

1973

# Board of Regents Meeting Materials, January 17, 1973

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BOARD OF REGENTS  
EASTERN MICHIGAN UNIVERSITY

Official Minutes of the Meeting January 17, 1973  
Regents' Room, McKenny Hall

Members present:

Virginia R. Allan, Veda S. Anderson, Charles L. Anspach,  
Edward J. McCormick, Richard N. Robb

Members absent:

George E. Stripp

The appointments of Lawrence R. Husse and Mildred Beatty Smith expired on December 31, 1972. At this date Governor Milliken has not acted.

The meeting was called to order at 11:10 a.m.

.1177 M - BOARD OF REGENTS OFFICERS

Regent Anspach moved and Regent Allan seconded that the Board of Regents officers remain the same for the year 1973: Edward J. McCormick, Chairman; George E. Stripp, Vice Chairman; Lewis E. Profit, Treasurer; Gary D. Hawks, Secretary. Carried.

The minutes of the November 22, 1972, meeting of the Board of Regents were approved as presented. Carried.

The Treasurer's Report was read. Regent Robb moved and Regent Allan seconded that the report be accepted as read. Carried.

Regent Robb moved and Regent Anspach seconded that the Internal Audit Reports dated December 1, 1972, and January 3, 1973, be received and placed on file. Carried.

.1178 M - ERNST & ERNST MANAGEMENT LETTER

Regent Robb moved and Regent Allan seconded that in accordance with the action taken by the Board of Regents on November 17, 1972, it is recommended

that the responses to the Ernst & Ernst Management Letter of November 1, 1972, be received and accepted. Carried.

. 1179 M - AUDIT REPORT

Regent Robb moved and Regent Anspach seconded that the Board of Regents receive the Legislative Audit Report for the period of July 1, 1969, through June 30, 1971, and the response to the Audit Report as submitted herewith by the Treasurer. It is further recommended that the Regents refer the Auditor's comments and recommendations, together with the proposed responses, to the appropriate committee as proposed for review and appropriate action. Carried.

. 1180 M - RECOVERIES

Regent Robb moved and Regent Allan seconded that the Report of Recoveries for the month of November be received and placed on file. It is further recommended that the Transfer of Delinquent Accounts and Recoveries for December be approved. Carried.

. 1181 M - HISTORY DEPARTMENT HEAD NAMED

Regent Anderson moved and Regent Anspach seconded that Dr. Ira M. Wheatley be appointed Professor and Head of the Department of History and Social Sciences effective July 1, 1973. Carried.

It was suggested by the Educational Policies Committee that the Department of History and Social Sciences be changed to Department of History and Philosophy.

. 1182 M - SABBATICAL LEAVES

Regent Anderson moved and Regent Anspach seconded that the following sabbatical leaves of absence be approved, subject to enrollment and availability of funds: O. Bertrand Ramsay, Associate Professor, Chemistry Department, academic year 1973-74; Najati Ghosheh, Associate Professor, Biology Department, fall 1973; Leonas Sabaliunas, Associate Professor, Political Science Department, winter 1974; Eva Meyer, Assistant Professor, Special Education Department, winter 1974; Peggy Steig, Professor, Physical Education Department, winter 1974; David Palmer, Associate Professor, Special Education Department, winter 1974; Robert Mills, Assistant Professor, Mathematics Department, academic year 1973-74; Milton Foster, Professor and Head, English Language and Literature Department, fall 1973; E. Jay Jernigan, Associate Professor, English Language and Literature Department, winter 1974; Richard Oltmanns, Assistant Professor, Educational Resources Center, academic year 1973-74; Angelo Angelocci, Professor, Special Education Department, winter 1974; S. Joseph Fauman, Professor, Sociology Department, academic year 1973-74;

Richard Abbott, Associate Professor, History Department, winter 1974; Zakhour Youssef, Associate Professor, Psychology Department, academic year 1973-74; Jane Dart, Associate Professor, Art Department, academic year 1973-74; Martin Kornbluth, Professor, English Department, winter 1974; Ivan Schreiber, Professor, English Department, fall 1973; Thomas Gwaltney, Associate Professor, Education Department, fall 1973; Young-iob Chung, Professor and Head, Economics Department, fall 1973; Gilbert Cross, Assistant Professor, English Department, winter 1974; Marvin Howe, Associate Professor Music Department, fall 1973; Wilbur Williams, Professor and Head, Educational Psychology Department, fall 1973; Alethea Helbig, Assistant Professor, English Department, fall 1973; Susanne Stephen, Associate Professor, Art Department, academic year 1973-74. Carried.

. 1183 M - JOURNALISM MINOR

Regent Anderson moved and Regent Allan seconded that a Minor in Journalism be approved. Carried.

. 1184 M - APPOINTMENTS, RESIGNATIONS, CHANGES OF STATUS AND LEAVES OF ABSENCE

Regent Anderson moved and Regent Allan seconded that the appointments, resignations, changes of status and leaves of absence be approved as presented. Carried.

. 1185 M - GIFTS

Regent Robb moved and Regent Allan seconded that the list of gifts for November and December 1972 be officially received with appreciation. Carried.

. 1186 M - ERNST & ERNST REAPPOINTED

Regent Robb moved and Regent Allan seconded that the certified public accounting firm of Ernst & Ernst be appointed as auditors for the Board of Regents to audit activities of the University for the fiscal year ending June 30, 1973. Carried.

. 1187 M - TUITION REFUND POLICY

Regent Robb moved and Regent Anspach seconded that the policy on refund of tuition fees for students in off-campus classes be approved as follows, effective July 1, 1973:

1. A 100% credit if the request is postmarked prior to the date of the second class meeting.
2. A 60% credit if the request is postmarked prior to the date of the third class meeting.

3. No credit after the third class meeting.

---Carried.

. 1188 M - EMPLOYEES UNDER INDICTMENT - EMPLOYMENT STATUS  
Regent Robb moved and Regent Allan seconded that the Board of Regents approve the following policy statement on employment status of employees under indictment for criminal offenses:

#### SUSPENSION OF EMPLOYEE

An employee of the University who has been charged with and warrant issued that he committed a criminal offense or offenses of such serious nature that in the judgment of the President or his official designee his continued employment and presence on campus would not be consistent with the best interests of the University may be suspended by the President or his official designee pending the final disposition of the criminal charge.

If the period of suspension shall be without pay, the employee shall be entitled to a prompt hearing before a Board appointed by the President, and the employee shall be so advised of the right to request such hearing.

On final disposition of the criminal charge or charges, if in the judgment of the President acting for and on behalf of the Board of Regents, the continued employment and presence on campus of the employee would not be consistent with the best interests of the University and that his employment should be terminated, the employee shall be advised of the termination of his employment.

The President shall submit such action to the Board of Regents for confirmation and advise the employee of his right to request a hearing.

This policy is effective and applicable to all employees except for those employees for which employment conditions are negotiated under the provisions of a collective bargaining agreement.

---Carried.

#### . 1189 M - JUDICIAL STRUCTURE AND PROCEDURE

Regent Robb moved and Regent Anspach seconded that amendments to the University Judicial Structure and Procedure be approved and included in the Policy Manual as follows:

#### CHAPTER 13 - SECTION 9 E (5) PAGE 7

The authority to suspend or dismiss a student from the University for conduct in violation of University rules and regulations is vested in the

President as the chief executive officer of the University or his designated representative.

All disciplinary penalties recommended through the University Judicial and Review System which would result in suspension or dismissal of a student from the University shall be reviewed by the President or his designated representative.

The President or his designated representative may --

1. Accept the recommendation and impose the recommended penalty, or
2. Modify the recommendation and impose such other penalty as may be deemed appropriate, or
3. Reject and return the recommendation for further study and findings.

#### CHAPTER 13 - JUDICIAL STRUCTURE & PROCEDURE - PAGE 10A

##### INTERIM SUSPENSION

The President, as the chief executive officer of the University, is directly responsible to the Board of Regents for the enforcement of the University Policies, Rules and Regulations and is charged with the maintenance of that degree of order and safety necessary to the successful continuation of the University's lawful mission and he is further charged with the authority to protect the members of the University community and University property.

The President or his designated representative is authorized to suspend a student prior to a hearing and procedure through the University Judicial Process when the misconduct of the student threatens or endangers the health or safety of any member of the University community, endangers University property and that such student's continued presence on campus creates a clear and present danger to the safety of students, faculty, administrators and University property or which constitutes an interference with the maintenance of the University's educational processes and missions. Written notice of the interim suspension, which shall contain a statement of reasons for such suspension, shall be served on the student.

The suspended student may appeal the suspension and if the student so elects, the appeal shall be made in writing to the University Judicial Board through the President or his designated representative within two (2) working days from the student's receipt of notification of the interim suspension period.

If no appeal is made in writing by the student, the term of suspension shall be effective for the period of time as designated.

In the event the interim suspension shall be appealed as herein provided, the suspended student shall then be entitled to a hearing before the University Judicial Board which shall convene and hold said hearing and make a recommendation to the President or his designated representative within seven (7) working days from the date of the appeal.

The suspended student shall be entitled to the same procedural rights as provided in Chapter 13 of the University Judicial Structure and Procedure.

In the event the University Judicial Board shall fail or neglect to promptly convene to hear said interim suspension, the President or his designated representative shall be authorized to appoint a hearing officer not otherwise employed by the University, who shall conduct such hearing and perform the functions otherwise specified for the University Judicial Board and the hearing officer shall submit his findings and recommendations to the President or his designated representative in the same manner and within the time as provided herein.

---Carried.

#### . 1190 M - EDUCATIONAL GRANTS

Regent Robb moved and Regent Anderson seconded that the Board of Regents approve the following educational grants:

1. Vocational Teacher Education Grants from the Department of Education, State of Michigan, in the amount of \$22,187, with Ray LaBounty as Project Coordinator.
2. Distributive Education Clubs of America grant from the Department of Education, State of Michigan, in the amount of \$25,375, with Louis Graziano as the Project Director.
3. Consortium on Gerontology and Humanities from the National Endowment for the Humanities, in the amount of \$84,991, with Walter G. Moss as the Project Director.
4. Consumer Education Resource Center grant from the Department of Education, State of Michigan, in the amount of \$45,684, with Earl Studt as the Project Coordinator.
5. Institutional Grant for Science from the National Science Foundation, in the amount of \$5,928. This increases total project to \$36,363. The institutional representative is Dean Drummond.

It is further recommended that the report on Grant Analysis by the President be received and placed on file. Carried. -



Regent Allan reported that she had met with the International Committee of the American Association of State Colleges and Universities and that the meeting proved very successful.

President Sponberg announced that the History, Political Science and Military Science Departments are sponsoring the "Tri-Department Guest Speaker Program" with well-known speakers being invited to our campus once a month.

Chairman McCormick expressed serious concern about our Athletic Department. He indicated his concern has existed for some time, but decided to speak out and criticize the department as a result of the most recent bad publicity given this University by the actions of a few members of the Indoor Track Team. He further stated that any department of the University should be justified in what it does and should enhance the quality and image of the University. He made the observations that it was his opinion that the Athletic Department has been failing to perform in a manner which justifies its existence, noting the three incidents in the last year which have brought embarrassment to the University.

Chairman McCormick further expressed concern that he had learned of the incident by what he had read in the newspapers or seen and heard on television. He had heard nothing from the President or the Secretary.

Chairman McCormick noted that at no time was he referring to the four students who were involved in the incident, but rather he was concerned with the position of the University. He noted that the continuance of this sort of thing should cause us to review the program and decide if we should continue on as we have been going. If this sort of thing continues, there is something wrong with the program or the people are not doing their jobs.

The Chairman further noted that he was speaking only for himself--that he had not sought and did not seek the support of the other Board members and that he could only do personally what he thinks is right--that he had been up to this point a strong supporter of Eastern's athletic program, but that his expressions of concern in the past seem to have been largely ignored.

The Chairman stated that his complaint had to be directed to the President of the University as the chief administrative officer and that if steps were not taken to correct the situation he had no alternative but to review carefully the moneys being spent on this program as this was the only area where he could directly take effective action.

The President responded by noting the seriousness of this incident. He further noted some conflicting observations as to what really took place at the Knights of Columbus Indoor Track Meet. He said the matter is not closed and once the facts are determined, appropriate steps will be taken.

The following report concerning the official action by NCAA was received and placed on file:

On August 17, 1972, the National Collegiate Athletic Association, at an official meeting in Boston, Massachusetts, passed a resolution reprimanding and censuring Eastern Michigan University, placing the institution on probation for one year and prohibiting championship and post-season competition in NCAA events during said probation in the sport of wrestling, track, baseball and basketball. The text of this resolution follows:

"NOW, THEREFORE, BE IT RESOLVED, that the Council reprimand and censure Eastern Michigan University and place the University on probation for a period of one year from this date (August 17, 1972), it being understood that prior to the expiration of this probationary period the NCAA Committee on Infractions shall review the athletic policies and practices of the institution;

"BE IT FURTHER RESOLVED, that during the period of this probation the University's intercollegiate wrestling, track, baseball, and basketball teams shall end their seasons with the last regularly scheduled, in-season contest or event and not be eligible to enter teams or athletes in National Collegiate championship competition and all post-season meets and tournaments;

"BE IT FINALLY RESOLVED, that record be made of the excellent assistance and cooperation extended to the NCAA and its Committee on Infractions by the executive and athletic administration of Eastern Michigan University and the commissioner of the Mid-American Conference."

The University became aware of the alleged charges when, on June 14, the NCAA Committee on Infractions wrote to the President indicating that certain alleged infractions had been reported to the committee. (The source of same complaints were not disclosed.) The President was requested to investigate the charges and to submit responses to the Committee on Infractions for its meeting in Kansas City on July 23-25, 1972. With the assistance of University officers, the Athletic Commissioner of the Mid-American Conference, a complete investigation was conducted and full disclosure made. Responses to the allegations were prepared and were presented personally to the committee. The Athletic Director, the Faculty Representative, and the President attended the meeting.

On August 2, 1972, the NCAA Committee on Infractions transmitted a copy of its report to the NCAA Council for its regular meeting on August 17, 1972. After considering the report from the Committee on Infractions and the personal testimony of our Athletic Director, F. L. Ferzacca, the Council found the University to be in violation of the NCAA rules as follows:

1. Violation of principles governing financial aid and the administration of financial aid to athletes.

2. Violation of principles of ethical conduct.
3. Violation of the rules of governing athletic eligibility as determined by test scores derived from non-national test data administration.
4. Violations of the provisions governing recruiting.

The University's administration, taking note of the infractions, have taken certain actions to insure, as nearly as possible, no recurrence of the infractions. The following actions have taken place:

1. The confirmation of predictive index of 1.6, as determined by test scores, will continue under the direction of the Records Office, who will use source documents for validation of national testing dates and locations.
2. The coaching personnel who have violated the rules governing financial aid have left their coaching positions.
3. The conduct of certain players in the NCAA National Basketball Tournament at Evansville, Indiana, received disciplinary action by the University.
4. Improper recruiting by University "agents" will continue to be discouraged.

The next meeting of the Board will be held on February 21, 1973.

The meeting was adjourned at 1:00 p.m.

Respectfully submitted.