

C O N T E N T S
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THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS
DECEMBER 10-11, 1996

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THE UNIVERSITY OF OKLAHOMA

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**MINUTES OF A REGULAR MEETING
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS
DECEMBER 10-11, 1996**

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 on December 10, 1996 beginning at 3:15 p.m.

The following Regents were present: Regent G. T. Blankenship, Chairman of the Board, presiding; Regents Stephen F. Bentley, Melvin C. Hall, Donald B. Halverstadt, M.D., C. S. Lewis III, Robin Siegfried, and Mary Jane Noble.

Others attending all or a part of the meeting included Mr. David L. Boren, President of The University of Oklahoma, Provosts Nancy L. Mergler and Joseph J. Ferretti, Vice Presidents Richard E. Hall, Mark E. Lemons, David L. Maloney, and Eddie C. Smith, Interim Vice President Russell W. Driver, Joseph Harroz, Jr., General Counsel, and Dr. Chris A. Purcell, Executive Secretary of the Board of Regents.

Those attending the meeting from Cameron University were Dr. 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 3:00 p.m. on December 9, 1996, both as required by 25 O.S. 1981, Section 301-314.

CAMERON UNIVERSITY

REPORT OF THE PRESIDENT OF THE UNIVERSITY

President Davis presented the following report:

Sciences Complex Move-In

The move into the new 92,000 square foot \$12.5 million Sciences Complex will continue throughout the month as punch lists are satisfied and other last minute work is completed. Classes in the new structure will begin January 13.

Fall Edition of *Wichita* Published

The fall edition of the *Wichita* magazine has been published under the direction of new sponsor Gil Hernandez. The campus magazine is published twice yearly and has replaced Cameron's traditional yearbook which bore the same name.

Symposium

Eighteen graduates of Cameron's physical sciences program returned to campus in November for a seminar entitled "The Role of Cameron Physical Science Alumni in Shaping the 21st Century" that was part of "Festival III: Science, Technology and the 21st Century" and Cameron's celebration of National Chemistry Week. The symposium featured students from Cameron's first baccalaureate class of 1970 through 1993 who are pursuing careers in science and technology.

Dr. Mark Russell, a physician and 1987 Cameron graduate who directs an HMO in Tucson, keynoted the symposium with an address on health care issues. Other speaker/graduates related their involvement in such diverse experiences as use of DNA in the identification of war remains; investigation of the Murrah Building bombing; excimer laser eye surgery; detection of nuclear, chemical and biological weapons through remote sensor systems; visualization of massive, high-dimensional data sets in applications of naval surface warfare; advances in detection and treatment of prostate cancer; pharmaceutical manufacturing; environmental sciences; innovations in dentistry and veterinary medicine; and the chemist's role in the petrochemical industry.

Embryo Transplantation

Cameron agriculture faculty and students are working with a Texas genetics firm to demonstrate how embryo splitting and cloning can be used to produce quality offspring from commercial grade cattle. In the project, researchers breed top-quality bulls to outstanding females, then transplant the embryos to surrogates. The embryo transplant program grew from past practices of selective breeding and artificial insemination designed to improve cattle quality.

Cameron Assists Scouts

Nearly 200 Boy Scouts recently earned merit badges during a series of seminars offered jointly by Cameron University and the Last Frontier Council of the Boy Scouts of America. The project was held on the Cameron campus and offered scouts an opportunity to earn as many as three different merit badges from 40 fields, including aviation, fingerprinting, geology, disabilities awareness, electronics, cinematography, law, citizenship, computers, space exploration, communications, photography and broadcast journalism.

Volleyball Squad Ends Successful Season

Cameron's Lady Aggies finished 1996 with an impressive 25-9 volleyball season with a 10-game winning streak, a new University record. Coach Kim Vinson and her team ended the year with a regional ranking for the first time since the sport was introduced at Cameron and also won more than 20 games in one season for the first time in University history.

ESTABLISHMENT OF HELEN C. SCHUTZ ENDOWED LECTURESHIP

Ms. Helen Schutz has donated \$12,500 to promote the rigorous study and application of the English language and literature at Cameron University and this has been matched by \$12,500 from the McCasland Foundation. In recognition of this gift, President Davis recommends the establishment of the Helen C. Schutz Lectureship and asks approval to seek matching funds from the Endowed Chairs Program of the State Regents. Once matched, the Lectureship corpus will be \$50,000, and annual earnings on it will take on a variety of forms such as sponsorship of a distinguished lecturer or scholar-consultant; development of English language curriculum materials to be used at the university level or in secondary schools; specialized training of faculty or students in innovative English language instructional projects; sponsorship of programs, seminars, or workshops promoting study of the English language and literature; and the acquisition of instructional materials or equipment used in the study of the English language which would not otherwise be available.

President Davis recommended the Board of Regents approve the establishment of the Helen C. Schutz Lectureship in Study and Application of English Language and Literature and approve the application for matching funds from the Oklahoma State Regents for Higher Education.

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

ESTABLISHMENT OF SOUTHWESTERN BELL ENDOWED LECTURESHIP

Southwestern Bell Telephone Company has donated \$12,500 to establish the Southwestern Bell Lectureship in Telecommunications at Cameron University and this has been matched by \$12,500 from the McCasland Foundation. In recognition of this gift, President Davis recommends the establishment of the Southwestern Bell Lectureship and asks approval to seek matching funds from the Endowed Chairs Program of the State Regents. Once matched, the Lectureship corpus will be \$50,000, and annual earnings on it will be used to enhance the telecommunication and multi-media instruction at Cameron University.

President Davis recommended the Board of Regents approve the establishment of the Southwestern Bell Lectureship and approve the application for matching funds from the Oklahoma State Regents for Higher Education.

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

AUDIT REPORT FOR FISCAL YEAR ENDING JUNE 30, 1996

The accounting firm of Cole & Reed, Oklahoma City, has the annual audit of Cameron University for the fiscal year ending June 30, 1996. The report of the auditor and responses of the management of Cameron University were provided to the Regents under separate cover.

Regent Robin Siegfried, Chairman of the Audit Committee, said the Committee had reviewed the audited financial statements with the audit firm of Cole & Reed and University management. He moved acceptance of this Audit Report for the Fiscal Year ending June 30, 1996.

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

QUARTERLY REPORT OF PURCHASES

Policies of the Board of Regents require that purchases in excess of \$75,000 be referred to the Board of Regents for action, with the exception that the President or his designee may award purchase orders and construction contracts up to, but not exceeding, \$100,000 where (a) competitive bids were solicited, (b) more than one bid was received, and (c) the low responsive bid is selected. Purchases made in these authorized instances are reported quarterly to the Board of Regents.

The following report covered purchases made from July 1, 1996 through September 30, 1996:

<u>Item</u>	<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Postage for Meter	Post Office	U.S. Post Office	\$84,000.00
Property Coverage	Insurance	Risk Management	\$87,657.00
Hardware/Software Support	Computer Services	Hewlett-Packard	\$45,477.00
Trunk Lines	Telephone	S.W. Bell Telephone	\$52,500.00
OneNet Membership	Computer Services	Oklahoma State Regents for Higher Education	\$57,600.00
Library Roof	Physical Facilities	Allen Smith Roofing	\$48,046.00

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

QUARTERLY FINANCIAL ANALYSIS

Being reported this month is the Quarterly Financial Analysis for the quarter ended September 30, 1996. The following comments are submitted for consideration:

ALL FUNDS, CAMERON UNIVERSITY

STATEMENT OF REVENUES AND EXPENDITURES

1. At September 30, 1996, revenues from all funds were at \$9.2 million which were 31.4% of the budget.

Expenditures were at \$6.9 million or 22.0% of the budget.

Overall, the budget's revenues and expenditures are close to the amounts anticipated.

STATEMENT OF REVENUES AND EXPENDITURES - EDUCATION AND GENERAL
PART I - UNRESTRICTED

1. Revenues - Revenues of \$6.5 million were reported and are 29.3% of the budget. This is comparable to last year's revenue of \$6.1 million and 30.7% of the budget.
2. Expenditures - Expenditures of \$4.4 million are reported at 16.4% of the budget. This is compared to the prior year expenditures of \$3.8 million and 16.4% of the budget. Expenditures have increased due to salary and benefits adjustments.

STATEMENT OF REVENUES AND EXPENDITURES - EDUCATION AND GENERAL
PART II - RESTRICTED

1. Revenues - Revenues of \$1.8 million were reported at 42.7% of the budget. This is comparable to the prior year revenues of \$1.9 million and 41.2% of the budget.
2. Expenditures - Expenditures of \$1.8 million were reported at 42.1% of the budget. This is comparable to last year's expenditures of \$1.9 million at 42.6% of the budget. Most areas show a slight increase or decrease. These minor fluctuations are in line with what was expected.

STATEMENT OF REVENUE AND EXPENDITURES - AUXILIARY ENTERPRISES

1. Revenues - Revenues for Auxiliary Enterprises are at their anticipated levels.
2. Expenditures - Expenditures for Auxiliary Enterprises are at their anticipated levels.

STATEMENT OF REVENUE AND EXPENDITURES - HOUSING SYSTEM

The Housing System had a deficit of \$63,103 budgeted at the beginning of the fiscal year. It is anticipated any actual deficiencies will be covered from interest earnings.

DISCRETIONARY RESERVES

Discretionary reserves represent that portion of the University's resources which are not currently budgeted for expenditure or otherwise held for specific future uses. As such, resources of this nature are available to fund future capital projects, operating needs, and/or unforeseen contingencies for any lawful purpose of the University.

E & G PART I

The E&G Part I discretionary reserves are estimated to be \$1,245,170 at June 30, 1997. It is customary to make adjustments to this reserve figure throughout the year.

E & G PART II

The E&G Part II has no discretionary reserves. These reserves are needed for working capital for the programs to operate, many of which are reimbursed in arrears.

AUXILIARY ENTERPRISES

The decline of student credit hour enrollment will likely require a reduction in student activity allocations in future budgets.

Miscellaneous Auxiliary Funds have a very small discretionary reserve of approximately \$22,000.

The Housing System has no discretionary reserves. This is the area of the Auxiliary accounts that has the most budgetary pressures to bring revenues and expenditures in line with each other. Some progress has been made but there is still work to do in this area.

Facility Fee discretionary reserves are approximately \$1,026,000. Several projects on the Campus Master Plan will likely be funded from this source.

PLANT FUNDS

Section 13 and New College Funds currently have discretionary reserves of \$150,000. Private Sources discretionary reserve is \$10,000 at this time.

Renewals and Replacements - Auxiliary Enterprises Funds were initially created as an R & R fund for the Housing System. The current discretionary reserves are at \$906,000.

The Facility Fee Bond Fund has a discretionary reserve of \$343,785. Several projects on the Campus Master Plan will likely be funded from the above sources.

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

LITIGATION

There was no report.

MINUTES

Regent Halverstadt moved approval of the minutes of the regular meeting held on October 30, 1996 as printed and distributed prior to the meeting. The following voted yes on the motion: Regents Bentley, Hall, Halverstadt, Lewis, Siegfried, and Noble. The Chair declared the motion unanimously approved.

THE UNIVERSITY OF OKLAHOMA

REPORT OF THE PRESIDENT OF THE UNIVERSITY

President Boren introduced the Chair of the Norman Campus Faculty Senate, Professor Rick Tepker, who was present to address the Regents. President Boren said the administration has had a very constructive relationship with the Faculty Senate and he values this. He

said there are monthly meetings with the executive committee of the Faculty Senate at which items of mutual concern are discussed and he receives very constructive input from this group. President Boren expressed his appreciation for the leadership Professor Tepker has provided the Faculty Senate.

Professor Tepker said he wanted to address the place of public higher education in America today and The University of Oklahoma's experience is representative of what is going on around this country. The higher education model ought to be and is built around a triangulated relationship. It is the teacher, the student and knowledge. The function of University planning and administration must be to keep that triangulated relationship vibrant, energetic and productive. He said he thinks every university in the country is facing unusual cultural challenge. The first problem is the size of the University--we haven't yet learned to deal with the problems confronting an increasingly bureaucratic governmental agency. The second problem is a decline in cultural literacy, a decline in reading and writing abilities. It is increasingly difficult to deal with the sentiments and the priorities that are created by MTV and television. The third one is law. We have to learn how to maintain a degree of initiative and energy despite our anticipation of liability and the need to be ever more cautious in the way we plan our affairs. The fourth influence is a diminished sense that the professor is in a profession, a diminished sense that research and teaching is a special calling. And the last problem is diminished resources. These challenges are real and yet there is very little systematic discussion of who we are and what we want to do. We are seeking a genuine positive role as a collaborator in the development of a strategy to deal with these issues. Ultimately these particular issues revolve around a struggle for the soul of higher education and the issue is whether we are going to be a bureaucratic soul or an entrepreneurial soul answerable to the bottom line and to the profit motive, or are we going to be continuing as a soul of a University.

1995-96 EXTERNAL AUDIT AND ANNUAL FINANCIAL REPORTS

At the April 1996 meeting, the Regents selected KPMG Peat Marwick, LLP., (KPMG) to serve as the University's financial statement auditors. KPMG has completed the University audit for the year ended June 30, 1996. A copy of the Independent Auditor's Report and the Annual Financial Report was mailed to each Regent with the agenda.

The audit was conducted in accordance with generally accepted auditing standards and in accordance with the engagement letter outlining the expectations and scope of the audit. Based upon the audit, KPMG 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.

Regent Robin Siegfried, Chairman of the Audit Committee, stated the Committee had reviewed the audited financial statements with the audit firm of KPMG Peat Marwick, LLP. and University management. He moved acceptance of the 1995-96 External Audit and Annual Financial Reports.

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

THE UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION 1997 STUDENT ACTIVITY FEE BUDGET - NORMAN CAMPUS

The Board of Regents approved the Student Activity Fee gross budget on March 6, 1996.

The following budget developed by the UOSA Ways and Means Committee allocates funds to the UOSA Executive, Legislative and Judicial branches. It also allocates funds to Housing, Commuters, Greek Affairs and the Campus Activities Council. In addition, it sets aside funds for further allocation to individual student organizations and sports clubs.

UOSA BUDGET FOR FISCAL YEAR 1997

FUNDS AVAILABLE	
Lump Sum from Regents	\$425,800.00
1996 Reserve	25,900.00
	<u>\$451,700.00</u>
APPROPRIATIONS	
UOSA Branches	\$247,889.57
Law Center	14,420.00
Student Organizations and Sports Clubs	72,735.61
UOSA Reserve	900.00
Salaries and Stipends Account	115,754.82
TOTAL	<u>\$451,700.00</u>

UOSA APPROPRIATIONS ACT

<u>ORGANIZATION</u>	<u>1996</u>	<u>1997</u>	<u>Difference</u>
Adams Center	\$ 1,250.00	\$ 2,545.58	\$ 1,295.58
Athletic Housing Center	675.00	0.00	(675.00)
Campus Activities Council	4,000.00	2,550.00	(1,450.00)
CAC Commuter At-Large Representatives	250.00	1,037.50	787.50
CAC Greek At-Large Representatives	750.00	1,075.00	325.00
CAC Resident At-Large Representatives	125.00	200.00	75.00
Campus Film Series	16,000.00	16,690.00	690.00
Cate Center	1,531.00	2,817.00	1,286.00
College Bowl	3,560.00	4,012.50	452.50
Community Service	1,995.00	1,155.00	(840.00)
Commuter Student Association	3,170.50	3,200.00	29.50
Concert Series	8,450.00	28,414.00	19,964.00
Cross/Couch Center	1,420.00	1,950.00	530.00
Dads' Day	3,000.00	3,094.43	94.43
Ellison Hall Operating Fund	46,818.88	51,446.54	4,627.66
Graduate Student Senate	1,800.00	4,216.00	2,416.00
Graduate Student Senate Professional Development	22,000.00	21,000.00	(1,000.00)
Homecoming	2,265.00	2,438.38	173.38
Housing Center Association	2,325.00	6,348.16	4,023.16

<u>ORGANIZATION</u>	<u>1996</u>	<u>1997</u>	<u>Difference</u>
Howdy Week	\$ 1,775.00	\$ 1,800.00	\$ 25.00
Interfraternity Council	1,350.00	3,000.00	1,650.00
Moms' Day	3,050.00	3,700.00	650.00
National PanHellenic	1,180.00	1,635.00	455.00
PanHellenic	1,935.00	2,852.00	917.00
Speakers' Bureau	55,500.00	59,500.00	4000.00
Spirit Council	1,200.00	1,200.00	0.00
Student Bar Association	13,650.00	14,420.00	770.00
Student Union Activities Board	1,650.00	2,280.00	630.00
Subsidiary Reserve	1,700.00	900.00	(800.00)
University Apartment Center	850.00	1,037.65	187.65
UOSA Contingency Fund	1,300.00	0.00	(1,300.00)
UOSA Executive Branch	3,849.66	3,926.00	76.34
UOSA Judicial Branch	1,000.00	1,250.00	250.00
UOSA Legislative Branch	4,890.00	5,200.00	310.00
UOSA Publications	1,000.00	500.00	(500.00)
UOSA Salaries & Stipends	114,753.24	115,754.82	1,001.58
UOSA Advertising	690.48	1,800.00	1,109.52
Walker Tower	929.00	3,018.83	2,089.83
Winter Welcome Week	1,200.00	1,000.00	(200.00)
SUB-TOTALS	<u>\$334,837.76</u>	<u>\$378,964.39</u>	<u>\$44,126.63</u>
Student Organizations (including Sports Clubs)	<u>115,162.24</u>	<u>72,735.61</u>	<u>(42,426.63)</u>
TOTALS	<u>\$450,000.00</u>	<u>\$451,700.00</u>	<u>\$ 1,700.00</u>

President Boren recommended that the Board of Regents approve the 1997 Activity Fee Budget which funds officially recognized student organizations from January 1, 1997 to December 31, 1997.

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

PROFESSIONAL LIABILITY INSURANCE RENEWAL

The patient care activities of the Professional Practice Plans 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 coverage. Malpractice insurance coverage is required for clinical faculty by the colleges. The level of coverage is determined by the individual faculty member. Physicians Liability Insurance Company (PLICO) is the most common insurer utilized by Plan members. The Practice Plans general guidelines provide for disposition of collected income including the payment of malpractice insurance. 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 coverage are included with a statement of the Board of Regents' liability. The professional liability rates for 1997 may increase approximately 7%. The 1996 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 \$1,639 annually to a maximum cost of \$30,629 for \$5 million for any one claim and \$5 million aggregate per year in the high cost surgery specialty. There are 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	\$ 3,699.00
1A. Urgent Care	5,488.00
2. Minor Surgery (superficial)	5,971.00
3. Surgery, no major surgery	7,549.00
3A. Emergency Medicine-No Major Surgery Surgery-Not Primarily Engaged in Major Surgery	8,587.00
3B. Anesthesiology	12,681.00
4. Surgery, Laryngology, Otology, Otorhinolaryngology, Rhinology	16,261.00
4A. Emergency Medicine - Major Surgery	17,782.00
5. Surgery: Abdominal, General, Gynecology, Hand, Head and Neck	18,378.00
5A. Surgery: Cardiac, Cardiovascular Disease	19,240.00
6. Surgery: Plastic, Plastic Otorhinolaryngology, and Vascular	19,555.00
7. Surgery: Thoracic and Traumatic	20,497.00
8. Surgery: Neurology, including child Obstetrics and Gynecology, and Orthopedics	25,114.00

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 (M.D.) residents and medical students. The total cost is estimated not to exceed \$3,722,257.

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

PURCHASE OF RETROFIT LIGHTING - HEALTH SCIENCES CENTER

At a meeting on June 27, 1995, the Board of Regents approved a purchase order for \$253,965.62 to Energy Concepts to retrofit lighting in the HSC Biomedical Sciences Building. Energy Concepts projected an energy cost reduction of about 35%. The project was completed in September 1995 and energy savings in the building to date are averaging about 31%. The projected savings this year is approximately \$72,000.

The strategy was to test the concept with one building and if energy cost reductions were realized, to retrofit the other HSC buildings on campus. Based on experience with the Biomedical Sciences Building, HSC anticipates additional energy cost savings of about \$265,000 per year on the eleven additional buildings. Reduced maintenance cost resulting from installation of new fixtures is not included in the above calculations of savings and is an additional benefit to the HSC. The estimated time to recover the cost of material and labor by Energy Concepts is less than five years.

A bid for a performance contract was issued to retrofit the remaining eleven HSC buildings on May 23, 1996. The bid specifications require the contractor to be paid from actual energy savings. The contract requires a mutually accepted third party to validate the actual energy savings. Bids were issued to six plan rooms and 11 vendors. Plan rooms are organizations that collect bid information and make the information available to contractors for a fee. Bid results received are as follows:

Energy Concepts Inc. Tulsa	Lighting Retrofit Solar Film Replacement	\$1,009,182 \$ 45,000
Houchin Electric Tulsa		No Bid
Energy Consultants Oklahoma City		No Bid

It is the recommendation of Administration to award a purchase order to Energy Concepts Inc. in the amount of \$1,054,182 pending approval by Legal Counsel of a final contract.

President Boren recommended the Board of Regents approve the award of a purchase order to Energy Concepts, Inc. in the amount of \$1,054,182 pending approval by Legal Counsel of a final contract to retrofit lighting in eleven Health Sciences Campus buildings and for solar film replacement in the Biomedical Sciences Building.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Bentley, Halverstadt, Siegfried, and Noble. Regents Hall and Lewis abstained due to an attorney in their firm having done some work for Energy Concepts, Inc. The Chair declared the motion approved.

SUBSTANTIVE PROGRAM CHANGES - NORMAN CAMPUS

The Oklahoma State Regents for Higher Education require that all substantive changes in degree programs be presented to the institution's governing board for approval before being forwarded to the State Regents for consideration. The changes in academic programs itemized on the list, attached hereto as Exhibit A, have been approved by the appropriate faculty, academic units and deans, the Academic Programs Council, and the Senior Vice President and Provost. They are being submitted to The University of Oklahoma Board of Regents for approval prior to submission to the State Regents.

President Boren recommended approval of the changes in Norman Campus academic programs.

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

NONSUBSTANTIVE PROGRAM CHANGES - NORMAN CAMPUS

The Oklahoma State Regents for Higher Education require that all changes in degree programs be presented to each institution's governing board before being forwarded to the State Regents for consideration. However, under the policies for program approval, nonsubstantive changes may be approved by the institution's academic vice president and forwarded to the State Regents for information only. The changes in academic programs itemized on the list, a copy of which was included in the agenda, have been approved by the appropriate faculty, academic units and deans, councils and the Senior Vice President and Provost.

President Boren submitted changes in Norman Campus programs to the Board of Regents for information only. No action was required.

POLICY REGARDING CONFLICT OF INTEREST -NORMAN CAMPUS

New federal regulations which require disclosure and management of outside financial interests of personnel funded by the National Science Foundation (NSF) and National Institutes of Health (NIH) became effective October 1, 1995; and institutions were required to meet the specifications of the regulations before NSF and NIH funding could be accepted. A one-year policy was approved by the Board of Regents on September 26, 1995 for both campuses of The University of Oklahoma and for Cameron University with a September 1996 sunset clause. This policy was extended by the Regents on September 11-12, 1996 through December 1996 for the Norman Campus; and through September 1997 for both the Health Sciences Center Campus and for Cameron University.

Because each campus of The University of Oklahoma has unique programs and quite different teaching and research contexts, the Norman Campus seeks approval of a Conflict of Interest Policy that is tailored to the specific needs and issues confronting the Norman Campus faculty. The Conflict of Interest Policy (COI) Review Committee of Norman faculty and staff members was appointed last fall by the Provost of the Norman Campus with the charge to implement and/or suggest modifications to the new Regents' policy regarding conflict of interest.

The recommended policy for the Norman Campus narrows the focus of the conflict of interest policy to significant financial interest as defined by the NIH regulations (\$10,000 or more per year). A procedure for annual disclosure - similar to the procedure for disclosure of extra employment and extra compensation assignments within the University - will be implemented through the Provost's Office to expedite compliance with the COI policy. This policy has been endorsed by the Faculty Senate; it again contains a sunset clause for September 1997. Discussions continue to be held, with the likelihood that additional revisions will be made in subsequent years.

The following summarizes significant changes in the revised policy:

Scope

As noted above, the revised policy covers only financial conflicts, not "conflicts of commitment" arising from an employee's nonpecuniary interests. Language has been added to approve and encourage employee participation in legitimate outside activity, including volunteer and pro bono work. In addition, the definition of "family" member whose financial interests may constitute a conflict of interest has been narrowed to spouse and dependent children.

Conflict Disclosure and Management

The revised policy retains annual disclosure requirements for all employees whose outside interests or activities may lead to a conflict of interest. However, the policy presumes that, once disclosed, such interests or activities are permissible until prohibited by the University (except where prior approval is federally required). The revised policy retains the current policy's procedure for administrative review and management of potential conflicts, but adds that all management plans must be narrowly tailored and should not unduly burden First Amendment expression.

Sanctions

The proposed policy retains sanctions for nondisclosure of a conflict. However, it limits severe sanctions to situations involving knowing or intentional noncompliance, and prohibits sanctions for any period in which the dean or other unit head knew of the conflict but took no action to eliminate or manage it.

The proposed Norman Campus Conflict of Interest Policy was included in the agenda as well as a copy of the current policy in force. Just prior to this meeting, a copy of the policy with additional revisions was distributed. The Norman Campus Committee of the Board of Regents met earlier and discussed these revisions. General Counsel Joe Harroz gave the Regents a brief report on the most recent changes. He said it now narrows the definition of members of the family who must be disclosed. Also, once a potential conflict of interest is disclosed to the appropriate Vice President, there will be a 10 working day period during which the administration can review the proposed conflict of interest. If that time period is not feasible, an expedited review will be handled by the appropriate Vice President. Mr. Harroz said other newly-made changes to the proposed policy are technical corrections.

Regent Halverstadt pointed out that this latest draft policy refers to a two week period for review, not 10 days. Mr. Harroz said that amendment will be made.

The proposed Conflict of Interest Policy with the revisions as discussed is as follows (additions are underlined and additions are lined through). The policy appendices are attached hereto as Exhibit B.

NORMAN CAMPUS CONFLICT OF FINANCIAL INTEREST POLICY

I. PURPOSE OF POLICY

This policy addresses situations where there might be a potential financial ~~or personal~~ conflict between a particular outside interest of a faculty or staff employee and the obligation that the employee owes to the University such that an employee's profit or advantage may come, or reasonably appear to come, at the expense of the well-being of the University.

The purpose of this policy is to aid in identifying apparent, actual and potential conflicts of interest and assuring that such conflicts do not improperly affect the activities or professional conduct of the universities or their employees. For purposes of this policy, the term University shall refer to the Norman Campus of The University of Oklahoma only.

It is not the intent of this policy to restrict legitimate work appropriate to the employee's profession or discipline, but only to provide the University with authority to take action that is appropriate, proportionate and focused on substantial conflicts of interest that compromise an employee's professional judgment.

II. STATEMENT OF GENERAL POLICY

The University of Oklahoma is a public institution committed to the mission of teaching, research and community service. To these ends, the institution balances an assortment of principles: maintaining an atmosphere that promotes free and open scholarly inquiry;

facilitating the transfer of information and technology for the benefit of the public; and serving as a prudent steward of public and private resources entrusted to it. Faculty and staff have a primary commitment to their basic university duties of teaching, research and creative activity, and public service. These basic duties often limit outside activities. As a result, professional and personal activities may present conflict of interest situations which should be evaluated under the auspices of this and other applicable policies.

Faculty participation in outside professional, commercial and pro bono publico activities can make important direct and indirect contributions to the strength and vitality of the University. Through participation in such activities, faculty or staff employees may add to knowledge and understanding that is relevant and useful to teaching and research within the University, develop sources of funding and support for activities carried out in the University, and establish relationships valuable to the University. Because of its value to the University, its rewards for individual faculty, and its contributions to the larger society of which the University is a part, the University recognizes that employee participation in outside professional, commercial or pro bono publico activities is often appropriate.

Sound professional discretion is an integral part of the University's conflict of interest system. Any review of a potential conflict of interest will be undertaken in light of four general propositions. First, conflicts of interest per se are inevitable, and do not necessarily represent any impropriety by faculty or staff employees if disclosed in advance. Second, the failure to disclose a conflict of interest for administrative review and response would be a serious mistake for any faculty or staff employee, and may be a breach of this policy. Third, there is a presumption in favor of allowing faculty or staff employees to act in dual roles once the conflict of interest has been disclosed (~~although~~ prior approval ~~may be~~ is required in cases of potential conflicts involving federal grants or contracts), ~~see section~~ See sections V(A) V(B)(1) and V.(G) below. Fourth, conflicts of interest may be so profound or substantial under some circumstances that it would be best for all concerned if the faculty or staff employee did not participate in a particular transaction.

It is not possible to completely eliminate the potential for conflict of interest because there are certain rewards and incentives that are inherent or appropriate in the structure of a university enterprise. Such conflicts become detrimental when the potential temptations, financial or otherwise, undermine reasonable objectivity in the design, interpretation, and publication of research; setting University policies; managing contracts; selecting equipment and supplies; involving students in sponsored projects; or performing other roles in University governance in which objectivity and integrity are paramount. Furthermore, since allegations of conflicts of interest based on appearances can undermine public trust in ways that may not be adequately restored even when mitigating facts are brought to light, apparent conflicts should be avoided, when feasible and appropriate.

Other sections of this Policy notwithstanding, it is the ongoing responsibility of the employee to abide by the provisions of all other applicable federal, state, and University's laws and policies relating to conflicts of interest; to identify potential conflicts of interest; and to disclose and seek guidance on such matters from the appropriate vice president.

III. WHEN IS THERE A CONFLICT OF FINANCIAL INTEREST?

A conflict of financial interest exists when a Significant Financial Interest could substantially compromise an employee's judgment in the performance of University duties. Faculty and staff are responsible for disclosing those Significant Financial Interests that would

reasonably appear to be affected by or to affect their university duties. However, it is the responsibility of the University, not the discloser, to determine if the disclosed interests could significantly affect the performance of University responsibilities and to require the management, reduction or elimination of the conflict.

This policy does not address conflict of commitment, which is the subject of other provisions of the faculty and staff handbooks. (See, especially, Faculty Handbook sections 3.6 et seq., 3.8.2, and 4.20.2). Such conflicts may be addressed by additional policies in the future.

IV. DEFINITIONS

Appropriate Vice President: The appropriate vice president giving oversight of the management protocols depends on the activity generating the potential conflict of interest. If the employee activity is a research activity, the vice president for research will provide oversight regardless of where the individual is employed within the university. If the activity is not research-related, the vice president in whom authority resides over the particular unit in which the individual is employed will provide oversight.

Compensation: All remuneration or other things of value received in payment for services rendered is considered to be compensation. This can include salary or other forms of payment including gifts, stocks or other items of significant financial value.

Employee: Any person possessing either a full-time or part-time faculty or staff appointment at the University who is eligible to receive benefits and receives a salary or wage for his/her defined responsibilities. This definition does not include temporary employees appointed (30) days or less or a member of the Board of Regents of The University of Oklahoma and Cameron University. For application of this policy, this definition may include students, both graduate and undergraduate, who work on a grant or contract and have responsibility, in whole or in part, for the reporting of research.

Family: An employee's spouse and dependent children.

Serious Breach: A serious breach of this policy is a failure to disclose or prohibited action in conscious disregard of this policy. Conscious disregard is a mental state embracing either (i) intent to deceive, manipulate or defraud; (ii) guilty knowledge; or (iii) moral awareness that the alleged conduct violated the policy.

Significant Financial Interest: Anything of monetary value, including, but not limited to, salary or other payment for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights).

The term does not include:

- (1) salary, royalties, or other remuneration from The University of Oklahoma;
- (2) income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- (3) income from service on advisory committees or review panels for public or nonprofit entities;

- (4) an equity interest that, when aggregated for the employee and the employee's spouse and dependent children, meets all of the following tests:
 - (a) Does not exceed ten thousand dollars (\$10,000.00) in value as determined through reference to public prices or other reasonable measures of fair market value;
 - (b) does not represent a five percent (5%) or more ownership interest in any single entity; and
 - (c) did not yield dividends of one thousand dollars (\$1,000.00) or more during the preceding calendar year; or
- (5) salary, royalties or other payments that, when aggregated for the employee and the employee's spouse and dependent children over the next twelve months, are not reasonably expected to exceed ten thousand dollars (\$10,000.00).

Potential equity value should be considered in those instances where the employee has an equity interest in a privately-held company and the potential exists for bias in design, conduct, or reporting of research based on future financial benefit; the true value of that interest may not be known until the firm goes public but the faculty or staff employee should make a reasonable assessment of the future market value of the equity.

Regardless of the above minimum requirements, a faculty or staff member, in his or her own best interest, is encouraged to disclose any other financial or related interest that could present an actual conflict of interest or be perceived to present a conflict of interest. Disclosure is a key factor in protecting one's reputation and career from potentially embarrassing or harmful allegations of inappropriate behavior. (faculty or staff employees are encouraged to ask for guidance from their department chair or dean or the Provost's Office even in situations that are not covered by the disclosure procedures in this policy.)

University Resources: All University facilities, personnel, equipment, property, materials or proprietary information constitute University resources.

V. POLICIES & PROCEDURES FOR DISCLOSURE, REVIEW AND MANAGEMENT OF POTENTIAL CONFLICTS OF INTEREST

A. Disclosure

Every employee of the University shall make annual disclosure of any significant financial interest(s), as defined in Section IV of this policy, that ~~he or she has in entities outside the University~~ would reasonably appear to be a conflict of interest. This disclosure shall be made in writing to the ~~employee's unit head or supervisor who will review the disclosure, discuss it with the employee and forward the disclosure, along with his/her written recommendations (including, if proper, a plan to manage any conflict this interest presents) through regular administrative channels (copied to the employee) to the~~ appropriate vice president for decision on how to proceed Vice President. The vice president may consult with advisory personnel, group or committee appointed for that purpose pursuant to policies and procedures established by the University or with others in connection with the review and, upon completion, shall advise the employee in writing of his or her decision, and the reasons for the decision, to accept (with or without modifications), return for more information or reject the recommendations. If accepted, the notification shall include, among other things, requirements for immediate action and plans for continued monitoring of the potential or actual conflict.

Employees shall provide at least ~~two weeks~~ ten (10) working days for review of their disclosure prior to making any commitment that could reasonably lead to a conflict. However, in the event the ~~two weeks~~ ten (10) working day time period is not feasible, the employee should identify the need for expedited review and submit the request to the appropriate Vice President.

Any changes that occur in an employee's significant financial interests during the year shall be disclosed promptly and reviewed in the manner described above.

B. Prior approval.

1. As required by federal law and regulations, all financial disclosures must be made, and all identified conflicts of interest must be satisfactorily managed, reduced or eliminated prior to the University's expenditure of funds under the award, in accordance with the institution's conflict of interest policy.
2. Although there is a presumption in favor of allowing faculty or staff employees to act in dual roles once a conflict of interest has been disclosed, an employee shall not proceed with proposed activity prior to university evaluation as detailed in paragraph V.(A).

C. Examples of Management of Conflicts of Interest

Conditions or restrictions that might be imposed by the University to manage, reduce or eliminate actual or potential conflicts of interest include but are not limited to:

1. public disclosure of relevant information regarding the conflict of interest, such as all relevant significant financial interests;
2. monitoring of research by independent reviewers;
3. modification of the research plan, activity or agreement to eliminate or minimize the conflict of interest;
4. designation of an appropriate university representative to have immediate oversight responsibility over the management plan;
5. divestiture of significant financial interests;
6. disqualification from participation in the portion of the activity that would be affected by the significant financial interests;
7. severance of the relationships that create actual or potential conflicts.
8. termination of student involvement in the project.

Some Federal funding agencies permit research to proceed, in spite of disclosed conflicts, if the review determines that imposing restrictions or conditions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare. However, the University is ultimately responsible for the determination of whether a research or educational project which involves a conflict should proceed.

All management plans must be focused and narrowly tailored to minimize or eliminate improper conflicts of interest.

D. Reports

After development of an acceptable management plan and commencement of the work, the appropriate individuals with oversight responsibility will regularly report, in writing, to the appropriate vice president on the effectiveness of the plan. The frequency of such reports shall be determined by the vice president but shall in all events be at least annually.

E. Modification of Management Plans

If, after sufficient experience to assess the effectiveness of the management plan and after notice to and full consultation with all appropriate parties, the appropriate vice president determines that the conflict has not been properly managed or has become unmanageable, he/she may modify the plan. If outside agencies require notification of conflict resolution and management, they will be notified in accordance with their requirements.

F. The forms suggested for this disclosure and management process may be found in the Forms appendix to this policy. The Provost shall provide annual notice and explanation of the forms to be used in the disclosure process for the coming year.

G. It is understood that faculty and staff employees shall clearly, fully, and truthfully disclose, in writing, all activities, relationships, or interests that might present conflicts of interest. Nevertheless, there shall be no retrospective sanctions under this policy for the period of time after the ten day review period, detailed in paragraph V.(A), when the ~~dean, department chair, or other appropriate unit head or supervisor~~ vice president knew of such activities, relationships, or interests and, acting in good faith, took no action to manage, minimize, or eliminate them.

VI. UNIVERSITY ADMINISTRATOR RESPONSIBILITIES

A. Because of the special role that chairmen of departments and committees, deans of divisions and schools, the Provost, the President, and other senior academic officials play in administering the affairs of the University, it is especially important that faculty or staff employees serving in these administrative positions avoid involvements in outside professional or commercial activities that pose potential conflicts of interest with the fulfillment of their responsibilities to the University. The necessary involvement of these administrative officials in the appointment and promotion process, in decisions concerning students, and in the supervision of other faculty requires that they be especially sensitive to potential conflicts of interest and that they uphold a particularly rigorous standard for avoiding such conflicts.

B. The Appropriate Vice President should report periodically to the President, the Research Council, the Faculty Senate, the Staff Senate and other appropriate governing bodies on the status of conflict of interest issues among the faculty and staff and on major issues concerning faculty and staff involvement in such activities.

VII. PROCEDURES FOR REVIEWING ALLEGED POLICY VIOLATIONS

- A. Faculty or staff employees are subject to the ordinary disciplinary process of the University if they fail to fully and truthfully disclose activities or relationships that could reasonably be viewed as conflict of interest situations or fail to comply with any stipulated plan for managing the disclosed conflict. They may be subject to criminal sanctions or civil liability under federal and/or state law as well.
- B. Failure to disclose known conflicts of interests or to follow an appropriate prescribed management plan may be a serious breach of this policy and may itself be considered ethical misconduct or professional dishonesty.
- C. University sanctions for serious breaches of this policy may include, without restriction, reprimand, restitution, loss of pay, suspension, expulsion or dismissal. Furthermore, persons who violate this policy also may be subject to civil and criminal penalties for violations of state or federal law.
- D. Allegations against a faculty or staff employee for breach of this policy should be reported in a confidential writing to the Provost and, if against a staff employee, to the executive officer in whose area the alleged transgressor is employed.

VIII. MISCELLANEOUS PROVISIONS**A. CONFIDENTIALITY**

All information disclosed by an employee for the purpose of disclosure and management, and all official records of disclosure and management shall be considered a part of the employee's personnel file or student file and shall be deemed confidential. Any information disclosed by an employee as required by this policy shall be used solely for the purpose of administering and/or executing this policy and may not be disclosed or used for any other purpose unless required by law. Unauthorized disclosure of any such information shall be deemed to be unethical behavior and a violation of this policy and subject to appropriate disciplinary action.

The University is required to make information available, upon request, to Federal agencies sponsoring work at the University regarding all conflicting interests associated with the funded project identified by the University and how those interests have been managed, reduced or eliminated to protect the research from bias. The University maintains records of all financial disclosures and all actions taken by the University with respect to each conflicting interest for a reasonable period of time. For sponsored research activities, records will be retained for at least three years from the date submission of the final expenditures report or where applicable, from other dates specified by requirements of the sponsoring agency. The above notwithstanding, all such records shall be retained for the period of time as may be required by law.

B. RELATIONSHIP TO OTHER UNIVERSITY POLICIES

There are a number of University policies which govern the duties and responsibilities of University employees which, while not repeated here, nevertheless may apply to conflict of interest situations. For example, University policies regarding nepotism

and consensual sexual relationships also articulate important principles restricting employee conflicts of interest. A listing of these policies is included as Appendix C to this Policy.

C. CONFLICT OF INTEREST LAWS

In addition to this policy, the state has imposed laws and rules governing conflicts of interest in State employment. This Policy overlaps with but does not supplant University employees' responsibilities under state or federal law, which in some instances will include additional, and sometimes different, prohibitions, penalties and reporting duties. Relevant state laws/rules are available at the Office of Legal Counsel. Federal conflicts of interest laws also may be applicable to those who receive federal grants/contracts or to those employed partly by federal agencies. Further information in this regard is available at the Office of Research Administration at The University of Oklahoma and at the Office of the Vice President for Development at Cameron University. By reference thereto, this policy includes all requirements relating to conflicts of interest to which the University and/or its employees are subject under state or federal law.

D. FREEDOM OF EXPRESSION AND ACADEMIC FREEDOM

This policy does not purport to prohibit expressive conduct protected from severe sanctions, punishment or other undue burdens by the Constitutions of the United States and of Oklahoma. Specifically, nothing in this policy shall be construed to authorize the University to take adverse action against any employee for consulting or outside professional activities because of the employee's viewpoint, ideology, creed, political opinion or for any other political motivation.

IX. POLICY MAINTENANCE

The provost and vice presidents of each campus shall review the applications, operation and management of this policy at least as often as annually, otherwise, as often as necessary to confer and formulate recommendations to the president of the University regarding revision of the policy. If an advisory group or committee has been appointed, that committee shall be included in the review process.

X. EFFECTIVE PERIOD

The effective period of this Policy Regarding Conflict of Interest shall begin when duly approved by the Board of Regents of The University of Oklahoma at a regular or special meeting and shall end three-hundred sixty-five (365) days thereafter unless extended or reduced by action of the Board at a regular or special meeting within said three-hundred sixty-five (365) day period.

President Boren recommended the Board of Regents approve the revised Policy Regarding Conflicts of Interest for the Norman Campus, which was distributed to each Regent just prior to this meeting, which provides guidelines for identifying and addressing conflicts of interest that may arise in the course of one's University employment.

Regent Halverstadt moved approval of the recommendation. The following voted yes on the motion: Regents Bentley, Hall, Halverstadt, Lewis, Siegfried, and Noble. 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 1995 and 1996, 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.

SEPTEMBER 1996 SUMMARY:

Norman Campus and Health Sciences Center Combined Data

- Research expenditures show an increase of 4% (\$5.0 million vs. \$5.1 million) while awards decreased by 4% (\$9.4 million vs. \$7.0 million). Proposal activity has decreased 24% from last year (\$22.2 million vs. \$15.6 million).
- Total expenditures are up 4% at \$9.4 million. However, total awards are down 1% at \$13.8 million and proposal activity is down 52% at \$22.9 million.

Norman Campus

- Faculty based research expenditures are down for the month but have increased 1% overall since last year (\$9.6 million vs. \$9.5 million). Awards have increased 3% at \$5.5 million while proposal activity decreased 45% from last year (\$8.0 million vs. \$7.7 million).
- College of Continuing Education expenditures are up 7% from last year (\$1.5 million vs. \$1.3 million), awards are down 27% at \$1.1 million and proposal activity is down 90% at \$558,000.

Health Sciences Center

- Research expenditures are up 9% over last year (\$2.5 million vs. \$2.3 million). Awards are down 12% from last year (\$3.8 million), but proposal activity is up 40% at \$14.2 million.
- Total expenditures are up 1% over last year (\$4.9 million vs. \$4.8 million). Awards are up 9% from last year (\$6.8 million vs. \$4.7 million), and proposal activity is up 31% (\$14.4 million vs. \$8.8 million).

OCTOBER 1996 SUMMARY

Norman Campus and Health Sciences Center Combined Data

- Research expenditures show an increase of 8% (\$23.3 million vs. \$21.5 million) while awards remained the same at \$30.8 million. Proposal activity has increased 15% from last year (\$66 million) vs. \$57.8 million).
- Total expenditures are up 6% at \$38.7 million. Total awards are up 26% at \$53.3 million but proposal activity is down 30% at \$73.5 million.

Norman Campus

- Faculty based research expenditures have increased 3% (\$12.6 million vs. \$12.2 million). Awards have increased 7% at \$16.3 million while proposal activity decreased 29% from last year (\$40.1 million vs. \$56.4 million).
- College of Continuing Education expenditures are up 9% from last year (\$6.3 million vs. \$5.8 million), awards are down 32% at \$7.0 million and proposal activity is down 90% at \$4.4 million.

Health Sciences Center

- Research expenditures are up 15% over last year (\$10.7 million vs. \$9.3 million). Awards are down 6% from last year (\$14.6 million), but proposal activity is up 33% at \$26.2 million.
- Total expenditures are up 3% over last year (\$18.7 million vs. \$18.0 million). Awards are up 14% from last year (\$29.2 million vs. \$25.7 million), and proposal activity is up 26% (\$27.7 million vs. \$22.0 million).

President Boren recommended that the Board of Regents ratify the awards and/or modifications for September and October 1996 as submitted.

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

PURCHASE OF A USED 2/COLOR OFFSET PRESS

University Printing Services currently utilizes a 1/color press to print newsletters and other brochures (e.g., *Campus Connections*, *State Regents' Leader* and others) for University departments requiring 2/color brochure printing. The 1/color press takes too long to print the materials and meet customer schedules. There are often turnaround times of 24 hours required. There is a growing demand for 2/color printing.

The solution is an offset press that will print 2/color with the ability to perfect 1/color over 1/color, with a maximum sheet size of 23 x 33. This would replace the 20 year old 1/color press currently in use.

The objective is to locate and purchase an offset press built between 1985-1988 for a cost not to exceed \$125,000. The decision to purchase will be determined on the following criteria: age, condition, features, and cost. A new press could cost between \$300,000 - \$400,000 and is not a prudent use of funds if a good used one can be found.

Pre-approval by the Regents is required due to the nature of the market. As used equipment comes on the market it is resold very quickly. This makes it imperative to be able to buy immediately when the right press is found and not go through the normal bid process. Efforts will be made to obtain the best value to the University on this purchase by advertising in trade journals and/or communicating by telephone, fax, e-mail, etc. to determine options for available equipment.

Funds for this purchase will come from University Printing Services Reserve and Replacement Account No. 134-7309.

President Boren recommended that the Board of Regents approve the authorization for University Printing Services to purchase a used offset press in an amount not to exceed \$125,000.

Regent Bentley moved approval of the recommendation. Regent Lewis requested an amendment to Regent Bentley's motion to include authorization to trade-in the existing 1/color press if that is determined to be financially of the greatest benefit to the University. Regent Bentley accepted this modification.

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

PURCHASE OF AN INTEGRATED CO2/FAR-INFRARED LASER SYSTEM FOR USE BY THE DEPARTMENT OF PHYSICS AND ASTRONOMY

Specifications were recently circulated for bids to provide an integrated CO2/FAR-infrared laser system for use by Physics and Astronomy for reflection and transmission studies of ultra thin layers of semi conductors research associated with the Laboratories for Electronic Properties of Materials program.

Bids were circulated to eight companies in an effort to determine if any other firms could furnish this specialized equipment. Two "no bid" responses were received.

Only one bid was received:

Edinburgh Instruments, Ltd.	\$85,040.00
Edinburgh, Scotland	

Although other companies manufacture infrared lasers and/or CO2 lasers, Edinburgh Instruments, Ltd. is currently the only known manufacturer that provides a system combining both laser functions which are required for this research.

Funds are available from:

National Science Foundation, Accounts 125-4663, 125-4664	\$55,040.00
Transfer from Office of the Vice President for Research	<u>30,000.00</u>
	\$85,040.00

President Boren recommended that the Board of Regents approve the award of a contract in the amount of \$85,040 to Edinburgh Instruments, Ltd. to furnish an Integrated CO₂/FAR-Infrared Laser System for the Department of Physics and Astronomy.

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

SELECTION OF COLLECTION AGENCIES

For a number of years, the Norman Campus has utilized the services of two collection agencies to assist in the collection of past due federal loans, institutional loans, and accounts receivable. (Due diligence requirements imposed by the federal government on federal loans require the University to utilize at least two collection agencies.) A recent internal audit noted that these contracts were several years old and had not been competitively bid in recent years. A Request for Proposal (RFP) for collection agency services was distributed to 50 collection agencies. Responses that met the RFP requirements were received from nine agencies.

The following table illustrates the results of the evaluation:

	<u>Proposal</u>		<u>Fees</u>		<u>References</u>		<u>Total</u>	
	<u>Score</u>	<u>Rank</u>	<u>Score</u>	<u>Rank</u>	<u>Score</u>	<u>Rank</u>	<u>Score</u>	<u>Rank</u>
Enterprise Recovery Service	58	1	41.7	9	60	1	159.7	1
Zwicker & Associates, PC	48	3	53.5	2	54	2	155.5	2
Regional Adj. Bureau	43	7	52.1	3	54	2	149.1	3
Management Adj. Bureau	52	2	48.7	4	48	3	148.7	4
Unger and Assoc.	45	4	43.3	8	54	2	142.3	5
General Revenue Corp.	44	6	43.5	7	54	2	141.5	6
Van Ru Credit Corp.	44	5	54.6	1	33	4	131.6	7
Credit World Services	24	9	47.3	6	60	1	131.3	8
CSC Credit Service	34	8	48.1	5	21	5	103.1	9

During FY96, the collection fees charged by the current two collection agencies amounted to over \$150,000. Assuming the same volume of placements and collection percentages, the collection fees to be charged by the three recommended agencies would be approximately \$120,000, a reduction in collection fees of approximately \$30,000 annually.

As indicated above, federal regulations applicable to the Perkins Loan Program require participating institutions to utilize a minimum of two collection agencies. The recommendation to select three agencies provides the University with several advantages. First, if we find it necessary to cancel a contract for poor performance, or should an agency return all of our

placed accounts for whatever reason, the University would remain in compliance with the federal regulations during the time required to select a replacement agency and transfer the collection portfolio. Second, dividing our collection portfolio among three agencies makes each agency more aware of the need to maintain a performance level that is comparable to the other two as the agencies know that we can drop a poor performer and still be in compliance with the federal regulations. Finally, dividing our collection portfolio into thirds provides each agency with a large enough portfolio to be profitable to the agency, but small enough for the University to manage the performance, quarterly portfolio audits, and quality performance reviews.

The RFP indicated that the University's preference was to select its collection agencies for an approximate five year term; the first year being less than 12 months simply to get the renewal date consistent with our fiscal year. A five year arrangement, subject to annual renewal, is preferred to establish some continuity of service with an agency. The efficiency and effectiveness of an agency is enhanced when the agency achieves a level of knowledge and familiarity with the University's system and requirements. A multi-year arrangement allows the University and the agency to focus on the collection function without being concerned about an annual RFP and selection process. Therefore, management believes a multi-year arrangement, subject to annual review and renewal, is in the best interest of the University.

Formerly used as collection agencies for the University were Credit World Services and CSC Credit Service, both of which responded to the RFP.

President Boren recommended the Board of Regents authorize the following:

- I. Selection of three collection agencies to provide services in the collection of defaulted Perkins Loans, institutional loans, and past due accounts. The three collection agencies are:
 - A. Enterprise Recovery Service;
 - B. Zwicker and Associates PC; and
 - C. Regional Adjustment Bureau.
- II. Selection is for an initial period expiring June 30, 1997, with the effective dates of this selection being renewable annually on a fiscal year basis through June 30, 2001 provided the renewal is agreeable to all parties.

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

AIR CHARTER SERVICE FOR 1996-1997 BASKETBALL SEASON

This item was discussed and due to concerns expressed by members of the Board of Regents, no action was taken. It was agreed to consider the item at the meeting the following morning, December 11. (See minutes page 25220.)

Regent Siegfried exited the meeting.

CATLETT MUSIC CENTER, PHASE II

At the January 1993 meeting of the Board of Regents, the Board approved reactivation of the Catlett Music Center project. The project budget at that time was \$8,715,000. The architectural firms of Bauer Stark + Lashbrook, Inc., of Toledo, Ohio, and Kaighn Associates Architects, Inc., of Norman, Oklahoma, were selected to serve as joint venture architects for the project. This same joint venture had served as architects for Phase I of the Catlett Music Center, which was completed in 1986.

At the July 1993 meeting, the Board approved a new project budget of \$9,400,000. Additional funds of \$685,000 were provided by the interest earned on private donations for the project on deposit with The University of Oklahoma Foundation, Inc. The revised project budget included funding for the landscaping and lawn irrigation system for the project and included an amount of \$849,000 for the movable equipment, furnishings and musical instruments needed for the project.

At the December 1993 meeting, the Board approved the Design Development Phase plans for the project and authorized preparation of construction documents and advertising for construction bids. At this time, the estimate of probable construction cost prepared by the architects indicated that the estimated construction cost of the project exceeded the established construction budget by more than \$500,000. Rather than increasing the approved project budget, the University administration agreed to reduce the budgeted amount for movable equipment furnishings and musical instruments by \$500,000 and to make other revisions and deletions to the plans for the project. As a result, the movable equipment, furnishings and musical instrument budget was reduced to \$349,000 at this point in the project. However, the construction budget still included funds for the landscaping and lawn irrigation system, and the project budget was still \$9,400,000.

During a meeting in April 1994, the architects presented an updated estimate of probable construction cost which indicated that the estimated construction cost of the project was again more than \$500,000 over the established construction budget. At this point, the budget for movable equipment, furnishings and musical instruments was further reduced to \$307,500 and additional items were revised and deleted from the construction plans for the project, including the project landscaping and lawn irrigation system.

Construction bids from five bidders were received on August 30, 1994. The lowest and best base bid plus desired alternates, which was submitted by Flintco, Inc. of Oklahoma City, exceeded the established construction budget by more than \$2.8 million, or 36 percent. A plan was developed and approved by the Board at the October 1994 meeting to resolve the budget problem. The plan included the use of \$1,900,000 of State of Oklahoma Higher Education General Obligation Bond funds previously identified to help fund a planned future renovation of Holmberg Hall. Additionally, the use of \$350,000 of additional interest earnings on private funds on deposit at The University of Oklahoma Foundation, Inc. was approved. A plan was also developed to eliminate more than \$500,000 from the construction cost of the project through value engineering. At this point, the budget for movable equipment, furnishings and musical instruments was further reduced to \$145,000 to help assist with the funding shortfall. The revised project budget approved at the October 1994 Board meeting was \$11,650,000.

A construction contract in the amount of \$9,937,136 was executed with Flintco, Inc. in March 1995 following the completion of the value engineering process, and construction of the project commenced.

At the July 1995 meeting, the Board approved the deferred award of two important alternates of work and other small miscellaneous change order items. The two deferred alternates awarded included Alternate No. 11 for the completion of the dressing rooms and green rooms necessary to support the Concert Hall and the Recital Hall at a cost of \$123,022, and Alternate No. 3 to construct the entrance plaza for the project at a cost of \$33,694. Other miscellaneous change order items were also approved at a cost of \$38,277. The Board also approved an increase in the project budget to \$11,950,000, with the additional \$300,000 being provided by additional interest earnings on private funds on deposit at the OU Foundation.

I. APPROVE A REVISED PROJECT BUDGET FOR THE CATLETT MUSIC CENTER, PHASE II PROJECT FROM \$11,950,000 TO \$13,600,000

During the course of construction, it has become necessary to modify the design of the building's structural system. Numerous costly revisions have been required in certain elements of the building. It is important at this point to provide funding for these required construction changes. Further, there is a need to restore to the budget funding for critically needed movable equipment, furnishings and musical instruments. Additionally, the project landscaping and lawn irrigation system, the services of a full-time project construction inspector, and other related project items need to be restored and added.

It is proposed that funds required for the revised project budget be provided from (1) additional interest earnings on private project funds of \$300,000, (2) the temporary reallocation of \$750,000 in funds available from the Oklahoma Development Finance Authority revenue bond proceeds currently identified for the College of Law Addition and Renovation project, and (3) the temporary reallocation of \$600,000 in funds available from the Oklahoma Development Finance Authority revenue bond proceeds currently identified for the Evans Hall and Bizzell Memorial Library Fire Sprinkler Systems project.

II. AUTHORIZE THE RESULTING CHANGES TO THE CAMPUS MASTER PLAN OF CAPITAL IMPROVEMENT PROJECTS FOR THE NORMAN CAMPUS

President Boren recommended that the Board of Regents:

- I. Approve a revised project budget for the Catlett Music Center, Phase II project from \$11,950,000 to \$13,600,000; and
- II. Authorize the resulting changes to the Campus Master Plan of Capital Improvement Projects for the Norman Campus.

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

EVANS HALL AND BIZZELL MEMORIAL LIBRARY FIRE SPRINKLER SYSTEMS

At the April 1996 meeting, the Board of Regents approved a plan to design and install fire sprinkler suppression systems in Evans Hall and Bizzell Memorial Library.

At the July 1996 meeting, the Board placed in rank order the architectural consulting firms under consideration for the project, authorized the University administration to negotiate the terms of a contract starting with the highest ranked firm, authorized the President or his designee to execute the consultant agreement, authorized the preparation of construction documents for the project, and authorized the University administration to advertise and receive bids for the project. The highest ranked consulting firm was Architects in Partnership, P.C. of Norman, Oklahoma. Contract negotiations are currently being conducted with that firm. Funding for the project was approved to be provided through the use of Oklahoma Development Finance Authority (ODFA) revenue bond proceeds in an amount up to \$1,500,000.

I. APPROVE A REVISED PLAN FOR THE EVANS HALL AND THE BIZZELL MEMORIAL LIBRARY FIRE SPRINKLER SYSTEMS PROJECT

Following a detailed examination of the project by the University administration, the Department of Public Safety, the Physical Plant and Architectural and Engineering Services, more specific plans for the project have been made. It is now proposed that the project be developed in three separate phases of work.

- Phase I will include the installation of a fire sprinkler and detection system in the original 1929 building of the Bizzell Memorial Library. That is the part which poses the greatest risk of being damaged or destroyed by a catastrophic fire. Fire protection for the Great Reading Room would be included in this phase. Enhanced fire and smoke detection would be provided throughout the remainder of Bizzell Memorial Library in Phase I. The estimated project cost for Phase I work is approximately \$575,000, and will be provided from ODFA revenue bond proceeds.
- Phase II will include the installation of a fire sprinkler system in Evans Hall at an estimated project cost of \$325,000. Funds will be provided from ODFA revenue bond proceeds.
- Phase III will include the installation of a sprinkler system in the remainder of the Bizzell Memorial Library with an estimated project cost of \$600,000. Funds will need to be identified and restored to the project for this phase because \$600,000 was temporarily reallocated at the December 1996 meeting of Board of Regents from this project to the Catlett Music Center, Phase II project.

II. AUTHORIZE THE PREPARATION OF DESIGN AND CONSTRUCTION DOCUMENTS FOR PHASE I OF THE REVISED PROJECT**III. AUTHORIZE THE UNIVERSITY ADMINISTRATION TO ADVERTISE AND RECEIVE CONSTRUCTION BIDS FOR PHASE I OF THE REVISED PROJECT**

President Boren said he would like to modify his recommendation as printed in the agenda by adding the words ...“and Phase II” to parts II. and III. of his three-part recommendation. He said Phase I is the old portion of Bizzell Library, Phase II is Evans Hall and Phase III is the new portion of Bizzell.

President Boren recommended that the Board of Regents:

- I. Approve a revised plan for the Evans Hall and the Bizzell Memorial Library Fire Sprinkler Systems project;
- II. Authorize the preparation of design and construction documents for Phases I and II of the revised project; and
- III. Authorize the University administration to advertise and receive construction bids for Phases I and II of the revised project.

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

At 4:50 p.m. Chairman Blankenship adjourned the meeting, to be reconvened at 8:30 a.m. the following morning, December 11, 1996 in the same location.

The meeting reconvened at 9:08 a.m. on December 11, 1996 in the Foundation Board Room with all Regents present.

REPORT OF THE PRESIDENT OF THE UNIVERSITY

President Boren announced receipt of major gifts to the University in the amount of \$3 million and these gifts are eligible for the State Regents' matching funds program. These additional resources are for programs on the Norman Campus and Health Sciences Center Campus that are very important to the University. The first is \$1.8 million has been raised for the G. Rainey Williams Chair in Surgical Breast Oncology and, second, over \$400,000 has been raised to create the G. Rainey Williams Research Professorship. Also, the College of Medicine has received gifts totaling \$500,000 from Dr. and Mrs. Doss Lynn of San Antonio to establish the Kathryn G. and Doss Owen Lynn, M.D. Chair in Neurology.

Dr. Lynn received his medical degree from OU and went on to hold the position of Chief of Medicine at Walter Reed Army Medical Center in Washington, D.C. and was medical consultant to the White House in the area of cardiovascular medicine under President Eisenhower.

In addition, very important bequests totaling \$1.25 million have been received which will be eligible for matching funds. These gifts have been given in memory of the late William J. Alley, who died in July. He was a very distinguished 1951 graduate in Business Administration at The University of Oklahoma and also had a law degree. He became Chairman and CEO of American Brands, Inc. The first gift is \$250,000 from American Brands and will establish the William J. Alley Professorship in Law. The other \$1 million comes through the Rayonier Foundation and it will go to the College of Business Administration to set up an international business scholars' program in keeping with the University's desire to internationalize the curriculum.

President Boren said this is certainly wonderful news as progress continues to be made in the Reach for Excellence Campaign. Also today the room in the Library will be named for the late James Harlow. The establishment of the Harlow Chair in Business Ethics and Community Service puts the University over the first \$100 million mark. These gifts and others which are anticipated before the end of the calendar year will put us halfway toward the new \$250 million goal.

RESOLUTION - GEORGE W. BAUER

President Boren recommended approval of the following Resolution:

WHEREAS, George W. Bauer has served The University of Oklahoma for fourteen years with unwavering commitment to excellence and distinction as Director of the OU Press;

WHEREAS, he brought more than twenty-five years of publishing experience and a clear-cut vision of quality to the University, devoting his lifetime to improving the standards of the book industry;

WHEREAS, he was recognized for his extraordinary talent by the Admissions and Standards Committee of the Association of American University Presses when it elected him to the position of Chairman and gave him the special assignment of seeking ways to interact with other publishers;

WHEREAS, under his leadership, the OU Press flourished and became one of the premier publishing institutions in the country, earning 112 honors since 1987;

WHEREAS, he has successfully guided the Press in its mission of producing scholarly books of significance to the State, the region, the nation and the world;

WHEREAS, his outstanding contributions and guidance helped the OU Press reach high plateaus of literary excellence establishing itself as the pre-eminent publisher of books about the West and Native Americans;

WHEREAS, during his term as Director of the OU Press a wide-ranging new series focusing on the legal history of North America was launched;

WHEREAS, under his guidance sales consistently increased, with net sales exceeding \$4.5 million in fiscal year 1995-96, topping the previous year's sales volume by almost a half million dollars;

WHEREAS, his lasting impact will live on in the publications he helped shape for the benefit of generations of dedicated readers.

NOW THEREFORE BE IT RESOLVED that The University of Oklahoma Board of Regents expresses its deep appreciation to George W. Bauer for the many years of notable service, commitment to literary quality and leadership of the OU Press and the State of Oklahoma.

President Boren said George Bauer is present this morning and many of his colleagues from the Press are here to take an opportunity along with us to thank him for his service. He reviewed the highlights of Mr. Bauer's service to the OU Press, including 112 major national and international honors the Press has been awarded which is unparalleled in the history of our Press.

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

NEW ENDOWED POSITIONS - HSC

The G. Rainey Williams, M.D. Chair in Surgical Breast Oncology

The College of Medicine has received gifts totaling \$594,294 to establish the G. Rainey Williams, M.D. Chair in Surgical Breast Oncology. Significant gifts have come from Oklahoma foundations such as the Presbyterian Health Foundation, the Samuel Roberts Noble Foundation, and the E. L. and Thelma Gaylord Foundation, as well as from hundreds of Dr. Williams' friends and associates. This endowed position is established in honor of Dr. G. Rainey Williams and his promotion of a greater focus on women's health issues through the establishment of the Breast Health Institute within the Department of Surgery. The position will enable the College to attract and/or retain a surgery faculty member of the highest quality and reputation who is recognized nationally and internationally in the study and treatment of breast disease. In addition, the chair holder will serve as the Director of the Breast Health Institute. The \$594,294 is on deposit at The University of Oklahoma Foundation, Inc. in account #60171. This total qualifies for matching funds from the Oklahoma State Regents' Endowed Fund Program.

The G. Rainey Williams Research Professorship

The College of Medicine has received gifts totaling \$252,140 to establish the G. Rainey Williams Research Professorship. Gifts have been received from Dr. Williams' many friends and particularly from the former residents who trained under his excellent guidance and who requested to recognize his influence upon their careers in this way. This endowed position is established in honor of Dr. Williams' national and international acclaim for achievements in thoracic and cardiovascular surgery and research. The position will enable the College to attract outstanding surgery residents and to support the holder's research efforts during his or her residency period. The \$252,140 is on deposit at The University of Oklahoma Foundation, Inc. in account #60141. This total qualifies for matching funds from the Oklahoma State Regents' Endowed Fund program.

The Kathryn G. and Doss Owen Lynn, M.D. Chair in Neurology

The College of Medicine has received gifts totaling \$500,000 from Dr. and Mrs. Doss Lynn of San Antonio, Texas to establish the Kathryn G. and Doss Owen Lynn, M.D. Chair in Neurology. The endowed position is being established by Dr. and Mrs. Lynn to enable the College to attract and/or retain a clinical scientist who is a national leader and recognized authority in neuroscience and neurology. The \$500,000 is on deposit at The University of Oklahoma Foundation, Inc. in account #60189. This total qualifies for matching funds from the Oklahoma State Regents' Endowed Fund Program.

President Boren recommended that the Board of Regents accept with appreciation gifts and pledges to establish three new endowed positions at the Health Sciences Center.

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

NEW ENDOWED CHAIR - NORMAN CAMPUS

The College of Business Administration has received gifts exceeding \$500,000 from the late Mr. Harlow's family, friends and associates to establish the James G. Harlow, Jr. Chair in Business Ethics and Community Service. This endowed position was established in honor of the life and work of one of the University's most outstanding and dedicated alumni. The position will enable the College to attract and/or retain a faculty member of the highest caliber and also will enhance the College's ability to emphasize business ethics in its curriculum and research. The \$500,000 is on deposit at The University of Oklahoma Foundation, Inc. This gift qualifies for matching funds from the State Regents' Endowed Fund Program.

Mr. Harlow's life was marked with achievements and service to his profession, his community and his alma mater. He earned his bachelor's degree in General Engineering from OU in 1957, and completed two years of graduate work in Business Administration in 1961 - the same year he began his long and successful career with Oklahoma Gas and Electric Company. He served in many leadership options at OG&E, culminating in his election in 1982 as Chairman of the Board, President and Chief Executive Officer. At the time of his death last June at the age of 62, he was serving as Chairman of the University's Reach for Excellence Campaign. He also was Chairman of the Board of Trustees of The University of Oklahoma Foundation, Inc.

Mr. Harlow served the University in a number of other areas, including the Bizzell Library Board and the College of Business Administration Advisory Board. He was a founder of the OU Associates and a life member of the OU Association. The University honored him with its Distinguished Service Citation in 1990 and the Regents' Alumni Award in 1989. He also was a member of the College of Engineering Distinguished Graduates Society.

The University of Oklahoma continues to have great success in raising private funds to endow chairs and professorships. Working hand in hand with the State Regents' Endowment Program supported by the State Legislature, the University has increased the number of endowed positions from 34 in 1988 to a new total of 132.

President Boren recommended the Board of Regents accept with appreciation gifts and pledges to the James G. Harlow, Jr. Chair in Business Ethics and Community Service and approve the establishment of this new endowed position.

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

AIR CHARTER SERVICE FOR 1996-1997 BASKETBALL SEASON

Bids were requested to furnish air transportation for the Women's and Men's Basketball teams and support staff for a total of 10 away games during the 1996-97 Season. Although 17 agencies and carriers were contacted, only one response was received. We contacted several of the agencies and carriers that did not respond to determine why they did not submit bids. In general, most were not in a position to offer competitive pricing because of one or more of following factors: (1) our passenger requirements (30-50); (2) game locations; or (3) dates were in conflict with the location of their equipment.

The offer from Chartersearch Network, Inc. meets all our requirements and the cost for each trip has been determined to be competitive based on our evaluation of commercial rates and previous bids. Chartersearch Network, Inc. has provided similar services for the Athletic Department in the past and is acceptable to the Athletic Department.

The cost for charters is as follows:

Men's Team

Memphis, Tennessee - 12/22-23/96	\$ 14,361.00
College Station, Texas - 1/4-5/97	13,405.00
Des Moines, Iowa - 1/10-11/97	15,297.00
Austin, Texas - 1/21-22/97	13,744.00
Manhattan, Kansas - 2/7-8/97	12,492.00
Columbia, Missouri - 2/14-15/97	14,100.00
Lubbock, Texas - 2/18-19/97	12,980.00
Waco, Texas - 2/28-3/1/97	12,918.00
Sub-Total	<u>\$109,297.00</u>

Women's Team

Lubbock, Texas - 1/14-15/97	\$ 12,980.00
College Station, Texas - 2/4-5/97	13,405.00
Sub-Total	<u>\$ 26,385.00</u>

1996-97 Season Total	<u>\$135,682.00</u>
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The women's team chose to use regularly scheduled airlines to more of their games.

Funds will be available from Athletic Department Account 117-1121.

President Boren recommended the Board of Regents approve the award of a purchase order to Chartersearch Network, Inc. in the amount of \$135,682 to provide air transportation for the 1996-97 Basketball Season.

There was discussion earlier in this meeting (Tuesday, December 10) on this item and questions were asked by the Regents regarding the qualifications of Chartersearch Network, their safety record, the type of aircraft that would be used, and what role each coach has in making charter choices and decisions. Mr. Steve Mack, Director of Purchasing, stated the RFP was sent out and then Purchasing distributed information to the coaches. There were no

responses to the first RFP so the University went back to companies used in the past specifically to request they help get our teams to the various locations. Chartersearch responded. He said the University was happy with Chartersearch in the past and the fee structure arrived at was acceptable to the department.

In response to a Regent's question about the number of people who make each trip, Dr. Driver said there are 15 players, four coaches, one sports information director, one trainer, two administrators, two managers and three radio people. Anyone who is not directly related to the Athletic Department pays a fee for this transportation.

Further discussion took place at the portion of the meeting held on Wednesday morning, December 11. Dr. Driver said the type of aircraft is whatever is used by the airline doing the flying. Phoenix Air is a turboprop with 33 seats. The FAA has stated there is no record of catastrophic or minor problems and it is considered to be safe and reliable. The criteria the Athletic Department uses in selecting their mode of transportation is schedule driven. There are policies on the maximum number of classes that can be missed.

Mr. Alex Brown, Assistant Athletic Trainer, said Chartersearch is a group of airlines, all commercial or charter airline companies. Regent Siegfried said he does business with those carriers and they are reputable. Mr. Brown read a list of other universities that use Chartersearch. Coach Kelvin Sampson was present and he related an experience his team had on a trip to Iowa which demonstrated the pilot's concern for safety.

Regent Lewis said the Regents want to be certain that we have good equipment and skilled people flying our coaches and students.

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

SAM NOBLE OKLAHOMA MUSEUM OF NATURAL HISTORY EXHIBITS

At the meeting on July 28, 1993, the Board of Regents authorized the selection of Gerard Hilferty and Associates, Inc. as the museum exhibit design consultants and authorized the firm to proceed with the initial concept planning and master plan for museum exhibits at a cost of \$187,500. In addition, it was agreed that information would be provided to the Board regarding modifications to the scope of design services and consultant fees.

At the meeting on April 13, 1994, the Board of Regents approved the exhibit master plan and thematic design phase report and authorized the administration to amend the current contract to include professional services for providing preparation of final design concepts and schematic design phase plans for the museum at a cost of \$400,000.

At the meeting on December 8, 1995, the Board of Regents authorized the administration to amend the current contract to include professional services needed to modify and finalize schematic design phase plans and increase the exhibit designer's fee in the amount of \$94,000.

At the meeting on April 25, 1996, the Board of Regents approved the Sam Noble Oklahoma Museum of Natural History Exhibits schematic design phase report and authorized the administration to amend the current contract with Gerard Hilferty and Associates, Inc., the exhibit designer, to include professional services for the preparation of design development documents and final construction documents for the initial group of exhibits.

Contract negotiations have been completed related to the final design services. These services include: design development phase documents at a cost of \$434,856, construction documents at a cost of \$262,049, and professional services for the contracting, production and installation phase at a cost of \$218,374. Project funds have been identified for use in payment of the necessary fees and other associated costs.

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

REGENTS' FUND QUARTERLY FINANCIAL REPORT

Section 8.11.7 of the Policy Manual of the Board of Regents of The University of Oklahoma requires that the University Trust Officer present a Regents' Fund summary report as of September 30th each year. This report is to include new gifts and contributions to the fund. The required summary report is attached hereto as Exhibit C.

As of September 30, 1996, the Regents' Fund consisted of 100 individual funds. Separate accounts are maintained for each fund to insure observance of the donor imposed limitations and restrictions placed on the use of resources. For investment purposes, however, funds of similar characteristics are combined into the following investment pools.

1. Consolidated Investment Fund (CIF)

The CIF is a long-term pooled investment fund governed by the Regents' "Statement of Investment Policy." It is designed to accommodate the investment needs of endowment funds (i.e., funds which are to be held in perpetuity). The primary objectives of the CIF are the preservation of capital value and, over time, growth of capital value and income to help offset the impact of inflation. These objectives are achieved by maintaining a balance of investments in equity and fixed income securities.

2. Short Term Investment Fund (STIF)

The STIF is a short-term pooled investment fund investing in accordance with the Regents' "Investment of Temporarily Idle Cash Policy." It is designed to accommodate the investment needs of non-endowed funds (i.e., funds which are fully expendable). The primary objectives of the STIF are to minimize risk and maximize yield by investing in fully secured short-term investments.

This was presented for information.

Regent Siegfried requested Interim Vice President Driver analyze, on a quarterly basis, the performance of The Common Fund.

QUARTERLY FINANCIAL ANALYSIS

By the request of the Board of Regents, the Quarterly Financial Analysis for the quarter ended September 30, 1996 was presented. The detailed information upon which the Executive Summary is based was included in the agenda.

This report was presented for information.

NAMING OF ROOM IN BIZZELL MEMORIAL LIBRARY

James G. Harlow, Jr. was one of The University of Oklahoma's most distinguished and dedicated alumni. At the time of his death on June 1, 1996, Mr. Harlow, who was the longtime President, Chairman and CEO of Oklahoma Gas and Electric Company, was serving as the volunteer Chairman of OU's Reach for Excellence Campaign and Chairman of The University of Oklahoma Foundation Inc. Board of Trustees.

Mr. Harlow had a deep and abiding affection for his alma mater and gave generously of his time, talents and resources to benefit many areas of the University. One of those areas that especially benefited from his support, advice and guidance was the Bizzell Memorial Library. Mr. Harlow and his wife, Jane, were instrumental in the development of the Bizzell Library Society fund-raising group, serving on its board of directors, steering committee and in other leadership roles. The Harlows have made almost \$3,000 in gifts to the library through the Bizzell Society and the Kerr Library Endowment. In addition, before Mr. Harlow's death, the couple made a \$100,000 gift to the James G. Harlow Chair in Business Ethics and Service.

In light of Mr. Harlow's tremendous support for and involvement in the Bizzell Library Society, University Libraries Dean Sul Lee has proposed naming the Seminar Room in the History of Science Collections in his honor.

The History of Science Collections is a particularly appropriate area to honor Mr. Harlow because his father, James G. Harlow, Sr., taught physics at OU and developed the first course in what would become OU's renowned program in the History of Science. James Sr. went on to become Dean of the OU College of Education and later President of the University of West Virginia. James Sr.'s private collection of books is housed in the History of Science Collections.

President Boren recommended the Board of Regents approve naming the Seminar Room in the History of Science Collections of the Bizzell Memorial Library in memory of James G. Harlow, Jr.

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

JIMMIE AUSTIN UNIVERSITY OF OKLAHOMA GOLF COURSE FEE SCHEDULE

The Golf Committee has reviewed and recommended fee increases due to rising costs and over play of facility. Prices now include tax on all fees. Student fees have decreased. The proposed fee schedule is as follows:

	<u>Current Price</u>	<u>Proposed Change</u>
<u>Public</u>		
Fri/Sat/Sun/Holidays	\$25.00 + Tax = \$26.86	\$30.00 Tax Included
Mon.-Thurs.	\$21.00 + Tax = \$21.58	\$23.00 Tax Included
Twilite/Fri/Sat/Sun/Holidays	\$18.00 + Tax = \$19.35	\$20.00 Tax Included
Twilite/Mon.-Thurs.	\$15.00 + Tax = \$16.13	\$17.00 Tax Included
<u>Faculty and Staff</u>		
Fri/Sat/Sun/Holidays	\$18.00 + Tax = \$19.35	\$20.00 Tax Included
Mon.-Thurs.	\$16.00 + Tax = \$17.20	\$18.00 Tax Included
No Twilite		
<u>Students</u>		
Fri/Sat/Sun/Holidays	\$16.00 + Tax = \$17.20	\$17.00 Tax Included
Mon.-Thurs.	\$14.00 + Tax = \$15.05	\$15.00 Tax Included
<u>Seniors</u>		
Mon.-Fri.	\$11.00 + Tax = \$11.83	\$15.00 Tax Included
<u>Juniors</u>		
Mon.-Fri. before 11:00 a.m. & Everyday after 3:00 p.m.	\$5.00 + Tax = \$5.38	\$6.00 Tax Included
<u>Carts</u>	\$18.00 + Tax = \$19.35	\$20.00 Tax Included
<u>Range</u>	\$3.00 + Tax = \$3.23	\$3.25 Tax Included

President Boren recommended that the Board of Regents approve the proposed fee schedule to become effective January 1, 1997.

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

JIMMIE AUSTIN OU GOLF COURSE SOFT SPIKES

After considerable research and trial, The Jimmie Austin University of Oklahoma Golf Course has made the decision to disallow the wearing of traditional steel spikes throughout the facilities for the following reasons:

1. To dramatically improve the condition and playability of the golf course by eliminating spike marks on the green.

2. To reduce the amount of root structure damage to all turf, reduce disease related to turf stress, and to minimize the spreading of poa annua throughout the golf course.

OU is not the first course to mandate this program; as a matter of fact, there are currently over 500 recognized courses across the country that have gone spikeless. Considering the caliber of The Jimmie Austin University of Oklahoma Golf Course, there should never be an opportunity to compromise the quality of our facilities. We currently provide the highest quality golfing experience available and this new program will only enhance the level of enjoyment.

President Boren recommended the disallowing of traditional golf spikes.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Bentley, Hall, Halverstadt, Lewis, Siegfried, and Noble. 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:

	<u>FY96</u>	<u>First Quarter FY97</u>
National Merit Scholarships	\$421,550	\$459,250
Energy Center Institute Bridge Funding	100,000	
1996 Regents' Awards	56,000	
Regents' Professorship	6,000	6,000
Associates Dinner and Day of Learning	106,169	
Summer Operative Apprentice Program	15,000	25,000
Continuing Education Summer Program	18,500	
Fine Arts Cabaret	10,000	
Fleischaker Art Collection		5,826
FY 97 E&G Budget Support		200,000
FY97 International Initiatives		75,000
ROTC Scholarship Support		15,000
Business Communication Center		32,000
Engineering Self Advisor		32,069
Musical Theatre Program		10,000
Law Jurist-In-Residence		15,000
Climatological Survey Outreach for K-12		16,250
International Relations Visitors, Fellowships		30,000
Total	<u>\$733,219</u>	<u>\$921,395</u>

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

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	<u>FY96</u>	<u>First Quarter FY97</u>
COLLEGE OF ARCHITECTURE		
Faculty Development	\$ 34	
Student Support	391	
Staff Development	210	
Program Accreditation	1,490	
Faculty Recruiting	116	
Native American Recruiting	20	
Outreach Expenses	917	
	<u>\$3,178</u>	<u>\$0</u>
COLLEGE OF ARTS AND SCIENCES		
Faculty Development	\$ 3,197	\$3,135
Staff Development	0	
Student Support	35,896	
Outreach Activities	6,539	
	<u>\$45,632</u>	<u>\$3,135</u>
COLLEGE OF BUSINESS ADMINISTRATION		
Faculty Development	\$39,360	
Student Organization Support	5,250	\$9,630
Transfers to donor-designated departments	11,300	
	<u>\$55,910</u>	<u>\$9,630</u>
COLLEGE OF EDUCATION		
Faculty Development	\$ 295	\$ 155
Staff Development	81	64
Student Support (Scholarships)	2,000	1,500
	<u>\$ 2,376</u>	<u>\$ 1,719</u>
COLLEGE OF ENGINEERING		
Faculty Development	\$ 1,834	\$ 976
Student Support	37,234	10,868
Outreach Activities	10,224	
Endowed Scholarship Fund	22,841	24,474
	<u>\$72,133</u>	<u>\$36,318</u>
COLLEGE OF FINE ARTS		
Faculty Development	\$ 189	
Student Support	675	
Guest Artists	980	
	<u>\$ 1,844</u>	<u>\$ 0</u>
COLLEGE OF GEOSCIENCES		
Outreach Activities	\$ 3,762	\$ 1,042
Student Support		25
Earth Scientist Publication		27
Geosciences Day	1,600	568
	<u>\$ 5,362</u>	<u>\$ 1,662</u>

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	<u>FY96</u>	<u>First Quarter FY97</u>
GRADUATE COLLEGE		
No expenditures to report.		
COLLEGE OF LAW		
Affirmative Action Activities	\$ 4,494	
Enrichment Activities	9,780	\$ 500
Jurist-In-Residence	7,975	5,111
Academic and Research Support	60	
Faculty Professional Development	11,747	339
Staff Professional Development	175	
Other Student Support	22,557	14,747
Miscellaneous	5,226	1,085
	<u>\$ 62,014</u>	<u>\$ 21,782</u>
LIBERAL STUDIES		
Faculty Development	<u>\$ 1,000</u>	<u>\$ 0</u>
LIBRARY		
Transfers to donor-designated departments	\$ 2,692	
Library Materials		\$ 14,106
Library Materials-Western History Collection	495	
	<u>\$ 3,187</u>	<u>\$ 14,106</u>
MUSEUM OF ART		
Computer Equipment	\$ 1,263	
Staff Development	633	
	<u>\$ 1,896</u>	<u>\$ 0</u>
STUDENT AFFAIRS		
Staff Development	\$ 179	
Student Support	5,001	\$ 1,800
	<u>\$ 5,180</u>	<u>\$ 1,800</u>
UNIVERSITY AFFAIRS		
Scholarships	<u>\$ 24,150</u>	<u>\$ 0</u>

ACADEMIC EXCELLENCE FUND:

Following is the commitment of funds of the University of Oklahoma Academic Excellence Fund:

	<u>FY96</u>	<u>First Quarter FY97</u>
Scholarships	\$ 1,000	\$ 12,257
Bright Idea Awards	750	
Retired Faculty Plaques	2,332	1,993

	<u>FY96</u>	<u>First Quarter FY97</u>
International Visitors	7,000	
Minority Student Awards Banquet	3,475	
Army ROTC Recruitments	15,000	
Roundtable Honorarium	12,000	
Staff Recognition Week	10,396	
Regents' Award for Superior Staff	2,000	
Provost's Outstanding Academic Advisory Awards	7,500	
Commencement Speaker Travel	1,070	
Faculty Tribute Luncheon	860	
Natl. Black Grad. Student Assoc. Annual Conf.	1,750	
Honorary Degree Reception/Dinner	1,750	
Faculty Senate Support	750	
Task Force Research	1,586	
Jacobson Hall Furnishings	-	2,068
Art Museum Furnishings	-	17,280
Day of Learning	51,453	
	<u>\$120,672</u>	<u>\$33,598</u>

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

INTERNAL AUDITING REPORT

An item was included in the agenda for a report on any pending or potential audit issues. No report was given.

DISTINGUISHED PROFESSORSHIP - REGENTS' PROFESSOR

To qualify for a Regents' Professorship, the nominee must exhibit "...outstanding service to the University, to the academic community, or to an academic or professional discipline through extraordinary achievement in academic administration or professional service." As outlined in the Faculty Handbook, recommendations for appointment as Regents' Professor may be made to the President of the University by any academic unit, administrative officer, or by any faculty member. In accordance with University policy, this nomination for a Regents' Professorship is being presented to the Board of Regents by the President after conferring with the Chairman of the Board of Regents, Chair of the Norman Campus Faculty Senate, and the University Council on Faculty Awards and Honors.

George Lynn Cross served as President of The University of Oklahoma from 1944 to 1968, the longest serving President in OU's history. He and his wife and partner, Cleo, had a profound and lasting impact on this institution. In 1934 he joined the faculty as an Assistant Professor of Botany. When he became President, the University had 3,834 students, and when he retired in 1968 there were more than 18,000. He actively promoted the growth of graduate education, which he perceived to be the hallmark of a university. When he took office, the University had awarded only 74 doctoral degrees in its entire history and when he retired it was awarding 150 each year. In many ways he was the architect of its transition from a college to a great comprehensive University.

President Cross initiated many changes that had long-lasting effects upon the University. He led the University to a peaceful acceptance of racial desegregation. He withstood political pressures in order to defend academic freedom and intellectual integrity.

During his presidency, Dr. Cross oversaw the construction of the OU Press, an 18-hole golf course and physical plant, additions to the Oklahoma Memorial Union, the Oklahoma Center for Continuing Education complex, and a geology and mineral industries building that housed the largest school of geology in the world. Also during his term, plans were drawn for the Physical Sciences Center and Goddard Health Center.

Also during Dr. Cross' presidency, 1949 alumnus and world-renowned geophysicist Everett L. DeGolyer established in the University Libraries a collection in the History of Science that would become the best of its kind in the world, and with the support of the OU Foundation, the University launched its first private funding campaign for comprehensive academic support, the \$20 million Plan for Excellence.

President Cross spent as much time having coffee with the greenest new students as with the most brilliant professor. He treated every person with respect. He invested his life in The University of Oklahoma and its students. His example led many of those students to invest their own lives in causes greater than themselves.

President Boren recommended that President Emeritus George Lynn Cross be appointed Regents' Professor Emeritus effective December 10, 1996.

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

COLLEGE OF LAW ONE-TIME STIPENDS

The College of Law was not able to give salary increases this fiscal year due to budget constraints. However, the College of Law has been able to identify some salary savings due to several vacant positions and tightened controls on expenditures.

Committee A and Dean Coats are recommending that one-time stipends be given to all faculty and staff at the College of Law for the 1996-97 academic year to be awarded in December 1996. Those requiring Regents' approval are as follows:

Faculty

Owen L. Anderson, Eugene O. Kuntz Professor of Oil, Gas and Natural Resources Law - \$2,000 - 1.69%
 Keith N. Bystrom, Professor of Law, Associate Dean, College of Law, and Associate Director, Law Center - \$2,000 - 2.0%
 Randall T. Coyne, Professor of Law - \$2,000 - 3.12%
 Jonathan B. Forman, Professor of Law - \$2,000 - 2.86%
 Ruth L. Gana, Associate Professor of Law - \$2,000 - 3.50%
 Daniel G. Gibbens, Regents' Professor and Professor of Law - \$1,120 - 2.09%
 Mark R. Gillett, Professor of Law - \$2,000 - 2.86%
 Peter Goplerud III, Professor of Law - \$2,000 - 1.94%

Katheleen R. Guzman, Associate Professor of Law - \$2,000 - 3.53%
 Drew L. Kershen, Earl Sneed Professor of Law - \$2,000 - 1.84%
 F. Steve Knippenberg, Professor of Law - \$2,000 - 2.88%
 Peter F. Krug, Associate Professor of Law - \$2,000 - 3.38%
 Peter B. Kutner, Professor of Law - \$2,000 - 2.56%
 Joseph C. Long, Professor of Law - \$2,000 - 2.42%
 Judith L. Maute, Professor of Law - \$2,000 - 2.89%
 William J. McNichols, Professor of Law - \$2,000 - 2.51%
 Fred H. Miller, George Lynn Cross Research Professor of Law and
 Kenneth E. McAfee Centennial Professor of Law - \$2,000 - 1.45%
 Joyce D. Palomar, Professor of Law - \$2,000 - 2.95%
 Jerry R. Parkinson, Professor of Law - \$2,000 - 2.81%
 Osborne M. Reynolds, Jr., Professor of Law - \$2,000 - 2.10%
 Robert E. Richardson, Professor of Law - \$2,000 - 2.05%
 Ted P. Roberts, Professor of Law - \$2,000 - 2.52%
 Kevin W. Saunders, Professor of Law - \$2,000 - 2.75%
 Michael A. Scaperlanda, Professor of Law - \$2,000 - 3.11%
 Alma N. Singleton, Associate Professor of Law - \$2,000 - 2.15%
 Robert B. Smith, Professor of Law - \$2,000 - 2.90%
 Robert G. Spector, Professor of Law and Glenn R. Watson Centennial
 Professor of Law - \$2,000 - 1.81%
 David Swank, Regents' Professor and Professor of Law - \$2,000 - 2.02%
 W. Murray Tabb, Professor of Law - \$2,000 - 2.86%
 Harry F. Tepker, Jr., Professor of Law - \$2,000 - 2.53%
 Rodney J. Uphoff, Professor of Law - \$2,000 - 2.92%
 Maureen C. Weston, Associate Professor of Law - \$2,000 - 3.57%
 Leo H. Whinery, Alfred P. Murrah Professor of Law and Professor
 of Law - \$2,000 - 1.75%

Staff

John R. Hillis, College Development Director, College of Law - \$500 - 1.09%
 Terry J. Hull, Staff Attorney and Clinical Instructor in Law - \$1,500 - 3.33%
 Nina M. Miley, Associate Director, Law Library - \$1,500 - 2.93%

President Boren recommended the Board of Regents approve the one-time stipends for the College of Law faculty and staff.

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

AUTHORITY TO BID FOR ACQUISITION OF REAL PROPERTY **ACADEMIC PERSONNEL ACTIONS** **ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS** **LITIGATION**

Regent Lewis moved the Board meet in executive session for the purpose of discussing personnel-related issues, acquisition of property, and litigation as listed above. The following voted yes on the motion: Regents Bentley, Hall, Halverstadt, Lewis, Siegfried, and Noble. The Chair declared the motion unanimously approved.

The executive session began at 10:00 a.m. in the small Board Room.

The meeting reconvened in regular session at 11:10 a.m.

AUTHORITY TO BID FOR ACQUISITION OF REAL PROPERTY

President Boren recommended the Board of Regents authorize the administration to bid to acquire real property.

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

ACADEMIC PERSONNEL ACTIONS

Health Sciences Center

APPOINTMENTS OR REAPPOINTMENTS:

James F. McGinnis, Ph.D., Professor of Ophthalmology, annual rate of \$65,000 for 12 months (\$5,416.67 per month), January 6, 1997 through June 30, 1997. Paid from A0000076, PPP Ophthalmology, pos. 156350.

Gordon H. Deckert, David Ross Boyd Professor Emeritus of Psychiatry and Behavioral Sciences, annual rate of \$9,600 for 12 months (\$800.00 per month), .08 time, January 1, 1997 through June 30, 1997. Paid from A0000080, PPP Psychiatry and Behavioral Sciences, pos. 186000.

Janice Rhea Triplett, Ph.D., Clinical Assistant Professor of Psychiatry and Behavioral Sciences, annual rate of \$45,000 for 12 months (\$3,750.00 per month), December 9, 1996 through June 30, 1997. Paid from 22209720, Psychiatry and Behavioral Sciences, and B0535001, University Hospital Reimbursement, pos. 188100.

Michael G. Nolen, M.D., Clinical Assistant Professor of Surgery, Tulsa, annual rate of \$75,000 for 12 months (\$6,250.00 per month), October 4, 1996 through June 30, 1997. Paid from 28079650, Surgery-Tulsa, pos. 252320.

<u>NAME AND TITLE(S)</u>	<u>ANNUAL FTE INCOME POTENTIAL</u>	<u>ANNUAL GUARANTEED BASE SALARY</u>	<u>ANNUAL PPP EARNINGS POTENTIAL</u>	<u>EFFECTIVE DATE</u>	<u>SOURCE</u>
APPOINTMENT:					
Lynn M. Jefferies, Adjunct Assistant Professor of Physical Therapy	\$60,000	\$50,000 (\$4,166.67 per month)	\$10,000	10-1-96 thru 6-30-97	Paid from C2391407, Provide Service for Regular Physical Therapist, pos. 238460.
CHANGES:					
Cassie Cooper, Adjunct Assistant Professor of Occupational Therapy	FROM: \$57,250 TO: -0-	FROM: \$47,250 (\$3,937.50 per month) TO: \$28,350, .60 FTE (\$2,362.50 per month)	FROM: \$10,000 TO: -0-	11-1-96 thru 6-30-97	Paid from C2394103, Assistive Technology Devices and Services, pos. 236355.
Douglas D. Kelsey, title changed from Clinical Associate Professor to Associate Professor of Physical Therapy Retains title Assistant Dean of Clinical Affairs, College of Allied Health	TO: \$87,500	FROM: \$43,875, .65 time (\$3,656.25 per month) TO: \$67,500, full time (\$5,625.00 per month)	TO: \$20,000	1-1-97 thru 6-30-97	Paid from 2722-6, Physical Therapy, pos. 238300.

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CHANGES:

Timothy J. Best, title changed from Assistant Professor to Clinical Assistant Professor of Surgery, October 15, 1996 through June 30, 1997.

Brent R. Brown, Assistant Professor of Medicine; changed from consecutive term faculty to tenure track faculty, July 1, 1996 through June 30, 1997.

Robert K. Endres, Clinical Professor of Pediatrics, Tulsa, salary changed from without remuneration to annual rate of \$86,000 for 12 months (\$7,166.66 per month), November 1, 1996 through May 31, 1997. Paid from 2811-5, Pediatrics, Tulsa, pos. 256400.

Pamela K. Farrell, Instructor in Nursing, salary changed from annual rate of \$30,000 for 9 months (\$3,333.33 per month) to annual rate of \$42,399.96 for 12 months (\$3,533.33 per month), October 19, 1996 through June 30, 1997. Changed from 9-month to 12-month faculty. Paid from 20069740, Nursing, pos. 071700.

Barbara J. Holmberg, Associate, Breast Health Institute, Department of Surgery, salary changed from annual rate of \$47,000 for 12 months (\$3,916.67 per month), full time, to annual rate of \$9,400 for 12 months (\$783.33 per month), .20 time, November 15, 1996 through June 30, 1997. Paid from C5223301, Genetic Counseling Program, pos. 209140.

Steve Ondersma, Assistant Professor of Research, Department of Pediatrics; given additional title Adjunct Instructor in Psychiatry and Behavioral Sciences, October 1, 1996 through June 30, 1997.

Rebecca Rackley, Interim Director, Children's Hospital of Oklahoma Dental Clinic; Clinical Instructor in Pediatric Dentistry; and Preceptor in Dental Services Administration; rate of \$52,000 for 12 months; changed from full time to .80 time, December 1, 1996 through June 30, 1997. Funding is totally from Children's Hospital of Oklahoma. Paid from A0000369, PPP Dental Clinic, Children's Hospital of Oklahoma, pos. 065100.

Jagadeesh R. Sonnad, title changed from Clinical Assistant Professor to Assistant Professor of Radiological Sciences, salary changed from annual rate of \$36,399 for 12 months (\$3,033.25 per month) to annual rate of \$55,000 for 12 months (\$4,583.33 per month), November 1, 1996 through June 30, 1997. Paid from B0836001, Oklahoma Teaching Hospital Reimbursement Staff Support, and A0000181, Radiology Salary Supplement, pos. 200900.

Elizabeth Taylor-Albert, Adjunct Assistant Professor of Pediatrics; title changed from Assistant Professor to Clinical Assistant Professor of Medicine, salary changed from annual rate of \$61,200 for 12 months (\$5,100.00 per month), full time, to annual rate of \$48,960 for 12 months (\$4,080.00 per month), .80 time, September 1, 1996 through June 30, 1997. Paid from 22759720, Department of Medicine-Rhev-Immunology-Allergy; A0000074, PPP Medicine; B0531001, University Hospital Reimbursement, pos. 144149; and 22169720, Pediatrics Department, pos. 173692.

John Tompkins II, Clinical Assistant Professor of Orthopedic Surgery and Rehabilitation, annual rate of \$92,121 for 12 months (\$7,676.75 per month); FTE changed from .63 time to full time, October 1, 1996 through June 30, 1997. Budget correction. Paid from A0000077, PPP Orthopedic Surgery and Rehabilitation, and B0532101, Oklahoma Memorial Hospital Reimbursement, pos. 159300.

Michael A. Weisz, Assistant Professor of Medicine, Tulsa; title changed from Vice Chair to Interim Chair of Medicine, Tulsa, salary changed from annual rate of \$75,000 for 12 months (\$6,250.00 per month) to annual rate of \$85,000 for 12 months (\$7,083.33 per month), October 1, 1996 through June 30, 1997. Includes \$10,000 administrative supplement (annual) while serving as Interim Chair. Paid from 28059750, Medicine, Tulsa; A0010299, PPP TMC Internal Medicine Group Practice; and A0020299, PPP TCM Tulsa Internal Medicine Center, pos. 250300.

RESIGNATIONS AND/OR TERMINATIONS:

Clyde B. Jensen, Adjunct Professor of Internal Medicine, Tulsa, and Senior Executive, Office of the Dean, College of Medicine, Tulsa, October 15, 1996 (with accrued vacation through November 29, 1996).

David Tong, Assistant Professor of Research, Department of Medicine, October 25, 1996 (with accrued vacation through December 11, 1996).

Lawrence E. Widman, Associate Professor of Medicine, October 25, 1996 (with accrued vacation through December 6, 1996).

Norman Campus:

LEAVES OF ABSENCE:

Uday Chandra, Assistant Professor of Accounting, leave of absence without pay, January 1, 1997 through May 15, 1997.

Vassilios E. Theodoracatos, Associate Professor of Aerospace and Mechanical Engineering, leave of absence with pay, January 13, 1997 through January 12, 1998. To conduct research with Ford Motor Company. To be reimbursed from the Ford grant.

APPOINTMENTS OR REAPPOINTMENTS

Grayson B. Noley, Ph.D., Chair, Department of Educational Leadership and Policy Studies, and Associate Professor of Educational Leadership and Policy Studies with tenure, annual rate of \$73,000 for 12 months (\$6,083.33 per month), August 16, 1996. Paid from 122-7344, Educational Leadership and Policy Studies, pos. 01390.

Martha L. Wartick, Ph.D., Visiting Assistant Professor of Accounting, annual rate of \$73,526 for 9 months (\$8,169.56 per month), January 1, 1997 through May 15, 1997. Paid from 122-7213, Business Administration Instruction, pos. 01839.

Augusto J. Pereira, reappointed Research Associate, Oklahoma Climatological Survey, salary remains at annual rate of \$40,000 for 12 months (\$3,333.33 per month), November 1, 1996 through June 30, 1997. Paid from 125-5061, Dam Safety Operations, and 122-7487, Oklahoma Climate Survey, pos. 09256. Paid from grant funds; subject to availability of funds.

Richard Carpenter, reappointed Senior Research Scientist, Center for Computational Geosciences, salary remains at annual rate of \$41,000 for 12 months (\$3,416.67 per month), November 1, 1996 through June 30, 1997. Paid from 125-5030, Project HUB-CAPS, and 125-6840, Computational Geosciences, pos. 04978. Paid from grant funds; subject to availability of funds.

Fanyou Kong, Research Scientist, Coastal Meteorology Research Program, annual rate of \$40,000 for 12 months (\$3,333.33 per month), January 1, 1997 through July 31, 1999. Paid from 125-5057, Coastal Marine Boundary Layer, and 122-7265, Meteorology, pos. 10824. Paid from grand funds; subject to availability of funds.

Richard G. Dawson, reappointed Consultant (temporary) Norman Campus Training and Consultant Project, salary remains at annual rate of \$42,000 for 12 months (\$3,500.00 per month), July 1, 1996 through December 31, 1996. Paid from 125-4926, NC Training and Consultant Project, pos. 08566. Paid from grant funds; subject to availability of funds.

Carl D. Hatlelid, reappointed Special Project Consultant, Center for Computational Geosciences, salary remains at annual rate of \$45,000 for 12 months (\$3,750.00 per month), .75 time, November 1, 1996 through June 30, 1997. Paid from 125-4685, Epscor Management Support; 125-4783, CAPS 8; and 125-5057, Coastal Marine Boundary Layer, pos. 08403. Paid from grant funds; subject to availability of funds.

Kenneth R. Nixon, reappointed Special Project Consultant, Center for Computational Geosciences, salary remains at annual rate of \$64,620 for 12 months (\$5,385.00 per month), .43 time, October 1, 1996 through June 30, 1997. Paid from 125-6840, Computational Geosciences; 125-4269, Radar Precipitation Interface; 125-4918, High Resolution DGPS; 125-4783, CAPS 8; and 125-5030, Project HUB-CAPS, pos. 01204. Paid from grant funds; subject to availability of funds.

CHANGES:

Cecelia M. Brown, title changed from Visiting Instructor to Assistant Professor of Bibliography and Chemistry-Mathematics Librarian, University Libraries, annual rate of \$30,000 for 12 months (\$2,500.00 per month), November 1, 1996 through June 30, 1997. Paid from 122-7600, University Libraries, pos. 01431.

Luis R. Cortest, Associate Professor and Chair of Modern Languages, Literatures, and Linguistics, annual rate of \$61,910 for 12 months; monthly rate corrected from \$6,878.89 per month to \$5,159.17 per month, October 1, 1996. Correction of monthly salary rate approved at October meeting. Paid from 122-7268, Modern Languages, Literatures, and Linguistics, pos. 04531.

Howard L. Johnson, title changed from Assistant Climatologist for Service to Associate State Climatologist, Oklahoma Climatological Survey, October 1, 1996.

Djeral Kadir, title Director and Editor of World Literature Today deleted, December 1, 1996; title Delores K. and Walter Neustadt, Jr. Professorship of Comparative Literature deleted, June 30, 1997; given title Professor of Comparative Literature, Department of Modern Languages, Literatures, and Linguistics, July 1, 1997; salary changed from annual rate of \$92,180 for 12 months (\$7,681.67 per month) to annual rate of \$96,789 for 12 months (\$8,065.75 per month), December 1, 1996 through June 30, 1997; salary changed to annual rate of \$79,191 for 9 months (\$8,799.00 per month) plus increases due to salary raise, if any, for FY98, August 16, 1997. Changed from 12-month to 9-month faculty effective August 16, 1997. Paid from 122-7268, Modern Languages, Literatures, and Linguistics.

Roy M. Knapp, Mewbourne Professor and Acting Director of Petroleum and Geological Engineering, salary changed from annual rate of \$112,470 for 12 months (\$9,372.50 per month) to annual rate of \$114,352 for 12 months (\$9,529.33 per month), October 1, 1996. Salary increase correction while serving as Acting Director. Paid from 122-7276, Petroleum and Geological Engineering, pos. 04472.

Yefim Kogan, Research Scientist, School of Meteorology; given additional title Adjunct Professor of Meteorology, July 1, 1996 through June 30, 1997.

Susan Laird, Associate Professor of Educational Leadership and Policy Studies; given additional title Associate Professor of Human Relations, October 10, 1996.

Dolores Leffingwell, Assistant Professor of Music, salary changed from annual rate of \$30,582 for 9 months (\$3,398.00 per month) to annual rate of \$32,190 for 9 months (\$3,576.67 per month), October 1, 1996 through May 15, 1997. Change in salary due to a change in 1995 evaluation and result of an appeal. Paid from 122-7270, Music, pos. 00252.

Mark Morrissey, Associate Professor of Meteorology; title changed from Assistant State Climatologist to Associate State Climatologist, Oklahoma Climatological Survey, October 1, 1996.

Robert E. L. Richardson, Professor of Law; given additional title Associate Dean for External Affairs, College of Law; salary changed from annual rate of \$97,781 for 9 months (\$10,864.56 per month) to annual rate of \$108,646 for 10 months (\$10,864.56 per month), October 1, 1996. Paid from 272-7201, College of Law, pos. 01610.

William E. Riggan, Jr., title changed from Associate Editor and Assistant Director to Executive Associate Editor and Assistant Director of World Literature Today; given additional title Interim Director of World Literature Today; salary changed from annual rate of \$44,765 for 12 months (\$3,730.42 per month) to annual rate of \$60,000 for 12 months (\$5,000.00 per month), December 1, 1996. Granted permission to be an applicant for the permanent Directorship. Paid from 122-7484, World Literature Today.

Jean C. Roegiers, McCasland Chair in Engineering and Professor of Petroleum and Geological Engineering, salary changed from annual rate of \$110,160 for 9 months (\$12,240.00 per month) to annual rate of \$113,465 for 9 months (\$12,607.23 per month), October 1, 1996. Budget increase. Paid from 122-7276, Petroleum and Geological Engineering; 122-7331, McCasland Chair in Petroleum and Geological Engineering; and 195-6386, NSF Center, pos. 04221.

Qin Xu, Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies; given additional title Adjunct Professor of Meteorology, October 1, 1996 through June 30, 1997.

RESIGNATIONS AND/OR TERMINATIONS:

Kathleen L. Burnett, Assistant Professor of Dance, December 31, 1996.

Stephanie Dunne, Assistant Professor of Economics, May 16, 1997.

Vijay Sethi, Associate Professor of Management, August 15, 1996.

RETIREMENTS:

Charles A. Dunbar, Clinical Associate Professor of Social Work, December 31, 1996.

Howard B. Haines, Professor of Zoology, May 31, 1997; named Professor Emeritus of Zoology.

David W. Stearns, Monnett Professor of Energy Resources, January 10, 1997; named Professor Emeritus of Energy Resources.

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

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

ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS

Health Sciences Center:

APPOINTMENTS OR REAPPOINTMENTS:

Pamela Z. Birdwell, Quality Assurance Analyst, University Physicians Medical Group Executive Office, annual rate of \$52,285 for 12 months (\$4,357.08 per month), October 1, 1996. Managerial Staff. Paid from A0000570, UPMG Administration Operation, pos. 295151.

Diane Huynh Lai, Organ Procurement Specialist, Department of Surgery, annual rate of \$50,000 for 12 months (\$4,166.66 per month), October 1, 1996. Professional Staff. Paid from C2351501, Cardio-Thoracic Surgery Services, pos. 209900.

CHANGES:

John Belzer, Education Specialist II, Graduate College, salary changed from annual rate of \$45,720 for 12 months (\$3,810.00 per month) to annual rate of \$47,549 for 12 months (\$3,962.42 per month), September 1, 1996. Grant funding increase. Paid from C1299402, Grants for Geriatric Education Centers, and D9190000, Research Incentive Program Indirect Cost Return, pos. 159117.

Frank Concannon, title changed from Manager of Instruction Support, Research and Education Computing, to Manager, Information Technology, Dean's Office, College of Dentistry, November 29, 1996. Managerial Staff.

Margaret A. Eastman, Clinician Assistant II, Department of Orthopaedic Surgery and Rehabilitation, salary changed from annual rate of \$25,001.16 for 12 months (\$2,083.46 per month), .50 time, to annual rate of \$50,003.20 for 12 months (\$4,166.93 per month), full time, October 1, 1996. FTE correction. Paid from A0000877, PPP Orthopedics Physical Medicine Rehabilitation, pos. 159725.

Elenor L. Foster, Associate Director, Emerson Teen Parent Program, Department of Obstetrics and Gynecology, salary changed from annual rate of \$41,996 for 12 months (\$3,499.65 per month) to annual rate of \$42,415.96 for 12 months (\$3,534.66 per month), November 1, 1996. Paid from C4391207, CR-Provide Counseling, Nutrition Education Needed, pos. 127441.

Ellen Francis, title changed from Department Business Manager to Department Business Administrator, Department of Psychiatry and Behavioral Sciences, salary changed from annual rate of \$45,750 for 12 months (\$3,812.50 per month) to annual rate of \$45,780 for 12 months (\$3,815.00 per month), October 1, 1996. Managerial Staff. Paid from 22209720, Psychiatry and Behavioral Sciences, pos. 193200.

Cheryl Ann Nicholas, title changed from Staff Assistant, Department of Pathology, to Secretary to the Senior Vice President and Provost, Health Sciences Center, salary changed from annual rate of \$33,000 for 12 months (\$2,750.00 per month) to annual rate of \$40,000 for 12 months (\$3,333.33 per month), December 16, 1996. Changed from Professional Staff to Administrative Staff Paid from 01009700, Office of the Provost, pos. 002410.

Alberta Yaddack, Clinical Trials Coordinator, Department of Obstetrics and Gynecology, salary changed from annual rate of \$39,375 for 12 months (\$3,281.25 per month) to annual rate of \$40,950 for 12 months (\$3,412.50 per month), October 1, 1996. Paid from C2193602, Clinical Management of ASCUS and LSIL, pos. 129352.

RESIGNATION AND/OR TERMINATION:

Carolyn S. Murray, Secretary to the Senior Vice President and Provost, Provost's Office, Health Sciences Center, November 1, 1996 (with accrued vacation through December 12, 1996).

Norman Campus:

LEAVE OF ABSENCE:

Phillip J. Curry, Manager, Systems Analysis, Computing and Telecommunications Department, administrative leave of absence with pay, January 2, 1997 through January 30, 1997.

APPOINTMENTS OR REAPPOINTMENTS:

Sylvia V. Duca, reappointed Program Director and Principal Investigator, Oklahoma Climate Survey, salary remains at annual rate of \$53,310.36 for 12 months (\$4,442.53 per month), December 1, 1996 through June 30, 1997. Administrative Staff. Paid from 125-6472, NASA Space Grant Consortium, pos. 04680. Paid from grant funds; subject to availability of funds.

Venkata Ganti, Software Engineer, Cooperative Institute for Mesoscale Meteorological Studies, annual rate of \$47,004 for 12 months (\$3,917.00 per month), December 1, 1996 through November 30, 1997. Professional Staff. Paid from 125-4971, NOAA Task II Theme J NWS, pos. 10872. Paid from grant funds; subject to availability of funds.

Glen D. Johnson, appointed Interim Director of Public Policy and Adjunct Professor of Law, annual rate of \$50,000 for 12 months (\$4,166.67 per month), .50 time, December 6, 1996. Professional Staff. Granted permission to be an applicant for the permanent Directorship.

Robert King, Special Assistant to the Athletic Director, Athletic Department, annual rate of \$69,500 for 12 months (\$5,791.67 per month), December 16, 1996. Managerial Staff.

CHANGES:

John N. Drayton, Assistant Director and Editor-in-Chief, University of Oklahoma Press; given additional title Interim Director, University of Oklahoma Press, salary changed from annual rate of \$58,829 for 12 months (\$4,902.42 per month) to annual rate of \$65,000 for 12 months (\$5,416.67 per month), January 16, 1997. Granted permission to be an applicant for the permanent Directorship. Paid from 122-7445, University Press Publication Division, and 127-9104, University Press Sales Division.

- * Fred Gipson, Senior Counsel, Office of Legal Counsel; given additional title Director of Compliance for Athletics; title Special Assistant to the President, deleted; salary changed from annual rate of \$60,000 for 12 months (\$5,000.00 per month) to annual rate of \$95,160 for 12 months (\$7,930.00 per month), December 11, 1996. Executive Officer. Salary restored to previous rate.

Eunice McDowell, College Program Director, School of Social Work; given additional title Adjunct Assistant Professor of Social Work, without additional remuneration, July 1, 1996.

Jeralyn Snow, title changed from Systems Analyst to Senior Systems Analyst, Computing and Telecommunications Department, salary changed from annual rate of \$37,381 for 12 months (\$3,115.09 per month) to annual rate of \$42,384 for 12 months (\$3,532.00 per month), January 1, 1997. Professional Staff. Paid from 134-7110, Computing and Telecommunications Department, pos. 02592.

Martin A. Tippie, Staff Physician, Goddard Health Center, and Team Physician, Athletic Department, salary changed from annual rate of \$90,000 for 12 months (\$7,500.00 per month) to annual rate of \$95,782 for 12 months (\$7,981.83 per month), October 1, 1996. For equity purposes. Paid from 117-1121, Athletic Department, pos. 08256.

RESIGNATIONS AND/TERMINATIONS:

Kristin W. Alexander, Development Officer, University Development, October 31, 1996.

Ruth H. Boone, Assistant Director of Personnel, Personnel Services, October 31, 1996.

Dan E. Pickett, Head Athletic Trainer, Athletic Department.

Adwait B. Sathye, Senior Scientific Programmer, Center for Analysis and Prediction of Storms, October 31, 1996.

Sherl E. Shaw, Senior Systems Analyst, Department of Computing and Telecommunications, October 31, 1996.

RETIREMENTS:

George W. Bauer, Director, University of Oklahoma Press, January 15, 1997; named Director Emeritus, University of Oklahoma Press.

Phillip J. Curry, Manager, Systems Analysis, Computing and Telecommunications Department, January 31, 1997.

Charles B. Glass, Manager, Computer Operations, University Computing and Telecommunications, December 31, 1996.

President Boren recommended approval of the administrative and professional personnel actions shown above, with a modification to the action proposed for Fred Gipson. President Boren recommended the following wording be added: "...with dual reporting responsibility to the Director of Athletics and the President of the University when acting in the capacity of Director of Compliance for Athletics".

- * See President Boren's recommendation.

December 11, 1996

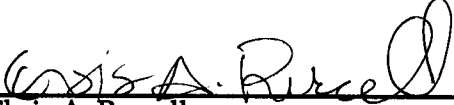
25240

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

LITIGATION

This item was included in the agenda for a report on pending and possible litigation. There was no report.

There being no further business, the meeting adjourned at 11:35 a.m.



Chris A. Purcell
Executive Secretary of the Board of Regents

**The University of Oklahoma, Norman Campus
Requests for Substantive Program Changes
December, 1996**

Changes in Program Requirements:

College of Engineering

College of Arts and Sciences

1. **Sociology, B.A. (RPC 212, MC 2208A):** addition of an option (Level IV) in criminology; program and course requirement changes in the General Option. Two new courses in criminology will be added. Course and program requirement changes in the general option include making the theory course a guided elective instead of a required course, and consolidation of the social differentiation and family/gender areas (level V) into the single general option, with 9 hours of required courses and 24 hours of guided electives in three categories. The total number of hours required for the degree, both in the existing general option and the proposed criminology option, will not change.

Reason for requested action: The addition of the criminology option will provide undergraduate majors with an analytic research emphasis for studying, understanding, and explaining law, crime, and the criminal justice system. The major is appropriate for students seeking employment in a variety of occupations related to policing, corrections, the making of laws and the assessment of lawbreaking. The major is also appropriate for those intending to pursue an advanced degree in sociology, law, or criminal justice. The consolidation of the social differentiation and family and gender areas allows the department to provide its students with a breadth of educational choices, while allowing them to take several courses in the same area.

College of Engineering

1. **Computer Science, Ph.D. (RPC 133, MC 0701R):** program requirement changes. Change the structure of the qualifying exams from a written exam, only, to a format that includes both a written and oral portion; and change course requirements from undefined, free electives specified by a student's faculty committee, to a combination of required courses and guided electives. Students must also pass all required courses with a grade of B or better, and students who have completed one or more of the required courses elsewhere may petition the graduate committee for a waiver.

Reason for the requested action: The current qualifying examination does not adequately test students' aptitude for research. Revisions to the required coursework will ensure that students take one course in each of the five areas considered to constitute the foundations of computer science and two courses from other areas.

LIST OF APPENDICES

1. Appendix A Conflict of Interest Advisory Committee

The composition and general duties of the Conflict of Interest Advisory Committee are defined.

2. Appendix B Forms

University forms have been developed to standardize administration of this policy. These include:

a. Research/Technology Transfer Conflict of Interest Disclosure Form

(Employees participating in sponsored research or technology transfer activities will complete this form and submit it for review before the activity begins.)

b. Conflict of Interest Administrative Review and Management Form
(Recommendation and approval of activities which may involve conflicts of interest will be presented on this form which indicates University review and management recommendations and Vice President action.)

In addition to these forms related specifically to this policy, the Report and Approval of Proposed External Employment and Extra-Compensation Assignments within the University Form, which is used in administration of the Outside Employment and Extra Compensation within the University Policy, is used for employees to disclose non-University activities which pose potential for conflicts of interest.

3. Appendix C Sample Cases with Completed Forms

4. Appendix D Other University Policies Relating to the Conflict of Interest Policy

A listing of other University policies which govern duties and responsibilities of University employees and which may apply to conflict of interest situations.

APPENDIX A

The Conflict of Interest Advisory Committee has been organized to review disclosures regarding conflicts of interest referred to them by the appropriate vice president. The committee will advise that vice president as to whether or not the potential or actual conflict of interest is allowable as is, could be managed, or is unallowable.

The Committee is to be established by the President of the University of Oklahoma and comprised of a representative group of Norman campus faculty and staff members appointed by the President from nominations made by the faculty and staff senates and the University Research Council. Representatives from both the Office of Research Administration and the Office of Legal Counsel will serve as ex officio members of the Committee.

Current Members (through September 26, 1996) include:

ex-officio, nonvoting members:

Nancy Mergler	Sr. Vice President and Provost
Kurt Ockershauser	General Council's Office
Karen Petry	Research Administration
Rick Tepker	Chair, Faculty Senate

Faculty Senate Appointees:

Bob Foote	Industrial Engineering
Nim Razook	Business Administration

Research Council Appointees:

Ray Elugardo	Philosophy
John Scamehorn	Chemical Engineering

Staff Senate Appointees:

Jerry Jensen	Affirmative Action Office
Sue Marshall	Career Planning & Placement

**APPENDIX B
FORMS**

Note: The forms, themselves, are not part of the faculty handbook and will undoubtedly change, from time to time. The forms currently in use are available from The Provost's

**UNIVERSITY OF OKLAHOMA ANNUAL DISCLOSURE OF OUTSIDE FINANCIAL
INTERESTS AND ACTIVITIES**

This form is intended to be used for activities involving external relationships that require disclosure, including those for yourself, your spouse and your dependent children, which are new to the University or where conditions have substantially changed. All existing relationships, including those approved under policies prior to the adoption of the University of Oklahoma's Policy Regarding Conflicts of Interest which was approved by the Board of Regents September 26, 1995, require disclosure and will be appropriately reviewed as specified in that policy.

Employee name: _____

Department/College: _____

If this activity involves receipt of external funding, please provide the following information and attach a copy of your proposal to this form.

Funding Agency: _____

Title of Proposal: _____

Name of company doing work related to the proposed project in which you or any member of your family¹ hold, or expect to acquire during the term of the proposed project, a substantial financial interest: _____

Address: _____

Please respond to the following questions for yourself and/or any member of your family.

Position(s) held in the business (if any): _____

Have you received \$10,000 or more in salary, payment for services, equity interests, and intellectual property rights from this business during the past year?

No Yes

No Yes - value exceeds \$10,000

¹Family includes any individual who is a spouse or dependent child of any employee.

CONFLICT OF INTEREST REVIEW AND MANAGEMENT FORM

This form will be completed for all activities in which the potential for a conflict of interest, as defined in the University of Oklahoma's Policy Regarding Conflicts of Interest, between an employee's University responsibilities and outside interests has been identified. A copy of the University of Oklahoma Annual Disclosure of Outside Financial Interests and Activities should be attached to this form in the review process.

Project Title/Description: _____

Employee Name and Title: _____

Department and College: _____

I have reviewed this project, and I have determined, to the best of my knowledge and judgment, the following:

- ① This project should be approved as described.
- ② This project should not be conducted.
- ③ This project should be approved with modification.

Unit Head's Recommendations: _____ (Attach explanation if ② or ③ are recommended.)

Signature: _____ **Date:** _____

Dean/Director's Recommendations: _____ (Attach explanation if ② or ③ are recommended.)

Signature: _____ **Date:** _____

Vice President's Action:

- Approved as described
- Approved with modification (see attached)
- Referred to Conflict of Interest Advisory Committee for further review
- Disallowed

Signature: _____ **Date:** _____

APPENDIX C

SAMPLE CASES WITH COMPLETED FORMS

DISCLOSURE OF OUTSIDE FINANCIAL INTERESTS AND ACTIVITIES

EXAMPLE 1

A faculty member in the Department of History has an interest in a garden center specializing in plants native to Oklahoma. In this case, it is not necessary to complete a disclosure form under the Conflict of Interest Policy because the faculty member's outside business interests are unrelated to his or her University responsibilities. No form is included.

EXAMPLE 2

A faculty member in the Department of Chemistry and Biochemistry works as a private consultant for a biotechnology company on projects related to his University research program. During the past year, he earned over \$10,000 in consultant fees. In addition, he has submitted a grant application to the National Institutes of Health for support of a research project related to the business interests of the biotechnology company. Disclosure is required, see Example 2 Form. (Note: If the faculty member had earned less than \$10,000 as a consultant, disclosure would not be required.)

EXAMPLE 3

The husband of a faculty member in the School of Electrical Engineering owns a small research company and wishes to hire graduate students his wife is advising to do research work for his company. Disclosure is required by the faculty member, see Example 3 Form.

UNIVERSITY OF OKLAHOMA ANNUAL DISCLOSURE OF OUTSIDE FINANCIAL INTERESTS AND ACTIVITIES

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Employee name: John E. Smith
 Department/College: Department of Chemistry & Biochemistry, College of Arts & Sciences

If this activity involves receipt of external funding, please provide the following information and attach a copy of your proposal to this form.

Funding Agency: National Institutes of Health
 Title of Proposal: Biochemical Research Program

Name of company doing work related to the proposed project in which you or any member of your family¹ hold, or expect to acquire during the term of the proposed project, a substantial financial interest: XYZ Biotechnics

Address: 1234 E. Harrison Street
Dallas, TX 23456

Please respond to the following questions for yourself and/or any member of your family.

Position(s) held in the business (if any): none - private consultant

Have you received \$10,000 or more in salary, payment for services, equity interests, and intellectual property rights from this business during the past year?

No Yes
 No Yes - value exceeds \$10,000

¹Family includes any individual who is a spouse or dependent child of any employee.

Do you own an equity interest in the business?

- No Yes - value is less than 5 percent
 Yes - value is 5 percent or greater

1. Relationship between University responsibilities and business (Please circle all that apply.)

- a. Business may employ University employees and/or students.
- b. Business interests of the company are substantially related to subject matter of employee's University responsibilities.
- c. Business is being asked to sponsor the proposed project.
- d. Business may compete for provision of goods or services to contracting agencies.
- e. Relationship requires use of University-owned equipment and/or facilities.
- f. Relationship requires use of University-owned intellectual property.

2. Possible restrictions resulting from this relationship (Please circle all that apply.)

- a. This relationship has the potential to limit the ability of students to publish research results or to direct their research for primarily commercial purposes.
- b. This relationship involves the potential for restrictions on disclosure or publication of research results.

I have read and understand the Board of Regents' Policy Regarding Conflicts of Interest and declare that I have used all reasonable diligence in preparing this disclosure statement and, to the best of my knowledge, it is true, accurate and complete. I understand that, in accordance with the terms of the Policy, it is my responsibility to disclose any changes that occur in my significant financial interests in this same manner.

Signature: _____

Date: _____

Copy of research proposal to National Institutes of Health attached

UNIVERSITY OF OKLAHOMA ANNUAL DISCLOSURE OF OUTSIDE FINANCIAL INTERESTS AND ACTIVITIES

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Employee name: Sarah M. James

Department/College: School of Electrical Engineering, College of Engineering

If this activity involves receipt of external funding, please provide the following information and attach a copy of your proposal to this form.

Funding Agency: not applicable

Title of Proposal: _____

Name of company doing work related to the proposed project in which you or any member of your family¹ hold, or expect to acquire during the term of the proposed project, a substantial financial interest: James Electronics

Address: 1340 W. Lindsey
Norman, OK 73072

Please respond to the following questions for yourself and/or any member of your family.

Position(s) held in the business (if any): self - none, husband - CEO, owner

Have you received \$10,000 or more in salary, payment for services, equity interests, and intellectual property rights from this business during the past year?

No Yes (husband)

No Yes - value exceeds \$10,000 (husband)

¹Family includes any individual who is a spouse or dependent child of any employee.

UNIVERSITY OF OKLAHOMA ANNUAL DISCLOSURE OF OUTSIDE FINANCIAL INTERESTS AND ACTIVITIES

This form is intended to be used for activities involving external relationships that require disclosure, including those for yourself, your spouse and your dependent children, which are new to the University or where conditions have substantially changed. All existing relationships, including those approved under policies prior to the adoption of the University of Oklahoma's Policy Regarding Conflicts of Interest which was approved by the Board of Regents September 26, 1995, require disclosure and will be appropriately reviewed as specified in that policy.

Employee name: Sarah M. James

Department/College: School of Electrical Engineering, College of Engineering

If this activity involves receipt of external funding, please provide the following information and attach a copy of your proposal to this form.

Funding Agency: not applicable

Title of Proposal: _____

Name of company doing work related to the proposed project in which you or any member of your family¹ hold, or expect to acquire during the term of the proposed project, a substantial financial interest: James Electronics

Address: 1340 W. Lindsey
Norman, OK 73072

Please respond to the following questions for yourself and/or any member of your family.

Position(s) held in the business (if any): self - none, husband - CEO, owner

Have you received \$10,000 or more in salary, payment for services, equity interests, and intellectual property rights from this business during the past year?

No Yes (husband)

No Yes - value exceeds \$10,000 (husband)

¹Family includes any individual who is a spouse or dependent child of any employee.

APPENDIX D

OTHER UNIVERSITY POLICIES WHICH MAY RELATE TO CONFLICTS OF INTEREST

Conflicts of interest may take various forms but exist when there is contradiction between the private interests and professional obligations of a University employee. In addition to being addressed directly in this policy, such conflicts of interest are addressed in other University policies which govern conduct of employees' professional activities. A listing of such policies follows. This list is not presented as comprehensive of all references to conflicts of interest that may occur in the University environment. A University employee should consult specific University policies as presented in the Faculty Handbook, Staff Handbook, and Administrative Affairs Guide to Services for guidance and information regarding specific situations which may relate to conflicts of interest.

General Purchasing Policies

Academic Freedom and Responsibility

Sabbatical Leave

Ethics in Research

Patent Policy

Copyright Policy

Outside Employment and Extra Compensation within the University

Nepotism

Use of State Vehicle for Private Purposes

Off Campus Use of University Property

Conducting Private Business from State-Owned Facility

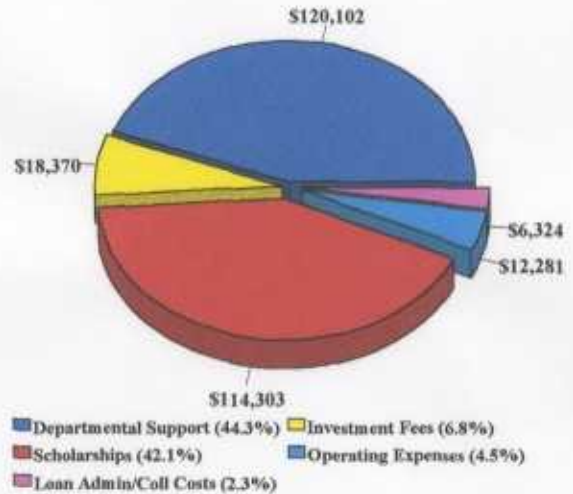
I. Book Value

During the three months ended September 30, 1996, the Regents' Fund recognized revenues of \$621,349 and expended \$271,380 resulting in a net increase to fund balance of \$349,969. This increase resulted primarily from current cash gifts, investment earnings, and other revenues exceeding related expenditures.

FY 97 Revenues



FY 97 Expenditures



II. Cash Gifts and Contributions

The following cash gifts were received during the quarter ended September 30, 1996.

- PPP funds received from the Health Sciences Center for the Jordan Heartland Professorship in Pathology Housestaff Education \$ 226,577

- A bequest from the Estate of Lorene Maddox for the benefit of the Maddox Family Engineering Excellence Fund 52,312

- The final distribution from the George P. Benson Revocable Trust 21,492

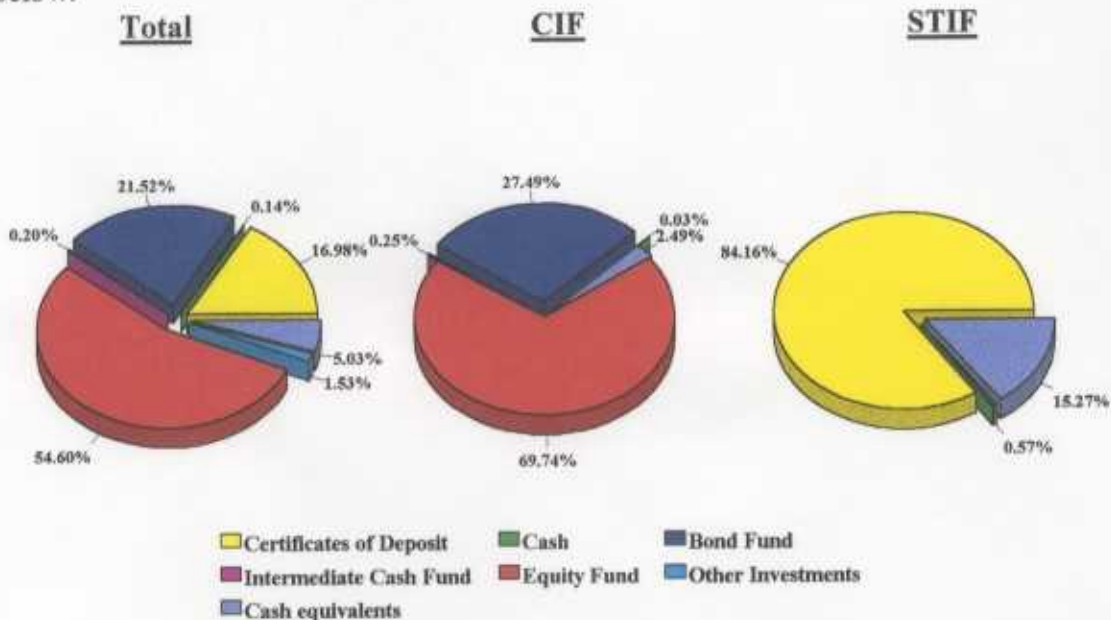
- A distribution from Fidelity Investments and the Estate of Margaret C. Follett for the benefit of the OU General Scholarship Fund 20,081

- The final distribution from the Estate of Clara Rusk Hastings for the benefit of the Clara Rusk Hastings Scholarship Trust 12,061

● A gift from E.I. Dupont for the benefit of the CEMS department	\$ 10,000
● Proceeds from the sale of Oppenheimer Funds bequested to the University by Margaret C. Follett	7,820
● Death benefits paid on Margaret C. Follett from Lincoln National Life Insurance Co.	2,082
● A gift from alumnus John G. Jacobs for student scholarships	500
● A gift from M. Brigance for the OU Associates Fund	500
● The final distribution from the Estate of Lorene Maddox for the benefit of the Maddox Family Engineering Excellence Fund	287
● A gift from Sidney P. Upsher for the Reach for Excellence Campaign	<u>25</u>
 Total	 <u><u>\$ 353,737</u></u>

III. Market Value

Cash and investments held by the Regents' Fund at September 30, 1996, had a market value of \$23,931,649, up \$607,243 (2.60%) from June 30, 1996 and \$5,646,701 (30.88%) from September 30, 1995. The asset allocations of the total Regents' Fund, Consolidated Investment Fund (CIF), and Short Term Investment Fund (STIF) are summarized below.

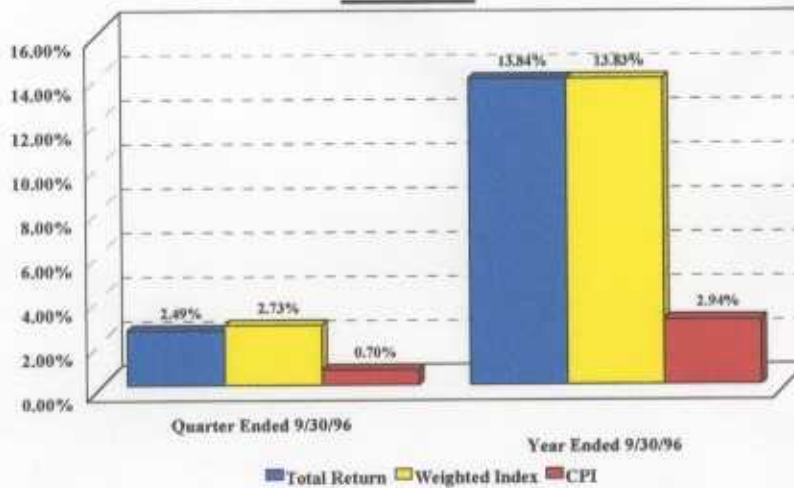


IV. CIF Performance

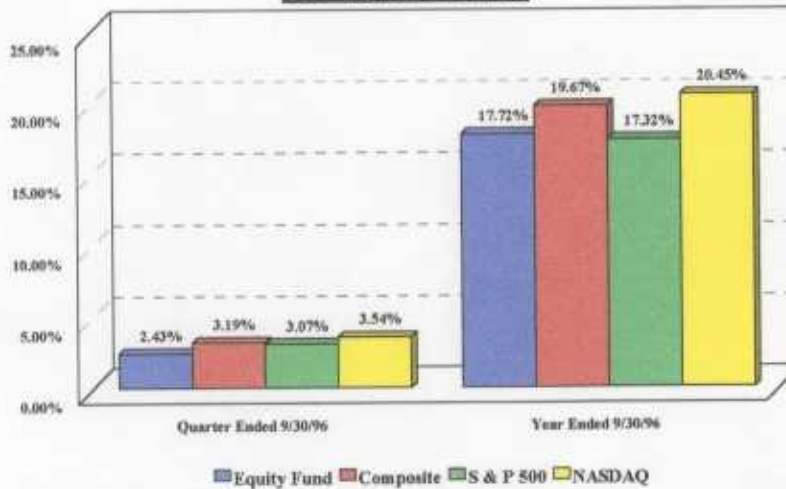
As indicated below, the total return on the CIF for the three months ended September 30, 1996 is 2.49%, trailing the weighted index of 2.73% by only 24 basis points. The equity fund return (2.43%) trailed the common stock composite (3.19%) by 76 basis points. The bond fund return (2.54%) exceeded the Lehman Aggregate Bond Index (1.80%) by 74 basis points.

The total return on the CIF for the year ended September 30, 1996 is 13.84%, exceeding the weighted index of 13.83% by 1 basis point. The equity fund return (17.72%) trailed the common stock composite (19.67%) by 195 basis points. The bond fund return (7.52%) exceeded the Lehman Aggregate Bond Index (4.84%) by 268 basis points.

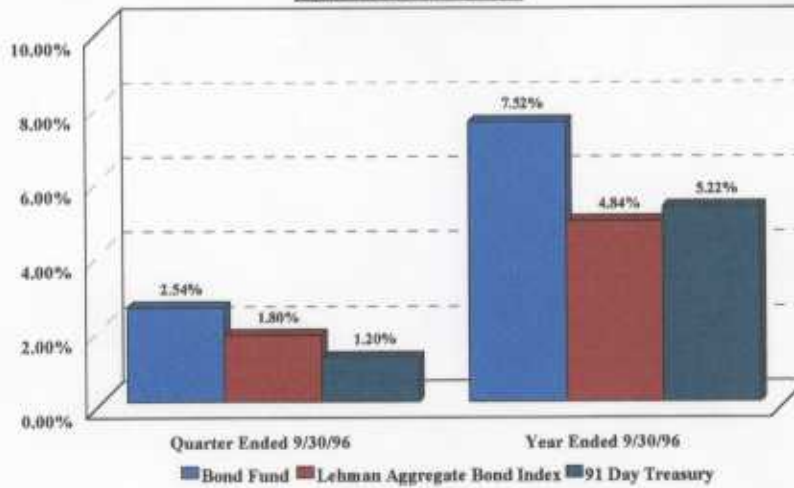
Total CIF



CIF Equity Funds



CIF Bond Funds



V. STIF Performance

The total return on the STIF for the three months ended September 30, 1996 is 1.44% (which represents an annualized rate of return of approximately 5.76%), exceeding the 91 Day Treasury Bill rate of 1.20% by 24 basis points.

The total return on the STIF for the year ended September 30, 1996 is 5.92%, exceeding the 91 Day Treasury Bill rate of 5.22% by 70 basis points.

Total STIF

