

MINUTES

The Board of Trustees

Temple University - Of The Commonwealth System of Higher Education

Tuesday, May 12, 1992

3:00 P.M., Feinstone Lounge, Sullivan Hall
Park and Berks Malls

Attendance:

Voting Members - Richard J. Fox, Chairman; Harry P. Begier, Jr.,
Francis J. Catania, Nicholas A. Cipriani,
Patricia J. Clifford, John J. Contoudis, Theodore Z. Davis,
Louis J. Esposito, Louis F. Gould, Jr., Clifford Scott Green,
Eleanor S. Hofkin, Lacy H. Hunt, Peter J. Liacouras,
Joseph H. Marshall, III, R. Anderson Pew, Milton L. Rock,
Anthony J. Scirica, Isadore A. Shrager,
Francis R. Strawbridge, Clare L. Wofford

being a quorum of the Board of Trustees;

Ex-Officio Participants - Leonard Mellman (Alumni);
Carolyn T. Adams (Faculty)

Honorary Life Trustee - Marvin Wachman

Invited Guests - Faculty - William H. Duncan (outgoing Ex Officio
Participant from Alumni); Darren Raiguel (outgoing Ex Officio
Participant from Student Body)

Invited Observers - Faculty - Joseph F. Loewenberg,
Thomas A. Marino, Bonnie L. Parkhouse, Kenneth Cundy (repre-
senting A. John Fiorino)

Students - Colleen Andrews, Ruthie Eichmiller,
Patrick Gibbons, Christine Maciera

Administration and Staff - Jack E. Freeman, Steven R. Derby,
Leon S. Malmud, Laurent J. Remillard, Julia A. Ericksen,
Arthur C. Papacostas, Valaida S. Walker, A. Kent Rayburn,
William G. Sites, Jesse Milan, C. Robert Harrington,
Timothy O'Rourke, Richard A. Chant, Marvin Gerstein,
Beverly L. Breese, William C. Seyler

General Counsel - Peter Mattoon

University Counsel - George E. Moore

Voting Members Absent - Bill Cosby, Paul A. Dandridge,
Peter D. DePaul, Robert C. Donatucci, Howard Gittis,
D. Donald Jamieson, Irving K. Kessler, Henry H. Nichols,
Brian J. O'Neill, William W. Rieger, Edward H. Rosen,
Anthony H. Williams, James A. Williams

Mrs. Clifford opened the Board meeting with a prayer.

Mr. Fox introduced and welcomed Leonard Mellman, who replaces Dr. William H. Duncan as the Alumni's Ex Officio Participant. He also noted that Fabio J. Polanco will be replacing Darren S. Raiguel as the Student Body's Ex Officio Participant. Finally, as of July 1, 1992, Professor Mark Haller will be replacing Professor Carolyn T. Adams as the Faculty's Ex Officio Participant.

Mr. Fox then welcomed and introduced the invited guests from the faculty and from the Student Body.

ACTIONS OF THE BOARD OF TRUSTEES

1. Resolutions of Appreciation to William H. Duncan, M.D., Professor Carolyn T. Adams, and Darren S. Raiguel--Ex Officio Participants on the Board of Trustees for 1991-92

As a Special Order of Business, Mr. Fox expressed appreciation to Carolyn Adams, Bill Duncan, and Darren Raiguel for their service this past year as Ex Officio Participants on the Board of Trustees.

On motion duly made, seconded, and unanimously approved, the Board of Trustees voted to adopt Resolutions of Appreciation to William H. Duncan, Carolyn T. Adams, and Darren S. Raiguel, the Resolutions being attached as SUPPLEMENTS I, II, and III. (Copies of these Resolutions were presented to the recipients at the time of the meeting.)

2. Approval of Minutes - Regular Meeting of March 10, 1992; and Special Meeting of April 23, 1992

On motion duly made and seconded, the Board of Trustees voted to approve the Minutes of the Regular Meeting of March 10, 1992; and the Minutes of the Special Meeting of April 23, 1992.

3. President's Report

- A. Flexibility Regarding Special Meeting of Board on July 7, or Meeting of Executive and Business & Finance Committees on June 25

President Liacouras noted that Item 7 of today's Board Agenda calls for a Special Meeting of the full Board on July 7, 1992 to act with respect to the Tentative University Budget for 1992-93 and related matters. He recommends that this action be taken because it may be that we will not know the status of our State Appropriation until that time. He alerted the Trustees, however, that if we do know what we will be receiving from the State earlier, then we may be able to handle the Budget and related matters as early as June 25. In this event, we would use the approach we have used in recent years, i.e., have the Executive Committee and the Business and Finance Committee meet on their regular, fourth-Thursday date (June 25), and all Board Members would be invited to attend such a meeting. For the time being, the President asked the Trustees to mark both June 25 and July 7 on their calendars, and they will be informed as soon as possible as to which date will be feasible.

B. Expression of Thanks to Faculty,
Students and Alumni

The President thanked Professor Carolyn Adams and all of the faculty for a very productive year academically. He thanked the students for being the very resourceful students we are used to having. We are very proud of our faculty and our students. Thanks were also extended to Dr. Bill Duncan who, as President of the General Alumni Association, forged new relationships between the University as a whole and the organized alumni. During Dr. Duncan's tenure, several initiatives have come about and we are looking forward to working with Leonard Mellman next year--and to working with the new President of the Faculty Senate, Professor Mark Haller, who is unable to be present today.

C. Physical Development of the Main Campus

The President said we expect that before long the Governor will release funds for a New Classroom and a new Recreation/Convocation Center, with the University providing certain matching funds.

At the conclusion of today's Board meeting, we will be ceremonially breaking ground for a new Student Residence Hall at the site of the former Armory. The President referred to a City Council hearing on the closing of Euclid Street, at which Vice President White testified, indicating that the Street has not been used for at least 15 years. After that hearing, we are hopeful there will be a letting of a contract for the construction of the new Standby Generator enabling us to produce our own electric power under certain circumstances. There will be savings from this new Generator, and these savings will be available for academic purposes.

The President said that before long there may be an Agreement of Sale regarding the Temple Stadium property. This will place great pressure on us to have comparable playing fields on or near the Main Campus. Through Vice Presidents Freeman and White, a joint planning Task Force, involving the City and the University, has been formed to deal with this matter; Mayor Rendell seems fully committed. All of this had been discussed at length with the former Mayor. The Board of Trustees and the Administration have been patient in trying to move toward a greater presence of Temple University in our Main Campus area which would mean more programs on campus, and we feel this would also be for the betterment of the City as well as the University.

The President said this should be a very exciting period as there is physical development on the Main Campus. Although we are an educational institution, there is nothing like bricks and mortar to give us all a new sense of accomplishment. We hope this will be the effect of the New Classroom Building, the new Residence Hall, the Standby Generator, and the Recreation/Convocation Center.

D. Budgetary Challenges for Temple University

President Liacouras said that our major short-term challenge is to get our Appropriation restored for next year. Our long-term challenge is to get a fairer share of State Revenues for the State-Related Universities. We are the primary public universities in

Pennsylvania--but we are the highest in tuition in the entire country. The state is still 48th in terms of support for public higher education. We want to get back to the 1970s when the State provided about 2/3 of our revenues. The State is now providing less than 50% of our revenues. Every major tuition increase we have to adopt drives away students.

The President said that we are trying to deal with the short-term problem as effectively as we can. The State-Related University Presidents plan to visit Harrisburg a week from now to meet quietly with the legislative leadership to restate the need for supporting the State-Related Universities. We are the highest tuition public universities in the country, which argues in favor of maintaining our tuition as low as possible.

E. Ground-Breaking Ceremonies for New Student Residence Hall on the Former Armory Site

President Liacouras invited everyone present to attend the captioned Ceremonies, which will occur immediately following adjournment of the Board meeting, noting that Vice President for Student Affairs Valaida Walker will speak, along with some community leaders.

The President concluded his remarks by reminding Trustees that there will either be a Special Meeting of the full Board of Trustees on July 7; or, if it is feasible, there will be a Joint Meeting of the Executive Committee and the Business and Finance Committee (to which meeting all Trustees will be invited) on June 25. Trustees will be given as much advance notice as possible as to whether June 25 or July 7 will be the meeting date.

Committee on Trustees Report and Recommendations for Action

Mr. Shrager, Chairman of the Committee on Trustees, called attention to the Report of that Committee (Agenda Reference 1), and recommended approval of the matters covered by Items 4 and 5 of these Minutes.

4. Election of Commonwealth Trustee--Joseph W. Marshall, III

On motion duly made and seconded, the Board of Trustees voted to elect Joseph W. Marshall, III to a term effective immediately and running through October 1992, to the Board of Trustees of Temple University - Of The Commonwealth System of Higher Education, to fill the unexpired term of former Congressman William Gray (whose term expires in October 1992), Mr. Marshall having been appointed by the Honorable Robert W. O'Donnell, Speaker of the Pennsylvania House of Representatives. (A brief biography of Mr. Marshall is attached as SUPPLEMENT IV.)

5. Election of Commonwealth Trustee--Lewis F. Gould, Jr.

On motion duly made and seconded, the Board of Trustees voted to elect Lewis F. Gould, Jr., for a four-year term expiring in October of 1995, to the Board of Trustees of Temple University - Of The Commonwealth System of Higher Education, Mr. Gould having been appointed by the Honorable Robert C. Jubelirer, President Pro Tempore of the Senate

of Pennsylvania. (Since Mr. Gould has served on the Board of Trustees since 1986, no biography is included with these Minutes.)

Executive Committee Report and Recommendations for Action

Judge Scirica, Chairman of the Executive Committee, called attention to the Report of that Committee (Agenda Reference 4), and recommended approval of the matters covered by Items 6, 7, and 8 of these Minutes.

6. Borrowing Authority - 7/1/92 - 9/30/92

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Executive Committee (4/23/92) that the officers be authorized to borrow for operating purposes of the University \$30 million on terms which the officers believe best for the University, such authorization to cover the period from July 1, 1992 through September 30, 1992. (Resolution is attached as SUPPLEMENT V.)

7. Preliminary Tentative University and Hospital Budgets for 1992-93

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Executive Committee and the Business and Finance Committee (4/23/92) that the Board adopt Preliminary Tentative University and Hospital Budgets for 1992-93, with the understanding that this action authorizes expenditures at 97% of the levels allocated in the 1991-92 Final Budget for current, unrestricted funds, unless specific exceptions are authorized by the President for legally required increases.

8. Recommendation for a Special Meeting of the Board on July 7, 1992 to Act With Respect to the Tentative University Budget for 1992-93 and Related Matters

Judge Scirica reminded Trustees of the President's earlier comments (Item 3-A of these Minutes) that the meeting to deal with the Budget and related matters may be held on June 25, 1992, rather than July 7--and that Trustees will be notified as soon as possible regarding which date will prevail.

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Executive Committee (4/23/92) that the Board hold a Special Meeting on July 7, 1992, to act on the following:

- (1) Tentative University Budget for 1992-93
- (2) Tuition Schedule for 1992-93
- (3) General Activities Fee for 1992-93; and
- (4) Tentative Hospital Budget for 1992-93

Campus Planning and Plant Management Committee Report and Recommendations for Action

Mr. Esposito, Chairman of the Campus Planning and Plant Management Committee called attention to the report of that committee (Agenda Reference 8), and recommended approval of the matters covered by Items 9 through 11 of these Minutes.

9. New Student Dormitory Facility -
Construction Authorization

Mr. Esposito noted that the captioned matter had been thoroughly discussed by the Campus Planning and Plant Management Committee at its May 1 meeting and that the Committee recommends approval of the recommendation before the Board today.

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Campus Planning and Plant Management Committee (5/1/92--which recommendation has been reviewed by the Executive and Business & Finance Committees on 5/8/92) that the officers be authorized to construct a new student residence hall on the site of the former Armory at a total project budget not to exceed \$16,878,734; including a construction contract with R.M. Shoemaker Co., the terms and conditions of which shall be subject to approval by the officers and University Counsel; installation of utility connections; ancillary construction items; furnishings; a construction contingency allowance of \$683,685; and an overall project contingency of \$803,749--with the understanding that the administration will report monthly to the Campus Planning and Plant Management Committee a comparison of actual costs versus budgeted cost and that any over-runs will be reported immediately to the Campus Planning and Plant Management Committee--with the Funding Source being Room and Board Fees, and with the Financing Source being the Temple University 1992 Bond Issue.

10. Johnson/Hardwick Dining Hall Renovation and
Expansion-- Construction Authorization

Mr. Contoudis referred to a sheet which listed some \$1.5 million worth of Construction Cost Increases for the Johnson/Hardwick Dining Hall Renovation and Expansion Project, and he indicated that he really needed more background on the 14 items that were listed. Dr. Freeman said that the reason this additional cost increase information was provided is because it was requested when the Executive and Business & Finance Committees were briefed on this project. The original estimated cost was prepared as part of our justification for the 1991 Bond Issue--and it was very general because we did not have the detailed drawings that we now have. Judge Davis asked if the \$7.8 million construction price contained in the recommendation before the Board includes the \$1.5 million referred to by Mr. Contoudis--and Dr. Freeman said that it did.

Mr. Begier asked if the Guaranteed Maximum Price included the \$1.5 million, and Dr. Freeman said that it did.

The President asked what the consequences would be (in terms of delaying this project) if this project were not approved today. Dr. Freeman said this project should be approved today because the contractor has said he could not deliver the project by September of 1993 unless we move on this immediately.

Mr. Rayburn described the process that this Johnson/Hardwick Dining Hall Project had gone through, noting that the earlier "round numbers" were done in quick fashion because we did not have time to do the detailed work. Mr. Begier asked if there would be any further

changes from the recommended figures before the Board today--and Mr. Rayburn said only for unforeseen conditions. The President asked if Mr. Rayburn could make a timely report to the Campus Planning and Plant Management Committee as this project progresses, letting the Committee know how well the project is adhering to the recommended figures. Mr. Rayburn said that this could certainly be done. Mr. Esposito, Chairman of the Campus Planning and Plant Management Committee, said that if the Construction Manager does a good job, there should be some savings from the figures presented today--and Mr. Rayburn said that any such savings come back 100% to Temple University.

Mr. Fox said that the process outlined by Mr. Rayburn is really the proper way to go on a renovation project of this kind--but he thinks the recommendation should be modified so that at each Campus Planning and Plant Management Committee meeting there will be a report which compares the actual costs against the budgeted costs on both this Johnson/Hardwick Project and the New Student Dormitory. The Board wants to be sure there is detailed reporting for each of these Projects on a monthly basis, so that the Campus Planning and Plant Management Committee is fully informed and that there are no surprises on these two projects. So, he recommends that both of these Projects be approved, with the understanding that we have a complete report so that the Campus Planning and Plant Management Committee will be fully informed on a monthly basis.

After further discussion, Mr. Fox said that he is recommending that both the New Student Dormitory Project and the Johnson/Hardwick Project be approved, with these understandings: (1) that there will be a monthly report to the Campus Planning and Plant Management Committee of the actual against budget; (2) that any over-runs be reported promptly to the Campus Planning and Plant Management Committee, so that there will be no surprises. Essentially, the Campus Planning and Plant Management Committee will be able to oversee both projects; and that Committee can bring any questions they may have to the Board because the Board does not want to have any surprises at the end of these projects.

Dr. Freeman said that this Johnson/Hardwick Project and the New Student Dormitory Project can be viewed as a package; the Dining Hall Project is really closely related to the New Dormitory Project. He said that the combined cost of these two Projects is some \$500,000 less than the original budget because the Student Dormitory came in \$2 million under budget.

After further discussion, on motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Campus Planning and Plant Management Committee (5/1/92--which recommendation has been reviewed by the Executive and Business & Finance Committees on May 8, 1992) that the officers be authorized to carry out renovation and new construction in the Johnson/Hardwick Dining Hall at a total project budget not to exceed \$7,833,273; including a construction contract with the John S. McQuade Co., the terms and conditions of which shall be subject to approval by the officers and University Counsel; ancillary construction items; furnishings and equipment; a construction contingency allowance of \$506,720; and an overall project contingency of \$373,013--with the understanding that the administration will report

monthly to the Campus Planning and Plant Management Committee a comparison of actual costs versus budgeted costs and that any over-runs will be reported promptly to the Campus Planning and Plant Management Committee--with the Funding Source being Room and Board Fees, and with the Financing Source being the Temple University 1991 Bond Issue.

11. Johnson/Hardwick Renovation and Expansion --
Additional Architectural/Engineering Fees
for Increased Project Scope

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Campus Planning and Plant Management Committee (5/1/92--which recommendation has been reviewed by the Executive and Business & Finance Committees on 5/8/92) that the officers be authorized to amend the current agreement with Wallace Roberts & Todd to include additional architectural/engineering design services for an expanded project scope at a cost not to exceed \$69,500, with the Funding Source being the Plant Development Fund, and with the Financing Source being the Temple University 1991 Bond Issue.

Educational Policies Committee Report and Recommendations for Action

Mr. Shrager, Chairman of the Educational Policies Committee, called attention to the Report of that Committee (Agenda Reference 12), and recommended approval of those matters covered in Items 12 through 16 of these Minutes.

12. Approval of Interdisciplinary Majors in Criminal Justice/
Social Administration and in Physics and Mathematics

A. A Major in Social Work and Criminal Justice

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Educational Policies Committee (3/23/92) that approval be given to a Major in Social Work and Criminal Justice, with one major being housed in the School of Social Administration, Department of Social Work, and one being housed in the College of Arts and Sciences; with the College of Arts and Sciences version of the Major awarding the Bachelor of Sciences degree in order to distinguish it from the social sciences Bachelor of Arts in Criminal Justice.

B. An Interdisciplinary Major in Physics and Mathematics

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Educational Policies Committee (3/23/92) that approval be given to an interdisciplinary major in Physics and Mathematics, to be offered under the Bachelor of Science Program in the College of Arts and Sciences.

13. Approval of New Degree - LL.M. Degree in
Trial Advocacy, School of Law

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Educational Policies Committee (3/23/92) that Board approval be given to the granting of LL.M. in Trial Advocacy Degree, School of Law, beginning in the Summer of 1993.

14. Tenure for Faculty for 1992-93

On motion duly made and seconded, the Board of Trustees, pursuant to the procedures outlined in the Temple University Faculty Handbook, voted to approve the recommendation of the Educational Policies Committee (4/20/92) with respect to the granting of Faculty Tenure for 1992-93. (The list of the 35 Faculty recommended for Tenure is on file in the Office of the Provost.

15. Approval of A Policy on Misconduct in Research and Creative Work

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Educational Policies Committee (4/20/92) that the Board approve a Policy on Misconduct in Research and Creative Work, said Policy being attached as SUPPLEMENT VI.

16. Approval of the Designation "Diploma" on the Transcript of the Esther Boyer College of Music's Diploma Programs

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Educational Policies Committee (4/20/92) that the Board approve of the designation "Diploma" on the official Temple University transcript in the diploma programs offered by the Esther Boyer College of Music, effective upon approval.

Hospital Board of Governors Report and Recommendation for Action

Dr. Rock, Chairman of the Hospital Board of Governors, called attention to the Report of that Board (Agenda Reference 18), and recommended approval of the matter covered by Item 17 of these Minutes.

17. Election of Member to Board of Governors, Temple University Hospital

On motion duly made and seconded, the Board of Trustees, in accordance with the Trustees' By-Laws (Article IV, Section 13), and in accordance with the Governors' By-Laws (Article III, Sections 1, 2A and 2B) voted to elect Daniel J. Phelan to membership on the Board of Governors, Temple University Hospital, Mr. Phelan having been duly nominated by the Board of Governors on 4/7/92; and that the Board of Trustees instruct the Secretary to cast an unanimous ballot for the election of Mr. Phelan. The Secretary cast the ballot and Mr. Phelan was declared elected.

Honorary Degrees Committee Report

President Liacouras, Chairman of the Honorary Degrees Committee, called attention to the Report of that Committee (Agenda Reference 24) and briefly described the Commencement Program for May 21. The President said that he had visited with Reverend Henry Nichols two weeks ago, and he invited Reverend Nichols to give the Invocation for Commencement but he did not feel that he could do it. His health has not been good and the President encouraged Trustees to give him a call and let him know how much he is missed on the Board of Trustees. The Invocation will be given by Dr. Rebecca Alpert, who is a Fellow in the President's Office and is also a Rabbi.

The President also noted that the retiring Secretary of the Board, Bill Seyler, will present Isadore Shrager for the only Honorary Degree to be presented at Commencement.

The "President's Salute to the Graduates" will be given by Acting Provost Julia Ericksen.

The outgoing President of the Faculty Senate, Professor Carolyn Adams, will introduce the outgoing President of the Temple Student Government, Darren Raiguel, who will be the Undergraduate Commencement Speaker.

The degrees-in-course will then be conferred, and all Board Members present will assist the President in this important ceremony.

The President noted that Professor Kenneth Cundy will be retiring shortly. He pointed out that Dr. Cundy has been President of the Faculty Senate twice, and the President doesn't know of anybody who has served with such dedication to the University. We all owe a debt of gratitude to Professor Cundy for a job well done.

Mr. Fox said that he echoes what the President has said about Professor Cundy. He has done a great job of bringing together the Faculty Senate, the Administration, and the Trustees. Under Dr. Cundy's and Dr. Adam's presidencies of the Faculty Senate, we have moved into a remarkable period of cooperation among the various groups at the University.

18. Reports of Other Committees

Mr. Fox called attention to the Reports of the other Committees (Agenda References 20, 21, 22, 23, and 25), suggesting that if Trustees had any questions regarding these Reports, they should communicate with the appropriate Chairman.

19. Treasurer's Report

Without objection, the Board of Trustees received the list of gifts and grants received between January 1, 1992 and March 31, 1992, and purchases and sales of securities between January 1, 1992 and March 31, 1992, said Report being distributed to the Board meeting of today (Agenda Reference 26.)

20. Secretary's Report

On motion duly made and seconded, the Board of Trustees voted to approve the presentation of degrees-in-course dated August 21, 1992 to candidates approved by the appropriate academic committees of the faculty, with the understanding that degrees for Law School Evening students who regularly complete their studies in July shall be dated July 21, 1992, with the certificate of the Dean of the Law School verifying said receipt.

After the Secretary's Report was approved, Mr. Pew said that he held the job of corporate secretary at one time, so that he has some feeling for what a difficult job it is--and he expressed his appreciation to outgoing Secretary Bill Seyler for the good work he had done over a long period of time.

NEW BUSINESS

21. Unresolved Tenure Consideration

President Liacouras said that the recommendation before the Board is presented with Counsel's approval. He pointed out that if we have the Special Meeting of the Board on June 25, then this motion will not be necessary; but if the meeting of the Board isn't until July 7, for legal reasons we must have a determination--and we are not able to give you a recommendation today.

On motion duly made and seconded, the Board of Trustees voted to authorize the Executive Committee to act on behalf of the Board before June 30, 1992, with respect to any considerations for academic tenure that have not been completed as of this date.

Mr. Fox reminded everyone that the Ground-Breaking Ceremony for the New Student Residence Hall will follow immediately after the adjournment of this meeting.

The meeting of the Board of Trustees was adjourned at 4:15 P.M.