378,970</u>

6. General Conditions and Miscellaneous

Many of the small, miscellaneous jobs on a construction project are called general conditions and are included in this grouping along with small trade contracts which do not require formal construction bids (although they will be procured through competitive solicitations).

Estimated costs for these goods and services are:

Temporary Construction Fencing	\$ 6,438
Termite Control	4,103
Expansion Joint Assemblies	9,506
Access Doors (Materials)	1,000
Installation of Doors and Hardware	8,000



Overhead Coiling Doors	\$ 1,646
Metal Wall Louvers (Materials)	11,441
Fire Extinguishers & Cabinets	2,466
Blackout Shades	2,134
Foot Grilles (Materials)	1,211
Floor Mats (Materials)	1,282
Install Specialties and Furnishings	5,000
Scheduling Services	3,750
Site Layout Engineering	1,400
Temporary Protection (Barricades)	3,346
Miscellaneous Job Cleanup	11,827
Final Cleanup	4,993
Job Safety Programs	7,383
Job Signs	400
Commercial Trash Containers	5,200
Sanitary Facilities	1,820
Ice, Cups & Water Barrels	375
GROUP TOTAL	<u>\$94,721</u>

The total of the cost estimates for these several proposed construction contracts is as follows:

<u>Trade Group</u>	<u>Estimate of Costs</u>
Site Work and Utilities	\$ 431,179
Structure, Roof and Masonry	2,027,487
Drywall, Acoustical, Glazing and Doors	1,447,345
Mechanical, Plumbing and Electrical	4,415,408
Laboratory Equipment, Millwork and Flooring	1,378,970
General Conditions and Other Costs	<u>94,721</u>
TOTAL	<u>\$9,795,110</u>

In the Agreement for Construction Management Services entered into between the Board of Regents and Flintco, Inc., this total estimated cost of goods and services to be supplied to build the project, summarized above, is referred to as the Estimated Cost of the Work. The Estimated Cost of the Work plus the Development and Bidding Contingency Fund (which has been established to cover additional costs arising from further development of the Drawings and Specifications or escalating market prices) in the amount of \$200,000 and the Base Construction Manager's Fee of \$299,853 (three percent [3%] of the Estimated Cost of the Work and the Development and Bidding Contingency Fund) make up the Guaranteed Base Construction Price of \$10,294,963. In summary form, this information follows:

Estimated Cost of the Work	\$ 9,795,110
Development and Bidding Contingency Fund	200,000
Construction Manager's Fee	<u>299,853</u>
Guaranteed Base Construction Price	\$10,294,963

As an incentive to reduce costs, the Construction Manager is allowed to share in any savings for the project below the Estimated Cost and Bidding Contingency Fund. For savings up to \$50,000, the Construction Manager receives seventy-five percent (75%) of the savings; from \$50,000 to \$100,000, fifty percent (50%); from \$100,000 to \$200,000 twenty-five percent (25%); and over \$200,000 three percent (3%).

In addition to the cost elements in the Guaranteed Base Construction Price, the University and Flintco have agreed upon certain reimbursable expenses for the project. Over the 16-month period required to build the complex, the expenses shall not exceed \$275,393. If the contract period is extended, the expenses will increase. The University is furnishing another \$59,649 in equipment, supplies and services for the project.

Included within the budget amount is \$300,000 as a Change Order Contingency Fund. Expenditures from this fund will only be made pursuant to a Change Order Contract Modification and will be subject to fees to the Construction Manager and Architect.

The elements of the actual construction budget are as follows:

Guaranteed Base Construction Price	\$10,294,963
Reimbursable Expenses	275,393
Change Order Contingency Fund	300,000
Change Order Fees	9,000
University Furnished Resources	<u>79,649</u>
<b>TOTAL ACTUAL CONSTRUCTION</b>	<b>\$10,989,005</b>

Bid proposals for the construction goods and services in Package 1 will be solicited during December, 1994. Packages 2, 3 and 4 will be bid during January, 1995. Package 5 will be bid during March, 1995. The several contracts grouped as Package 6 will be solicited throughout the life of the project. It is important that the University be authorized to accept bids and enter into contracts for the construction goods and services as the bids are received in order to expedite the work, reduce costs and take advantage of the other efficiencies available through the construction management approach.

The University's agreement with the Urban Design Group establishes an architect's fee of five and eighty-nine one-hundredths percent (5.89%) of the total construction price. Additional fees may be required for services not covered by the basic contract. The total architect's fee can be determined only after all construction expenses have been established and is not included in this actual construction budget. Also excluded from this actual construction budget are costs incurred to-date for site preparation, hazardous material removal, and fees and expenses of consultants.

President Davis recommended the Board of Regents approve an actual construction budget of \$10,989,005 for the Cameron University Sciences Complex and authorize the President of Cameron University to accept bids and award contracts for the purchase of goods and services necessary and appropriate for the construction of the Sciences Complex within that budget.

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

## ACADEMIC PERSONNEL

President Davis informed the Board of the following:

Dr. Jack L. Hickman, Professor, Department of Politics, Sociology and Criminal Justice, died on October 28, 1994.

## LITIGATION

There was no executive session or report given on this item.

## JOINT ITEM

### **DEVELOPMENT OF PLANS FOR THE CONSOLIDATION OF THE CAMERON UNIVERSITY NURSING PROGRAM WITH THE OU HEALTH SCIENCES CENTER NURSING PROGRAMS**

The consolidation of nursing programs at Cameron University and the Health Sciences Center offers great potential for achieving economies, continuing educational excellence in these critical educational programs, providing increased educational opportunities for students and increasing support for the health care providers in Lawton. The administration of these two institutions should develop a plan designed to achieve those goals by consolidating the nursing programs, and should explore the potential for establishing cooperative programs for other health care professions with the same goals in mind.

President Davis and Provost Stein recommended that plans be developed for the consolidation of the Cameron University Nursing program with the Health Sciences Center College of Nursing programs, and for the establishment of cooperative programs in the other health care professions.


Provost Stein said the Health Sciences Center is very enthused about a joint program in this way and it is what the two campuses should be doing. Provost McKellips commented that over a period of time a lot of thought has gone into this type of approach to the delivery of instructional services on the Cameron University campus. Based on the University's philosophy of being an interactive regional university, Cameron believes it is its mission to bring the highest quality higher education services to the region as possible. This proposal is also consistent with the initiative from the Oklahoma State Regents for Higher Education to reduce the duplication of programs in the State and also in recognition of the national consensus that higher education must restructure itself in order to deal with the economic realities in higher education today. Provost McKellips said he wants to stress this is not a non-viable program that Cameron is asking be transferred to The University of Oklahoma. There are about 300 students on campus classified as pre-Nursing students and about 120 each year meet the minimum admission requirements, with approximately 40 being admitted and up to another 20 students who qualify for admission through completion of the accredited LPN program at the Great Plains Vocational Technical School. Cameron's is an Associate degree program. There is a lot of enrollment interest in the program and the graduates of the program have been successful and had high pass rates on the NCLEX examination. Provost McKellips stated one way to deal with issues of this type for all programs in the State is instead of creating and duplicating existing programs on other campuses, that shortages in particular regions be dealt with by using the regional university to broker the programs of other institutions or cooperate with those programs to meet the needs that exist.

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

December 8, 1994

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There being no further business, the meeting adjourned at 2:17 p.m.

  
Chris A. Purcell  
Executive Secretary of the Board of Regents