

**C O N T E N T S**  
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**THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS**  
**JUNE 9-10, 1998**

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**MINUTES OF A REGULAR MEETING  
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS  
JUNE 9-10, 1998**

A regular meeting of the Board of Regents governing The University of Oklahoma and Cameron University was called to order in the Auditorium of the Administration Building on the Health Sciences Center Tulsa Campus, in Tulsa, Oklahoma on Tuesday, June 9, 1998, beginning at 2:00 p.m.

The following Regents were present: Regent Melvin C. Hall, Chairman of the Board, presiding; Regents Donald B. Halverstadt, M.D., C. S. Lewis III, Mary Jane Noble, G. T. Blankenship, and Stephen F. Bentley. Regent Bentley's appointment was confirmed by the State Senate on May 29, 1998.

Absent: Regent Robin Siegfried.

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 Russell W. Driver, Mark E. Lemons, David L. Maloney, and Jerry B. Vannatta, and 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 were submitted to the Secretary of State, and the agenda was posted in the Office of the Board of Regents on or before 2:00 p.m. on June 8, 1998, 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:

#### Cameron Student Admission on the Web

Cameron continues to integrate new technology into education -- this time by putting its admissions form on the World Wide Web. Now, a prospective Cameron student can complete an admissions form on any computer with Internet access. When sent, that information is submitted directly to Cameron's database. Some supporting information may still be needed to complete the application process, such as the appropriate fee, a high school transcript and documentation of ACT score. After those items are received, the information is released into the database. The form closely resembles the printed one students currently fill out, other than minor exceptions such as pull-down menus that further speed the application

process. The form is linked to admission information useful to first-time and transfer students. Overall, the on-line form is designed to make the application process easier for students who have difficulty coming to Lawton.

#### CU Student Magazine Named State's Best

The *Wichita*, a Cameron student publication, was named the State's best collegiate magazine by the Oklahoma Interscholastic Press Association during its spring conference. The *Wichita* was picked for the organization's All-Oklahoman honor, and received a sweepstakes award for top college magazine. It was the second straight year the publication has garnered the honor. Nine Cameron students brought home a dozen individual honors for their work, including six first place awards. Gil Hernandez is advisor.

#### Associate Editor of Math Journal Named

Cameron Math Professor Ioannis Argyros has been named to the editorial board for *Computational Analysis and Applications*, a new quarterly mathematics journal which begins publication in January. Plenum Publishing spent two years doing a peer-assisted, exhaustive search to compile a list of 25 internationally recognized experts in mathematics, including Professor Argyros, who make up the journal's editorial board. Professor Argyros has authored three books and more than 200 research papers, and presented more than 50 lectures at American and European Southwest scientific meetings. At Cameron, Professor Argyros founded the *Journal of Pure and Applied Mathematics* and serves as its editor-in-chief. He also edits the *Korean Journal of Computational and Applied Mathematics*.

#### New Mexico Historical Award

*Texas, New Mexico and the Compromise of 1850: Boundary Dispute and Sectional Crisis*, authored by Cameron Professor Mark Stegmaier, has been presented the Gaspar Perez de Villagra Award for 1998. The award is given by the Historical Society of New Mexico to recognize outstanding publications by individuals. *Texas, New Mexico and the Compromise of 1850* had already been honored by the Texas State Historical Association as the best book on Texas history published in 1996, earning it the Coral Horton Tullis Memorial Prize. Dr. Stegmaier's work was also a finalist for best nonfiction work in the 1997 Oklahoma Book Award Competition, sponsored by the Oklahoma Center for the Book. The book is Dr. Stegmaier's newest dealing with historical figures of the pre-Civil War era. He previously co-wrote *James F. Milligan: His Journal of Fremont's Fifth Expedition, 1853-1854* with Dr. David Miller, Dean of Cameron's School of Liberal Arts. Professor Stegmaier, a member of Cameron's History and Humanities Department, is currently working on a book focusing on the Secession crisis in the years leading up to the Civil War.

#### Undergraduate Research Papers Presented

Three Cameron senior chemistry students presented the results of undergraduate research at a recent American Chemical Society meeting-in-miniature. Held in Durant, the meeting showcased some of the State's top

undergraduate research efforts in chemistry. Among Cameron's presenters was Raymond Roy, a Top 20 student and Top 10 Nontraditional student, who will enroll in OU's graduate program this fall.

#### Legion of Merit

LTC Thomas J. Mayock, Jr., Chair of Cameron's Military Science Department, has been recognized by the U.S. Army with one of its highest honors, the Legion of Merit. The award, established during World War II, is given to members of the military who distinguish themselves by exceptionally meritorious conduct in the performance of duty. LTC Mayock joined the Cameron faculty as Professor of Military Science and Commander of the Comanche Battalion in June 1996. His leadership was evident during Advanced Camp 1997, when Cameron cadets exceeded all areas of training and finished 33 points above camp standard. LTC Mayock will retire from the Army this summer.

#### Spring GPA Increases for Cameron Athletes

Cameron's student athletes combined for an overall grade point average of 2.92 during the Spring 1998 semester, an increase from the 2.81 GPA compiled during the fall term. The men's tennis squad showed the greatest improvement - raising its team GPA more than a half point to 3.10. Overall, the women's tennis team had the best overall semester GPA at 3.46. Fifty Cameron athletes made the spring honor roll, with three of them posting perfect 4.0 GPAs.

#### Five CU Teams Ranked in Sports Polls During 1997-98

Cameron experienced a breakthrough year as it rejoined the Lone Star Conference in 1997, as a majority of its teams were either regionally or nationally ranked during their respective seasons. Five of CU's eight varsity sports climbed into the polls, with the women's tennis and golf squads qualifying for national tournaments. The men's tennis team made the regional finals. Cameron's volleyball and softball teams also spent time in the regional polls during the year.

## **SUBSTANTIVE PROGRAM CHANGES**

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 the academic program, attached hereto as Exhibit A, have been approved by the Provost of Cameron University, based on the recommendation of the appropriate department and dean, and the Curriculum Committee. They are being submitted to the Board of Regents for approval prior to submission to the State Regents.

President Davis recommended the Board of Regents approve program changes as proposed.

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

## BOARD RATES

Due to an increase in food costs and lower occupancy rates in the resident hall it is appropriate to increase the board cost. The total increase of \$100 is an increase of \$25.00 per month. The proposed new board plan is for five (5) meals per week and \$225.00 in flex dollars. Residents have requested the increased flexibility in board options.

The proposed new rates are as follows:

<u>Meal Plan</u>	<u>Current Charge</u>	<u>Recommended Charge</u>
20 Meals per week	\$700	\$800
15 Meals per week	\$658	\$758
10 Meals per week	\$623	\$723
20 Meals + \$50 flex dollars	\$746	\$846
15 Meals + \$75 flex dollars	\$700	\$800
10 Meals + \$110 flex dollars	\$700	\$800
5 Meals + \$225 flex dollars	\$700	\$800

President Davis recommended the Board of Regents approve the board charge be increased \$100 per semester for each of the board plans available to students and that one additional board plan option be offered to residents.

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

## ANNUAL AUDIT PLAN FOR 1998-99, CAMERON UNIVERSITY

The proposed annual audit plan for fiscal year 1999 was enclosed with the agenda. It was prepared by Ms. Angela Hockett, Interim Director of Internal Auditing, and incorporates use of standard risk analysis processes, solicited and unsolicited input from administrators, and a four-year rotation plan to address all financial and data-related functions of the University. At least once every four years, every department and major function of the University will receive some level of review and audit. In addition, approximately 15 percent of the available audit hours will be reserved for items that could not be foreseen. Critical functions will be audited at some level every year.

The four-year rotation is a change from the previous year's plan, which was based on a three-year rotation. This change is proposed to permit more in-depth audits of each area. This will improve the overall audit process and still permit critical functions to be audited each year. In addition, to address needs as they arise, hours reserved will be less vulnerable and available to use in regularly scheduled audits that may require additional attention.

The areas proposed for internal audit during 1998-99 are as follows:

- Admissions and Records
- Alumni Relations
- Architectural and Engineering Services
- Athletics, Compliance Audit
- Athletics, General
- Business Office
- Cashiering
- Computing/Telecommunications
- Disbursements
- Employee Benefits
- Financial Aid and Scholarships
- Housing
- KCCU-FM Radio Station
- Personnel/Payroll
- Policy Issues
- Procurement and Receiving
- Public Affairs
- Records Retention
- Recreation Programs

In addition, Internal Auditing will perform post-audit reviews of each audit report.

President Davis and the Audit Committee recommended the Board of Regents approve the annual audit plan for 1998-99.

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

### AGREEMENT FOR THE PURCHASE OF NATURAL GAS

Requests for bids for the purchase of natural gas were sent to 22 suppliers on May 15, 1998. Seven responses were received. The bid opening was held at 2:00 p.m. on Friday, June 5, 1998.

<u>Vendor</u>	<u>Fixed Price Per MMBTU</u>	<u>Index Price Per MMBTU</u>
Duke Energy Trading & Marketing, L.L.C. Tulsa	\$2.22	+.024
HS Energy Services, Inc. Tulsa	\$2.27	+.045
NorAm Energy Management, Inc. Shreveport, Louisiana	\$2.26	+.05
Boyd Rosene & Associates Tulsa	\$2.2556	+.0175
PG&E Energy Services Tulsa	\$2.23	+.07



<u>Vendor</u>	<u>Fixed Price Per MMBTU</u>	<u>Index Price Per MMBTU</u>
Continental Natural Gas, Inc. Tulsa	\$2.24	+ .0175
Helmerich & Payne, Inc. Tulsa	No Bid	

President Davis recommended the Board of Regents approve the award of a fixed price contract for the purchase of natural gas from Duke Energy Trading and Marketing, L.L.C. at an estimated amount of \$230,000.

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

### **NON-SUBSTANTIVE PROGRAM CHANGES**

The Oklahoma State Regents for Higher Education confer upon each institution the authority to approve modifications that are non-substantive but require the changes to be communicated to them for information only. The program modifications itemized in the list included in the agenda have been approved by the Provost, Cameron University, based on the recommendation of the appropriate departments and dean, and the Curriculum Committee.

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

### **CURRICULUM CHANGES**

The Oklahoma State Regents for Higher Education confer upon each institution the authority to delete, modify and add courses, but require that the changes be communicated to them for information only. The course deletions, additions and modifications itemized in the list included in the agenda have been approved by the Provost of Cameron University, upon recommendation of the cognizant departments and deans, and approved by the Curriculum Committee.

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

### **QUARTERLY FINANCIAL ANALYSIS**

Being reported this month is the Quarterly Financial Analysis for the quarter ended March 31, 1998. The following comments are submitted for consideration:

#### **ALL FUNDS, CAMERON UNIVERSITY**

#### **STATEMENT OF REVENUES AND EXPENDITURES**

1. At March 31, 1998, revenues for all funds were at \$25.8 million which were 79.5% of the budget.

Expenditures were at \$24.0 million or 67.0% 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 \$18.3 million were reported and are 78.5% of the budget. This is comparable to last year's revenue of \$17.5 million and 79.3% of the budget. Revenues are up due to an increase in State appropriations.
2. Expenditures - Expenditures of \$16.9 million are reported at 62.6% of the budget. This is compared to the prior year expenditures of \$16.0 million and 59.4% 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 \$4.9 million were reported at 77.3% of the budget. This is comparable to the prior year revenues of \$4.6 million and 84.0% of the budget.
2. Expenditures - Expenditures of \$4.8 million were reported at 76.5% of the budget. This is comparable to last year's expenditures of \$4.6 million at 83.8% of the budget. Most areas show a slight increase or decrease. These minor fluctuations are in line with expectations.

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.

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 \$2,400,000 at March 31, 1998. Adjustments will be made 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 \$1,300,000. 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 approximately \$1,300,000.

The Facility Fee Bond Fund has a discretionary reserve of \$359,547. 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.

#### INTERNAL AUDITING REPORT

This item was included in the agenda to give the Interim Director of Internal Auditing an opportunity to report to the Board in executive session any pending or potential audit issues. There was no report.

#### ACADEMIC PERSONNEL ACTIONS

##### APPOINTMENTS:

Camey, John, Ph.D., Assistant Professor, Department of Business, annual rate of \$48,000 for 9/10 months, August 17, 1998 through May 16, 1999.

Pellegrino, Kimberly, D.B.A., Assistant Professor, Department of Business, annual rate of \$55,000 for 9/10 months, August 17, 1998 through May 16, 1999.

Pellegrino, Robert, D.B.A., Assistant Professor, Department of Business, annual rate of \$48,000 for 9/10 months, August 17, 1998 through May 16, 1999.

Warfield, Latonia, Temporary Instructor, Department of Business, annual rate of \$35,000 for 9/10 months, August 17, 1998 through May 16, 1999.

##### RESIGNATION:

Cranfill, Charlotte, Lead Teacher, Child Development Center, July 29, 1998.

RETIREMENTS:

Chenoweth, Don, Associate Professor, Department of Politics, Sociology and Criminal Justice, May 9, 1998.

Talent, Walter, Assistant Professor, Department of Nursing, May 9, 1998.

Wensorski, John, Temporary Instructor, Department of History and Humanities, May 9, 1998.

President Davis recommended the Board of Regents approve the academic personnel actions shown above.

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

ANNUAL PERSONNEL ACTIONS

Cameron's faculty evaluation process for promotion and tenure culminates annually in April. Each of the recommended actions will be effective upon approval of the faculty member's 1998-1999 academic year appointment. Promotion in rank includes a \$500.00 increase in the academic year salary base for each faculty member effective at the next appointment. The recommended actions are as follows:

ACADEMIC PROMOTIONS

SCHOOL OF GRADUATE AND PROFESSIONAL STUDIES:

Department of Education

Susanne Dennis to Assistant Professor

SCHOOL OF LIBERAL ARTS

Department of English

John Morris to Professor

Von Underwood to Professor

Department of History and Humanities

Suzanne Crawford to Professor

Department of Music

Virginia Sircy to Professor

Hyunsoon Whang to Associate Professor

SCHOOL OF SCIENCE, MATHEMATICS, TECHNOLOGY

Department of Mathematical Science

Keith Williams to Associate Professor

Department of Technology

Bobby Taylor to Assistant Professor

Department of MultiMedia Design  
Karen Hardin to Assistant Professor

LIBRARY  
Nancye Leibee to Assistant Professor

TENURE RECOMMENDATION

SCHOOL OF SCIENCE AND TECHNOLOGY:

Department of Physical Science  
Clinton Bryan

President Davis recommended the Board of Regents approve the faculty personnel actions proposed.

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

**LITIGATION**

This item was included in the agenda for the purpose of meeting with General Counsel for a report on pending and possible litigation in executive session. There was no report.

**1998-99 EDUCATIONAL AND GENERAL AND AUXILIARY BUDGETS**

The Cameron University 1998-99 Educational and General Budget has been prepared based on the State allocation of \$17,740,274 and a revolving fund estimate of \$8,370,265, for a total budget of \$26,110,539. Included in the revolving funds estimate are \$906,425 in Fee Waiver Scholarships which are reported in this format at the direction of the State Regents. The estimate is based on 124,884 student credit hours enrollment.

The schedules which were included in the agenda and the information provided separately summarize the Educational and General and Auxiliary budgets proposed for Cameron University for the 1998-99 academic year. The following paragraphs briefly describe the highlights of each budget.

Educational and General

Operating budgets will remain unchanged except for unavoidable increases for such mandatory expenditures as computer maintenance contracts, utilities, payroll taxes, teachers' retirement, insurance, and similar outlays.

Guidelines for the hiring and purchasing freezes will remain in place.

The compensation package of four percent (4%) for faculty and professional staff is based on job performance and, in a few instances, adjustments were made to remedy inequities. The compensation package of six percent (6%) for non-professional staff was based on job performance. The additional two percent was to assist the non-professional employees to cover part of the premium increase for medical insurance for dependents.

#### Auxiliary (Including Student Activity)

Again this year, Cameron students participated meaningfully in the development of the Student Activity Budget. A broad-based committee conducted budget hearings during the winter and spring and presented recommendations to the administration which developed the budget in general accordance with the suggestions.

An operating loss of approximately \$41,000 is projected for the housing system which will be offset with earnings from reserve funds within the system.

President Davis recommended the Board of Regents approve the 1998-99 Educational and General Budget and Auxiliary Budgets.

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

#### **LIMITED-USE LEASE OF CAMERON'S FOOTBALL STADIUM TO LAWTON PUBLIC SCHOOL DISTRICT**

For many years the Lawton Public School District (LPS) has leased Cameron's football stadium for the district's junior high and high school football games, band practices, and related activities. This lease has recently expired. LPS intends to build their own football stadium for such activities and events, but needs time in which to plan and build such a facility. During this interim period, which we have been told will last no longer than five years, LPS has requested the right to continue to use Cameron's stadium. Further, LPS believes it necessary to put a new artificial turf surface on the field.

The contract allows for the continuation of the previous use by LPS for a five-year term and allows Cameron to recover all costs associated with such use by LPS. At their expense and by their action, LPS will replace the artificial turf in the stadium and make certain other repairs and improvements to the stadium facility.

President Davis recommended the Board of Regents approve and execute a limited-use lease of Cameron's football stadium to the Lawton Public School District for a term not to exceed five years.

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

## **THE UNIVERSITY OF OKLAHOMA**

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

President Boren presented the following report:

The University of Oklahoma has had a major presence in the Tulsa area in the field of medical and health education. The medical school has had 168 resident positions in the fields of family medicine, internal medicine, pediatrics, obstetrics, gynecology, psychiatry and surgery. These programs have been operated with major hospitals in the Tulsa area and 846 physicians in the community have acted as volunteer faculty, providing didactic and clinical instruction. This has been an extraordinary relationship. The annual operating budget for the College of Medicine-Tulsa exceeds \$32,000,000 and OU is providing nine clinics in the Tulsa area in six different locations with more than 110,000 patient visits annually. A clinical program in Pharmacy will be added to current offerings this fall as well as enrollment in occupational and physical therapy programs.

In addition to expansion of health educational programs, a dramatic change enhancing the HSC Campus in Tulsa will take place with the Regents' approval today of the purchase of approximately 13 acres for \$5,000,000. This is the beginning of a Master Plan which will, over the next five years, add \$55,000,000 in facilities for education. The purchase will also allow for medical research to be based on the Tulsa Campus. There isn't a community in the United States where the medical profession has had a closer relationship with an educational institution than the relationship that has existed between the University and the Tulsa medical community.

### **PURCHASE OF PROPERTIES FOR THE HEALTH SCIENCES CENTER, TULSA CAMPUS**

The Master Plan for The University of Oklahoma Health Sciences Center, Tulsa Campus includes the expansion of the campus in phases. The phases involve the purchase and redevelopment of property adjacent to the existing campus, east and west of Sheridan Road. The Master Plan includes the future construction of outpatient clinics, academic and administrative offices, clinical research center, library and learning resource center, classrooms, telemedicine and video-conferencing facilities, international clinical studies, the University Office of Prospective Student Services, and University Relations. This plan will allow for the proper development of the Tulsa Campus for the twenty-first century.

The purchase of the properties mentioned above meets the Regents' Policy for Acquisition of Property. The properties are located on the east side of The University of Oklahoma Health Sciences Center, Tulsa Campus. A map illustrating the location of the properties is attached hereto as Exhibit B. The properties are key to the master plan for the Tulsa Campus and are contiguous with the current Campus. Also, the purchases will protect the perimeter of the Campus.

The owner of Tract A has signed a sales contract on the property and the price was negotiated at fair market value. A down payment of 6% of the purchase price was paid to the title company to be held in escrow.

The owners of Tracts B and C have also signed sales contracts on the properties and the price was determined at fair market value based upon three appraisals. A down payment of 10% on Tract B and 8% on Tract C of the purchase price was paid to the title company to be held in escrow.

The terms of the sales contracts on Tracts A, B, and C are for one year with a 60-day inspection period cancellation clause at no cost to the University. Should the University elect to terminate the contracts after the 60-day inspection period, it will lose one-tenth of the earnest money for each month that it has gone past the inspection period. The down payments go toward the purchase prices.

The owner of Tract D has also indicated a willingness to sell the small apartment complex to the University of Oklahoma. Negotiations are still under way on the final contract and the price will be negotiated at fair market value. Upon approval by the Board of Regents and funding finalized, the closing will be scheduled.

President Boren recommended the Board of Regents (1) approve the Master Plan for the Health Sciences Center, Tulsa Campus, and (2) authorize the President or his designee to negotiate the final terms of the purchase of properties consisting of:

- Tract A: 2909 South Sheridan Road and 3029 South Sheridan Road, Tulsa, Oklahoma Boman Acres Limited Partnership (Boman Acres Shopping Center) for \$3,400,000.00.
- Tract B: 3063 South Sheridan Road, Tulsa, Oklahoma (Stax Convenience Store) for approximately \$300,000.00.
- Tract C: 6539 East 31st Street, Tulsa, Oklahoma (Boman Plaza Office Building) for approximately \$412,333.00.
- Tract D: 6555 East 31st Street, Tulsa, Oklahoma (small apartment complex) for approximately \$455,000.00.

There was a general discussion of this item with comments by Provost Joseph Ferretti and Leeland Alexander, Director of Administration and Finance, Tulsa. Provost Ferretti provided the following report:

As part of The University of Oklahoma's continued efforts to address the higher education needs of the citizens in Tulsa and northeastern Oklahoma, OU will extend its nationally recognized accredited programs in physical therapy and occupational therapy to Tulsa effective Fall 1998. The professional master's degree programs in physical therapy and in occupational therapy will be taught at the Health Sciences Center-Tulsa Campus located at 2808 South Sheridan Road.

Extension of these programs to Tulsa is in concert with changing national accreditation standards which will require the master's degree as the entry level professional degree in the rehabilitation sciences. In response to this



accreditation requirement, in October 1997 The University of Oklahoma Board of Regents approved the change from bachelor's degree programs to professional master's degree programs in both physical therapy and occupational therapy, and the change in prerequisite course requirements for both programs. The Oklahoma State Regents for Higher Education authorized the change to master's degree programs in December 1997.

As a result of this change in professional standards, the professional degree programs in physical therapy and occupational therapy will become what is termed "3 plus 3" programs rather than "2 plus 2" programs. This will require the first three years of prerequisite coursework to be completed at an undergraduate institution prior to a student's being admitted into the three year physical therapy or occupational therapy professional degree programs. These prerequisite requirements must be met by students seeking admission to the Fall 1999 class.

In order to have the Tulsa master's programs entering classes established by Fall 1999, OU will "early admit" 15 physical therapy and 15 occupational therapy students into the Tulsa professional master's programs effective Fall 1998. This early admission opportunity will allow students to complete the new third-year prerequisite coursework in Tulsa prior to beginning the three year master's programs in Fall 1999. Early admission will be contingent upon a student's successful completion of the prerequisite coursework.

The anticipated goal is to move toward 40 physical therapy students and 25 occupational therapy students admitted per year into the Tulsa program.

OU will have full-time, Tulsa-based faculty on site by Fall 1998 to teach, provide academic advisement, and coordinate the clinical affiliation agreements with Tulsa-area health care entities and health care providers. When the master's programs are fully operational, five full-time faculty and two full-time staff will be based in Tulsa.

OU plans to offer a number of prerequisite courses and one master's level professional course in Tulsa during the Fall 1998 and Spring 1999 semesters for students in the early admission program. This combined with prerequisite courses which are currently available through other higher education institutions in Tulsa will ensure a smooth transition of the early admitted students into the master's programs by Fall 1999. Prospective students are encouraged to visit the OUHSC Web site for a listing of the prerequisites to the professional master's programs, as well as comparable courses at other institutions which are approved equivalencies under articulation agreements with OU.

Regent Halverstadt moved approval of the President's recommendation with an amendment as follows: That the Regents also approve in concept the commencement of the Physical Therapy/Occupational Therapy Programs in Tulsa as outlined by the Provost of the Health Sciences Center. President Boren concurred.

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

## FINANCING OF PROPERTIES FOR THE HSC COLLEGE OF MEDICINE-TULSA

The University of Oklahoma has the opportunity to purchase four parcels of property in Tulsa for approximately \$5 million. The properties are located adjacent to the existing campus, are consistent with the HSC Tulsa Master Plan and are strategic to the future development of the HSC Tulsa Campus. The administration has been exploring financing alternatives for the purchase of the property and has identified options for consideration. Title 70 O.S. Section 4017 permits institutions of higher education to borrow funds for capital projects. Under Section 4017, the University may enter into a loan agreement, investment agreement, or other appropriate contractual arrangements with any public trust created pursuant to Title 60 O.S. Section 176 et seq. which has the State of Oklahoma as its beneficiary. The ODFA qualifies as a public trust for the purposes of this Section. Possible financing options include the sale of revenue bonds or a private placement by the University or a financing plan through public trust. The Tulsa Industrial Authority (TIA) provided the financing mechanism when the existing HSC Tulsa Campus was acquired in 1985.

Funding for debt service will come from revenues generated by the Ambulatory Teaching Clinics located on the Tulsa Campus which are funded by the Tulsa Medical Education Foundation and patient fee revenues.

The University's administration will contact the State Bond Advisor, TIA, ODFA and other appropriate financial institutions to discuss the University's financing alternatives for the purchase of property. A recommended plan of financing will be brought to the Regents for review and to seek authorization to proceed.

President Boren recommended the Board of Regents authorize the University's administration to work with the State Bond Advisor to explore financing options, not to exceed \$5 million, to purchase properties for the HSC College of Medicine-Tulsa.

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

## UNIVERSITY RESEARCH GROWTH BEST IN BIG XII

Research programs at The University of Oklahoma are growing at rates higher than national averages and are outpacing Big XII universities by large margins according to information and rankings recently released by the National Science Foundation. The National Science Foundation data reveals the University's impressive growth in three major research areas: (1) total research and development expenditures, (2) federally financed research and development expenditures, and (3) industry sponsored research and development expenditures.

The University of Oklahoma ranks first in the Big XII in terms of growth in the area of total research and development expenditures since FY90. During this period, the University's expenditures grew approximately 86%. The University of Kansas ranked second. The University of Oklahoma exceeded the University of Kansas by over 21%.

The University of Oklahoma ranks first in the Big XII in terms of growth in total federally financed research and development expenditures since FY90. The University has increased federally financed research and development expenditures by 153%. In the Big XII, this outpaced second ranked Iowa State by 92% and OU's rate of growth exceeded the national average by 110%.

In addition, The University of Oklahoma ranked second in the Big XII in industry sponsored research and development expenditures growth since FY90. The University's growth of 160% during this period was only exceeded by that of the University of Texas.

These high rankings demonstrate the impressive growth of the University's research programs. This growth is attributable to the leadership of Dr. Eddie Smith, Vice President for Research, Norman Campus and Dr. Frank Waxman, Vice President for Research, Health Sciences Center. On the Norman Campus, funding attributable to this outstanding research growth was used to help fund an increase in faculty salaries for faculty in all areas of the University.

President Boren reported new initiatives are being planned in the Tulsa area through the OU-OSU graduate center, specifically in international studies and a new masters of business administration program (international and executive MBA training). He said as President, he was required to name members to the coordinating committee for the new OU-OSU Graduate Center in Tulsa. They will be Senior Vice President and Provost of the Norman Campus, Dr. Nancy Mergler; Dean of Engineering and Vice President for Technology Development, Dr. Arthur Porter; Dean of the Graduate College and Vice President for Research on the Norman Campus, Dr. Eddie Smith; Dr. Paul Bell, Dean of the College of Arts and Sciences; and Dr. Nancy Lewis, Assistant Vice President for University Services in Tulsa. We have had tremendous research growth at the Health Sciences Center and on the Norman Campus.

President Boren said on the Norman Campus we are in the process of developing active research initiatives which will help the economic development in Oklahoma. A research consortium in Tulsa, the development of a major research park, public and private partnership with commercial development and exactly the same kind of research park already present in part at the Health Sciences Center with expansion of it. President Boren said research opportunity coupled with on-location opportunity at major businesses in the Tulsa area are going to give the University a tremendous Statewide comprehensive research thrust in terms of helping the economy of this State.

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

## **MINUTES**

Regent Bentley moved approval of the minutes of the regular meeting held on May 7-8, 1998 as printed and distributed prior to the meeting. The following voted yes on the motion: Regents Halverstadt, Lewis, Noble, Blankenship, and Bentley. The Chair declared the motion unanimously approved.

## **PURCHASE OF ULTRASOUND EQUIPMENT - HSC**

Currently, The University of Oklahoma Health Sciences Center Department of Obstetrics and Gynecology has ultrasound equipment for use in the Division of Maternal-Fetal Medicine. The ultrasound machines now in use are over six years old and are technologically dated. The Division of Maternal-Fetal Medicine performs five major ultrasound procedures and therefore needs state-of-the-art equipment for the patients and training activities. State-of-the-art equipment would allow additional procedures to be performed and therefore generate other billable services.

A bid was issued and sent to eight vendors and responses were received as follows:

GE Medical Systems Irving, Texas (\$490,250 less trade-in of \$44,000)	\$446,250
Spacelabs Medical Redmond, Washington	No Bid
ATL Ultrasound Bothell, Washington	No Bid

The administration requests authorization to issue a purchase order to GE Medical Systems for ultrasound equipment in the amount of \$446,250 and negotiate renewals of maintenance annually after the expiration of warranty. Funds are available in OB-GYN Maternal-Fetal Medicine account A0000773.

President Boren recommended the Board of Regents authorize the Health Sciences Center to issue a purchase order to GE Medical Systems in the amount of \$446,250 for ultrasound equipment and negotiate renewal of maintenance annually after the expiration of warranty as required.

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

**PERSONNEL RECRUITING SERVICES FOR DIAGNOSTIC RADIOLOGY FACULTY AND LOCUM TENENS (PART TIME TEMPORARY) COVERAGE FOR DIAGNOSTIC RADIOLOGY SERVICES - HSC**

The Department of Radiological Sciences has been actively recruiting to fill diagnostic radiologist faculty vacancies for the past year. However, the academic radiology market has been very competitive and additions have been more than offset by additional losses. The Department is currently staffed with 13 FTE diagnostic radiologist faculty members. We have received resignations from an additional three faculty so that by the end of September 1998 this number may be reduced to 10 FTE. The typical staffing level for the Department is 19 FTE. Action is expected to be taken this summer by the Accreditation Council for Graduate Medical Education (ACGME) to require a staffing ratio of one diagnostic radiologist for each resident in the program. This will raise our staffing requirement to 24 diagnostic radiologist FTE.

The current understaffing is adversely impacting the Department's ability to meet its immediate educational and clinical commitments and jeopardizes the Diagnostic Radiology Residency Program accreditation. Additionally, this reduced staffing precludes faculty from participating in a sustained recruiting effort. The use of recruiters drawn from companies and concerns who provide such services would provide a continuous recruiting effort that would be more successful in the current competitive market for Diagnostic Radiologists. The use of locum tenens (part time temporary) radiologists drawn from companies and concerns who provide such services would help abate the immediate deficiencies while recruitment of additional full-time faculty continues. It is anticipated that this service will continue through June 30, 1999 or until permanent radiology faculty vacancies have been filled.

Requests for Proposals for personnel recruiting services for diagnostic radiology faculty were issued to six vendors. The proposals requested a fixed and variable amounts. Responses were received from the following vendors:

AmeriResource Oklahoma City	25% Variable Fee
Joy Reed Belt Search Consultants, Inc. Oklahoma City	25% of first year salary
CompHealth Salt Lake City, Utah	\$20,000 per applicant placed

Requests for Proposals were issued for Locum Tenens (part time temporary) coverage for diagnostic radiology services to seven vendors. The proposals requested an eight hour daily cost plus variables. Responses were received from the following two vendors:

CompHealth Salt Lake City, Utah	\$919 per day plus variables
James J. Stovin, M.D. New York, New York	\$800 per day plus variables

The administration requests authorization to issue non-exclusive purchase orders to (1) AmeriResource, CompHealth and Joy Reed Belt Search Consultants, Inc. as required for Faculty Recruitment, in a total amount not to exceed \$250,000, and (2) CompHealth and James J. Stovin, M.D. as required for Locum Tenens, in a total amount not to exceed \$500,000. Funds will be made available from the Department's operating revenues dispersed through account A00001891.

President Boren recommended the Board of Regents authorize issuing purchase orders to:

1. AmeriResource, CompHealth and Joy Reed Belt Search Consultants, Inc. for recruiting services for a total amount not to exceed \$250,000 and to
2. CompHealth and James J. Stovin, M.D. for locum tenens services in a total amount not to exceed \$500,000.

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

## **MICHAEL F. PRICE COLLEGE OF BUSINESS CHANGE IN THE STRUCTURE OF THE DIVISION OF MANAGEMENT**

Management Information Systems has become the major with the highest enrollment on campus. Splitting the Division of Management into two separate divisions will give students a separate identity with potential employers, make scheduling of classes easier, and will give the faculty a sense of identity with their program.

Professor Richard Van Horn has agreed to serve as the Director of the Division of Management Information Systems. Professor Michael Buckley has agreed to serve as the Director of the Division of Management.

This recommendation has been approved by the faculty and the Dean of the Michael F. Price College of Business, and the Senior Vice President and Provost.

President Boren recommended the Board of Regents approve splitting the current Division of Management within the Michael F. Price College of Business into a Division of Management and a Division of Management Information Systems.

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

### **APPROVE A LEASE FOR DEDICATED SPACE FOR AN ADULT LEARNING CENTER IN DOWNTOWN OKLAHOMA CITY - NORMAN CAMPUS**

During its 1995 OU accreditation visit, the American Assembly of Collegiate Schools of Business (AACSB) recommended identification of corporate quality space to further enhance the evening MBA program that has been in place at OU's Health Sciences Center since about 1985. The Price College anticipates that providing this space will encourage additional participation by students.

The space is corporate quality, street-level, and has ample dedicated parking space in the Santa Fe Garage. It consists of 5,640 square feet at One Santa Fe Plaza, below the Santa Fe Parking Garage at the corner of E.K. Gaylord and Main. It is intended that the primary use of the space will be for the evening MBA program. However, as long as the evening MBA program continues in its current format, the space will be used for that purpose only on Monday through Thursday evenings. Therefore, during other times, it is expected to be used for a variety of other University purposes, possibly including revenue-generating ones such as lunch-time and day-long seminars, on weekdays and weekends.

Some details of the lease are as follows:

- Initial three-year lease to begin before fall 1998 classes.
- Option to renew at the same rate for two additional three-year terms and a third renewal at the fair market rate at the time of the third renewal.
- The University may cancel with a 30-day notice.
- \$4/square foot/year (\$22,560/year or \$1,880/month), including utilities and all services except janitorial.
- Expected to have not less than \$75,000 in improvements added by the Price College to the space.

All associated costs, including funding for this lease, construction of improvements, one-time capital costs of equipment and furnishings, and operating costs, will be the responsibility of the Price College and will come from its funds, including funds that it might generate from this space.

President Boren recommended the Board of Regents authorize the administration to finalize negotiations and sign a lease with Central Oklahoma Transportation and Parking Authority (COPTA) for space in downtown Oklahoma City as specified for an Adult Learning Center and other authorized University purposes, but especially the Michael F. Price College of Business evening Master of Business Administration (MBA) program.

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

## CHANGES TO THE ACADEMIC MISCONDUCT CODE - NORMAN CAMPUS

The Academic Misconduct Code defines academic misconduct, outlines the steps to be taken when an incident of academic misconduct is alleged, establishes the academic misconduct boards, provides hearing procedures, and defines disciplinary sanctions and appeal procedures.

The Academic Misconduct Code was last revised in 1981. The proposed revisions have been approved by the Faculty Senate, UOSA, Student Affairs, and Suzette Dyer, Assistant Director for the Center for Student Life and Campus Judicial Coordinator.

A copy of the revised policy is as follows (additions are underlined and deletions are lined through):

### ACADEMIC MISCONDUCT CODE

#### STEPS IN A CASE OF ACADEMIC MISCONDUCT

Norman Campus Excluding Law

(For amplification of each step, including time limits where appropriate, see appendices.)

#### STEP

1. Incident of alleged academic misconduct is discovered.
2. The faculty or staff member discovering the incident (or to whom the incident is reported by a student or other person) notifies the appropriate dean of the incident and, if applicable, of the grade penalty to be imposed if the allegation proves correct.
3. The dean notifies the ~~Director of Student Support Services~~ Campus Judicial Coordinator of the charge of academic misconduct.
4. The ~~Director of Student Support Services~~ Campus Judicial Coordinator notifies the student of the charges and a conference is scheduled.
- 5.1 After discussing the charges, academic misconduct process, possible sanctions, and the student's rights and responsibilities with the ~~Director of Student Support Services~~ Campus Judicial Coordinator, the student may:
  - A. Deny the charges and request a formal hearing before the appropriate Academic Misconduct Board (AMB). PROCEED TO STEP 6.

- B. Admit to the charges and express extenuating circumstances, if any. The ~~Director of Student Support Services~~ Campus Judicial Coordinator informs the student's dean, the budget dean, and the instructor, where applicable. PROCEED TO STEP 9.
- 5.2 (Optional) If, after conferring with the ~~Director of Student Support Services~~ Campus Judicial Coordinator, the student wishes to meet with the person who initiated the charge and that person agrees, the ~~Director of Student Support Services~~ Campus Judicial Coordinator will arrange the meeting. Following that meeting, the student may, if the student has not done so already:
- A. Contest the charges and make a written request to the ~~Director of Student Support Services~~ Campus Judicial Coordinator for a hearing as described in 5.1.A within the time limits for such a request;
- B. Admit to the charges and so inform the ~~Director of Student Support Services~~ Campus Judicial Coordinator, who will initiate the action in 5.1.B.
- 5.3 The person initiating the charge may withdraw the charge at any time prior to commencement of a hearing by the AMB or, if no hearing is held, imposition of a final sanction, in which case the matter is ENDED.
6. When a hearing has been requested, the case shall be heard by the AMB of the appropriate college.
7. If the AMB finds that the facts do not support the allegation, the charge will be dismissed. ~~The matter is then ENDED.~~
8. If the AMB finds that the facts do support the allegation, the charge will be upheld. The AMB also shall make a separate recommendation as to what disciplinary sanctions it feels are most appropriate. This finding and recommendation will be communicated to the student's dean, who shall in turn notify the appropriate parties.
9. Grade penalty, if any, is implemented.
10. The student's dean determines what disciplinary sanction, if any, is to be recommended to the Senior Vice President and Provost. The dean shall also send the AMB recommendations to the Senior Vice President ~~and Senior Vice President~~ and Provost when a hearing has been held.
11. The Senior Vice President and Provost determines what disciplinary sanction, if any, will be implemented and implements that sanction. ~~The matter is then ENDED.~~
12. Appeals as to procedural irregularities shall be made to the ~~Senior Vice President's Office~~ Senior Vice President and Provost.

#### APPENDIX 1

##### 1. GENERAL PROVISIONS

- 1.1 Basic Principle of Honesty. Honesty is a fundamental precept in all academic activities, and those privileged to be members of a university community have a special obligation to observe the highest standards of honesty and a right to expect the same standards of all others. Academic misconduct in any form is inimical to the purposes and functions of the university and therefore is unacceptable and rigorously proscribed.



## 1.2 Definition of Academic Misconduct

Academic misconduct includes (a) cheating (using unauthorized materials, information, or study aids in any academic exercise), plagiarism, falsification of records, unauthorized possession of examinations, intimidation, and any and all other actions that may improperly affect the evaluation of a student's academic performance or achievement; (b) assisting others in any such act; or (c) attempting to engage in such acts.

## 1.2 Definitions

### 1.2.1 Academic Misconduct: Any act which improperly affects the evaluation of a student's academic performance or achievement, including but not limited to the following:

(a) Cheating: the use of unauthorized materials, methods, or information in any academic exercise, including improper collaboration;

(b) Plagiarism: the representation of the words or ideas of another as one's own, including:

(1) direct quotation without both attribution and indication that the material is being directly quoted, e.g. quotation marks;

(2) paraphrase without attribution;

(3) paraphrase with or without attribution where the wording of the original remains substantially intact and is represented as the author's own;

(4) expression in one's own words, but without attribution, of ideas, arguments, lines of reasoning, facts, processes, or other products of the intellect where such material is learned from the work of another and is not part of the general fund of common academic knowledge.

(c) Fabrication: the falsification or invention of any information or citation in an academic exercise;

(d) Fraud: the falsification, forgery, or misrepresentation of academic work, including the resubmission of work performed for one class for credit in another class without the informed permission of the second instructor; or the falsification, forgery or misrepresentation of other academic records or documents, including admissions materials and transcripts; or the communication of false or misleading statements to obtain academic advantage or to avoid academic penalty;

(e) Destruction, misappropriation or unauthorized possession of University property or the property of another;

(f) Bribery or intimidation;

(g) Assisting others in any act proscribed by this Code; or

(h) Attempting to engage in such acts.

### 1.2.2. Budget Dean: The dean of the college in which the academic unit offering the course at issue is budgeted.

### 1.2.3 Code: The Academic Misconduct Code of the Norman Campus.

### 1.2.4 Date of Service.

(a) When service is in person, the date the notice is actually delivered to the student, as noted on the return copy;

(b) When service is by mail, the date determined as follows:

(1) if notice is "signed for", the date the notice was "signed for" as indicated on the return mail receipt; or

(2) if notice is not "signed for", the date of return to the Campus Judicial Coordinator of the mail receipt, unless notice was sent to an address other than last provided by the student to the Office of Admissions and Records as his or her current address.

1.2.5 Instructor. The faculty member or other person primarily responsible for instructing a particular course.

1.2.6 Regular Class Day. Any day, Monday through Friday, on which the University holds regularly scheduled classes, or regularly scheduled final examinations.

1.2.7 Student's Dean. The Dean of the College to which the student has been admitted.

### 1.3 Discovery of Incident

~~Any faculty member, administrator, or staff member may identify an act of academic misconduct. Students may also identify an act of academic misconduct and should report that act to one of the officials mentioned above.~~

### 1.4

#### 1.3 Responsibility for Knowing the Code

It is the responsibility of each instructor and each student to be familiar with the definitions, policies, and procedures concerning academic misconduct, and unfamiliarity with the Code shall not alter any rights or responsibilities provided herein.

## APPENDIX 2

### 2. Reporting Academic Misconduct

#### 2.1 Notification of Dean

~~(a) If the incident is discovered by a faculty member (or reported to a faculty member by a student or other person) in a particular course, the faculty member notifies his/her budget dean of the incident and of the grade penalty to be imposed if the allegation proves correct.~~

~~(b) If the incident is discovered by other personnel (e.g., academic records) or is reported to those personnel by a student or other person, the budget dean appropriate to the particular course is notified.~~

~~(c) If more than one college or no particular class is involved (e.g., submission of falsified records, misconduct involving graduate theses, dissertations, or qualifying comprehensive examinations), the student's dean is notified.~~

~~Budget dean refers to the dean of the college in which the academic unit teaching the course is budgeted. The student's dean refers to the dean of the college in which the student is enrolled.~~

#### 2.1 Who May File

Any University administrative, faculty, or staff member may bring a complaint of academic misconduct by submitting a written report as provided hereafter. Students who identify an act of academic misconduct should report that act to an administrator, faculty, or staff member so that a complaint may be filed.

## 2.2 Form and Timing of Notification

All notifications mentioned in 2.1 shall be in writing and shall be made within fifteen (15) regular class days. A regular class day is any day, Monday through Friday, on which The University of Oklahoma holds regularly scheduled classes, including inter-session, the regular summer school period, and regularly scheduled final examination days.

## 2.2 Investigation of Misconduct

Before filing a complaint of academic misconduct, the faculty or staff member may initiate a preliminary inquiry to determine whether misconduct has occurred. During the course of this inquiry the faculty or staff member may discuss the matter with the student suspected of misconduct and with others who may have relevant information. The faculty or staff member should not promise to take or refrain from taking any action, except for the filing in good faith of an academic misconduct complaint, to induce a student's participation in the inquiry. Under no circumstances should a faculty or staff member agree to refrain from investigating possible academic misconduct, to refrain from filing a complaint, or to withdraw a complaint once made in exchange for the student's acceptance of any penalty, including without limitation grade reduction or additional assignments.

## 2.3 Notification of Budget Dean, Student's Dean, or Director of Admissions

All complaints shall be made in writing, within fifteen regular class days of discovery, as follows:

(a) If the misconduct involves a particular course, the complaint shall be made to the Budget Dean and, if filed by an instructor, shall include the grade penalty to be imposed if the allegation proves correct, although the penalty may be changed for good cause at any time prior to implementation;

(b) If the misconduct involves more than one college or no particular class (e.g., misconduct involving admission to the college, graduate theses, etc.) the complaint shall be made to the Student's Dean.

(c) If the misconduct arises in an attempt to be admitted to the University, the complaint shall be made to the Director of Admissions.

## APPENDIX 3

### 3 Notice to the Student

#### 3.1 Notification of Director of Student Support Services Campus Judicial Coordinator

Within fifteen (15) regular class days of receipt, the appropriate dean or director (as provided in Section 2.2) shall send written notice of the complaint to the Director of Student Support Services Campus Judicial Coordinator, describing the alleged act and the grade penalty, if any, determined by the instructor.

## APPENDIX 4

### 4.1 Notifying the Student

#### 3.2 Notifying the Student.

Within fifteen (15) regular class days, The Director of Student Support Services Campus Judicial Coordinator, shall initiate academic misconduct code procedures against a student charged. The Director shall notify the student of any charges complaint in writing which shall be served on the student in person or by mail.

3.2.1 Contents of notice.

The notice shall include a summary of the allegations, notification of the mandatory meeting described in § 4.1, and a description of the student's right

(a) to a hearing with adequate notice; and

(b) ~~to be represented~~ have counsel by an attorney at the student's expense or to seek counsel at no cost from The University of Oklahoma Student Association (UOSA); and

~~(c) to refrain from further~~ discussing the matter or from making any further statement regarding the matter.

3.2.2 Receipt of notice by mail.

When service is by mail, the ~~Director of Student Support Services~~ Campus Judicial Coordinator shall enclose the notice of charges in an envelope, postage prepaid, and mail the letter by certified mail, return receipt requested, to the student at the student's permanent or local address (as appropriate) on file in Admissions and Records. When the above steps have been taken, the return receipt, whether signed or not, shall be deemed sufficient evidence that the student has been properly served and it shall be presumed that the student has received and read the notice.

~~4.3~~

3.3 Scheduling of Conference with ~~Director of Student Support Services~~ Campus Judicial Coordinator.

~~Within two (2) regular class days (see Appendix 2.2) of the date of service, the student shall contact the Director of Student Support Services~~ Campus Judicial Coordinator and schedule a conference to discuss the matter as provided in § 5.1.

~~4.4~~

3.4 Default.

If the student fails to respond within the prescribed time or fails to meet as directed, the student shall be in default and thereby waives the right to all University hearings, appeals, and challenges. In the event of a default at this point, the ~~Director of Student Services~~ Campus Judicial Coordinator shall notify the student's dean, who shall confirm imposition of grade sanctions and make recommendations for disciplinary sanctions.

~~4.5~~

3.5 Continued Enrollment Pending Resolution

A student may continue his or her regular enrollment in the University pending administrative resolution of misconduct allegations, ~~but no University degree may be awarded to a student, or transcript released, while a question of academic misconduct exists.~~ However, while a question of academic misconduct exists, a student may not graduate or receive a transcript without approval of the Senior Vice President and Provost or his or her designee, and any transcript released during such period shall bear a notation that academic misconduct proceedings are ongoing.

APPENDIX 5

4 Response by Student

~~5.1~~

4.1 Conference Between Student and the ~~Director of Student Support Services~~ Campus Judicial Coordinator

A student charged with academic misconduct shall meet with the Campus Judicial Coordinator or his or her designee. At the beginning of the mandatory first conference referred to in Appendix 4 between the charged student and the Director of Student

~~Support Services, The Director of Student Support Services Campus Judicial Coordinator~~ shall describe the academic misconduct process, possible sanctions, and the student's rights and responsibilities under this regulation Code. ~~For a description of grade penalties that may be imposed, see Appendix 9; and for a description of disciplinary sanctions that may be imposed, see Appendix 10.~~ At the conclusion of the conference, the student may

(a) deny the charges--If the student denies the charges and wishes a hearing to contest them, the student must submit a written request for such a hearing to the ~~Director of Student Support Services Campus Judicial Coordinator~~ within two (2) regular class days of the ~~mandatory first~~ conference with the ~~Director Coordinator~~ (Appendix 4). The Campus Judicial Coordinator shall forward the request to the appropriate college within fifteen (15) regular class days. Failure to ~~do so~~ request a hearing within the prescribed time shall waive the student's right to any University hearings, appeals, or challenges of the charges or of any sanctions imposed as a result of the academic misconduct.

(b) admit the charges--If the student admits to the charges ~~at this time~~, the ~~Director of Student Support Services Campus Judicial Coordinator~~ will inform the student's dean, the budget dean, and the instructor; also, the chair of the instructor's academic unit, where applicable. The instructor shall thereafter impose grade sanctions, and the student's dean shall make his or her recommendation for further sanctions, if any. Provided, however, that if the student admits to the charges but wants to confer with the dean or to submit written statement concerning extenuating circumstances affecting disciplinary sanctions, the student may do so only if done within five (5) regular class days of the date of admission of the charge. Failure to do so within the five (5) regular class days will result in the dean making his or her recommendation without such information.

5-2

4.2

#### Optional Meeting Between Student and Person Initiating the Charge

Nothing herein is intended to preclude the student from discussing the incident with the person initiating the charge, if that person agrees; in fact, such a discussion is encouraged. However, in order to help all parties once a charge is filed, such a meeting should be scheduled only after conferring with the Director of Student Support Services Campus Judicial Coordinator, who will arrange the meeting if agreeable to the parties involved. It should be understood that any such meeting shall not extend the period of time for requesting a hearing as set forth in 5.1.a above.

If, after the student meets with the charging party, the student wishes:

(a) To contest the charges and has not already done so, the student must comply with the requirements for submitting the written request to the ~~Director of Student Support Services Campus Judicial Coordinator~~, as set forth in 5.1.a above.

(b) To admit to the charges and has not already done so, the student may do so by so informing the ~~Director of Student Support Services Campus Judicial Coordinator~~, who will then initiate the action as outlined in 5.1.b above.

5-3

4.3

#### Withdrawal of Charge

It should be understood that the person initiating the charge of academic misconduct may withdraw the charge at any time prior to commencement of a hearing by the AMB or, if no hearing is held, imposition of a final sanction. This is effected by sending written notice to the dean who notified the ~~Director of Student Support Services Campus Judicial Coordinator~~ of the charge in the first place. That dean shall then

inform, in writing, the ~~Director of Student Support Services~~ Campus Judicial Coordinator and any others who need to know that the charge has been withdrawn. ~~In this event, the case is ENDED.~~

## APPENDIX 6

### 5 Academic Misconduct Hearings

#### ~~6.2~~

#### 5.1 Academic Misconduct Boards

Each college shall establish an Academic Misconduct Board (AMB) consisting of two students and three members of that college's faculty to hear each case. Membership of the Board shall be drawn from a pool of faculty and students. The faculty members of the AMB and the terms for all members shall be determined by the faculty of the college. Student members shall be appointed or selected from nominations submitted by appropriate student organizations. When an AMB cannot be constituted from the existing pool, the dean of the college may approve faculty and students from within or outside the college to serve as ad hoc AMB members. An AMB may be assisted by a non-voting faculty or staff person appointed by the dean of the college who shall exercise responsibility for the Board in administrative matters, such as scheduling of cases, notification of hearings and decisions, and maintenance of records.

#### ~~6.1~~

#### 5.2 Which Board Shall Hear the ~~Appeal~~ Case

In a case in which a hearing has been requested, the facts of the case shall be determined by the Academic Misconduct Board (AMB) of the college in which the department offering the course is budgeted. If no particular course is involved, the case shall be heard by the AMB of the college in which the student is enrolled or the AMB chosen by the student's dean when the student is not enrolled in a degree-recommending college. Cases involving graduate-level theses, dissertations, or qualifying comprehensive examinations shall be heard by the AMB of the Graduate College.

#### ~~6.4~~

#### 5.3 Scope of Hearing

The focus of inquiry shall be the guilt or innocence of those accused of academic misconduct. The board will consider the information and arguments presented, make findings of facts of matters in dispute, and determine whether the student did engage in academic misconduct. The board will also hear all evidence and argument concerning extenuating circumstances that may affect decisions about what disciplinary sanctions, if any, might be imposed.

#### ~~6.5~~

#### 5.4 Hearing Procedures

(a) Once a request for a hearing has been received by the College, the AMB shall convene within twenty (20) regular class days, excluding Intersession, except that the Senior Vice President and Provost or his or her designee may grant extensions of this time upon receipt of a request from the student, the complainant, or the college responsible for holding the hearing. No faculty member shall be obligated to participate in a hearing scheduled outside the faculty member's appointment period.

(b) If the Provost grants the request, release of transcripts during the extension shall be permitted as follows:

1. If the request was made by the student, the provisions of section 3.5 regarding graduation and the release of transcripts shall remain in effect.

2. If the request was made by the complainant or the college, notwithstanding the provisions of section 3.5, during the extension period the student may receive transcripts without notation of the pending case.

(ac) Written notification of a hearing must be distributed at least five (5) regular class days in advance of the hearing date, and should include:

1. The authority for the hearing and the hearing body;
2. Reference to the specific rule or rules involved;
3. Date, time, nature, and place of the hearing;
4. A brief factual statement of the charges and issues involved.

(bd) Students who fail to appear after proper notice will be deemed to have pled guilty to the charges against them.

(e) Parties must provide, upon request by College, the Board or the opposing party, the name of any counsel who will be present at the hearing and a list of witnesses to be called in the hearing, along with the nature of their expected testimony, and must allow examination of any documents to be submitted in the hearing. Failure to disclose such information in a reasonable and timely manner may be grounds for delaying the hearing, suspending the provisions of this section concerning transcripts and graduation, and, in the case of repeated or egregious noncompliance, dismissing the case or declaring guilt by default. The college holding the hearing may adopt such other procedural rules as it deems necessary and proper to expedite hearings and promote fairness.

(ef) Hearings will be closed to the public and shall be confidential, although an open hearing may be held at the discretion of the AMB, if agreed by all parties.

(dg) The presiding officer of each board shall exercise control over the hearing to avoid needless consumption of time and to prevent harassment or intimidation.

(eh) Hearings shall be tape recorded ~~or transcribed~~.

(fi) At the beginning of the hearing, any party may challenge any board member, one at a time, on the grounds that he or she is unable to give the student a fair and impartial hearing. The remaining members of the hearing body shall decide the challenge by secret ballot. However, if the entire board is challenged, the entire board shall rule on the challenge. The hearing will continue if ~~three members~~ at least two faculty members and one student remain.

(gj) Witnesses shall be asked to affirm that their testimony is truthful.

(hk) Prospective witnesses other than the complainant and the student may be excluded from the hearing during the testimony of other witnesses. All parties, the witnesses, and the public shall be excluded during board deliberations.

(il) The burden of proof shall be upon the complainant, who must establish the guilt of the respondent by a preponderance of the evidence.

(jm) Formal rules of evidence shall not be applicable in these proceedings. The presiding officer of each board shall give effect to the rules of confidentiality and privilege. ~~75 O. S. 310.~~

(kn) The board shall not receive or consider arguments about the legality of any provision under which a charge has been brought or the legality of the procedures under which the hearing is proceeding. Such questions shall be presented in writing to the Senior Vice President and Provost.

(lo) All parties shall have reasonable opportunity to question witnesses and present information and argument deemed relevant by the board.

(mp) Final decisions of all AMBs shall be by majority vote of the members present and

voting. The final decisions shall contain a written statement setting forth with reasonable particularity, findings of fact, the decision on each of the charges, its recommendations for disciplinary sanctions, and the reasoning behind these decisions. These materials shall be transmitted as described in Appendices 7 and 8, together with the AMB's record of the proceedings and a summary.

(nq) Depending upon the gravity of the case, the board, at its discretion, may require the parties to submit written briefs and responses, including supporting documents, setting forth the respective positions dealing with all issues.

## APPENDIX 7

### 7.1

#### 5.5 Results of the Hearing

##### 5.5.1 Dismissal of Charges by the AMB

If the AMB finds that the facts do not support the allegation, the charges will be dismissed. The chair of the AMB shall transmit the decision in writing to the appropriate deans and the ~~Director of Student Support Services~~ Campus Judicial Coordinator within fifteen (15) regular class days of the conclusion of the hearing. All other AMB records of the case shall be destroyed after twenty (20) regular class days of such transmittal. The ~~Director of Student Support Services~~ Campus Judicial Coordinator shall then notify the student in writing of the decision of the AMB. The matter is then ENDED.

## APPENDIX 8

### 8.1

#### 5.5.2 When Facts Support Allegations Against the Student

##### 5.5.2.1 AMB Action

If the AMB finds that the facts support the allegations against the student, the student shall be found guilty. After a finding of guilt, it is the duty of the AMB to recommend appropriate disciplinary sanctions. Some relevant factors the AMB may consider in determining a sanction recommendation include, but are not limited to:

- a. The facts that have been presented to the AMB at the hearing;
- b. Any mitigating or extenuating circumstances that have been presented by any party during the hearing;
- c. Prior academic misconduct on the part of the student.
- d. ~~Description of disciplinary sanctions as outlined in Appendix 10.~~

After weighing all factors it considers relevant, the AMB shall recommend disciplinary sanctions to the student's dean (~~Appendix 6.5.m.~~). The AMB's findings and recommendations shall be made in writing within fifteen (15) regular class days of the conclusion of the hearing.

##### 5.5.2.2 Dean's Action. Recommendations of Disciplinary Sanctions to the Senior Vice President and Provost.

(a) ~~The student's dean shall inform the appropriate parties of the AMB's finding and recommendations. These parties may include the student, the counsel for the student (if any), the budget dean, (if different from the student's dean), the faculty or~~



staff member who notified the budget dean of the incident, the counsel for the University, and the Director of Student Support Services. If disciplinary sanctions are recommended by either the AMB or the student's dean, the student's dean shall then forward the AMB's recommendations, along with the dean's recommendations, to the Provost in accordance with Appendix 10.1.

(ba) Based upon the facts of the case and any relevant factors, the student's dean shall determine if any disciplinary sanction is to be recommended to the Senior Vice President and Provost. If the recommendation of the student's dean differs from that of the AMB, the dean shall provide in writing the reasoning for his or her recommendation.

(eb) ~~If either the AMB or the student's dean recommends disciplinary sanctions, the student's dean shall, within fifteen regular class days of receipt of the AMB's report, send to the Senior Vice President and Provost in writing~~

- ~~1. the student's dean's recommendation as to disciplinary sanction;~~
- ~~2. the AMB's record of proceedings, including a summary if a hearing was held; and~~
- ~~3. the written decision and recommendation of the AMB holding such a hearing (Appendix 6.5.m.); and~~
- ~~3. the dean's recommended sanction.~~

~~The student's dean shall notify the appropriate parties of these recommendations.~~

(c) Within fifteen regular class days of receipt of the AMB's report, the student's dean shall also notify the appropriate parties of the AMB's findings and recommendations. These parties may include the student, the counsel for the student (if any), the budget dean, (if different from the student's dean), the faculty or staff member who notified the budget dean of the incident, the counsel for the University, and the Campus Judicial Coordinator.

## APPENDIX 9

### 9.1

#### 6 Grade Penalties

##### 6.1 Imposition of Grade Penalties

~~The instructor is free to impose grade penalties when either a student admits the charge in Step 5.1.B. or 5.2.B., or the AMB upholds the charge in Step 8. An instructor who concludes that a student has engaged in, or is engaging in, academic misconduct has an obligation to impose grade penalties once the charge is upheld. These penalties may include, but are not limited to:~~

- a. Requiring the student to complete a substitute assignment or examination.
- b. Awarding the student a failing grade on the examination or paper or on those portions of it on which he or she was engaged in academic misconduct.
- c. Lowering the student's final grade in the course or award a failing grade of "F".

The weight of the grade penalty as calculated in the final grade may exceed the weight of the work in which the misconduct occurred.

### 9.2

#### 6.2 Appeal

Grade sanctions may not be appealed except under Title 14 of the Student Code, "Academic Appeals."

## APPENDIX 10

## 10.1

## 7 Disciplinary Sanctions

The disciplinary sanctions noted below may be recommended by the AMB and/or the student's dean to the Senior Vice President and Provost. The examples are illustrative of each category of disciplinary sanctions, are not intended to be totally inclusive, and omission of a particular act shall not be construed as indicating that such an act is acceptable or appropriate. Furthermore, the acts described do not need to result in the disciplinary sanctions noted if judgments suggest otherwise.

- 7.1 (a) Censure - A written reprimand for violation of acceptable standards of academic conduct. This action takes formal notice of the student's act of academic misconduct and provides a formal warning that a further act of academic misconduct will result in far more severe action. Censure shall not be noted on a student's transcript, but will be noted in the Student Affairs Office. Records of censures shall not be released outside the University except as required by law. Copies of the letter of censure shall be provided to the student, the Student Affairs Office, the student's dean, the budget dean (if different than the student's dean), and, if applicable, the chair of the department in which the course is taught, and the instructor.

The sort of academic misconduct which might result in censure might be a case in which a student has copied on an examination and in which it seems that the cheating was the result of momentary panic. There would be no reason to suppose that the student had planned to cheat and there would be no prior record of academic misconduct.

- 7.2 Community Service alternative. In appropriate cases, a student may be allowed to perform voluntary community service in lieu of suspension and may, upon satisfactory completion, receive a lesser sanction. No student may be compelled to perform community service as part of any sanction imposed under this Code. In the event that a student accepts a community service alternative, the terms and duration of such service shall be approved by the Senior Vice President and Provost.

The sort of academic misconduct which would result in the offer of the community service option would be a case in which mitigating factors counsel against the imposition of a limited notation suspension.

- 7.3 (b) Limited notation Suspension - Suspension from classes and other privileges for a period of not less than one ~~semester~~ full session. During this period, the student will not be allowed to earn credits for transfer to The University of Oklahoma from any other institution. Any credits earned at another institution during a period of suspension shall not be recorded in the student's OU transcript and shall not count in any manner. A notation of suspension for academic misconduct shall be made on the student's transcript. However, in the case of limited notation, such transcript notation shall be removed upon the student's graduation from the University or four years from the date of the suspension, whichever comes first.

The sort of academic misconduct that might result in limited notation suspension might be a case in which a student has changed a grade on a withdrawal form or signed a withdrawal form without the instructors knowing or a case of classroom cheating in

~~which it is determined that there was some prior planning leading to the cheating involving some prior planning, or some cases of plagiarism in which it seems that the plagiarism may have occurred partially because of mitigating circumstances.~~

- 7.4 (e) Permanent Notation Suspension - Suspension from classes and other privileges for a period of not less than one ~~semester~~ full session. During this period the student will not be allowed to earn credits for transfer to The University of Oklahoma at any other institution. Any credits earned at another institution during a period of suspension shall not be recorded in the student's OU transcript and shall not count in any manner. A notation of suspension for academic misconduct shall be made on the student's transcript. In the case of permanent notation, there will be no time limit to such transcript notation.

The sort of academic misconduct which might result in permanent notation suspension might be a case in which knowing and substantial plagiarism has occurred, or ~~if a student carries crib sheets to an examination~~ a case of classroom cheating in which it is determined that extensive collaboration or planning was involved, or circumstances which clearly indicate that the academic misconduct was intended other cases substantially involving one or more aggravating factors such as planning, collaboration, or concealment.

- 7.5 (d) Expulsion - Termination of student status for an indefinite period, usually intended to be permanent. A notation of expulsion for academic misconduct shall be made on the student's transcript. Such notation shall be a permanent notation. If a student is reinstated after an expulsion, it is only after a complete reconsideration of his or her case.

The sort of academic misconduct which might result in expulsion might be a case in which: the student has been involved in a prior incident of academic misconduct; the student has submitted to the University forged documents such as transcripts have been submitted to the University; a student has taken someone else's examinations or arranged for someone else to take his/hers; commercial term papers have been submitted; examinations, grade books, grade sheets, or other instructor possessions have been stolen, copied, or otherwise utilized; or destruction of the academic work of others or intimidation has been used in an attempt to influence the academic process.

## 7.6 Records of Sanctions

Records of sanctions shall be maintained as follows:

(a) Records of the sanction of Censure shall be maintained for four years, subject to review as provided in part (c) of this section.

(b) Records of sanctions other than Censure shall be maintained permanently, subject to review as provided in part (c) of this section.

(c) Students and former students who have received a disciplinary sanction for academic misconduct may at any time request that the record be removed from their student file. This is an extraordinary step requiring a showing of good cause by the student. The request, along with the reasons therefor, must be submitted in writing to the Senior Vice President and Provost.

APPENDIX 11~~11.1~~7.7 Determination of disciplinary Sanction and Its Implementation

It shall be the responsibility of the Senior Vice President and Provost to review the materials sent by the student's dean and to determine and implement the appropriate action and disciplinary sanctions.

Implementation of the appropriate action or disciplinary sanctions by the Senior Vice President and Provost shall end the process. The Senior Vice President and Provost shall attempt to inform the student in writing of the action being taken. A letter to the student at the address last provided the University by the student shall be sufficient to meet this requirement. Copies of the letter may also be provided other parties who have a legitimate need to know of the action.

APPENDIX 12~~12.1~~8 ~~Post-Sanction Procedures Based on Procedural Irregularities or New Evidence.~~8.1 Grounds for Appeal

The decision of the AMB as to the facts shall be final and not appealable within the University; unless

1 (a) it can be established that specified procedural irregularities were so substantial as to effectively deny the student a fair hearing; or

2 (b) if new and significant evidence becomes available which could not have been discovered by a reasonably diligent student before or during the original hearing.

8.2 Appeal procedures

Appeals based on procedural irregularities or new evidence shall be made in writing to the Senior Vice President and Provost's office. Consideration of such appeals may be made by the Senior Vice President and Provost upon the basis of written statements and such other evidence as the Senior Vice President and Provost may require. Harmless deviations from prescribed procedures may not be used to invalidate the decision or proceeding. Technical departures from these procedures and errors in their applications shall not be grounds to withhold disciplinary action unless, in the opinion of the Senior Vice President and Provost, the technical departure or errors were such as to have prevented a fair determination of the issues.

8.3 Rehearing and Petition for Review

For questions of rehearing, see the Oklahoma Administrative Procedures Act, Section 317. In all cases, the President and the Board of Regents of the University reserve the right to review, at their discretion, any decision of a hearing body for manifest error inequity.

## 9 Academic Misconduct in Off-Campus Courses

The principles of academic integrity, due process, and confidentiality apply fully in all courses offered by any Norman Campus academic unit. When an allegation of academic misconduct arises in a course in which instruction is primarily given or received in a place other than the Norman Campus, procedures shall be employed which protect the rights of all parties as provided by law, the Faculty Handbook, and the Student Bill of Rights. The definition of academic misconduct in such classes and the procedure for filing a charge shall be the same as those for the Norman Campus. Procedures for notification, hearing, appeal, and sanction shall be determined and published by the Senior Vice President and Provost. Such procedures shall provide a charged student with a reasonable opportunity to employ the Norman Campus procedures on the Norman Campus, provided that all travel and related costs shall be borne by the student.

President Boren recommended the Board of Regents approve revisions to the Academic Misconduct Code.

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

## PROPOSALS, CONTRACTS, AND GRANTS

In accord with Regents' policy, 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 are shown on the following pages. Comparative data for fiscal years 1994 through 1997, and current month and year-to-date, are shown on the graphs and tables.

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.

President Boren recommended the Board of Regents ratify the awards and/or modifications for April, 1998 as submitted.

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

Chairman Hall recessed the meeting at 4:00 p.m. and announced the Board would reconvene in regular session at 8:30 a.m. the following morning in the same location.

The Board of Regents reconvened at 9:00 a.m. in the Auditorium of the Administration Building on June 10, 1998. All Regents were present except for Regent Siegfried.

## ISSUANCE OF REVENUE BONDS FOR ADDITION OF 3,000 TONS OF CHILLER CAPACITY - HSC

At the November 1-2, 1995 Board of Regents' meeting, the administration received approval to proceed with the initial phases of the Steam and Chilled Water Plant upgrade. The approval included the (i) purchase of an additional 3,000 ton chiller; (ii) improvements and modifications to the Plant and improvements to the chiller system; (iii) funding of a Reserve Account for the Bonds or purchasing a surety for the Reserve Account; and (iv) payment of costs of issuance. Enrolled Senate Concurrent Resolution No. 52 was adopted by the State Senate on April 10, 1996 and the State House of Representatives on May 29, 1996, to allow the issuance of these revenue bonds.

At the March 6, 1996 meeting, the Board of Regents approved the appointment of Floyd Law Firm as Bond Counsel and Leo Oppenheim & Co., Inc. as Financial Advisor for this revenue bond project.

At the March 16, 1998 meeting, the Board of Regents authorized the Preliminary Official Statement and the Resolution stating that the 3,000 ton of chiller capacity is needed due to substantial capital development.

The Oklahoma State Regents for Higher Education at their April 3, 1998 meeting reviewed and approved the Preliminary Official Statement and certified to the Attorney General that the essential facts were substantially accurate. On April 30, 1998, the Executive and Legislative Bond Oversight Commissions approved the issuance of these bonds.

The Notice of Sale was published on May 27, 1998 and June 3, 1998 with the bid closing set for 4:00 p.m., Tuesday, June 9, 1998. The bids were reviewed by the University's General Counsel, Financial Advisor, Bond Counsel, and Controller. A Bid Summary is attached hereto as Exhibit C.

The administration requests that the Board adopt the Resolution authorizing the sale and issuance of Taxable Utility System Revenue Bonds, Series 1998, in the principal amount of \$7,430,000 bearing interest at the approximate net interest rate of 6.6%, and direct execution of the bonds, and execution and delivery of all documents relating to the transaction.

President Boren recommended the Board of Regents:

- I. Adopt the resolution(s) authorizing the sale and issuance of the Board of Regents of The University of Oklahoma Health Sciences Center Taxable Utility System Revenue Bonds, Series 1998, in the principal amount of \$7,430,000 bearing interest at the approximate net interest rate of 6.6%.
- II. Direct execution of the bonds and execution and delivery of all documents relating to the transaction, including, but not limited to, bond resolution, official statement, trust agreement, and federal tax certificate.

Regent Lewis moved approval of the President's recommendation subject to the low bidder being Banc One Capital Markets at the rate shown on the material presented.

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

## WORKING CAPITAL ADVANCES AND STATUS OF AUXILIARY ENTERPRISE OPERATING DEFICITS - NORMAN CAMPUS

The Board of Regents' policies applicable to auxiliary enterprises require approval by the President and Board of Regents for long-term (12 months or more) working capital loans greater than \$75,000. The Athletic Department and Jimmie Austin University of Oklahoma Golf Course require this approval.

### I. Athletic Department

In June 1997, the Board of Regents authorized a long-term working capital cash flow loan to the Athletic Department to meet its FY98 cash flow requirements. Working capital loans are projected by the management of the Athletic Department to be in excess of \$75,000 and required throughout FY99.

### II. Jimmie Austin University of Oklahoma Golf Course

In June 1997, the Board of Regents authorized a long-term working capital cash flow loan to the Golf Course to meet its FY98 cash flow requirements. Working capital loans are projected by the management of the Golf Course to be in excess of \$75,000 and required throughout FY99.

### III. Distribution to Athletic Department

As indicated in IV.a. below, Athletic Department management is currently projecting an FY98 operating deficit. The President seeks the Regents' authorization to temporarily distribute ("loan") unrestricted, unobligated revenues to the Athletic Department in an amount sufficient to fund its anticipated June 30, 1998 operating deficit. This loan is made with the agreement of Athletic Department management that it will be returned to the University by the Department as soon as funds are available and no later than January 1, 1999.

### IV. Operating Deficits

The University has 15 auxiliary enterprise operations. Of these 15 auxiliaries, the following are projected by their management to close out the fiscal year with operating deficits:

#### a. Athletic Department

Projected by management to have an FY98 operating deficit. However, as indicated in III above, additional new resources to be realized by the Athletic Department during FY99 will be sufficient to fund this operating deficit after a short-term distribution ("loan") from the University.

#### b. Jimmie Austin University of Oklahoma Golf Course

Projected by management to have an FY98 operating deficit that compares favorably to the original operating deficit projected for the year ended June 30, 1998. Management of the Golf Course is still projecting several years of steadily declining annual operating deficits as the course matures and reaches its full potential.

## c. Oklahoma Memorial Union

Projected by management to have an FY98 operating deficit. This deficit is primarily the result of the Union operating a larger, renovated, student oriented, 24-hour facility. The Union has sufficient reserves to fund this operating deficit.

## d. Child Care Center

Projected by management to have an FY98 operating deficit. The Center has been well received and is generating sufficient revenues to fund its direct costs of operation, exclusive of depreciation and interest expense.

President Boren recommended the Board of Regents:

- I. Authorize a long-term working capital cash flow loan in an amount sufficient to meet the monthly cash flow requirements of the Athletic Department's operations during FY99;
- II. Authorize a long-term working capital cash flow loan in an amount sufficient to meet the monthly cash flow requirements of the Jimmie Austin University of Oklahoma Golf Course during FY99;
- III. Authorize the distribution of unrestricted, unobligated revenues to the Athletic Department in an amount sufficient to close the books with no operating deficit as of June 30, 1998 with the understanding that these funds will be repaid by the Department as soon as they are available and no later than January 1, 1999; and
- IV. Accept a status report regarding the projected June 30, 1998 operating deficits of auxiliary enterprise operations.

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

#### **PURCHASE OF ONE MEGABACE 1000 DNA SEQUENCER AND ASSOCIATED EQUIPMENT - NORMAN CAMPUS**

As part of a National Science Foundation (NSF) research contract, the Department of Chemistry and Biochemistry is authorized to purchase one Megabace 1000 DNA Sequencer. The Department of Chemistry has been designated as a beta test site for the Megabace 1000 DNA Sequencing System and Workstation. This is a unique opportunity for Chemistry and will allow them to continue their leading edge in research. The department desires to purchase the instrument on a sole source basis from the manufacturer, Molecular Dynamics, with the following justifications:

1. The University of Oklahoma will collaborate with Oklahoma State University on a project involving expressed genes of small organisms. The instrument will facilitate this collaboration as Molecular Dynamics will provide technical support to the Department of Chemistry during the first year after the purchase of this sequencer.



2. The Megabace 1000 DNA instrument has 96 capillaries versus 64 lanes on the ABI 377, increasing the sample throughput by 25%. The system automates sample injection, gel matrix replacement, DNA separation, detection, and data analysis. This will decrease the processing time from nine hours to two hours and allow more time for three people to work on other areas because this process is now being done manually.

The Megabace 1000 DNA instrument will only be used for small organisms at this time and not any human genes. Therefore the Department of Chemistry still will need to continue purchasing and using the Applied Biosystem Instrument (ABI) sequencer. The purchase will be funded from National Science Foundation (NSF) research account 125-4625 and 125-5938.

President Boren recommended the Board of Regents approve award of a sole source purchase order to Molecular Dynamics in the amount of \$185,000 for one Megabace 1000 DNA Sequencer and ancillary equipment.

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

## **WIRELESS NETWORKING FOR THE COLLEGE OF ENGINEERING LAPTOP COMPUTER PROGRAM**

The College of Engineering circulated a Request for Proposal in June 1996 to create a pilot to develop and install a wireless Local Area Network (Lan). The program was successful as reported to the Regents by Dean Crynes at the March 1997 meeting. The Regents approved a four-year contract renewable annually at the July 1997 meeting.

To provide student access to the wireless network, 500 wireless adapters must be purchased. Each adapter costs \$395.00 for a total purchase of \$197,500. The expense will be funded by the Engineering Computer Network account 122-7078.

President Boren recommended the Board of Regents approve the award of a purchase order to AMP, Inc. in the amount of \$197,500 for additional wireless adapters for the College of Engineering laptop computer program.

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

## **ULTRA-HIGH VACUUM SCANNING PROBE MICROSCOPE SYSTEM - NORMAN CAMPUS**

A grant from the National Science Foundation Instrumentation for Materials Research Program authorized the Physics and Astronomy and Electrical and Computer Engineering Departments to purchase an Ultra-High Vacuum Scanning Probe Microscope (SPM) System. This system is to be integrated into an existing Molecular Beam Epitaxy (MBE) system and will

allow researchers at The University of Oklahoma to analyze and control the layer-by-layer MBE growth of semiconductor crystals and atomic resolution. This capability will allow the development of materials and devices to be used in the electronic and photonic systems of the future.

An Invitation to Bid was sent to two vendors. The responses were evaluated using criteria based on price and conformance to specifications by the following individuals:

Matthew B. Johnson, Assistant Professor, Department of Physics and  
Astronomy  
Pam Morris, Buyer, Purchasing Department  
Linda K. Johnson, Junior Buyer, Purchasing Department

Responses were received from two companies with results as follow:

<u>Company</u>	<u>Response</u>
Omicron Associates Denver, Colorado	\$294,515
Park Scientific Instrument Sunnyvale, California	No Bid

It was determined that the bid submitted by Omicron Associates was competitively priced and met the required specifications. Funds for this purchase will be provided from grant accounts 125-5410, 125-4663, 125-5896, 125-5565, Section 13 account 186-6351, and Physics and Astronomy account 122-7281.

President Boren recommended the Board of Regents approve award of a purchase order to Omicron Associates in the amount of \$294,515 for an Ultra-High Vacuum Scanning Probe Microscope System.

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

## **EARLY AMERICAN IMPRINTS FOR THE UNIVERSITY OF OKLAHOMA LIBRARIES**

In 1955 the American Antiquarian Society launched a project to micropublish every existing book, broadside, and pamphlet published in America between 1639 and 1800. The second phase covered the years 1801 through 1819. This project was endorsed and sponsored by the Committee on Documentary Reproduction of the American Historical Association, and major libraries throughout the world cooperated by lending their materials.

University Libraries desires to purchase these collections with the following sole source justification:

1. Readex, Inc. is the owner of the master negative of these collections which they have published on microfiche. The collections are only available from Readex.
2. Acquisition of these collections will make available to scholars, students and researchers the materials needed for the study of Colonial and early Federalist history.
3. Researchers and students will have access to documents that otherwise would be unavailable for inspection because of the rarity and fragile nature of the originals.

The purchase will be funded from University Libraries account 122-7601.

President Boren recommended the Board of Regents approve the award of a sole source purchase order in the amount of \$130,058 to Readex, Inc. for the purchase of microfiche sets of Early American Imprints.

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

### **THIRD PARTY WORKERS' COMPENSATION ADMINISTRATIVE SERVICES AND INSURANCE COVERAGE - NORMAN CAMPUS AND HEALTH SCIENCES CENTER**

In 1995 the Oklahoma Legislature passed legislation to allow Oklahoma State University and The University of Oklahoma to obtain third party workers' compensation administrative services and insurance coverage outside of the State Insurance Fund. Through an RFP process Insurers Loss Management (now called Consolidated Benefits Resources, L.L.C.) and The Beckman Company were selected to provide those services for the University through July 31, 1998, including two renewals. That action resulted in substantial savings to the University.

Requests for Proposals were circulated to 20 firms. Eight firms responded.

Responses were evaluated using the following criteria with results as indicated on Exhibit D, attached hereto:

- Experience
- Responses to specifications
- Responses to contract terms
- Commitment
- Fees

The evaluation committee consisted of the following individuals:

Mike Montgomery, Coordinator of Occupational and Safety Services,  
Physical Plant  
Suzanne Gilmore, Assistant Director, Personnel Services  
Arva Peters, Manager, Benefits, Personnel Services

Myla Bryant, Senior Personnel Technician, Personnel Services  
Walter Funches, Assistant Director, HSC Personnel  
Jim Sharp, Associate Director, HSC Personnel  
Kay Cleaver, Personnel Technician, Personnel Services  
Jeff Holmes, Insurance Consultant

The evaluation committee recommended Consolidated Benefits Resources and The Beckman Company as the best combination of service and cost in meeting the University's needs. The costs are estimated at \$160,000 annually. Funds will be available from Personnel Services Workers' Compensation account 134-7320.

President Boren recommended the Board of Regents approve award of contracts to Consolidated Benefits Resources, L.L.C. to provide third party Workers' Compensation Administrative Services and to The Beckman Company to provide Aggregate Retention/ Specific Excess Insurance Coverage for both the Norman and Health Sciences Center campuses for a one-year period beginning August 1, 1998 with options to renew for two additional one-year periods.

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

## NATURAL GAS CONTRACT EXTENSION

The current contract with Natural Gas Clearinghouse (NGC) was approved by the Board of Regents in April 1996 for one base year and one option year (FY97 and FY98 respectively) and expires June 30, 1998. Request for Proposal for a contract to begin on July 1, 1998 was issued on March 25, 1998 and responses have been received from 13 companies. It was decided that the RFP process would not be completed at this time due to the following reasons:

1. On June 30, 1998 responses are due to a utilities Request for Proposal which may impact OU's purchases of natural gas. This extension approach to the current contract enables acceptance of a better contract that may be included in the proposals submitted on the RFP.
2. ONG (Oklahoma Natural Gas) is submitting a request to the Corporation Commission for approval to unbundle natural gas services. The Corporation Commission is scheduled to rule on this matter by August 1, 1998. As a result of this action, the purchase and delivery of natural gas in the State of Oklahoma may change dramatically.
3. If the unbundling of ONG services should be approved, the possibility of volume savings could be realized through partnering agreements between the University and other businesses/institutions in the Oklahoma City/Norman area.

Therefore, it is requested that the current contract with Natural Gas Clearinghouse be extended for both the Norman and Health Sciences Center Campuses in order to investigate potential future long-term cost avoidance with respect to the purchase of natural gas.

President Boren recommended the Board of Regents approve an extension of the current Natural Gas contract with Natural Gas Clearinghouse for a period of one year, ending June 30, 1999, for the Norman and Health Sciences Center Campuses.

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

## ON-CALL CONSTRUCTION RELATED SERVICES CONTRACT - NORMAN CAMPUS

In March 1998, the Board of Regents authorized the administration to award a contract for on-call construction related services on the Norman Campus to PI Construction. At that time, it was indicated that the administration would provide to the Board at each meeting a report of the work completed since the last report and/or work scheduled for the current period. In addition, it was indicated that the administration would seek prior Board approval for any project that had an estimated cost of \$100,000 or greater.

### I. Work completed since last report and/or work scheduled for current period (for information only).

<u>Building/Location</u>	<u>Project</u>	<u>Estimated cost of work</u>	<u>Status</u>
Fred Jones Museum of Art	Renovation for Curator Space	\$75,438	Expected June 19, 1998
Telecommunication Maintenance Building	Renovate room 203	\$10,192	Completed June 1, 1998

### II. Work estimated over \$100,000 (for Board approval).

<u>Building/Location</u>	<u>Project</u>	<u>Estimated Cost of Work</u>	<u>Proposed Start Date</u>	<u>Funding Source</u>
Chemistry	Renovation for Labs 407, 407B, 407C	Not to exceed \$257,500	June 15, 1998	Provost, Vice President Research, Physical Plant, Chemistry Department
Oklahoma Memorial Union	Renovation for Will Rogers Dining Room	Not to exceed \$128,000	June 15, 1998	New, unrestricted, unobligated revenues and gifts
SC 108	Renovation for Purchasing	Not to exceed \$150,000	June 15, 1998	Purchasing Department

Work completed was reported for information only. No action was required.

President Boren recommended the Board of Regents approve PI Construction to complete the project(s) listed above that are estimated at \$100,000 and over.

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

## UTILIZATION OF 1998-99 SECTION 13 AND NEW COLLEGE FUNDS - NORMAN CAMPUS

The University administration has developed a plan to use a portion of Section 13 and New College Funds to be received during the period July 1, 1998 through June 30, 1999 for projects on the Norman Campus. When approved by the Board of Regents and the Oklahoma State Regents for Higher Education, the projects listed below will be included in the Campus Master Plan for the Norman Campus.

The recommended projects and the use of Section 13 and New College Funds are in the amounts indicated.

<u>Norman Campus Projects</u>	<u>Section 13 and New College Funds</u>
1. New Faculty Start-Up	\$ 400,000
2. Instructional and Research Equipment	300,000
3. Computer Equipment	600,000
4. Academic and Administrative Space Renovation and Emergency Repairs	406,000
 <u>Other Use</u>	
5. Debt Service on ODFA Revenue Bonds	<u>1,033,000</u>
Total Section 13 and New College Funds, Norman Campus	\$2,739,000

### Project Descriptions:

1. New Faculty Start-Up: This project involves the use of \$400,000 to renovate areas for new faculty to provide research and office space, to purchase teaching equipment, and to acquire other facilities to support the teaching and research activities of new faculty.
2. Instructional and Research Equipment: A total of \$300,000 will be used to purchase teaching equipment and to acquire other facilities needed to support teaching and research functions.
3. Computer Equipment: This project involves the use of \$600,000 in funding for the replacement of obsolete equipment and to purchase new equipment items. Items of equipment will include but not be limited to additional peripheral equipment, extension of the fiber optics network, replacements for obsolete printers and terminals, and additional microcomputers and workstations for students, faculty and staff.
4. Academic and Administrative Renovation and Emergency Repairs: Funds are needed for a number of small renovations and emergency repairs during the year. It is estimated that a total of \$56,000 will be used for minor space renovation and emergency repairs. Minor

asbestos removal (approximately \$50,000), accessibility improvements (approximately \$50,000), and energy conservation projects (approximately \$50,000) will be addressed using these funds.

President Boren recommended the Board of Regents approve a plan to use a total of approximately \$2,739,000 in Fiscal Year 1998-99 Section 13 and New College Funds for a group of Norman Campus projects as indicated above, and authorize related revisions 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 Halverstadt, Lewis, Noble, Blankenship, and Bentley. The Chair declared the motion unanimously approved.

### COUCH CENTER ELEVATOR UPGRADE

The Couch Tower elevators were completed in 1967. Maintenance on the existing system is labor intensive and frequent. There have been more than 160 trouble calls on these five elevators' controls within the past 18 months. The proposed upgrade will include micro-processor car control, solid state motor generator drive, new hoistway and car doors, door operators, vandal resistant call buttons and car telephones. These upgrades will bring the elevators into compliance with the Americans with Disabilities Act.

An Invitation to Bid was sent to six vendors. The responses were evaluated by the following:

Ed Vermillion, Engineering Assistant, Physical Plant  
George Horn, Senior Buyer, Purchasing

Evaluation criteria included price, prior experience, and conformance to specifications. Responses were received as follows:

	<u>Montgomery Kone</u>	<u>Dover Elevator</u>	<u>Mid Western Elevator</u>	<u>American Elevator</u>
Base Bid (all 5 elevators at one time)	\$305,000	\$358,190	\$390,000	\$397,375
Alternate 1 (2 elevators - 1998)	\$122,000	\$143,276	\$168,000	\$158,950
Alternate 2 (3 elevators - 1999)	\$186,600	\$214,914	\$252,000	\$238,425
Alternate 3 (1 elevator per year for 5 years)	\$311,000	No Bid	\$467,500	\$397,375

Prices under Alternates 2 and 3 are subject to annual modification in relation to the change in the Producer Price Index.

The intention is to upgrade two elevators during the summer of 1998 and three during the summer of 1999. The recommended award of \$310,700 includes Alternate 1 (\$122,000) and Alternate 2 (\$186,600) bid amounts totaling \$308,600 plus a price escalator estimate of \$2,100 from the Producer Price Index (PPI) added to the Alternate 2 price for work performed in the summer of 1999.

This project will be funded from Housing Department funds.

President Boren recommended the Board of Regents approve the award of a purchase order to Montgomery Kone, Inc. in an amount not to exceed \$310,700 to furnish all labor, materials and equipment to upgrade five elevators at Couch Center residence hall.

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

## **EVANS HALL AND BIZZELL MEMORIAL LIBRARY FIRE SPRINKLER SYSTEMS**

At the December 1996 meeting, the Board of Regents approved a plan to install fire protection systems in Evans Hall and Bizzell Memorial Library. A fire sprinkler system and enhancements to the detection system will be installed in Evans Hall. Also, a fire sprinkler system is to be installed in the original 1929 building of Bizzell Memorial Library and in the Great Reading Room where the greatest risk of catastrophic fire exists. Enhanced fire and smoke detection will be provided throughout the remainder of the library building. This work is identified as Phases I and II of the project. Based on the approved plan, the project architects, Architects In Partnership, P.C., completed the final construction documents for the project.

Phase III of the project, which includes installation of a sprinkler system in the remaining areas of Bizzell Memorial Library, may be addressed in the future as funding allows.

### **I. AWARD A CONSTRUCTION CONTRACT FOR PHASES I AND II**

The project was advertised and bids for construction were received from two bidders on May 6, 1998. The bids have been evaluated by the project architect and representatives of the University administration (Michael Moorman, Director, Architectural and Engineering Services, and Wilton Berry, Project Manager, Architectural and Engineering Services). Because of the large variance between the two bids received, a careful and close review of both bids was made and careful attention was given to assure that the low bid was valid. P&L Fire Protection, Inc. has been in business for 20 years as a fire protection specialist and reports 700 completed projects. Multiple references were checked to verify the firm's capability and past record. Based on this analysis, the staff concluded that the low bid is a viable and valid bid. A complete tabulation of the bids received was included in the agenda.

It is recommended that a contract in the amount of \$491,224 be awarded to P&L Fire Protection, Inc. of Tuttle, Oklahoma, as follows:

Combination Bid No. I:	\$456,424
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Includes:

Base Bid, Phase I  
(Bizzell Memorial Library - standard sprinkler heads and addressable fire alarm system)

Base Bid, Phase II  
(Evans Hall - standard sprinkler heads and addressable fire alarm system)



Alternate No. 2, Phase I (Bizzell Memorial Library - substitute "on-off" sprinkler heads)	\$ 34,800
	<hr/>
Total Contract Amount	\$491,224

**II. SIGN THE AGREEMENT FOR CONSTRUCTION AND ALL NECESSARY CHANGE ORDERS TO THE AGREEMENT FOR CONSTRUCTION**

President Boren recommended the Board of Regents:

- I. Award a contract for construction of Phases I and II of the project in the amount of \$491,224 to P&L Fire Protection, Inc., the low bidder; and
- II. Authorize the President or his designee to sign the Agreement for Construction and all necessary change orders to the Agreement for Construction.

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

**CATE CENTER ADDITION FOR THE HONORS COLLEGE**

At the March 1997 meeting, the Board of Regents approved the design development phase plans for the Cate Center Addition for the Honors College project, authorized the preparation of construction documents for the project, and authorized the University administration to receive bids for construction. The project includes the addition of a new wing to house student services and administrative offices for the new Honors College and will include an Honors College library, a study area, eight faculty offices, the Dean's office and conference area, other support spaces, and a new elevator/entrance to meet ADA accessibility for the existing four story residence hall. In addition, the project includes the renovation of elements of the existing facility to provide for three classrooms, a computer laboratory/classroom, two TV lounges and a snack area, and public restroom facilities to address other ADA issues. The design of the new wing will also create an exterior open-air courtyard for various Honors College program uses.

The project was advertised and bids for construction were received from two bidders on May 21, 1998. The bids have been evaluated by the project architects and representatives of the University administration (David Schrage, Director, University Housing and Food Services; Steven Gillon, Dean, Honors College; Michael Moorman, Director, Architectural and Engineering Services; and David Stapleton, Assistant Director, Architectural and Engineering Services). A complete tabulation of the bids received is as follows:

<u>Bidder</u>	<u>Base Proposal</u>
Buckner & Moore, Inc. Moore, Oklahoma	\$2,086,012
Westfahl Construction, Inc. Oklahoma City	\$2,920,000

I. AWARD A CONTRACT

A low bid of \$2,086,012 was submitted by Buckner & Moore, Inc., of Moore, Oklahoma. This bid represents the lowest and best bid received. It is recommended that a contract be awarded to Buckner & Moore, Inc. as follows:

Base Proposal	<u>\$2,086,012</u>
Total Proposed Contract Amount	\$2,086,012

II. SIGN THE AGREEMENT FOR CONSTRUCTION AND ALL NECESSARY CHANGE ORDERS

III. APPROVE BUDGET AND MODIFY CAMPUS MASTER PLAN

The estimated project budget is \$3,100,000, to be funded with \$2,000,000 from FY98 Multiple Facility Revenue Bonds and the balance from other unrestricted, unobligated reserves.

President Boren recommended the Board of Regents:

- I. Award a contract for construction of the Cate Center Addition for the Honors College project in the amount of \$2,086,012 to Buckner & Moore, Inc., the low bidder;
- II. Authorize the President or his designee to sign the Agreement for Construction and all necessary change orders to the Agreement for Construction; and
- III. Approve a project budget of \$3,100,000 and authorize the required modification of 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 Halverstadt, Lewis, Noble, Blankenship, and Bentley. The Chair declared the motion unanimously approved.

**CONTRACT FOR ATHLETIC DEPARTMENT AND LLOYD NOBLE CENTER CONCESSIONS**

In 1993 Requests for Proposals (RFP) were circulated to 52 firms to provide concession and merchandise sales services for the Athletic Department and Lloyd Noble Center. The RFP provided for the following major terms and conditions:

1. Five-year contract with option for additional five-year renewal
2. Purchase of existing equipment and inventories
3. Facility improvement plan
4. Percentage of revenue proposal
5. Guaranteed annual revenue proposal
6. Pricing and product schedule

The proposals received were evaluated and at the June 1993 meeting the Board of Regents approved the award of a five-year contract to Ogden Entertainment Services.

The contract with Ogden provided for a minimum guarantee revenue of \$400,000 per year and a \$100,000 per year investment in improving the facilities. The contract also contained a Buy Back Protection clause in which the University agreed to buy back all equipment, improvements and merchandise at an amount equal to the unamortized portion of the costs incurred by the Contractor. Termination of the contract with Ogden at the end of June 1998 would result in a lump sum payment by the University of \$421,000.

Due to time required for implementation of a new contract and the August 8, 1998 NFL Exhibition Football Game, Ogden was asked to submit a proposal for a one-year extension, a three-year renewal and a five-year renewal. Based upon review of the proposals and the option to terminate the contract, the review team from Purchasing, Administrative Affairs, Athletics, and the Lloyd Noble Center recommends approval of a five-year extension with final terms and conditions to be negotiated into a final agreement under the following terms:

- Ogden will not have the rights to merchandise sales. Ogden will provide food and beverage concessions only.
- The University will purchase the existing merchandise inventory for \$50,000 (on Ogden's books at \$106,000).
- Ogden will pay the full cost of the event clean up.
- Ogden will invest an additional \$150,000. The net amount payable to Ogden at the end of five years will be "0" including the additional \$150,000 investment in improvements to concession operations. At the end of the five-year period, all equipment and capital improvements will be the property of the University.
- Commission will continue at a rate no less than under the current agreement.

President Boren recommended the Board of Regents:

- I. Approve an extension of the contract with Ogden Entertainment for a five year period to provide concessions services for the Athletic Department and Lloyd Noble Center, and
- II. Authorize the President and Athletic Director or their designees, with the assistance of the Office of General Counsel, to negotiate the final terms and agreement.

There was a discussion of problems the public has encountered with the current concessions services. Interim Athletic Director Larry Naifeh said tabling this item would create a problem but concession service issues are available to be addressed with Ogden as part of negotiations over a final agreement - those types of concerns are addressable. Regent Blanken-ship stated he would like to be involved in the addressing of those concerns.

Mr. Naifeh said included in Ogden's five-year proposal is a commitment for additional capital improvements by the concessionaire. The original agreement was for five years with the option of an additional five-year renewal. Capital improvements were made during the initial five years, however, under the contract if the University was to terminate after five

years, we would have an obligation to pay the amortized value of those improvements. It is to the University's advantage to extend this contract without having to make that payment. The financial aspect of this package is very beneficial to the Athletic Department.

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

## OKLAHOMA MEMORIAL STADIUM SOUTH END ZONE EXPANSION AND RENOVATION

In March 1998, the Board of Regents approved the addition of Legends Lobby and All-American Plaza exhibits and displays to the Oklahoma Memorial Stadium South End Zone Expansion and Renovation project. The Board authorized preparation of final bid documents and authorized the administration to advertise and receive bids for this work.

Since that time, design and construction documents for the exhibits and displays have been completed by Hellmuth, Obata & Kassabaum, Inc. Sports Facilities Group and its exhibit design consultants. The exhibits for the Legends Lobby, located in a portion of all three floors of the Barry Switzer Center, will highlight the tradition and success of the Sooner football program. In addition, Sooner All-American athletes and letter recipients in all sports will be honored in the exterior All-American Plaza and landscaped garden area.

Bids were received from eight bidders. The bids were evaluated by representatives of Hellmuth Obata & Kassabaum, Inc. Sports Facilities Group and its exhibits design consultants; Larry Naifeh, Interim Director, Athletic Department; Michael Moorman, Director, Architectural and Engineering Services; David Nordyke, Senior Staff Architect, Architectural and Engineering Services; and George Horn, Assistant Director, Purchasing. A complete tabulation of the bids received was included in the agenda. It is recommended that a contract be awarded to Malone Displays, Inc. of Decatur, Georgia, as follows:

Base Bid	\$477,571.28
Alternate No. 1, Sound and Video Engineering	9,160.14
Alternate No. 2, Facade Murals	14,170.00
Alternate No. 8, Elevator Display Case	1,230.58
Alternate No. 9, OU Lettermen Plaque	<u>23,314.06</u>
Total Proposed Contract Amount	\$525,446.06

This project is to be funded by private donations to the Athletic Department. It is anticipated that the project will be completed during the 1998 football season.

President Boren recommended the Board of Regents approve the award of a purchase order in the amount of \$525,446.06 to Malone Displays, Inc. for construction and installation of the Legends Lobby and the All-American Plaza athletic heritage displays in the Oklahoma Memorial Stadium South End Zone Renovation and Expansion project.

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

## REGENTS' FUND QUARTERLY FINANCIAL REPORT

This report is provided in accordance with University of Oklahoma Board of Regents' policy (8.11.7). The report is intended to be comprehensive and reports on all of the financial activity within the Regents' Fund since the June 30, 1997 report. Highlights for the period are attached hereto as Exhibit E.

As of March 31, 1998, the Regents' Fund consisted of 109 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 in the Consolidated Investment Fund (CIF) and Short-Term Investment Fund (STIF) investment pools.

The Regents' Fund Quarterly Financial Report as of March 31, 1998, and for the nine months then ended was presented for information only. No action was required.

## QUARTERLY FINANCIAL ANALYSIS

By request of the Board of Regents, the Quarterly Financial Analysis for fiscal year 1998 through the nine months ended March 31, 1998 is presented. The detailed information upon which the Executive Summary is based was included in the agenda.

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

## BEVERAGE CONTRACT FOR NORMAN CAMPUS

The University solicited a request for proposals (RFP) for beverage and snack vending and sales earlier this year for the Norman Campus.

Responses were received from The Coca-Cola Company and the Great Plains Coca-Cola Bottling Company jointly, hereinafter referred to as Coca Cola; from Pepsi-Cola Company (Pepsi) and from the Quaker Oats Company (Gatorade) for certain beverage rights.

Coca-Cola and Canteen Service Company (Canteen) responded to the snack vending portion of the RFP.

Currently the University's vending beverage contract is with Pepsi, and this contract expires June 30, 1998. Concession sales at athletic venues are covered by a contract with Coca-Cola which expires in year 2000. Gatorade has been providing the sports drink for the athletic teams.

The bidding process was very competitive. Pepsi submitted a competitive proposal. However, after evaluating the bids, it was determined that Coca-Cola's 10-year bid, with a total estimated value of at least \$21,664,000, with an additional performance incentive, was the best bid for the University. Many factors, including that Coca-Cola could provide a broader array of services and products for beverages and non-beverage snacks, and the fact that Coca-Cola already had a contract for the University athletic venues through the year 2000, helped form the basis for the recommendation that Coca-Cola be awarded the bid.

In addition, the Coca-Cola bid on snack commissions exceeded the Canteen bid by \$200,000 over the life of the contract and it was determined to be in the best interest of the University to accept the full package offered by Coca-Cola. Pepsi did not bid for the snack vending rights.

Both Coca-Cola and Pepsi agreed that Gatorade could be an exception to the contract insofar as our athletic teams are concerned so long as the sports drink is limited to the sideline and bench areas. The Gatorade contract will generate \$850,000 over the 10-year period.

The exact legal terms of the contracts are being finalized which reflect the total guaranteed dollars to be received by the University.

President Boren recommended the Board of Regents accept a proposal from The Coca-Cola Company and the Great Plains Coca-Cola Bottling Company for beverage and snack vending and sales rights on the Norman Campus and a proposal from the Quaker Oats Company (Gatorade) for sports drink rights for the athletic teams and to authorize the President to negotiate the final terms of the contracts.

Regent Halverstadt moved approval of the President's recommendation with an amendment which would authorize the President to negotiate and execute the final terms of the contracts.

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

## **FISCAL YEAR 1999 BUDGET**

The FY99 operating budget for The University of Oklahoma of \$656.5 million is presented for consideration and approval by the Board. The budget is comprised of \$378 million for the Norman Campus and \$278.5 million for the Health Sciences Center. The percentage of the total State budget going to higher education increased this year.

Higher education obtained an increase of approximately \$64 million. The Norman Campus received \$7.2 million with additional earmarked appropriations including \$1.6 million for operating costs for the Oklahoma Museum of Natural History, and new funding to match privately funded endowed chairs and professorships. Additional revenues for the Norman Campus were obtained from tuition, enrollment growth, and indirect cost reimbursements. The Health Sciences Center received \$4.6 million with a special earmarked appropriation of \$200,000 for the utilities and maintenance of the G. Rainey Williams Pavilion, for which the Health Sciences Center assumed responsibility pursuant to the Joint Operating Agreement with Columbia/HCA.

### Norman Campus

The new budget, if adopted by the Board of Regents, sets priorities which reflect the priorities recommended by the Budget Council of the University. The FY98 salary increases are annualized. Faculty promotions are funded. The library acquisition budget has been increased to ease the strain of the increasing costs of serial and journal subscriptions. We have continued to increase funding for academic areas and projects. As a result, we have further reduced our administrative costs which are the lowest in the State system of higher education.

This budget provides a \$1 million increase in funding for the library consistent with the plan adopted by the Board to provide \$1 million in increases annually for the next 10 years. This plan projects a commitment to substantially improve the ranking of our library among comprehensive university libraries.

A four percent salary increase for faculty and staff on the Norman Campus is funded in the budget. It will take effect October 1 and will be a permanent increase to the on-going salary base. Two percent will be provided across the board and sufficient funds to provide an additional two percent on a merit basis will be allocated. This increase will mean that compensation increases for the past three years will have averaged between 14% and 15% which is roughly twice the rate of increase of the average of all Big 12 institutions. Increases this year should allow the University to hold the gains in Big 12 salary rankings achieved over the last two years.

To provide an improved faculty-student ratio and to meet new educational needs, new faculty positions are funded in the budget. This will bring to over 50 the total faculty positions added over the past four years accomplishing one year early an OU Board of Regents' five-year goal. We will also distribute extra funds to colleges with lowest paid faculty to help bring them to tolerable minimums. There will be no Universitywide requirement for a reallocation of funds. This will enable units to complete an orderly planning process.

The budget funds several student oriented initiatives from a combination of State and non-appropriated funds. The budget continues funding for expansion of two new wings in the Student Union, and \$350,000 for improvements in the Crossroads food service area to assure late night hot food service for students at the Union. It also provides from non-appropriated sources \$100,000 in annual funds to improve student programs at the Oklahoma Memorial Union. It also includes \$500,000 to improve the Huston Huffman physical fitness facility to provide for a cardiovascular theatre area. Fire and safety improvements for residence halls are funded as well as an additional faculty apartment which will complete the Faculty-In-Residence program with five faculty apartments. Three new reading areas are being added in the library through private gifts.

In addition, the budget allows for a continuation and completion of capital projects including the improvements to Nielsen Hall, the Honors College, and for the Law School Library and Law School facilities improvement, a \$15 million project to be paid from a combination of public and private funds. Funding for repairs to the roof of the Energy Center and expansion of the heating and cooling system for the University are provided. A small amount of capital funds are reserved in the budget pending legislative action next year when additional funds are anticipated to be used for scientific research and laboratory funding. This will allow for the University to make most efficient use of these funds for high priority projects like additional research space and the possible restoration of Holmberg Hall.

Research funding last year broke all previous records and will continue to do so. We will increase research incentive programs in the Educational and General Budget by 8% to a total of \$1.55 million. Continuing our efforts to become more competitive in recruiting the very best graduate students and to reward our graduate assistants for their valuable service to the University, assistantships are being increased by 4%. In keeping with our commitment to the Graduate Student Senate, the University will now fully fund health insurance for each 0.5 FTE graduate assistant. The Alumni Graduate Fellowship program will be initiated in Fall 1998 with each fellow receiving, in addition to their assistantship, a \$5,000 per year fellowship for up to four years. Ten fellowship awards will be given in FY99 with 10 additional fellowships being added in each of three succeeding years.

Providing infrastructure support for research/creative activity at the University remains a very high priority. The research facilities support program which was established in FY98 to complement the research/creative activity equipment program is now annually funded. The support program will be allocated to department/research units for operation, maintenance, repair and replacement parts for major research instrumentation.

As provided in the 10-year plan of the Board of Regents, the budget also provides an increase of \$657,000 for athletic gender equity funding.

President Boren distributed a list of academic, student and capital initiatives for FY 1999 on the Norman Campus.

### Health Sciences Center

The FY99 Health Sciences Center's proposed budget totals \$278.5 million. This increase was substantially funded by a \$4.8 million increase in State appropriated funds, \$240,000 in additional tuition and fees, an additional \$800,000 in endowed chair funds, a \$400,000 increase in indirect cost reimbursement, \$12.5 million in increased grant and contract funding (of this increase, \$8.2 million is represented by HSC's assuming responsibility for the Oklahoma City residency payroll under the Joint Operating Agreement), and an increase of \$1.6 million in auxiliary enterprise and other agency account revenues. A portion of the new State appropriations, approximately \$950,000, will be allocated for campuswide cost-to-continue items such as insurance premiums, Oklahoma Teachers Retirement contributions, utilities, and maintenance.

The new State appropriations will be used to fund strategic priorities of the University including faculty promotions, the George Lynn Cross Research and David Ross Boyd awards, nine new faculty positions, additional research, an Academic and Student Support Service, campus technology, an increase in Library acquisitions, and a salary increase program for faculty and staff. The administration is recommending a 3% salary increase for hourly employees, and a 2.5% salary increase for faculty and salaried employees. The cost of the recommended salary program, including fringe benefits, is approximately \$1.8 million. The increases will be effective July 1 and individual salary information will be presented to the Regents at their July meeting.

Overall, this budget will allow HSC to make substantial progress for educational and research missions.

President Boren recommended the Board of Regents approve the Operating Budget for Fiscal Year 1999 as presented, including approval of academic promotions, effective July 1, 1998 as shown below:

### NORMAN CAMPUS

#### COLLEGE OF ARTS AND SCIENCES

##### Chemistry and Biochemistry

Phillip E. Klebba to Professor

Robert L. White to Professor

George B. Richter-Addo to Associate Professor



Classics

Juana C. Djelal to Associate Professor

English

Aparna Dharwadker to Associate Professor

Health and Sport Sciences

Michael G. Bembem to Associate Professor

History

Terry L. Rugeley to Associate Professor

Human Relations

Susan T. Marcus-Mendoza to Associate Professor

Journalism and Mass Communication

Fred K. Beard to Associate Professor  
Mihajlo Nedeljkovich to Associate Professor  
Laura L. Schaub to Associate Professor

Library and Information Studies

Lotsee F. Patterson to Professor

Mathematics

Ruediger H. Landes to Professor

Zoology

Richard L. Cifelli to Professor

MICHAEL F. PRICE COLLEGE OF BUSINESS

Finance

Scott C. Linn to Professor

COLLEGE OF EDUCATION

Adult and Continuing Professional Education

Connie G. Dillon to Professor

COLLEGE OF ENGINEERING

Aerospace and Mechanical Engineering

Alfred G. Striz to Professor  
Feng-Chyuan Lai to Associate Professor

Chemical Engineering and Materials Science

Daniel E. Resasco to Professor

Computer Science

Deborah A. Trytten to Associate Professor

Petroleum and Geological Engineering

Anuj Gupta to Associate Professor  
Samuel O. Osisanya to Associate Professor

COLLEGE OF FINE ARTS

Music

Andrew D. Cooperstock to Professor  
Ella J. Nelson to Professor  
Roger R. Rideout to Professor

COLLEGE OF GEOSCIENCES

Meteorology

Kelvin K. Droegemeier to Professor

COLLEGE OF LAW

Peter F. Krug to Professor

HEALTH SCIENCES CENTER

COLLEGE OF ALLIED HEALTH

Communication Sciences and Disorders

Ann S. Owen to Professor

Medical Library Science

Judith C. Wilkerson to Associate Professor

Radiologic Technology

Stacy L. Anderson to Associate Professor

COLLEGE OF DENTISTRY

Dental Hygiene

John W. Campbell to Clinical Associate Professor

Dental Services Administration

Dunn H. Cumby to Clinical Associate Professor

Operative Dentistry

Terry J. Fruits to Associate Professor

Periodontics

Sharon K. Severson to Clinical Assistant Professor

COLLEGE OF MEDICINE

Anesthesiology

Raghuvender Ganta to Associate Professor  
Jacqueline J. Smith to Associate Professor

Biochemistry and Molecular Biology

Hiroyuki Matsumoto to Professor

Family and Preventive Medicine

Kurt S. Frantz to Clinical Professor  
James L. Brand to Associate Professor  
Roger A. Elliott to Clinical Associate Professor  
Gary R. Sharp to Clinical Associate Professor  
Jackie P. Durrett to Clinical Assistant Professor  
Laine H. McCarthy to Clinical Assistant Professor

Medicine

Chittur A. Sivaram to Professor  
Gerald Johnson III to Professor of Research  
Brent R. Brown to Associate Professor  
Marlene G. Bynum to Clinical Associate Professor  
Jiayuan Ren to Associate Professor of Research

Ophthalmology

Bradley K. Farris to Professor

Pediatrics

Jan L. Culbertson to Professor  
Venusto H. San Joaquin to Professor  
Kendall L. Stanford to Associate Professor

Psychiatry and Behavioral Sciences

Roger E. Thies to Adjunct Professor  
Sandra F. Allen to Associate Professor  
David W. Kent to Clinical Associate Professor  
James G. Scott to Clinical Associate Professor  
John R. Tassej to Associate Professor

Surgery

Debra S. Mitchell to Associate Professor  
Janet E. G. Rodgers to Associate Professor

COLLEGE OF MEDICINE-TULSA

Internal Medicine

Michael A. Weisz to Associate Professor

COLLEGE OF PHARMACY

Pharmacology and Toxicology

H. Dix Christensen to Professor

President Boren highlighted the budget information and noted the student retention percentage has risen. The University is attracting exceptional freshmen with high ACT scores and more upper classmen are wanting to move back into the residence halls. We have met enrollment goals two years early.

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

**ANNUAL AUDIT PLAN FOR 1998-99, THE UNIVERSITY OF OKLAHOMA**

The proposed annual audit plan for fiscal year 1999 was transmitted to the Regents with the agenda. It was prepared by Ms. Angela Hockett, Interim Director of Internal Auditing, and incorporates use of standard risk analysis processes, solicited and unsolicited input from administrators, and a four-year rotation plan to address all financial and data-related functions of the University. At least once every four years, every department and major function of the University will receive some level of review and audit. In addition, approximately 15 percent of the available audit hours will be reserved for items that could not be foreseen. Critical functions will be audited at some level every year.

The four-year rotation is a change from the previous year's plan, which was based on a three-year rotation. This change is proposed to permit more in-depth audits of each area. This will improve the overall audit process and still permit critical functions to be audited each year. In addition, to address needs as they arise, hours reserved will be less vulnerable and available to use in regularly scheduled audits that may require additional attention.

The areas proposed for internal audit during 1998-99 are as follows:

#### NORMAN CAMPUS

Admissions and Records	Graduate College
Alumni Relations	KGOU-FM/KROU-AM Radio Station
Architectural and Engineering Services	Lloyd Noble Center
Athletic Ticketing and Post-Season Activities	Mailing and Document Production Services
Athletics, Compliance Audit	Personnel/Payroll
Athletics, Financial and General	Policy Issues
Bursar Billing and Collection Systems	Procurement and Receiving
College of Architecture	Public Affairs
College of Liberal Studies	Records Retention
Computing/Telecommunications	Recreation Programs
Controller's Office and Accounting	University College
Disbursements	University Housing and Food Services
Employee Benefits	Vice President for Research
Financial Aid and Scholarships	

#### HEALTH SCIENCES CENTER

Anatomical Sciences	Neurology
Architectural and Engineering Services	Neurosurgery
Bursar Billing and Collection Systems	Pediatrics
College of Medicine, Residency and Other	Personnel/Payroll
College of Medicine-Tulsa Pediatrics	Procurement and Receiving
College of Medicine-Tulsa Obstetrics and Gynecology	Public Affairs
Computing/Telecommunications	Radiological Sciences
Controller's Office and Accounting	Records Retention
Disbursements	Surgery
Employee Benefits	University Physicians Medical Group (UPMG)
Financial Aid and Scholarships	Urology
Graduate College	Vice President for Research

In addition, Internal Auditing will perform post-audit reviews of each audit report.

President Boren and the Audit Committee recommended the Board of Regents approve the annual audit plan for 1998-99.

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

## **COMPLIANCE AUDITS OF FEDERALLY FUNDED ASSISTANCE AGREEMENTS FOR 1995-96 AND 1996-97**

At the May 1998 meeting of the Board of Regents' Audit Committee, Deloitte and Touche LLP presented the Independent Auditors' Report on the Schedule of Expenditures of Federal Awards and the Independent Auditors' Report on Compliance and Internal Control over Compliance Applicable to each Major Federal Program for the Health Sciences Center and Norman Campus for fiscal years 1996 and 1997.

These audits were conducted in accordance with generally accepted auditing standards and standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and where applicable, OMB Circular A-133 *Audits of States, Local Governments, and Non-Profit Organizations*.

For both campuses for both fiscal years, the audit firm opined that the schedules presented fairly, in all material respects, the expenditures of federal awards. As regards issues of internal control, no material weaknesses were noted. Findings of non-compliance as communicated in the reports were presented to the Audit Committee.

President Boren recommended acceptance of the 1995-96 and 1996-97 Compliance Audits of Federally Funded Assistance Agreements.

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

## **INTERNAL AUDITING REPORT**

This item was included in the agenda for a report, as needed, on any pending or potential audit issues by the Interim Director of Internal Auditing. There was no report.

## **ACADEMIC PERSONNEL ACTIONS ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS DIRECTOR OF INTERNAL AUDITING LITIGATION**

Regent Lewis moved the Regents meet in executive session for the purpose of discussing personnel-related items and pending and possible litigation. The following voted yes on the motion: Regents Halverstadt, Lewis, Noble, Blankenship, and Bentley. The Chair declared the motion unanimously approved. The executive session began at 10:20 a.m. in the Council Room of the Administration Building.

The meeting resumed in regular session at 11:56 a.m.

## ACADEMIC PERSONNEL ACTIONS

### Health Sciences Center:

#### LEAVE OF ABSENCE:

Voth, Douglas W., Professor of Medicine, leave of absence without pay extended, July 1, 1998 through June 30, 1999.

#### APPOINTMENTS OR REAPPOINTMENTS:

Akins, Darrin Randal, Ph.D., Assistant Professor of Microbiology and Immunology, annual rate of \$55,000 for 12 months (\$4,583.33 per month), August 1, 1998 through June 30, 1999.

Aronson, Robert Eric, D.P.H., Assistant Professor of Health Promotion Sciences, annual rate of \$50,000 for 12 months (\$4,166.67 per month), July 1, 1998 through June 30, 1999.

Farrell, Kay, reappointed Clinical Instructor in Nursing and Coordinator of Woodward Programs, College of Nursing, salary remains at annual rate of \$42,500 for 12 months (\$3,541.67 per month), June 1, 1998 through May 31, 1999.

Gleason, Ondria Chris, M.D., Assistant Professor of Psychiatry, Tulsa and Associate Director, Residency Training, Department of Psychiatry, Tulsa, annual rate of \$85,000 for 12 months (\$7,083.33 per month), July 1, 1998 through June 30, 1999.

Grim, James S., M.D., Clinical Associate Professor of Anesthesiology, annual rate of \$60,000 for 12 months (\$5,000.00 per month), May 1, 1998 through June 30, 1998.

Mirabile, Jr., Charles P., M.D., Assistant Professor of Obstetrics and Gynecology, annual rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 1998 through June 30, 1999.

Rodgers, Karla K., Ph.D., Assistant Professor of Biochemistry and Molecular Biology, annual rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 1998 through June 30, 1999.

Wolfla, Christopher E., M.D., Assistant Professor of Neurosurgery, annual rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 1998 through June 30, 1999.

#### CHANGES:

Beebe, Laura A., Assistant Professor of Biostatistics and Epidemiology and Project Coordinator, Health Agency Training, College of Public Health; given additional title Assistant Professor of Research, Center for American Indian Health Research, College of Public Health, May 1, 1998 through June 30, 1998.

Coussons, R. Timothy, David Ross Boyd Professor and Vice Chair of Medicine and Associate Dean for Clinical Affairs, College of Medicine, salary changed from annual rate of \$163,200 for 12 months (\$13,600.00 per month) to annual rate of \$198,200 for 12 months (\$16,516.67 per month), May 1, 1998. Increase due to contract with Columbia for his services as Chief Medical Officer for University Health Partners and VA Medical Center.

Eichner, June, Associate Professor of Biostatistics and Epidemiology; given additional titles Associate Professor of Research, Center for American Indian Health Research, and Interim Assistant Dean for Research, College of Public Health; salary changed from annual rate of \$54,159 for 12 months (\$4,513.25 per month) to annual rate of \$58,159 for 12 months (\$4,846.25 per month), May 1, 1998. Includes \$4,000 administrative supplement for administrative responsibilities for Interim Assistant Dean for Research.

Go, Oscar, Assistant Professor of Research, Center for American Indian Health Research, College of Public Health; given additional title Adjunct Assistant Professor of Biostatistics and Epidemiology, May 1, 1998 through June 30, 1998.

Lerner, Meagan, Instructor in Surgery, salary changed from annual rate of \$4,800 for 12 months (\$400.00 per month), .10 time, to annual rate of \$42,000 for 12 months (\$3,500.00 per month), full time, January 1, 1998 through June 30, 1998.

Malcoe, Lorraine H., Assistant Professor of Biostatistics and Epidemiology; given additional title Assistant Professor of Research, Center for American Indian Health Research, College of Public Health, May 1, 1998 through June 30, 1998.

Martin, Mary E., Associate Professor and Chair of Oral Diagnosis and Radiology; given additional title Interim Assistant Dean for Clinical Affairs and Director of Clinics, College of Dentistry; salary changed from annual rate of \$67,662 for 12 months (\$5,638.50 per month) to annual rate of \$74,662 for 12 months (\$6,221.83 per month), July 1, 1998 through June 30, 1999. Includes \$7,000 administrative supplement while serving as Interim Assistant Dean.

Mehnert-Kay, Susan A., Clinical Assistant Professor of Family Medicine, Tulsa, salary changed from annual rate of \$77,400 for 12 months (\$6,450.00 per month), full time, to annual rate of \$62,000 for 12 months (\$5,166.66 per month), .80 time, June 1, 1998 through June 30, 1998.

Miranda, Frank J., Professor of Operative Dentistry and of Dental Services Administration; title Assistant Dean for Clinical Affairs and Director of Clinics, College of Dentistry, deleted; given additional title Director, Continuing Education, College of Dentistry, July 1, 1998.

Neas, Barbara R., Associate Professor of Biostatistics and Epidemiology; given additional title Associate Professor of Research, Center for American Indian Health Research, College of Public Health, May 1, 1998 through June 30, 1998.

Owen, Willis L., Professor and Acting Chair of Biostatistics and Epidemiology; given additional title Professor of Research, Center for American Indian Health Research, College of Public Health, May 1, 1998.

Parke, Julie T., Clinical Associate Professor of Neurology; title Interim Chief of Child Neurology, Department of Neurology, deleted, October 1, 1997.

Parker, Donald E., Professor of Biostatistics and Epidemiology; given additional title Professor of Research, Center for American Indian Health Research, College of Public Health, May 1, 1998.

Raskob, Gary E., Associate Professor of Biostatistics and Epidemiology and of Medicine; given additional title Associate Professor of Research, Center for American Indian Health Research, College of Public Health, May 1, 1998 through June 30, 1998.



Schaefer, Carl F., Associate Professor of Research and Deputy Director, Center for American Indian Health Research, College of Public Health; given additional title Adjunct Associate Professor of Biostatistics and Epidemiology, May 1, 1998 through June 30, 1998.

Settle, Susan L., Assistant Professor of Oral Diagnosis; given additional title Director of Oral Medicine, Department of Oral Diagnosis; salary changed from annual rate of \$41,101 for 12 months (\$3,425.08 per month) to annual rate of \$46,101 for 12 months (\$3,841.75 per month), July 1, 1998 through June 30, 1999. Paid \$5,000 administrative supplement while serving as Director.

Smith, David W., Associate Professor of Biostatistics and Epidemiology; given additional title Associate Professor of Research, Center for American Indian Health Research, College of Public Health, May 1, 1998.

Tompkins II, John F., title changed from Clinical Assistant Professor to Associate Professor of Orthopedic Surgery and Rehabilitation, salary changed from annual rate of \$11,500 for 12 months (\$958.33 per month), .12 time, to annual rate of \$75,000 for 12 months (\$6,250.00 per month), July 1, 1998 through June 30, 1999.

Wang, Wenyu, Associate Professor of Research, Center for American Indian Health Research, College of Public Health; given additional title Adjunct Associate Professor of Biostatistics and Epidemiology, May 1, 1998 through June 30, 1998.

#### RESIGNATIONS AND/OR TERMINATIONS:

Belknap, Dorothy, Associate Professor of Nursing, July 31, 1998.

Berry, Kimberly K., Clinical Instructor in Occupational Therapy, May 13, 1998 (with accrued vacation through June 16, 1998).

Brackett, Susan E., Associate Professor of Fixed Prosthodontics, June 30, 1998 (with accrued vacation through July 15, 1998).

Gauvin, David, Assistant Professor of Research, Department of Psychiatry and Behavioral Sciences, June 30, 1998.

Kingsley, Beverly S., Coordinator, Oklahoma Center for Prevention Research in Native Americans, and Assistant Professor of Research, and Adjunct Assistant Professor of Biostatistics and Epidemiology, College of Public Health, February 11, 1998.

Olson, Jay L., Assistant Professor of Anesthesiology, April 30, 1998 (with accrued vacation through May 5, 1998).

Papka, Raymond E., Professor and Chair of Anatomical Sciences, April 30, 1998 (with accrued vacation through June 17, 1998).

Sinha, Pramod K., Assistant Professor of Orthodontics, June 30, 1998.

#### RETIREMENT:

Curcio, Barbara M., David Ross Boyd Professor of Radiologic Technology and Adjunct Professor of Allied Health Education, June 30, 1998 (with accrued vacation through August 5, 1998); named David Ross Boyd Professor Emeritus of Radiologic Technology.

**Norman Campus:**

## LEAVES OF ABSENCE:

Crynes, Billy L., Professor of Chemical Engineering and Materials Science, sabbatical leave of absence with full pay dates corrected from August 16, 1998 through December 31, 1998 and May 16, 1999 through August 15, 1999 to August 16, 1998 through November 14, 1998 and May 16, 1999 through August 15, 1999.

Harper, Charles W., Professor of Geology and Geophysics, leave of absence without pay, August 16, 1998 through December 31, 1998.

Heap of Birds, Edgar A., Associate Professor of Art, leave of absence without pay, August 16, 1998 through May 15, 1999.

## APPOINTMENTS OR REAPPOINTMENTS:

Anderson, JoAnne, reappointed Clinical Assistant Professor of Human Relations, salary remains at annual rate of \$45,880 for 12 months (\$3,823.33 per month), July 1, 1998 through June 30, 1999.

Basic, Rozmeri, Ph.D., Assistant Professor of Art, annual rate of \$34,250 for 9 months (\$3,805.55 per month), August 16, 1998 through May 15, 1999.

Brady, Noel Patrick, Ph.D., Assistant Professor of Mathematics, annual rate of \$44,000 for 9 months (\$4,888.89 per month), August 16, 1998 through May 15, 1999.

Carte, Traci Ann, Assistant Professor of Management Information Systems, annual rate of \$72,000 for 9 months (\$8,000.00 per month), August 16, 1998 through May 15, 1999. If Ph.D. not completed by August 1, 1998, title will be changed to Acting Assistant Professor, salary changed to annual rate of \$67,000 for 9 months, and start date will be January 1, 1999.

Dechert, Jerry Don, Ph.D., Assistant Professor of Industrial Engineering, annual rate of \$49,000 for 9 months (\$5,444.44 per month), August 16, 1998 through May 15, 1999.

Evetts, Seth M., Research Assistant I, Department of Chemistry and Biochemistry, annual rate of \$20,000 for 12 months (\$1,666.67 per month), .50 time, May 18, 1998 through November 30, 1998. Paid from grant funds; subject to availability of funds.

Garn, Gregg A., Ph.D., Assistant Professor of Educational Leadership and Policy Studies, annual rate of \$37,500 for 9 months (\$4,166.66 per month), August 16, 1998 through May 15, 1999.

Hinshaw, Jr., M. Joseph, Ph.D., Assistant Professor of Journalism and Mass Communication, annual rate of \$39,000 for 9 months (\$4,333.33 per month), August 16, 1998 through May 15, 1999.

Jasperson, Jon Lynn, Assistant Professor of Management Information Systems, annual rate of \$72,000 for 9 months (\$8,000.00 per month), August 16, 1998 through May 15, 1999. If Ph.D. not completed by August 1, 1998, title to be changed to Acting Assistant Professor and salary changed to \$67,000 for 9 months.

Koehler, Jr., Wallace Conrad, Ph.D., Assistant Professor of Library and Information Studies, annual rate of \$40,000 for 9 months (\$4,444.44 per month), August 16, 1998 through May 15, 1999.

McInerney, Claire Regina, Assistant Professor of Library and Information Studies, annual rate of \$40,000 for 9 months (\$4,444.44 per month), January 1, 1999 through May 15, 1999. If Ph.D. not completed by January 1, 1999, title to be changed to Acting Assistant Professor and salary changed to \$38,000 for 9 months.

Osborne, Jason W, Ph.D., Assistant Professor of Educational Psychology, annual rate of \$38,500 for 9 months (\$4,277.77 per month), August 16, 1998 through May 15, 1999.

Schutjer, Karin Lynn, Ph.D., Assistant Professor of Modern Languages, Literatures, and Linguistics, annual rate of \$40,000 for 9 months (\$4,444.44 per month), August 16, 1998 through May 15, 1999.

Taylor, Brian Dean, Ph.D., Assistant Professor of Political Science, annual rate of \$37,000 for 9 months (\$4,111.11 per month), August 16, 1998 through May 15, 1999.

Ward, Michael N., reappointed Research Associate Professor of Meteorology and Senior Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary remains at annual rate of \$65,000 for 12 months (\$5,416.67 per month), July 1, 1998 through June 30, 1999. Paid from grant funds; subject to availability of funds.

Xu, Feng, Ph.D., Assistant Professor of Mathematics, annual rate of \$44,000 for 9 months (\$4,888.89 per month), August 16, 1998 through May 15, 1999.

#### CHANGES:

Anderson, Stephen C., Associate Professor of Social Work; title changed from Field Practicum Coordinator to Undergraduate Program Coordinator, School of Social Work, July 1, 1998.

Atkins, Leslie, Assistant Professor of Sociology; given additional title Assistant Professor of Women's Studies, July 1, 1998 through June 30, 1999.

Barman, Samir, Associate Professor of Management; given additional title Associate Research Fellow, Michael F. Price College of Business; salary temporarily changed from annual rate of \$64,000 for 9 months (\$7,111.11 per month) to annual rate of \$67,906 for 9 months (\$7,545.11 per month), August 16, 1998 through May 15, 1999.

Bender, Margaret, Assistant Professor of Anthropology; given additional title Assistant Professor of Women's Studies, July 1, 1998 through June 30, 1999.

Buckley, Michael R., Professor of Management; given additional title Director, Division of Management, salary changed from annual rate of \$85,500 for 9 months (\$9,500.00 per month) to annual rate of \$120,667 for 12 months (\$10,055.58 per month), July 16, 1998; given additional titles Nichols Fellow and Conoco Fellow, Michael F. Price College of Business, salary temporarily changed to \$132,895 for 12 months (\$11,074.58 per month, July 16, 1998 through June 30, 1999. Changed from 9-month to 12-month faculty.

Crain, Terry L., Associate Professor of Accounting; title Director, Undergraduate Programs, Michael F. Price College of Business, deleted, August 15, 1998; given additional title Associate Dean of Academics and Administration, Michael F. Price College of Business; salary changed from annual rate of \$91,667 for 12 months (\$7,638.92 per month) to annual rate of \$110,222 for 12 months (\$9,185.17 per month), August 16, 1998.

Crynes, Billy L., Professor of Chemical Engineering and Materials Science; title Dean, College of Engineering, deleted, June 30, 1998.

Emery, Gary W., Professor of Finance; given additional title Conoco Teaching Fellow, Michael F. Price College of Business; salary temporarily changed from annual rate of \$84,000 for 9 months (\$9,333.33 per month) to annual rate of \$87,906 for 9 months (\$9,767.33 per month), August 16, 1998 through May 15, 1999.

Fuchs, Kenneth Daniel, Director, School of Music, and Professor of Music; appointed Professor of Music with tenure, July 1, 1998.

Ghosh, Dipankar, Associate Professor of Accounting; given additional title Exxon Teaching/Research Fellow, Michael F. Price College of Business; salary temporarily changed from annual rate of \$77,000 for 9 months (\$8,555.55 per month) to annual rate of \$80,906 for 9 months (\$8,989.55 per month), August 16, 1998 through May 15, 1999.

Harvey, Michael G., Puterbaugh Chair in American Enterprise and Professor of International Business Policy; salary changed from annual rate of \$116,589 for 9 months (\$12,954.33 per month) to annual rate of \$112,683 for 9 months (\$12,520.33 per month), May 16, 1998. Deleting temporary salary increase and reverting to 1998 budget status.

Hertzke, Allen D., Associate Professor of Political Science; title Assistant Director, Carl Albert Congressional Research and Studies Center, deleted, August 15, 1998.

Lamb, Marvin L., Dean, College of Fine Arts, and Professor of Music; appointed Professor of Music with tenure, July 1, 1998.

Linn, Scott C., Associate Professor of Finance; given additional title W. R. Howell Research Fellow, Michael F. Price College of Business; salary temporarily changed from annual rate of \$85,000 for 9 months (\$9,444.44 per month) to annual rate of \$88,906 for 9 months (\$9,878.44 per month), August 16, 1998 through May 15, 1999.

Madland, Helga, Professor of Modern Languages, Literatures, and Linguistics; given additional title Professor of Women's Studies, July 1, 1998 through June 30, 1999.

Matthews, William J., Professor of Zoology and Curator of Fishes, Sam Noble Oklahoma Museum of Natural History; given additional title Interim Director of Biological Station Research, October 1, 1997 through May 15, 1998.

McAdams, Janet, Assistant Professor of English; given additional title Assistant Professor of Women's Studies, July 1, 1998 through June 30, 1999.

Moriarity, Shane R., Professor of Accounting; title Associate Dean, Michael F. Price College of Business, deleted, August 15, 1998; salary changed from annual rate of \$120,001 for 12 months (\$10,000.00 per month) to annual rate of \$100,000 for 9 months (\$11,111.11 per month), August 16, 1998; given additional title W. R. Howell Leadership Fellow, Michael F. Price College of Business, salary temporarily changed to annual rate of \$103,906 for 9 months (\$11,545.11 per month), August 16, 1998 through May 15, 1999. Changed from 12-month to 9-month faculty.

Nelson, Ella J., Associate Professor of Music; title Acting Associate Dean, College of Fine Arts, deleted; salary changed from annual rate of \$57,936 for 9 months (\$6,437.00 per month) to annual rate of \$48,936 for 9 months (\$5,437.33 per month), May 15, 1998.

Phelan, Andrew L., Professor of Art and Director, School of Art; salary changed from annual rate of \$95,000 for 12 months (\$7,916.66 per month) to annual rate of \$103,000 for 12 months (\$8,583.33 per month), July 1, 1998. Retention increase.

Price, Raymond L., Associate Professor of Management; given additional title Conoco Teaching Fellow, Michael F. Price College of Business; salary temporarily changed from annual rate of \$68,250 for 9 months (\$7,583.33 per month) to annual rate of \$72,156 for 9 months (\$8,017.33 per month), August 16, 1998 through May 15, 1999.

Pulat, Pakize S., Professor of Industrial Engineering; title Interim Director, School of Industrial Engineering, deleted; salary changed from annual rate of \$95,822 for 12 months (\$7,985.17 per month) to annual rate of \$65,333 for 9 months (\$7,259.22 per month), August 16, 1998.

Richardson, Robert E., David Ross Boyd Professor of Law; title Associate Dean for External Affairs, College of Law, deleted, May 15, 1998; salary changed from annual rate of \$117,534 for 9 months (\$13,059.33 per month) to annual rate of \$105,781 for 9 months (\$11,753.44 per month), August 16, 1998.

Rosborough, Kathy A., reappointed and title changed from Research Associate to Research Scientist, Energy Center Director's Office and School of Geology and Geophysics, salary remains at annual rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 1998 through June 30, 1999.

Rosenthal, Lucinda S., Assistant Professor of Political Science; given additional title Assistant Director, Carl Albert Congressional Research and Studies Center; salary changed from annual rate of \$38,660 for 9 months (\$4,295.56 per month) to annual rate of \$41,000 for 9 months (\$4,555.56 per month), August 16, 1998 through May 15, 1999.

Schwarzkopf, Albert B., title changed from Associate Professor of Management to Associate Professor of Management Information Systems; title Director, Telecomputing Program, Michael F. Price College of Business, deleted, July 1, 1998; salary changed from annual rate of \$75,353 for 12 months (\$6,279.42 per month) to annual rate of \$54,353 for 9 months (\$6,039.22 per month), August 16, 1998. Changed from 12-month to 9-month faculty. To be off payroll from July 1, 1998 through August 15, 1998.

Smith, Eddie C., Vice President for Research, Norman Campus; Dean, Graduate College; and David Ross Boyd Professor of Chemistry and Biochemistry; salary changed from annual rate of \$130,000 for 12 months (\$10,833.33 per month) to annual rate of \$150,000 for 12 months (\$12,500.00 per month), July 1, 1998. Equity increase.

Stock, Duane, Professor of Finance and Director, Division of Finance; reappointed Director, Center for Financial Studies; salary remains at annual rate of \$105,600 for 12 months (\$8,800.00 per month), July 1, 1998 through June 30, 1999. Extending \$5,000 for Directorship duties associated with the Center for Financial Studies.

Tabb, William M., Professor of Law; given additional title Associate Dean for External Relations, College of Law; salary changed from annual rate of \$77,930 for 9 months (\$8,658.88 per month) to annual rate of \$106,407 for 12 months (\$8,867.25 per month), July 1, 1998. Changed from 9-month to 12-month faculty.

Van Horn, Richard L., Regents' Professor, President Emeritus, Professor of Business Administration, and Clarence E. Page Professor of Aviation/Aerospace Studies; title changed from Interim Director to Director, Division of Management Information Systems; salary changed from annual rate of \$112,100 for 12 months (\$9,341.67 per month) to annual rate of \$124,556 for 12 months (\$10,379.66 per month), July 1, 1998.

Wakefield, William K., Associate Professor of Music, salary changed from annual rate of \$43,744 for 9 months (\$4,860.44 per month) to annual rate of \$53,744 for 9 months (\$5,971.56 per month), August 16, 1998. Retention increase.

Yuan, May, Assistant Professor of Geography, salary changed from annual rate of \$43,656 for 9 months (\$4,850.67 per month) to annual rate of \$48,000 for 9 months (\$5,333.33 per month), July 1, 1998 through May 15, 1999. Counteroffer.

Zimbelman, Mark F., Assistant Professor of Accounting; given additional title Conoco Research Fellow, Michael F. Price College of Business; salary temporarily increased from annual rate of \$73,000 for 9 months (\$8,111.11 per month) to annual rate of \$76,906 for 9 months (\$8,545.11 per month), August 16, 1998 through May 15, 1999.

#### RESIGNATIONS AND/OR TERMINATIONS:

Clifton, Sandra R., Visiting Research Scientist, Department of Chemistry and Biochemistry, June 30, 1998.

Jakubauskas, Mark E., Assistant Professor of Geography, May 15, 1998.

Reeder, Mark, Associate Professor of Mathematics, May 15, 1998.

Schuler, Drue K., Assistant Professor of Marketing, August 15, 1998.

Sheffield, Charlotte A., Assistant Professor of Drama, May 16, 1998.

Witherspoon III, Boykin, Assistant Professor of Architecture, June 2, 1998.

#### RETIREMENTS:

Evans, Ronald D., Kerr-McGee Centennial Professor of Petroleum and Geological Engineering, August 15, 1998; named Professor Emeritus of Petroleum and Geological Engineering.

Thompson, Gary L., Associate Professor of Geography, May 15, 1998; named Professor Emeritus of Geography.

President Boren recommended the Board of Regents approve the academic personnel actions shown above.

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

President Boren reported the following death:

Gettys, Charles F., Professor Emeritus of Psychology, on May 4, 1998.

## **ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS**

### **Health Sciences Center:**

#### **APPOINTMENT OR REAPPOINTMENT:**

Gaston, Fredrick S., Software/Hardware Developer, Center for Telemedicine, Department of Information Technology, annual rate of \$44,000 for 12 months (\$3,666.67 per month), June 1, 1998. Professional Staff.

#### **CHANGES:**

Jia, Mary K., title changed from Interim Radiation Safety Officer to Radiation Safety Officer, Department of Radiation Safety, May 1, 1998. Administrative Staff.

Schumacher, Loretta M., title changed from Administrative Manager to Departmental Business Manager, Department of Medicine, salary changed from annual rate of \$39,000 for 12 months (\$3,250.00 per month) to annual rate of \$44,000 for 12 months (\$3,666.67 per month), May 1, 1998. Managerial Staff.

Stratton, David S., title changed from Contract and Legal Affairs Manager, Department of Grants and Contracts, to Immigration Program Specialist, Department of Personnel Services, April 1, 1998. Professional Staff.

Trim, Dick L., title changed from Interim Assistant Radiation Safety Officer to Assistant Radiation Safety Officer, Department of Radiation Safety, May 1, 1998. Administrative Staff.

#### **RESIGNATIONS AND/OR TERMINATIONS:**

Howard, Christina, Clinical Case Manager, University Physicians Medical Group, May 31, 1998.

McLemore, M. Katherine, Poison Control Specialist I, Department of Pharmacy Practice, May 29, 1998 (with accrued vacation through July 7, 1998).

Mercer, Teresa, Networking Manager, Department of Networking, April 24, 1998 (with accrued vacation through May 22, 1998).

**Norman Campus:****LEAVE OF ABSENCE:**

Pettibone, Gerald E., Associate Director of Athletics, Athletic Department, administrative leave of absence with pay, March 11, 1998 through June 30, 1998.

**APPOINTMENTS OR REAPPOINTMENTS:**

Boyd, George R., Electrical Engineer, Department of Physics and Astronomy, annual rate of \$40,000 for 12 months (\$3,333.33 per month), May 11, 1998 through December 31, 1998. Professional Staff. Paid from grant funds; subject to availability of funds.

Corbly, David A., Assistant Director for Library Systems, University Libraries, annual rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 1998. Administrative Staff.

Forester, William F., Staff Architect, Architectural and Engineering Services, annual rate of \$46,800 for 12 months (\$3,900.00 per month), June 15, 1998. Professional Staff.

Kulasekharan, Sridhar, reappointed Systems Programmer, Oklahoma Climatological Survey, salary remains at annual rate of \$41,826 for 12 months (\$3,485.50 per month), July 1, 1998 through December 31, 1998. Professional Staff. Paid from grant funds; subject to availability of funds.

Penn, David A., reappointed Assistant Director, Center for Economic and Management Research, salary remains at annual rate of \$58,500 for 12 months (\$4,874.99 per month), July 1, 1998 through June 30, 1999. Administrative Staff.

White, James D., reappointed Assistant Director, Advanced Center for Genome Technology, Department of Chemistry and Biochemistry, salary remains at annual rate of \$65,000 for 12 months (\$5,416.66 per month), May 16, 1998 through September 30, 1998. Administrative Staff. Paid from grant funds; subject to availability of funds.

**CHANGES:**

Annis, David, title changed from Assistant Director of Housing and Food Services Administration, to Assistant Director of Housing and Food Service Director, Department of Food Service Administration, salary changed from annual rate of \$60,155 for 12 months (\$5,012.92 per month) to annual rate of \$61,155 for 12 months (\$5,096.25 per month), July 1, 1998. Administrative Staff. Equity adjustment.

Bishop, Catherine, promoted from Associate Vice President for Public Affairs to Vice President for Public Affairs, salary increased from annual rate of \$69,237 for 12 months (\$5,769.75 per month) to annual rate of \$72,699 for 12 months (\$6,058.24 per month), July 1, 1998. Equity and retention increase.

Cervi, Sarah S., promoted from Assistant to the Director, School of Petroleum and Geological Engineering, to Manager, Administration and Operations, Dean's Office, College of Engineering, salary increased from annual rate of \$33,900 for 12 months (\$2,825.00 per month) to annual rate of \$45,000 for 12 months (\$3,750.00 per month), May 1, 1998. Managerial Staff.



Clark, David, promoted from Managing Editor to Associate Editor, World Literature Today, salary increased from annual rate of \$35,080 for 12 months (\$2,923.33 per month) to annual rate of \$47,580 for 12 months (\$3,965.00 per month), July 1, 1998. Changed from Professional Staff to Administrative Staff.

Harroz, Jr., Joseph, General Counsel, Office of Legal Counsel, salary changed from annual rate of \$83,600 for 12 months (\$6,966.67 per month) to annual rate of \$99,975 for 12 months (\$8,331.25 per month), July 1, 1998. Equity and retention increase.

Hathaway, Nicholas S., Vice President for Executive Affairs, salary changed from annual rate of \$63,750 for 12 months (\$5,312.50 per month) to annual rate of \$66,938 for 12 months (\$5,578.13 per month), July 1, 1998. Equity increase.

Hillis, John R., title changed from Athletic Development Officer, Athletic Department, to Development Officer, Office of University Development, July 1, 1998. Administrative Staff.

Jorgenson, Cheryl K., promoted from Manager, Systems Analysis, University Computing Services, to Director of Institutional Research, Office of Institutional Research, salary increased from annual rate of \$56,852 for 12 months (\$4,737.67 per month) to annual rate of \$68,000 for 12 months (\$5,666.66 per month), June 1, 1998. Changed from Managerial Staff to Administrative Officer.

Knotts, Charles T., Project Coordinator, Architectural and Engineering Services, salary changed from annual rate of \$38,480 for 12 months (\$3,206.66 per month) to annual rate of \$42,000 for 12 months (\$3,500.00 per month), July 1, 1998. Equity increase.

Kuwitzky, Chris, title Director, Financial Support Services, deleted, June 30, 1998; promoted from Assistant Controller to Controller, Norman Campus, salary increased from annual rate of \$63,751 for 12 months (\$5,312.57 per month) to annual rate of \$83,000 for 12 months (\$6,916.67 per month), July 1, 1998. Administrative Officer.

Messer, James C., promoted from Power Plant Operations Engineer to Assistant Manager, Power Plant, Physical Plant, salary increased from annual rate of \$39,520 for 12 months (\$19.00 per hour) to annual rate of \$45,000 for 12 months (\$3,750.00 per month), May 1, 1998. Changed from Hourly to Managerial Staff.

Millington, Lisa, promoted from Staff Attorney/Legal Counsel to Legal Counsel/Agency Risk Management Coordinator, Office of Legal Counsel, salary increased from annual rate of \$45,000 for 12 months (\$3,750.00 per month) to annual rate of \$53,000 for 12 months (\$4,416.67 per month), July 1, 1998. Professional Staff.

Riggan, Jr., William C., reappointed Interim Director, World Literature Today, July 1, 1998 through December 31, 1998; promoted from Executive Associate Editor to Editor, World Literature Today; salary increased from annual rate of \$62,239 for 12 months (\$5,186.52 per month) to annual rate of \$68,503 for 12 months (\$5,708.58 per month), July 1, 1998. Administrative Staff.

Sampson, Kelvin D., Head Men's Basketball Coach, Athletic Department, contract of employment. (See motion on page 25963.)

Smith, Theresa Y., Director, Center for Institutional Data Exchange and Analysis, College of Continuing Education; titles Assistant Provost and Director of Institutional Research, deleted, August 1, 1998. Administrative Officer.

Stroud, Clarke, Assistant Director, University Housing and Food Service, and OMU Administrator, salary changed from annual rate of \$53,055 for 12 months (\$4,421.25 per month) to annual rate of \$55,177 for 12 months (\$4,598.10 per month), July 1, 1998. Equity increase.

Tucker, Gail E., title changed from Compensation Coordinator to Coordinator, Training and Development, Personnel Services, May 1, 1998. Administrative Staff.

Turkington, Terri B., promoted from Assistant Director, Financial Support Services, Reports and Statistics, to Director, Financial Support Services, salary increased from annual rate of \$56,272 for 12 months (\$4,689.32 per month) to annual rate of \$62,500 for 12 months (\$5,208.33 per month), July 1, 1998. Changed from Administrative Staff to Administrative Officer.

#### RESIGNATIONS AND/OR TERMINATIONS:

Dejoie, Jr., Roy M., Director, J. C. Penney Leadership Center, July 3, 1998.

Moore, Sharon A., Nurse Practitioner, Goddard Health Center, May 8, 1998.

Tanner, Anita L., Physician's Assistant I, Goddard Health Center, May 15, 1998.

Wilson, Keith O., Staff Physician, Goddard Health Center, June 30, 1998.

#### RETIREMENTS:

Curry, Mazie J., Manager, Systems Analysis, University Computing Services, June 30, 1998.

Stone II, Earl N., Assistant Director of Public Safety, Department of Public Safety, June 13, 1998.

President Boren recommended the Board of Regents approve the administrative and professional personnel actions shown above.

President Boren commented on several staff promotions included on the agenda today and congratulated these employees on their outstanding service to the University. He also commented on Head Men's Basketball Coach Kelvin Sampson and the respect held for him by colleagues and others throughout the country. He is devoted to his student athletes and is an outstanding role model for students. President Boren said discussions have taken place with Coach Sampson to negotiate and finalize a contract which would reflect what is current in the marketplace - one or two fine points still have to be worked out.

Regent Halverstadt moved approval of the President's recommendation on personnel and with respect to Coach Sampson, that the Board authorize the President to negotiate and execute an eight year employment contract with head coach Kelvin Sampson for the position of Head Men's Basketball Coach at The University of Oklahoma with a State-based salary of \$150,000 per year, with benefits and a performance-based personal services agreement allowing for a potential total compensation package of approximately \$700,000.

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

President Boren read the following letter from Coach Sampson:

"Dear President Boren: During the four years we have been associated with The University of Oklahoma, Karen and I have been tremendously impressed with the support we have received from the people of Oklahoma and in particular from the University community. Your effort to generate a sense of community family among faculty, staff and students has created a unique campus environment and we have been delighted to be a part of that. With this in mind, Karen and I, along with our children, Lauren and Kellen, have decided to make a gift of \$100,000 to The University of Oklahoma to be divided equally between the University Library and the Athletic Academic Center. By designating our gift in this way, we are proud to be supporting all University of Oklahoma students and stressing the importance of academic achievement for our student athletes. OU's faculty and staff are well known for their generosity to this institution. Almost 1,000 of us, and it was a record this year, give each year to the Campus Campaign for the University. I am proud to join with them and hope that my gift may encourage others to join in support of The University of Oklahoma and its outstanding students."

#### **DIRECTOR OF INTERNAL AUDITING**

The Regents' Audit Committee (Regents Siegfried, Halverstadt and Blankenship), along with Vice President Nicholas Hathaway and Mark Zimbelman, Assistant Professor of Accounting, have reviewed applications for the position of Director of Internal Auditing and have interviewed six candidates. The position listing attracted a substantial pool of highly qualified candidates and the interview committee's task to select from this distinguished group was a difficult one.

The Audit Committee thanks Vice President Hathaway and Professor Zimbelman for their assistance in this search and they thank Ms. Angela Hockett for her service as Interim Director of Internal Auditing.

Regent Bentley said the Regents' Audit Committee, as well as Presidents David Boren and Don Davis, have recommended the Board of Regents approve the appointment of Kenneth D. Rowe as Director of Internal Auditing at an annual salary of \$78,500 for 12 months, with starting date and benefits to be determined by President Boren.

Regent Lewis requested the recommendation be amended to include waiving the Nepotism Policy in this case. Mr. Rowe has a cousin employed at the Health Sciences Center.

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


June 10, 1998

25965

## LITIGATION

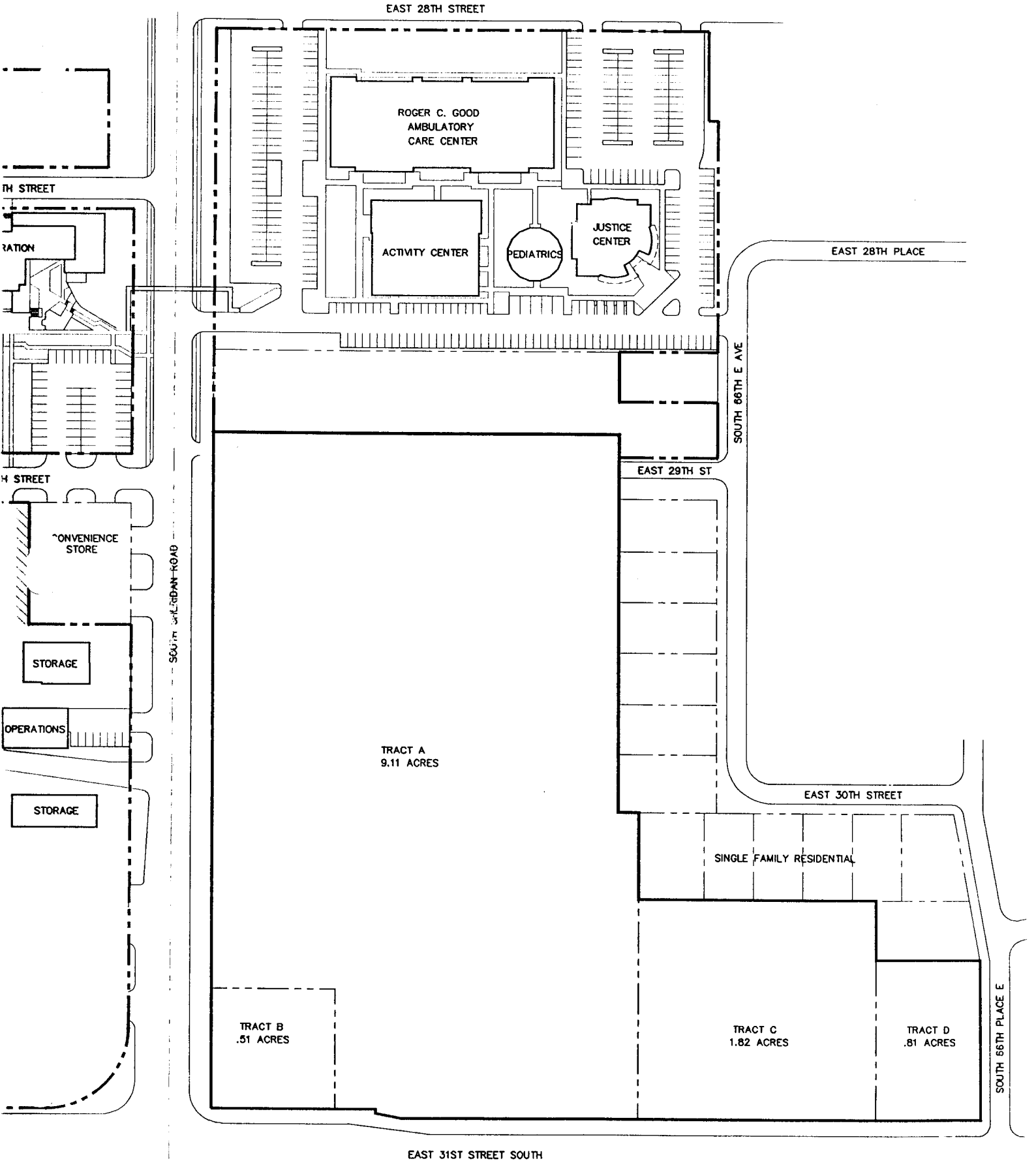
This item was included in the agenda for the purpose of meeting with General Counsel for a report on pending and possible litigation in executive session. There was no report in open meeting.

There being no further business, the meeting adjourned at 12:05 p.m.

  
Chris A. Purcell  
Executive Secretary of the Board of Regents

**SUBSTANTIVE PROGRAM CHANGES**

<u>PROGRAM</u>	<u>PROPOSED CHANGE</u>	<u>COMMENTS</u>
Bachelor of Science Degree, Major in Health and Physical Education (370)	(1) Delete Physical Education and Recreation. (2) Add Sport/Fitness Management Option.	The implementation of a Sport/Fitness Management concentration meets the need for students to prepare for variety of career options in fitness and sport related areas including industrial and corporate fitness, wellness programming, personal training, YMCA and recreational programming, specific sport management, geriatric programming, and other opportunities.



**University of Oklahoma  
Summary of Bids**

**General Obligation Bonds of 1998  
Selling: June 10, 1998**

Bidder	Gross Interest Cost	Premium	Net Interest Cost	Average Rate of Interest
Banc One Capital Markets	\$ 6,275,936.25	\$ 22.26	\$ 6,275,913.99	6.672170%
A.G. Edwards & Sons, Inc	\$ 6,296,528.60	\$ -	\$ 6,296,528.60	6.694087%
James Baker & Assoc	\$ 6,324,015.40	\$ -	\$ 6,324,015.40	6.723309%
Morgan Keegan & Co., Inc.	\$ 6,344,710.94	\$ -	\$ 6,344,710.94	6.745311%
First Union Capital Markets	\$ 6,514,683.59	\$ -	\$ 6,514,683.59	6.926016%

## EVALUATION PROCESS - WORKERS' COMPENSATION

Eight firms responded to the Request for Proposal to provide third party Workers' Compensation Administrative Services and Aggregate Retention/Specific Excess Insurance Coverage for both the Norman and Health Sciences Center campuses. The following four of the proposals were eliminated because they did not include bids for Aggregate Retention/Specific Excess Insurance Coverage:

Blue Works Workers' Compensation Program  
Oklahoma City

Berkley Administrators  
Tulsa

GAB Robins  
Oklahoma City

Willis Corroon Administrative Services  
Oklahoma City

References were checked on the four companies that presented complete proposals. All four received good references. The following two companies were eliminated because they proposed an excess insurance carrier with a rating from the A. M. Best Company which was lower than an "A Excellent" or better rating as stated in the Request for Proposal:

Barron Risk Management Services, Inc. w/Midwest Employers Casualty Co.  
Oklahoma City

Claim Indemnity Services, Inc. w/Midwest Employers Casualty Co.  
Oklahoma City

Two companies proposed an excess insurance carrier with a rating from the A. M. Best Company which was "A Excellent" or better as stated in the Request for Proposal:

United Safety & Claims, Inc. w/Bryce Insurance Agency  
Tulsa

Consolidated Benefits Resources w/The Beckman Company  
Muskogee, Oklahoma

Consolidated Benefits Resources w/The Beckman Company currently provides these services to the University. Their current proposal is approximately \$15,000 a year less than our contract with them for the last three years. Their bid was about \$2,000 per year lower than that of United Safety. These better rates do not include the considerable administrative and employee time costs associated with changing companies.

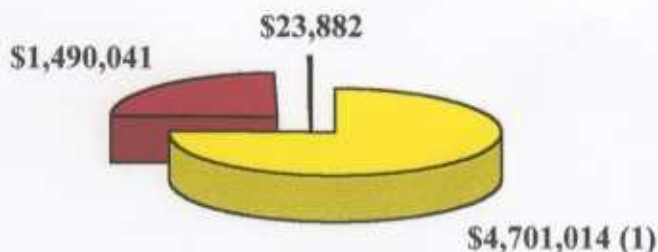


**Regents' Fund  
Highlights of March 31, 1998  
Financial Statements**

**I. Market Value**

The total net market value of the Regents' Fund at March 31, 1998 was \$35,347,835. During the nine months ended March 31, 1998, recognized revenues of \$6,214,937 exceeded expenditures of \$1,075,963 resulting in a net increase to market value of \$5,138,974. This increase is attributable primarily to unrealized appreciation on investments and cash gifts.

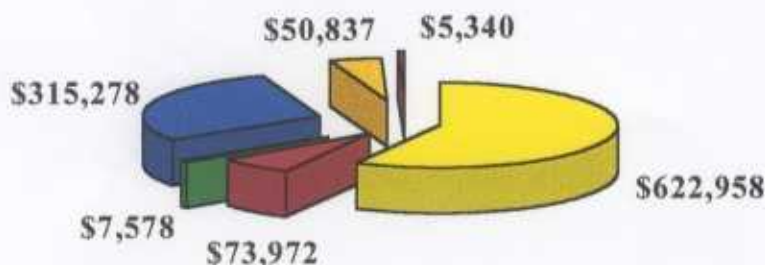
**FY98 Revenues**



■ Investment Earnings (75.6%) ■ Cash Gifts (24.0%) ■ Other Income (0.4%)

- (1) Effective July 1, 1997, the University adopted the provisions of Governmental Accounting Standards Board (GASB) Statement No. 31. GASB No. 31 requires that investments be reported at fair value and that any change in unrealized appreciation (depreciation) be reported as investment earnings. Investment Earnings includes unrealized appreciation of \$3,817,895.

**FY98 Expenditures**



■ Departmental Support (57.9%) ■ Investment Fees (6.9%)  
 ■ Loan Administrative/Collection Costs (0.7%) ■ Scholarships (29.3%)  
 ■ Operating Expenses (4.7%) ■ Loan Write-Off/Cancellation (0.5%)

## II. Cash Gifts and Contributions

The following cash gifts and contributions were received during the nine months ended March 31, 1998.

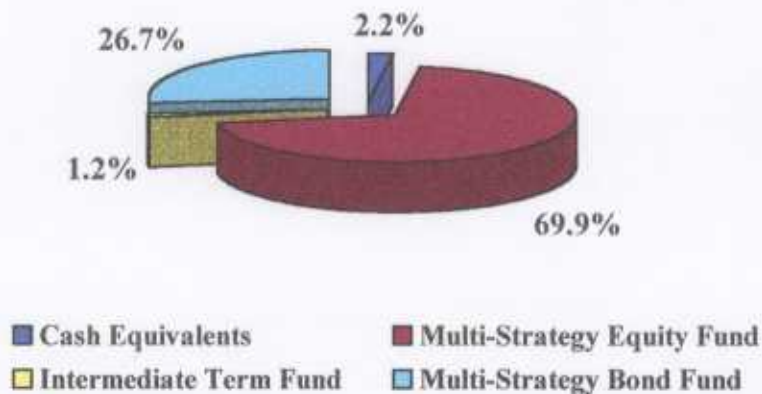
• A gift from the Dr. Laurence L. Jones Trust for benefit of the Dr. Laurence L. Jones Scholarship Fund	\$	1,451,095
• An anonymous gift for the benefit of the Women's Studies Library Fund		17,846
• A gift from BASF Corporation for the benefit of the CEMS General Support Fund		5,000
• A gift from the Hispanic American Student Association for the Benefit of the OU General Scholarship Fund		4,500
• A gift from Santa Fe Energy Resources, Inc. to establish the John C. Major Memorial Scholarship Fund		2,000
• A gift from ARCO for the benefit of the CEMS General Support Fund		2,000
• A gift from the Big 8 Conference for the benefit of the OU General Scholarship Fund		2,000
• A gift from Ultramar Diamond Shamrock Corporation for the Benefit of the College of Engineering Support Fund		2,000
• A gift from the Pacific West Cancer Fund for benefit of the OU General Scholarship Fund		1,500
• A gift from Chevrolet for the benefit of the Sylvia Lewis Scholarship Fund		1,000
• A gift from Sunoco for the benefit of the CEMS Scholarship Fund		1,000
• A gift from Charles McCauley for benefit of the CEMS General Support Fund		50

• A gift from Wirthlin Worldwide for the benefit of the OU General Scholarship Fund	\$ 50
	\$ 1,490,041

### III. Consolidated Investment Fund (CIF)

- **Asset Allocation**

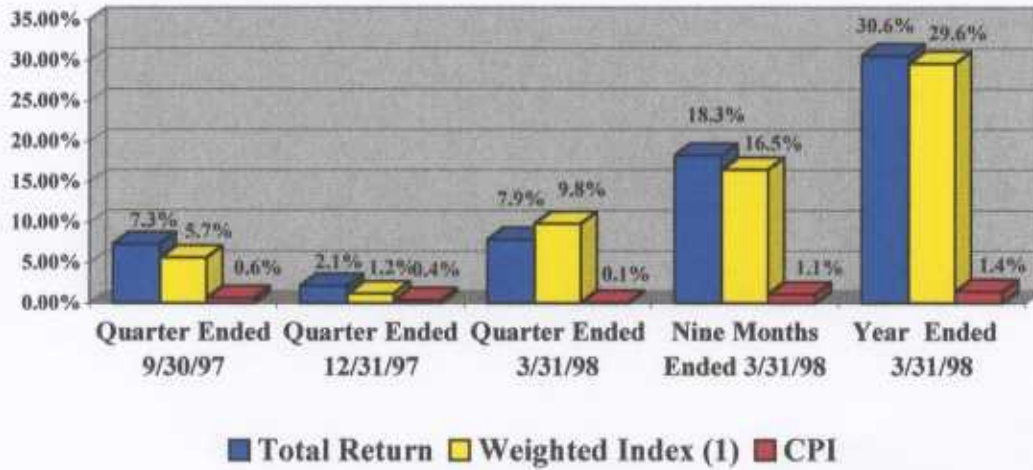
Cash and investments held by the CIF at March 31, 1998, had a market value of \$29,014,777, up \$6,873,896 (31.1%) and up \$9,029,865 (45.2%) from June 30, 1997 and March 31, 1997, respectively. The asset allocation of the CIF as of March 31, 1998 is fully summarized below.



- **CIF Performance**

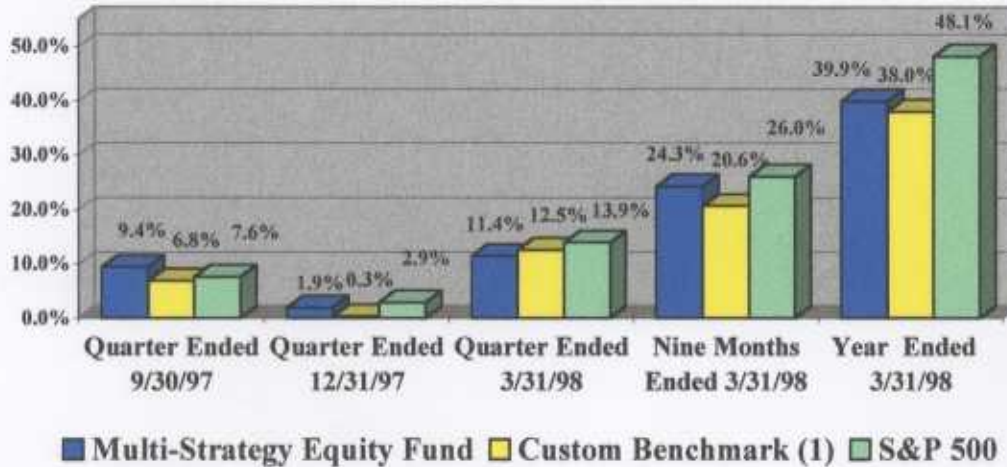
- The absolute objective of the CIF is to seek an average total annual real return of 5.0% or CPI and other costs plus 5%. The relative objective of the CIF is to seek competitive investment performance versus appropriate or relative capital market measures, such as securities indices. These objectives shall be measured primarily by comparing investment results, over a moving annualized one, three, five, seven, and ten year time periods.
- **Short Term Performance (12 Month)**  
As illustrated in the graphs below, the total return on the CIF for the year ended March 31, 1998 is 30.6%, exceeding the weighted index of 29.6% by 100 basis points. The equity fund return (39.9%) exceeded the custom benchmark (38.0%) by 190 basis points. The bond fund return (13.6%) exceeded the Lehman Aggregate Bond Index (12.1%) by 150 basis points.

## Total CIF



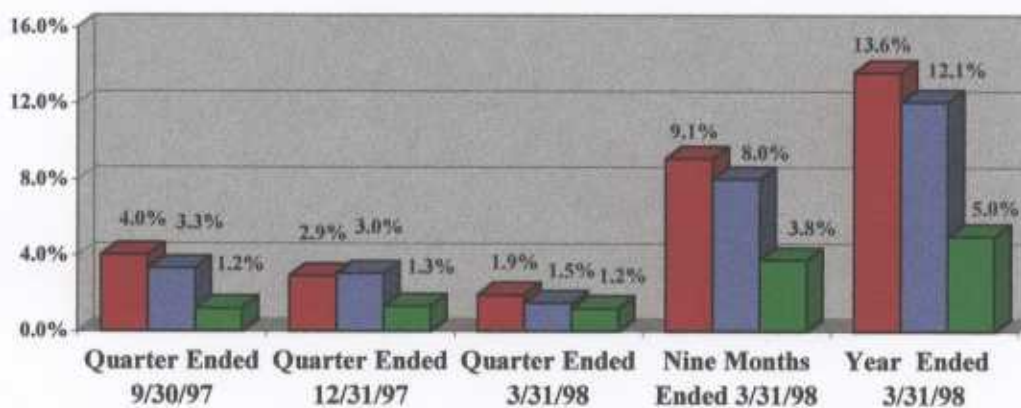
- (1) The weighted index is a composite of equity indices represented by The Common Fund Custom Benchmark, the Lehman Aggregate Bond Index, and the 91 day Treasury Bill.

## CIF Equity Funds



- (1) The Custom Benchmark is an index computed by The Common Fund that consists of various equity indices. The benchmark is a more appropriate measure for performance reflecting the fund's diversification and asset allocation structure. The Custom Benchmark is based upon: 1) 22% Russell 3000 Index, 2) 17% Russell 1000 Growth Index, 3) 17% Lipper Equity Income Fund Index, 4) 18% MSCI World/MSCI ex-U.S. Index, 5) 11% S&P 500 Index, and 6) 15% Van U.S. Fund of Funds Index.

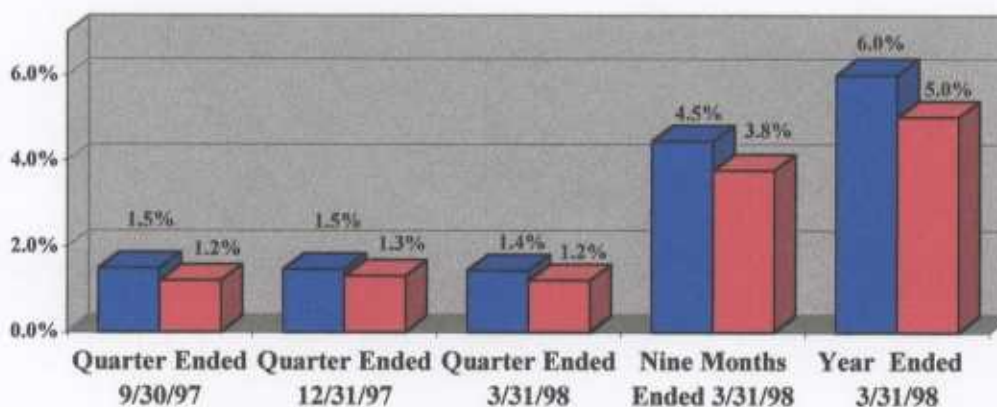
### CIF Bond Funds



■ Multi-Strategy Bond Fund ■ Lehman Aggregate Bond Index ■ 91 Day Treasury

#### IV. Short Term Investment Fund (STIF) Performance

- The market value of STIF at March 31, 1998 is \$4,436,728.
- As indicated below, the total return on the STIF for the year ended March 31, 1998 is 6.0%, exceeding the 91-Day Treasury bill rate of 5.0% by 100 basis points.



■ Total Return ■ 91 Day Treasury