

MINUTES OF THE MEETING
OF THE
MICHIGAN STATE UNIVERSITY
BOARD OF TRUSTEES

February 12, 2010

President Simon called the meeting of the Board of Trustees to order at 9:25 a.m. in the Board Room.

Trustees present: Joel Ferguson, Melanie Foster, Colleen McNamara via phone, Donald Nugent, Faylene Owen, George Perles via telephone, and Diann Woodard.

Trustees absent: Dianne Byrum.

University officers present: President Simon, Provost Wilcox, Vice President Poston, Secretary Beekman, Vice President and General Counsel Noto, Vice Presidents Denbow, Gray, June, and Webster, and Senior Advisor and Director Granberry Russell. Faculty liaisons present: Harold Hughes, Mark Largent, and Mariam Sticklen. Student liaisons present: Kristy Currier, Kyle Dysarz, Emeka Igwe, and Rachel Naegele.

All actions taken were by unanimous vote of the Trustees present, unless otherwise noted.

1. On a motion by Trustee Foster, supported by Trustee Owen, the **BOARD VOTED to approve** the agenda.
2. On a motion by Trustee Foster, supported by Trustee Ferguson, the **BOARD VOTED to approve** the minutes of the Board meeting of December 11, 2009.
3. President's Report

President Simon provided the following report to the Board.

A. Awards Convocation

The 2010 Awards Convocation was held on February 9. The awards program recognized recipients of the following awards: Distinguished Faculty, Teacher-Scholar, Outreach Scholarship Community Partnership, MSU Alumni Club of Mid-Michigan Quality in Undergraduate Teaching, Distinguished Academic Staff, and

Excellence in Teaching Citations. Congratulations to all those honored for their outstanding contributions to Team MSU.

B. MSU-Haiti Relief Effort

There have been numerous Haiti relief efforts organized on campus by registered student organizations. The Office of International Studies and Programs is acting as a clearinghouse for many activities. The generosity of the MSU faculty, staff, students, and community is appreciated.

C. MSU Alumni Association Announces New Director

Scott Westerman, long-time telecommunications executive and entrepreneur and alumnus of the College of Communication Arts and Sciences, has been named MSU's new associate vice president for Alumni Relations and Executive Director of the MSU Alumni Association.

E. MSU Alumna to be First Female President of the University of Virginia

Teresa Sullivan, an alumna of James Madison College, will become the President of the University of Virginia on August 1. Sullivan is a sociologist who specializes in labor force demography. She has more than 15 years of experience as an administrator at large public universities, most recently as Provost at the University of Michigan.

F. MSU Press Awards

The MSU Press had an outstanding year, receiving several prestigious book awards for its publications. Additionally, the journals program obtained significant recognition when six essays received the 2009 Notable Essay citation in *Best American Essays*.

G. Alumni Distinguished Scholarship

This past weekend MSU hosted nearly 1,200 potential students and parents on campus for the Alumni Distinguished Scholarship competition. The scholarship is awarded to 15 incoming students based on their high school academic performance and their success on an exam taken during the weekend.

H. College of Agriculture and Natural Resources (CANR) Distinguished Service Award

Each year since 1954, the MSU College of Agriculture and Natural Resources has presented Distinguished Service Awards to individuals or organizations who have made outstanding contributions to Michigan's agricultural and natural resources industries and have demonstrated a commitment to MSU and the College through outstanding volunteerism and leadership efforts. MSU Trustee Don Nugent was one of three industry leaders named to receive the 2010 CANR Distinguished Service Award.

4. There was no public participation on issues germane to the agenda.
5. Personnel Actions

Provost Kim Wilcox presented the following personnel action:

Lenway, Stefanie, AN—Professor and Dean, Eli Broad College of Business; Department of Management, \$360,000, with Tenure, effective August 1, 2010.

Trustee Foster **moved to approve** the recommendation, with support from Trustee Nugent.

Provost Wilcox said that Professor Lenway received her Ph.D. in Business Administration from the University of California, Berkeley. From 1984 to 2005 she was on the faculty at the Carlson School of Management at the University of Minnesota. Most recently, she was Dean of Corporate Strategy and International Business at the University of Illinois, Chicago. Dr. Lenway's research interests include business creation in the 21st century and the role of technology in business management globally.

THE BOARD VOTED to approve the recommendation.

6. Gifts, Grants, and Contracts

Vice President Gray presented the Gifts, Grants, and Contracts Report for the period of November 25, 2009 through January 29, 2010. The report is a compilation of 464 Gifts, Grants, and Contracts, and 140 Consignment/Non-Cash Gifts, with a total value of \$65,209,922.

Trustee Owen **moved to approve** the report, with support from Trustee Woodard.

THE BOARD VOTED to approve the report.

Vice President Gray introduced Dr. Kay Holekamp, University Distinguished Professor and Director of Ecology, Evolutionary Biology & Behavior in the College of Natural Science. Dr. Holekamp made a presentation to the Board on her research on hyenas. (Appendix A)

7. Finance Committee

Trustee Owen presented the Trustee Finance Committee Report and recommendations.

A. Debt Issuance

It was recommended that the Board of Trustees authorize the issuance of up to \$332 million of Series 2010 long-term debt and adopt the resolution attached as Appendix B.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

B. Commercial Paper Authorization

It was recommended that the Board of Trustees authorize the issuance of Commercial Paper Notes, Series 2010C and the continuation of Commercial Paper Notes, Series 2008B in an aggregate principal amount not to exceed \$200 million and to adopt the resolution attached as Appendix C.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

C. Authorization to Plan—Steam and Road Reconstruction—Chestnut Road and New Steam Tunnel to IM West Building

It was recommended that the Board of Trustees authorize the Administration to plan for the project entitled Steam and Road Reconstruction—Chestnut Road and New Steam Tunnel to IM West Building.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Ferguson.

THE BOARD VOTED to approve the recommendation.

- D. Authorization to Plan—Case Hall—First Floor Renovations of Dining Hall

It was recommended that the Board of Trustees authorize the Administration to plan for the project entitled Case Hall—First Floor Renovations of Dining Hall.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

- E. Project Approval—Authorization to Proceed—Hubbard Hall—Renovations to First-Floor Common Area

It was recommended that the Board of Trustees authorize the Administration to proceed with the project entitled Hubbard Hall—Renovations to First-Floor Common Area, and to approve a budget of \$4,050,000.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

- F. Project Approval—Authorization to Proceed—T.B. Simon Power Plant—Coal Handling Improvements—Phase I (budget and scope adjustment)

It was recommended that the Board of Trustees authorize the Administration to increase the budget from \$15,000,000 to \$18,500,000 for the project entitled T.B. Simon Power Plant—Coal Handling Improvements—Phase I.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

- G. Project Approval—Authorization to Proceed—Administration Building—Ground Floor Asbestos Abatement

It was recommended that the Board of Trustees authorize the Administration to proceed with the project entitled Administration

Building—Ground Floor Asbestos Abatement and to approve a budget of \$2,000,000.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

H. Bid and Contract Award (budget adjustment) Brody Complex—Water and Communication Improvements

It was recommended that the Board of Trustees authorize the Administration to award a contract in the amount of \$711,000 to Granger Construction Company and that the budget be increased from \$1,624,000 to \$1,690,000 for the project entitled Brody Complex—Water and Communication Improvements.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

I. Bid and Contract Award (budget reduction)—Utility Distribution—Repairs and Improvements between Chestnut Road and Red Cedar Road along Stadium Drive

It was recommended that the Board of Trustees authorize the Administration to award a contract in the amount of \$2,443,000 to Irish Construction Company and that the budget be reduced from \$5,310,000 to \$4,300,000, for the project entitled Utility Distribution—Repairs and Improvements between Chestnut Road and Red Cedar Road along Stadium Drive.

Trustee Owen **moved to approve** the recommendation, with support from Trustee Woodard.

THE BOARD VOTED to approve the recommendation.

J. Bid and Contract Award (budget reduction and scope adjustment) Emmons Hall—Renovations

It was recommended that the Board of Trustees authorize the Administration to award a contract in the amount of \$8,682,100 to Clark Construction Company and that the budget be reduced from \$15,500,000 to \$13,800,000, for the project entitled Emmons Hall—Renovations.

It was recommended that the Board of Trustees authorize the Administration to amend the project scope to include replacement of the building windows for the project entitled Emmons Hall—Renovations.

Trustee Owen **moved to approve** the recommendations, with support from Trustee Foster.

THE BOARD VOTED to approve the recommendations.

8. Policy Committee

Trustee McNamara presented the Trustee Policy Committee Report and recommendations.

A. Law College Board Appointments

It was recommended that the Board of Trustees approve the appointment of the following to the Michigan State University College of Law Board of Trustees:

Stacy Erwin Oakes for a term of 3 years, commencing February 12, 2010, and ending December 31, 2012.

Trustee McNamara **moved to approve** the recommendation, with support from Trustee Nugent.

THE BOARD VOTED to approve the recommendation.

B. Revision of the Academic Freedom Report for Students

It was recommended that the Board of Trustees approve the revised Academic Freedom Report for Students ("AFR") and make it effective as of the beginning of the next academic year on August 16, 2010. (Appendix D)

Trustee McNamara **moved to approve** the recommendation, with support from Trustee Woodard.

THE BOARD VOTED to approve the recommendation.

C. University Marks

It was recommended that the Board of Trustees endorse the modified MSU logotype/wordmark as one of the two official

institution-wide graphic symbols (the other being the block S). (Appendix E)

It was recommended that the Board of Trustees approve the modified University seal. (Appendix F)

It was recommended that the Board of Trustees endorse Pantone Matching System Color 567 as the official Spartan Green, and also authorize the administration to approve the use of other colors or tones when doing so is necessary to produce the effect of a single, consistent Spartan Green across various media and products.

Trustee McNamara **moved to approve** the recommendations, with support from Trustee Foster.

THE BOARD VOTED to approve the recommendations.

- D. Notice of Intent to Negotiate a Contract with *Spectra Data and Research, Inc.*

Pursuant to State law, the Chair of the Policy Committee gave public notice during the Committee's report of the University's intent to negotiate contracts with *Spectra Data and Research, Inc.*, a Michigan corporation based in Mason. Dr. Mark Urban-Lurain, an academic specialist appointed in the College of Engineering and the College of Natural Science, and his immediate family hold an ownership interest which exceeds 1 percent of the company. Dr. Urban-Lurain is also an officer of the company.

- E. Diversity and Inclusion at MSU—Annual Progress Report

Paulette Granberry Russell, Director of the Office of Inclusion and Intercultural Initiatives and Senior Advisor to the President, presented the Diversity and Inclusion at MSU Annual Progress Report. (Appendix G)

9. Audit Committee

Trustee Perles presented the Trustee Audit Committee Report and recommendations.

- A. Reappointment of External Auditors for 2009-10

It was recommended that the Board of Trustees reappoint Plante & Moran, PLLC as the University's external auditors for the 2009-10

fiscal year at a fee of \$306,500, a two percent increase (\$6,150) over the prior year's fee.

Trustee Perles **moved to approve** the recommendation, with support from Trustee Nugent.

Plante & Moran is completing its fourth year as MSU's external auditors. Under the Board's current "Rotation of Auditor Policy," Plante & Moran is eligible to complete six audit cycles. The planning, coordination and execution of the audit work has gone very smoothly since the inception of Plante & Moran's appointment as the external auditor.

The scope of work includes:

- Audits of the University's financial statements, WKAR AM/FM and WKAR TV, and federal awards for the year ended June 30, 2010
- Performing NCAA agreed upon procedures, and
- Reviewing and signing the University's 990-T tax return.

THE BOARD VOTED to approve the recommendation.

B. Postponement of Auditor Rotation & Reappointment of Auditors

It was recommended that the Board of Trustees reappoint Plante & Moran, PLLC as the University's external auditors for the 2010-11 fiscal year at a fee of \$309,500, a 1 percent increase; for the 2011-12 fiscal year at a fee of 314,750, a 1.7 percent increase; and for the 2012-13 fiscal year at a fee of \$320,900, a 2 percent increase.

Trustee Perles **moved to approve** the recommendation, with support from Trustee Nugent

Beginning January 1, 2011, the University will be implementing its new enterprise business system. This represents Plante & Moran's final fiscal year as external auditors under the current Board Auditor Rotation Policy. Due to the extensive effort that staff will need to devote to the new system's implementation, to documentation and to system stabilization and enhancement, the Administration believes that it is in the best interest of the University to postpone the rotation of external auditors until fiscal year 2013-14 and to reappoint Plante & Moran at fees negotiated for this three-year period.

This resolution will permit audit team continuity through the implementation process for the new enterprise business system.

THE BOARD VOTED to approve the recommendation.

10. Shaping the Future Report

President Simon presented the Shaping the Future Report. (Appendix H)

11. Facility and Infrastructure Report

Vice President Poston presented the Facility and Infrastructure Report.

The annual Infrastructure Report includes the Property Report, Environmental stewardship recommendations and progress to date with these initiatives. Like other parts of the university budget, the resources available to repair and maintain campus buildings, roads, utilities, parking lots, and sidewalks have severely decreased.

Despite the constraints inherent in the current economy, the University still continues to build new space, renovate space, and maintain and repair facilities based on risk-related priorities. The University is diligently working to conserve its resources through environmental stewardship initiatives.

As MSU looks to the future, it is anticipating increased regulatory requirements, particularly relating to greenhouse gas emissions. In addition, the University will focus on the management of steam and electrical demands to delay the construction of additional capacity. Just-in-Time needs are accumulating due to the reduced availability of funding. Balancing the availability of funding with the need to repair is an ongoing process.

The Facilities and Infrastructure report reflects the positive changes resulting from environmental stewardship initiatives at MSU. In the last three years, 74 environmental stewardship recommendations have either been implemented or are in the process of being implemented. Behavior and culture change are a major part of these efforts, and the changes are taking hold.

This Report focuses on the University's priorities at this time. The University continues to monitor the constant need for refinement and improvement in the work that is done.

The full report can be viewed at:

<http://vpfo.msu.edu/Reports%20and%20Resolutions.htm>

12. Trustees Comments

Trustee Ferguson said that the Boy Scouts are holding the Outstanding Individuals in the Community awards on February 26. Dr. James Potchen will be honored at that time. Trustee Ferguson stated that he is proud of Dr. Potchen and thanked him for all of his work on behalf of MSU.

Trustee Owen stated that ASMSU hosted a meeting with its counterparts in the Big Ten. She thanked the group for inviting her and Trustee Emeritus Larry Owen to speak at the event.

Trustee Foster noted that the groundbreaking for the Eli and Edythe Broad Art Museum is scheduled for March 16, 2010.

13. Public Participation on Issues Not Germane to the Agenda

A. Restructuring the College of Agriculture and Natural Resources

Ms. Alyson Peirce, MSU Forestry student, said that she was drawn to the forestry program at MSU by notable professionals in the field. The United States has a long history of training and educating honored and respected foresters. The forestry program at MSU is one of the oldest forestry programs in the country. Ms. Pierce said that she was concerned about the integrity of her education if the proposed restructuring takes place. A forestry program without a department would cripple the continuity of education between subject and professor.

B. Restructuring the College of Agriculture and Natural Resources

Ms. Lisa Parker, MSU Forestry student, said she supports the Forestry Department being kept a separate, autonomous department within the College of Agriculture and Natural Resources. MSU's forestry program is ranked third in the country. This is a department with a growing enrollment. Ms. Parker said that with the increased economical and environmental focus on forests, it would be a shame to disband the program.

C. Elimination of Deaf Education

Ms. Kathryn Hosmer, MSU student, said she was concerned with the decision to close deaf education and American Sign Language classes at MSU. This is a vital program for the State of Michigan. Ms. Hosmer asked the Provost and Board of Trustees to reconsider the decision to eliminate the deaf education program.

D. Elimination of Deaf Education

Ms. Natalie Grupido, MSU alumna, said she was representing teachers of deaf children. She stated that she teaches at the Michigan School for the Deaf. Ms. Grupido said that if MSU eliminates deaf education classes, she is fearful for the future of deaf education professionals.

E. Elimination of Deaf Education

Mr. Scot Pott, President of the Michigan Deaf Education Association, said that he opposes the closure of the deaf education program at MSU. He stated that there is a great need for teachers who can teach in both American Sign Language and English and provide a mainstream education to students.

F. Elimination of Deaf Education

Ms. Melissa Rich, deaf community member, said she is concerned about the elimination of deaf education classes at MSU. She urged the Board of Trustees to keep the deaf education program at MSU.

14. Request to Adjourn

On a motion by Trustee Owen, supported by Trustee Ferguson, **THE BOARD VOTED to adjourn** at 11:30 a.m.

Respectfully submitted,



William R. Beekman
Secretary of the Board of Trustees

RESEARCH PRESENTATION

TO THE MSU BOARD OF TRUSTEES

FEBRUARY 12, 2010

KAY HOLEKAMP
COLLEGE OF NATURAL SCIENCE

Facilitated by the Office of the Vice President for
Research and Graduate Studies

Summary of talk: “The Hyena’s Tale”

Throughout history, hyenas have had a very bad reputation, and they are portrayed negatively in art, literature, and film. Clearly, most people don’t like hyenas, but many of us here at MSU believe these animals are not only likeable, but that they also rank among the very most fascinating creatures on earth. My students and I have been studying spotted hyenas in Kenya for 22 years, and today I will briefly explain how we do that, and why. These animals are now of substantial interest to the biomedical community because of their unusual ability to resist pathogens. They are of interest to engineers because of their extreme morphological adaptations, including tooth enamel that doesn’t crack or break even when they apply enormous bite forces to crack open large-diameter bones with their teeth. Hyenas are of intense interest to wildlife managers and conservation biologists because they occur in virtually all ecosystems south of the Sahara, and because changes in their behavior and stress physiology can offer early warning signals of environmental degradation, such that they can function as ‘ecosystem sentinels.’ Spotted hyenas are also of interest to computer scientists hoping to develop algorithms permitting robots to communicate and cooperate with one another. Despite all these extraordinary features of their biology, spotted hyenas are of most interest to my students and me because they appear to violate so many different ‘rules’ of mammalian biology. We believe that, by studying an animal that appears to violate these putative rules, we will ultimately be able to determine what the ‘rules’ really are.

RESOLUTION OF THE BOARD OF TRUSTEES
OF MICHIGAN STATE UNIVERSITY
AUTHORIZING THE ISSUANCE AND DELIVERY OF
GENERAL REVENUE DEBT AND PROVIDING FOR
OTHER MATTERS RELATING THERETO

WHEREAS, the Board of Trustees of Michigan State University (the "Board") is a body corporate created by and existing under the Constitution of the State of Michigan with full constitutional authority over and general supervision of Michigan State University (the "University") and control and direction of all expenditures from the University's funds; and

WHEREAS, the Board has previously issued in several outstanding series its General Revenue Bonds and Notes (the "Prior Bonds"), its Commercial Paper Notes, Series A (Tax-Exempt) and Series B (Taxable) (the "Notes"), and certain other obligations, in each case payable from and secured by a lien on General Revenues (hereinafter defined) (collectively, the "Outstanding Obligations"); and

WHEREAS, the Board has determined it may be appropriate and in the best interests of the University to refund all or a portion of the Prior Bonds and all or a portion of the Notes as shall be determined by the Authorized Officers (hereinafter defined) (the portion of the Prior Bonds to be refunded being herein called the "Bonds to be Refunded, and the portion of the Notes to be refunded being herein called the "Notes to be Refunded"); and

WHEREAS, the Board has determined that financing capital projects of the University with the proceeds of tax-exempt or taxable debt, or both, will enhance the flexibility of the University with respect to its budget and financial resources, and will permit the allocation of the costs of the capital projects to the periods of the useful lives of the projects being acquired; and

WHEREAS, the University's current high credit ratings not only reflect the financial strength of the University and its ability to repay its debt obligations, but will also permit the University to access the public debt markets in the most efficient and economic manner; and

WHEREAS, the Board has therefore determined it is appropriate and in the best interests of the University to finance all or a portion of certain capital expenditures of or for the benefit of the University, as described on Exhibit A attached hereto (collectively, the "Projects"), with the proceeds of the general revenue debt authorized hereby; and

WHEREAS, the provisions of the American Recovery and Reinvestment Act of 2009 ("ARRA") may allow the economic and efficient use of financing structures for the bonds authorized hereby which are different from or alternative to traditional tax-exempt bond structures, including but not limited to the issuance of taxable "Build America Bonds" with related tax credits available to the Board or the holders of such bonds, or assignees thereof; and

WHEREAS, in the exercise of its constitutional duties, and in order prudently to control and direct expenditures from the University's funds, the Board has determined it is necessary and desirable to authorize the issuance and delivery of additional General Revenue Bonds (the

"Bonds") payable from and secured by a pledge of General Revenues (as shall be defined in the Trust Agreement in a manner generally consistent with the definition thereof contained in the instruments pursuant to which the Outstanding Obligations were issued) in order to provide funds which, together with other available funds of the University, will be used to fund all or a part of the costs of the Projects (the portion of the Projects to be financed to be determined by an Authorized Officer), to pay all or part of the costs of refunding the Bonds to be Refunded and the Notes to be Refunded, if any, and to pay costs related to the issuance of the Bonds and the refunding, including the costs of insurance premiums or other credit or liquidity facilities, if appropriate; and

WHEREAS, one or more trust agreements or indentures (collectively, the "Trust Agreement") must be entered into by and between the Board and a trustee (the "Trustee") designated by an Authorized Officer, pursuant to which the Bonds will be issued and secured; and

WHEREAS, the indentures and other documents authorizing the Outstanding Obligations create certain conditions for the issuance obligations payable from and secured by a pledge of General Revenues on a parity basis with the Outstanding Obligations; and

WHEREAS, the Vice President for Finance and Operations and Treasurer shall, on or prior to the delivery of the Bonds, certify that the conditions for issuing the Bonds, secured on a parity basis by General Revenues with the Outstanding Obligations, have been met; and

WHEREAS, it is necessary to authorize the Authorized Officers to negotiate the sale of the Bonds with an underwriter or group of underwriters selected by an Authorized Officer (collectively, the "Underwriter") and to enter into one or more bond purchase agreements (collectively, the "Bond Purchase Agreement") and, if deemed appropriate, one or more remarketing agreements (collectively, the "Remarketing Agreement") with the Underwriter setting forth the terms and conditions upon which the Underwriter will agree to purchase the Bonds and the interest rates thereof and the purchase price therefor; and

WHEREAS, in order to be able to market the Bonds at the most opportune time, and in accordance with the Board's Capital Projects Debt Policy, it is appropriate for the Board to ratify and confirm its authorization of the Vice President for Finance and Operations and Treasurer and the Director of Investments and Financial Management (each an "Authorized Officer") or either of them individually, to negotiate, execute and deliver on behalf of the Board, the Trust Agreement, the Bond Purchase Agreement, the Remarketing Agreement and other related documents, to publish any notice of sale required for the sale of any portion of the Bonds, to establish the specific terms of the Bonds and to accept the offer of the Underwriter to purchase the Bonds, all within the limitations set forth herein; and

WHEREAS, the acquisition, equipping and construction of the Projects, the refunding of the Bonds to be Refunded and the Notes to be Refunded, and the funding of all or a part of the costs thereof with the proceeds of the Bonds will serve proper and appropriate public purposes; and

WHEREAS, the Board has full power under its constitutional authority and supervision of the University, and control and direction of expenditures from the University funds, to acquire, equip and construct the Projects, to refund the Bonds to be Refunded and the Notes to be

Refunded and to pay all or a part of the costs of the Projects and of the refunding by issuance of the Bonds, and to support payment of the Bonds by a pledge of General Revenues;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY, AS FOLLOWS:

1. The Board hereby approves the definition of the term "Projects" as set forth on Exhibit A attached hereto, and, subject to final approval of the Board in the case of any of the Projects listed in Category I-B or Category II on Exhibit A, for which final approval has not yet been received, authorizes the Authorized Officers, or either of them, to select the portion of the Projects to be financed, in whole or in part, from the proceeds of the Bonds, and to fund, as appropriate, the remaining portion of the costs of the Projects from available funds of the University, consistent with the Board's resolutions authorizing construction of the Projects. The Board further approves the refunding of the Bonds to be Refunded and the Notes to be Refunded and authorizes the Authorized Officers, or either of them, to select the portion, if any, of the Prior Bonds to constitute the Bonds to be Refunded and the portion, if any, of the Notes to constitute the Notes to be Refunded, in order to produce interest costs savings or a more favorable debt service structure, or both, to provide for more favorable terms or covenants, or to provide for permanent financing of projects previously financed from short-term debt, and to fund, if deemed appropriate, a portion of the costs of the refunding from available funds of the University and the balance of such costs from the proceeds of the Bonds, and to proceed with the refunding.

In connection with the refunding of all or any portions of any Prior Bonds or the Notes, either Authorized Officer may, in the name and on behalf of the Board, and as its corporate act and deed, terminate any related interest rate swap agreements, in whole or in part, and any fees or termination payments in connection with any such terminations may be paid from the proceeds of the Bonds, or from available funds of the University.

2. The Board hereby authorizes the issuance, execution and delivery of the Bonds in one or more series to be designated GENERAL REVENUE BONDS, SERIES 2010, in each case with appropriate additional or alternative series designations, if any, in the aggregate original principal amount established by an Authorized Officer, but not to exceed the principal amount necessary to produce proceeds of Two Hundred Five Million Dollars (\$205,000,000), plus the amount necessary to accomplish the refunding of the Bonds to be Refunded and the Notes to be Refunded. The Bonds shall be dated as of the date or dates established by an Authorized Officer, and shall be issued for the purpose of providing funds which, together with other available funds, will be used to pay all or a portion of the costs of the Projects, including, if determined to be appropriate by an Authorized Officer, capitalized interest related to all or a portion of the Projects for a period specified by an Authorized Officer, to pay all or a portion of the costs of refunding the Bonds to be Refunded, if any, and the Notes to be Refunded, if any, and to pay costs related to the issuance of the Bonds and the refunding, including the costs of bond insurance premiums or other credit or liquidity facilities, if appropriate. The Bonds shall be serial Bonds or term Bonds, which may be subject to redemption requirements, or both, as shall be established by an Authorized Officer, but the first maturity shall be no earlier than July 1, 2010 and the last maturity shall be no later than December 31, 2050. The Bonds may bear no interest or may bear interest at stated fixed rates for the respective maturities thereof as shall be established by an Authorized Officer, but the weighted average yield of the Bonds (computed using the stated coupon and the stated original offering price) shall not exceed 6.5% per annum

for tax-exempt bonds and 10.0% per annum for taxable bonds, and the Bonds may be issued in whole or in part as capital appreciation bonds, which for their term or any part thereof bear no interest but appreciate in principal amount over time at compounded rates (not in excess of 6.5% per annum for tax-exempt bonds and 10.0% per annum for taxable bonds) determined by an Authorized Officer. Alternatively, all or part of the Bonds may bear interest at a variable rate of interest, determined on the basis of an index or through market procedures, or both, for all or a portion of their term, and the variable rate of interest shall not exceed the lesser of the maximum rate permitted by law or the maximum rate, if any, specified in the Trust Agreement. The Bonds may be subject to redemption or call for purchase prior to maturity at the times and prices and in the manner as shall be established by an Authorized Officer, but no redemption premium shall exceed 3% of the principal amount being redeemed, unless the redemption price is based on a "make whole" formula, in which case no redemption premium shall exceed 40% of the principal amount being redeemed. Interest on the Bonds shall be payable at such times as shall be specified by an Authorized Officer. The Bonds shall be issued in fully registered form in denominations, shall be payable as to principal and interest in the manner, shall be subject to transfer and exchange, and shall be executed and authenticated, all as shall be provided in the Trust Agreement. The Bonds shall be sold to the Underwriter for a price established by an Authorized Officer (but the Underwriter's discount, exclusive of original issue discount, shall not exceed 2.0% of the principal amount thereof) plus accrued interest, if any, from the dated date of the Bonds to the date of delivery thereof.

All or any portion of the Bonds may, subject to the parameters set forth above, be issued as Build America Bonds or under any other structure established or enhanced by the provisions of ARRA, and in connection therewith, either of the Authorized Officers is authorized to make, for and on behalf of and as the act of the Board, any and all designations or elections (revocable or irrevocable), to execute and deliver any agreements, certificates or other instruments to or with the federal government or any agency thereof or the State of Michigan or any agency thereof, and to take any other actions necessary for the Bonds, the holders of the Bonds and the Board to receive any benefits, funds or federal subsidies available under ARRA.

In relation to the debt service on the Bonds, or in relation to all or any portion of the debt service on any series of Outstanding Bonds, either of the Authorized Officers may, at any time, on behalf of and as the act of the Board, enter into an interest rate swap, cap, forward starting swap, option, swaption, rate lock or similar agreement or agreements (collectively, the "Swap Agreement") with a counter-party or counter-parties to be selected by the Authorized Officer. Such Swap Agreement shall provide for payments between the Board and the counter-party related to interest on all or a portion of the Bonds, or to indexed or market established rates. If the Swap Agreement is entered into at approximately the same time as the issuance of the Bonds, the expected effective interest rates on the Bonds, taking into account the effect of the Swap Agreement, shall be within the limitations set forth herein. Any Swap Agreement authorized hereunder, and any similar agreement previously entered into in connection with any Outstanding Bonds, may, if determined necessary or appropriate by either Authorized Officer, be subsequently terminated, which may result in termination payments due by the Board. Any such required payments and other costs of termination may be funded from available funds of the University or the proceeds of the Bonds or other indebtedness of the Board.

Any or all of the Bonds may be made subject to tender for purchase at the option of the holder thereof. The obligation of the Board to purchase any Bonds subject to tender options may

be made payable from General Revenues, from available cash reserves of the University, subject to such limitations as may be specified in the Trust Agreement, or from a letter of credit, line of credit or other liquidity device (the "Liquidity Device"), or any combination thereof, all as shall be determined by an Authorized Officer and provided for in the Trust Agreement. Any reimbursement obligation for draws under the Liquidity Device shall be a limited and not a general obligation of the Board, payable from and secured by a pledge of General Revenues. Either Authorized Officer is authorized to execute and deliver at any time, for and on behalf of the Board, any amendments to the Trust Agreement and any agreements or instruments with a party or parties selected by an Authorized Officer, necessary to obtain, maintain, renew or replace, and provide for repayments under, any Liquidity Device deemed by such officer to be required for the purposes of this Resolution. Purchase obligations shall not be considered as principal or interest on the Bonds.

Any Bonds authorized and issued hereunder, may, at any time upon direction of an Authorized Officer, be subsequently converted to another mode or structure authorized hereby, either through procedures established in the Trust Agreement pertaining thereto, or through the issuance hereunder of refunding Bonds to refund and replace the outstanding Bonds to be converted. Any such refunding Bonds issued hereunder shall be subject to the terms, conditions and limitations contained in this Resolution. Either Authorized Officer is authorized to execute and deliver, for and on behalf of the Board, any documents or instruments, including but not limited to, any amendments to the Trust Agreement, necessary or convenient for the purpose of accomplishing the conversion as described in this paragraph.

3. The Bonds, and the obligations of the Board under the Swap Agreement and the Liquidity Device, if any, shall be limited and not general obligations of the Board payable from and secured by a lien on the General Revenues and moneys, securities or other investments from time to time on deposit in certain funds created pursuant to the Trust Agreement or agreements entered into in connection with the Swap Agreement or Liquidity Device. Except as otherwise determined by an Authorized Officer, as provided below, the lien on General Revenues shall be on a parity basis with the liens on General Revenues securing the Outstanding Obligations.

No recourse shall be had for the payment of the principal amount of or interest or premium on the Bonds, the Swap Agreement or the Liquidity Device, or any claim based thereon, against the State of Michigan, or any member or agent of the Board (including, without limitation, any officer or employee of the University), as individuals, either directly or indirectly, or, except as specifically provided in the Trust Agreement or the instruments entered into in connection with the Swap Agreement or the Liquidity Device, if any, against the Board, nor shall the Bonds and interest with respect thereto, or any obligations of the Board in connection with the Swap Agreement or Liquidity Device, if any, become a lien on or be secured by any property, real, personal or mixed, of the State of Michigan or the Board, other than General Revenues and the moneys, securities or other investments from time to time on deposit in certain funds established as pledged pursuant to the Trust Agreement or agreements entered into in connection with the Swap Agreement or Liquidity Device, if any.

Any pledge of General Revenues, and funds specified in the Trust Agreement or agreements entered into in connection with the Swap Agreement or Liquidity Device, if any, shall be valid and binding from the date of the issuance and delivery of the Bonds or such agreements, and all moneys or properties subject thereto which are thereafter received shall immediately be subject to the lien of the pledge without physical delivery or further act. The lien

of said pledge shall be valid and binding against all parties (other than the holders of any other bonds, notes or other obligations secured by a parity first lien on General Revenues) having a claim in tort, contract or otherwise against the Board, irrespective of whether such parties have notice of the lien.

Notwithstanding anything herein to the contrary, any obligations of the Board under the Swap Agreement or any agreement with respect to the Liquidity Device may, if determined appropriate by an Authorized Officer, be payable and secured on a subordinated basis to the Bonds and other General Revenue obligations of the Board, or may be payable from General Revenues but unsecured.

4. The right is reserved to issue additional bonds, notes or other obligations payable from General Revenues and secured on a parity or subordinated basis with the Bonds and the Outstanding Obligations by a lien on General Revenues, upon compliance with terms and conditions therefor as shall be set forth in the Trust Agreement.

5. Either Authorized Officer is hereby authorized and directed, in the name and on behalf of the Board, and as its corporate act and deed, to negotiate, execute and deliver the Trust Agreement with a Trustee selected by an Authorized Officer. The Trust Agreement may contain such covenants on behalf of the Board and terms as such officers deem appropriate and as shall be approved by the Office of the General Counsel, including, but not limited to, covenants with respect to the establishment of General Revenues at levels expressed as a percentage of debt service on the Bonds or all General Revenue obligations of the Board, and with respect to the issuance of additional bonds, notes or other obligations payable from and secured by General Revenues. In addition, either Authorized Officer is hereby authorized, empowered and directed to negotiate, if necessary and expedient for the issuance of the Bonds, for the acquisition of bond insurance and to execute and deliver an insurance commitment or other documents or instruments required in connection with such insurance.

6. Either Authorized Officer is hereby authorized and directed, in the name and on behalf of the Board and as its corporate act and deed, to negotiate, execute and deliver the Bond Purchase Agreement and Remarketing Agreement, if necessary, with the Underwriter selected by an Authorized Officer, setting forth the terms of the Bonds and the sale thereof, in the forms as an Authorized Officer may approve upon recommendation of the Office of the General Counsel, all within the limitations set forth herein. In the alternative, if determined appropriate by either Authorized Officer, selection of the Underwriter and setting of the terms for all or any portion of any series of the Bonds may be made through a competitive sale or other bidding process, and either of the Authorized Officers is authorized to award the Bonds to the entity selected through such process.

7. Either the President or Vice President for Finance and Operations and Treasurer is authorized, empowered and directed, in the name and on behalf of the Board, and as its corporate act and deed, to execute the Bonds by manual or facsimile signature and, if deemed appropriate, to impress or imprint the University seal thereon, and either of the Authorized Officers is authorized to deliver the Bonds to the Underwriter in exchange for the purchase price thereof, as provided in the Bond Purchase Agreement.

8. Either Authorized Officer is hereby authorized to cause the preparation and publication of a notice of sale, if appropriate, for any Bonds, and the preparation of a Preliminary

Official Statement, if necessary, and an Official Statement with respect to each series of the Bonds, to deem such statements “final” in accordance with applicable law, and to execute and deliver the Official Statement. Either Authorized Officer and the Underwriter, as appropriate, are authorized to circulate and use, in accordance with applicable law, the Preliminary Official Statement, if any, and the Official Statement in connection with the offering, marketing and sale of the Bonds.

9. The President, the Vice President for Finance and Operations and Treasurer, the Director of Investments and Financial Management, the Secretary of the Board, the Vice President for Legal Affairs and General Counsel and any Associate or Assistant General Counsel, and all other appropriate officers or representatives of the Board or the University and each one of them, are authorized to perform all acts and deeds and to execute and deliver for and on behalf of the Board all instruments and documents required by this resolution, the Trust Agreement, or the Bond Purchase Agreement, or necessary, expedient and proper in connection with the issuance, sale and delivery of the Bonds, as contemplated hereby (including a Letter or Letters of Representations among the Board, the Trustee and The Depository Trust Company and an Escrow Deposit Agreement with an escrow agent designated by an Authorized Officer). Any reference to an officer of the Board or the University herein shall include any interim or acting officer appointed by the Board. Each Authorized Officer is hereby authorized to designate and empower the escrow agent or the Underwriter to subscribe for United States Treasury Obligations, State and Local Government Series, on behalf of the Board, as may be necessary in connection with any refunding authorized hereby.

Any action required under the Trust Agreement, Bond Purchase Agreement, Remarketing Agreement, Swap Agreement, any agreement entered into in connection with the Liquidity Device or any other instrument related to the Bonds, and any action necessary or appropriate in connection with the on-going administration of the financing program authorized hereby, may be taken by and on behalf of the Board by an Authorized Officer.

10. In accordance with the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission, the Board may be required in connection with the issuance of the Bonds to enter into a Disclosure Undertaking for the benefit of the holders and beneficial owners of the Bonds. Either Authorized Officer is authorized to cause to be prepared and to execute and deliver, on behalf of the Board, the Undertaking.

11. If deemed necessary by the University’s bond counsel, either of the Authorized Officers is authorized to arrange for the publication of a notice of and to conduct a public hearing with respect to the issuance of tax-exempt Bonds, if applicable, for that portion of the Projects that may be used by private entities, all in accordance with requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

12. Any resolutions or parts of resolutions or other proceedings of the Board in conflict herewith are hereby repealed insofar as such conflict exists.

EXHIBIT A

PROJECTS

The Projects, as that term is used in the Resolution to which this Exhibit A is attached, are defined as follows:

Category I

<u>Project Description</u>	Currently Estimated Approximate Cost To be Funded From Bond Proceeds (exclusive of bond issuance expense) (millions)
A. (Board approved project construction/renovation)	
Plant Science Building addition and major renovation	\$ 41.4
Brody Hall renovations, remodeling, furnishing and equipping as part of Brody Complex Master Plan	25.5
Enterprise Business System, relating generally to the new financial and payroll systems of the University	15.6
Emmons Hall renovations, remodeling, furnishing and equipping as part of Brody Complex Master Plan	12.1
T.B. Simon Power Plant coal handling equipment replacement, rail yard expansion and environmental improvements	11.0
B. (Board approved project planning and design)	
Morrill Hall replacement	\$ 34.7
Dining facilities renovations, remodeling, furnishing and equipping as part of Dining Master Plan	22.3
Bailey Hall renovations, remodeling, furnishing and equipping as part of Brody Complex Master Plan	14.4
Facility for Rare Isotope Beams construction and equipping	11.6
Cyclotron Building Office Addition Phase II	7.6

Category II

All projects heretofore or hereafter approved by the Board with an identified total or partial funding source as the proceeds of bonds or other debt obligations issued by the Board.

Category III

Miscellaneous building, renovation, remodeling, site improvement, equipment, utility, information system and similar capital projects of the University, each with an estimated cost of \$5,000,000 or less, including but not limited to, roof repairs and replacements; electrical, mechanical, chiller, refrigeration and steam system renovations, repairs, replacements and improvements; heating, cooling and air conditioning system renovations, repairs, replacements and improvements; structural repairs and improvements; utility distribution repairs and improvements; road and sidewalk repairs and improvements; building and building addition construction, renovation, furnishing and equipping; information and computing system acquisitions and improvements (including wiring and cabling); elevator repairs and improvements; miscellaneous landscaping and site work; and miscellaneous equipment acquisitions.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Trustees of Michigan State University on February 12, 2010, in accordance with applicable law, and that the minutes of the meeting at which the resolution was adopted were kept and will be or have been made available at the Office of the Secretary of the Board of Trustees of Michigan State University.

I further certify as follows:

1. Present at the meeting were the following Board members:

Absent from the meeting were the following Board members:

2. The following members of the Board voted for the adoption of the Resolution:

The following members of the Board voted against adoption of the Resolution:

RESOLUTION DECLARED ADOPTED.

Secretary, Board of Trustees of
Michigan State University

RESOLUTION OF THE BOARD OF TRUSTEES
OF MICHIGAN STATE UNIVERSITY
AUTHORIZING THE ISSUANCE AND DELIVERY OF
COMMERCIAL PAPER NOTES, SERIES C, AND
PROVIDING FOR OTHER MATTERS RELATING THERETO

REVISED

WHEREAS, the Board of Trustees of Michigan State University (the "Board") is a body corporate created by and existing under the Constitution of the State of Michigan with full constitutional authority over and general supervision of Michigan State University (the "University") and control and direction of all expenditures from the University's funds; and

WHEREAS, the Board has determined that financing capital projects of the University with the proceeds of tax-exempt or taxable debt, or both, will enhance the flexibility of the University with respect to its budget and financial resources, and will permit the allocation of the costs of the capital projects to the periods of the useful lives of the projects being acquired; and

WHEREAS, the University's current high credit ratings not only reflect the financial strength of the University and its ability to repay its debt obligations, but will also permit the University to access public debt markets in the most efficient and economic manner; and

WHEREAS, the Board has determined it is necessary and desirable to provide for the temporary or permanent financing of capital projects of the University, currently under way or to be undertaken, through the issuance of Board of Trustees of Michigan State University Commercial Paper Notes, Series C (the "Series C Notes") and the continuation of the issuance of the previously authorized Board of Trustees of Michigan State University Commercial Paper Notes, Series B (Taxable) (the "Series B Notes", and, collectively with the Series C Notes, the "Notes") in an aggregate principal amount such that the Notes outstanding from time to time shall not exceed \$200,000,000; and

WHEREAS, the Board has determined it is necessary and appropriate to refund all or part of the outstanding notes of the Board's Commercial Paper Notes, Series A (Tax-Exempt) (the "Series A Notes") and all or part of the outstanding Series B Notes (such notes to be refunded to be selected by an Authorized Officer (as hereinafter defined) and being herein called the "Notes to be Refunded"), and that it may be economic and appropriate to refund certain other outstanding debt obligations of the Board (such debt obligations, if any, to be refunded to be selected by an Authorized Officer and being herein called the "Bonds to be Refunded"); and

WHEREAS, the Board has approved certain capital projects to be financed and refinanced in whole or in part through the issuance of the Notes, as set forth on Exhibit A hereto, and may approve additional projects to be so financed (all such projects being herein called the "Projects"); and

WHEREAS, in order to provide for the issuance of the Series C Notes, it will be necessary for the Vice President for Finance and Operations and Treasurer and the Director of Investments and Financial Management (each an "Authorized Officer") or either of them

individually, to execute and deliver one or more Commercial Paper Issuance Certificates (collectively, the "Issuance Certificate"), one or more Commercial Paper Issuing and Paying Agent Agreements (collectively, the "Paying Agent Agreement") with a bank or banks to be selected by an Authorized Officer, one or more Dealer Agreements (each a "Dealer Agreement") with a dealer or dealers (collectively, the "Dealer") to be designated by an Authorized Officer, and, if deemed appropriate by an Authorized Officer, an agreement or agreements relating to a liquidity or credit/liquidity facility; and

WHEREAS, the Series C Notes are to be limited and not general obligations of the Board, payable from and secured by a pledge of General Revenues (as shall be defined in the Issuance Certificate in a manner generally consistent with the definition thereof in the Trust Agreement pursuant to which the Board's General Revenue Bonds, Series 2007A and General Revenue Bonds, Series 2007B were issued) and moneys from time to time on deposit in the Note Payment Fund or Funds to be created pursuant to the Issuance Certificate, and may be additionally payable from Available Investments (as shall be defined in the Issuance Certificate); and

WHEREAS, it is necessary for the Board to delegate to each of the Authorized Officers the power to designate certain Authorized Representatives and Authorized Persons (each as shall be defined in the Issuance Certificate or Paying Agent Agreement) to undertake certain actions with respect to the issuance of Series C Notes; and

WHEREAS, the Series C Notes are to finally mature on or before the date five years after the date of issuance of the first Series C Note hereunder, and are intended (to the extent not previously retired) to be replaced by permanent General Revenue financing on or prior to such final maturity dates; and

WHEREAS, it is necessary to extend the date on which the Series B Notes are to finally mature; and

WHEREAS, in the exercise of its constitutional duties, and in order to prudently control and direct expenditures from the University's funds, the Board determines it is necessary and desirable to authorize the issuance of the Notes to provide funds to finance and refinance all or part of the costs of the Projects, to refund the Notes to be Refunded and the Bonds to be Refunded, if any, and to pay certain costs incurred in connection with the issuance and sale of the Series C Notes and the refunding; and

WHEREAS, in order to be able to market and re-market the Notes, it is necessary for the Board to authorize an Authorized Officer to prepare, execute and deliver, on behalf of the Board, one or more Offering Memoranda (collectively, and as supplemented from time to time, the "Offering Memorandum") to be circulated and used in connection with the marketing, sale and delivery of the Notes, and to take, together with other appropriate officers, agents and representatives of the Board or the University, additional actions necessary to accomplish the sale and delivery of the Series C Notes, the administration of the commercial paper program of which the Notes are a part, and the purposes hereof, all within the limitations set forth herein; and

WHEREAS, the financing and refinancing of the Projects and the refunding of the Notes to be Refunded and the Bonds to be Refunded, if any, will serve proper and appropriate public purposes; and

WHEREAS, the Board has full power under its constitutional authority for supervision of the University, and control and direction of expenditures from the University's funds, to authorize and acquire the Projects, to refund the Notes to be Refunded and the Bonds to be Refunded, if any, to finance and refinance by the issuance of the Series C Notes the costs of the Projects, the costs of the refunding and the costs related to the issuance of the Series C Notes and the refunding, and to pledge the General Revenues of the University for payment of the Series C Notes and to covenant to pay the Series C Notes from Available Investments:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY, AS FOLLOWS:

1. The Board hereby authorizes the issuance, execution and delivery of the Series C Notes of the Board, in multiple issuances on various dates, to be designated BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY COMMERCIAL PAPER NOTES, SERIES C, with additional or alternative series designations, as shall be determined appropriate by an Authorized Officer, in the aggregate principal amount outstanding from time to time as shall be designated by either one of the Authorized Officers, but, together with the Series B Notes, not in excess of \$200,000,000 outstanding from time to time, to be dated as of a date of issuance of each Series C Note, or otherwise as shall be determined by an Authorized Officer, for the purpose of (a) financing and refinancing all or part of the costs of the Projects, (b) refunding all or a portion of the Series A Notes and the Series B Notes, as shall be determined by an Authorized Officer, (c) refunding the Bonds to be Refunded, if any, as shall be determined by an Authorized Officer, and (d) paying all or part of the costs incidental to the issuance of the Series C Notes and the refunding. The Projects as a whole are hereby determined by the Board to constitute a single governmental purpose of the Board. The Series C Notes shall not be subject to redemption prior to maturity. Each Series C Note shall mature not later than 270 days after its date of issuance, determined as shall be provided in the Issuance Certificate and Paying Agent Agreement, and all Series C Notes must mature on or before the date five years after the date of issuance of the first Series C Note hereunder. Interest on each Series C Note shall be payable on the maturity date thereof, at the rate, not in excess of 10% per annum, determined as shall be provided in the Issuance Certificate and Paying Agent Agreement. The Series C Notes shall be issued in fully registered form in the denominations, shall be subject to transfer and exchange, and shall be executed and authenticated, all as shall be provided in the Issuance Certificate. The Series C Notes shall be sold at par through the Dealer or Dealers selected by an Authorized Officer, as shall be provided in the Dealer Agreement.

Each Series B Note shall mature not later than 270 days after its date of issuance, determined as shall be provided in the Issuance Certificate and Paying Agent Agreement applicable thereto, and all Series B Notes must mature on or before December 31, 2020.

2. The Series C Notes shall be limited and not general obligations of the Board payable from and equally and ratably secured by a lien on General Revenues on a parity basis with the lien securing the Board's outstanding General Revenue bonds, notes and other obligations, now or hereafter outstanding, and by a lien on moneys from time to time on deposit in the Note Payment Fund or Funds to be created pursuant to the Issuance Certificate, as shall be provided therein. The Series C Notes may also be payable from Available Investments, as may be provided in the Issuance Certificate.

In support of its obligation to repay the Notes, the Board may, if deemed appropriate by an Authorized Officer, enter into one or more letters of credit, lines of credit, note purchase agreements or other liquidity or credit/liquidity facilities (collectively, the "Liquidity Facility"). Any reimbursement obligation (including interest) for draws under the Liquidity Facility shall be a limited and not general obligation of the Board, payable from General Revenues, and may be secured by a parity or subordinate pledge of General Revenues. The Authorized Officers are, and either one of them is, authorized to negotiate, execute and deliver, for and on behalf of the Board, such agreement or agreements (collectively, the "Liquidity Agreement") as an Authorized Officer may deem appropriate to acquire the Liquidity Facility and to provide for the repayment of draws thereunder, as provided herein.

No recourse shall be had for the payment of the principal amount of or interest on the Series C Notes, or under any Liquidity Agreement, or any claim based thereon, against the State of Michigan or against any member, officer or agent of the Board or of the University, as individuals, either directly or indirectly or, except as shall be provided in the Issuance Certificate and the Liquidity Agreement, if any, against the Board, nor shall the Series C Notes and interest with respect thereto or the obligations under any Liquidity Agreement become a lien on or be secured by any property, real, personal or mixed of the State of Michigan, the Board or the University, other than the General Revenues and the moneys from time to time on deposit in the Note Payment Fund or Funds to be created by the Issuance Certificate.

3. The right is reserved to issue additional bonds, notes or other obligations payable from General Revenues and secured on a parity or subordinated basis with the Notes and other General Revenue bonds, notes and other obligations by a lien on General Revenues, upon compliance with terms and conditions therefore as shall be set forth in the Issuance Certificate.

4. The Authorized Officers are, and either one of them is, hereby authorized and directed, in the name of the Board and as its corporate act and deed, to negotiate, execute and deliver the Issuance Certificate, the Paying Agent Agreement and one or more Dealer Agreements, consistent with the terms of this Resolution, as the Authorized Officer or Officers executing the same shall approve, which approval shall be conclusively evidenced by the execution of the respective documents. The Authorized Officers are, and either one of them is, hereby further authorized to execute and deliver any amendments to the Issuance Certificate, Paying Agent Agreement and Dealer Agreement entered into in connection with the issuance of the Series B Notes as may be necessary for the refunding of the Notes to be Refunded and the issuance of the Series C Notes, and otherwise to reflect the terms hereof. Alternatively, the Issuance Certificate, Paying Agent Agreement and Dealer Agreements authorized to be executed and delivered by this paragraph may be in the form of appropriate amendments to the Issuance

Certificate, Paying Agent Agreement and Dealer Agreement entered into in connection with the Series A Notes and the Series B Notes.

5. The Authorized Officers are, and either of them is, hereby authorized and directed to designate employees or agents of the Board or the University to act as Authorized Representatives with respect to the issuance of Series C Notes, and to designate Authorized Persons, who may be employees or agents of the Board or the University or employees or agents of the Dealer, to take certain actions with respect to the issuance of Series C Notes, all as shall be provided in the Issuance Certificate, the Paying Agent Agreement, or any Dealer Agreement.

6. The President of the University and the Vice President for Finance and Operations and Treasurer are, and either one of them is, hereby authorized, empowered and directed, in the name and on behalf of the Board, and as its corporate act and deed, to execute the Series C Notes by manual or facsimile signature and to deliver the Series C Notes to the purchaser in exchange for the purchase price thereof, as shall be provided in the Issuance Certificate and the Paying Agent Agreement. The Series C Notes may be issued in the form of one or more Master Notes, as shall be provided in the Paying Agent Agreement.

7. The Authorized Officers are, and either one of them is, hereby authorized to cause to be prepared and circulated the Offering Memorandum with respect to the Notes, and to update, or cause to be updated, the Offering Memorandum, through supplements or otherwise, as an Authorized Officer shall deem appropriate, or as may be required by law. Any Dealer is authorized to circulate and use, in accordance with applicable law, the Offering Memorandum, as the same may have been updated or supplemented from time to time, in the offering, sale and delivery of the Notes.

8. The Authorized Officers are, and either one of them is, hereby authorized to select the portions, if any, of the Series A Notes and the Series B Notes and of the Board's outstanding bonds referred to in the preambles hereto as the "Notes to be Refunded" and "Bonds to be Refunded," respectively, and to provide for the call for redemption of such bonds, and to take any and all actions necessary and appropriate to provide for the payment when due of all amounts with respect to the Notes to be Refunded and the Bonds to be Refunded from the proceeds of the Series C Notes or other authorized debt obligations of the Board, or from other available funds of the University. All Series A Notes not refunded from the proceeds of the Series C Notes or other authorized debt obligations of the Board must be retired from other available funds of the University within 90 days of the first issuance of any Series C Notes.

9. The President, the Vice President for Finance and Operations and Treasurer, the Director of Investments and Financial Management, the Secretary of the Board, the Vice President for Legal Affairs and General Counsel and any Deputy, Associate or Assistant General Counsel, and all other appropriate officers or representatives of the Board or the University and each one of them are authorized to perform all acts and deeds and to execute and deliver for and on behalf of the Board all instruments and documents required by this Resolution or the documents authorized hereby (including a Letter or Letters of Representations among the Board, The Depository Trust Company and other necessary entities), or necessary, expedient and proper in connection with the issuance, sale and delivery of the Series C Notes and the administration of

the financing program represented by the Notes, from time to time, all as contemplated hereby or in connection with subsequent elections, approvals or determinations under the Issuance Certificate or other documents. Any reference to an officer of the Board or the University herein shall include any duly appointed interim or acting officer.

10. All resolutions or parts of resolutions or other proceedings of the Board in conflict herewith are hereby repealed insofar as such conflict exists.

EXHIBIT A

PROJECTS

The Projects, as that term is used in the Resolution to which this Exhibit A is attached, include the following:

Category I

Project Description	Cost* (millions)
Eli & Edythe Broad Art Museum construction, furnishing and equipping	\$ 39.5
College of Human Medicine West Michigan Expansion	6.7

*Current estimated approximate cost to be funded from Note proceeds (exclusive of issuance expense)

Category II

All projects heretofore or hereafter approved by the Board with an identified total or partial funding source as the proceeds of bonds, the Notes or other debt obligations issued by the Board.

Category III

Miscellaneous building, renovation, remodeling, site improvement, equipment, utility, information system and similar capital projects of the University, each with an estimated cost of \$5,000,000 or less, including but not limited to, roof repairs and replacements; electrical, mechanical, chiller, refrigeration and steam system renovations, repairs, replacements and improvements; heating, cooling and air conditioning system renovations, repairs, replacements and improvements; structural repairs and improvements; utility distribution repairs and improvements; road and sidewalk repairs and improvements; building and building addition construction, renovation, furnishing and equipping; information and computing system acquisitions and improvements (including wiring and cabling); elevator repairs and improvements; miscellaneous landscaping and site work; and miscellaneous equipment acquisitions.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Trustees of Michigan State University on February 12, 2010, in accordance with applicable law, and that the minutes of the meeting at which the resolution was adopted were kept and will be or have been made available at the Office of the Secretary of the Board of Trustees of Michigan State University.

I further certify as follows:

1. Present at the meeting were the following Board members:

Absent from the meeting were the following Board members:

2. The following members of the Board voted for the adoption of the Resolution:

The following members of the Board voted against adoption of the Resolution:

RESOLUTION DECLARED ADOPTED.

Secretary, Board of Trustees of
Michigan State University

ACADEMIC FREEDOM FOR STUDENTS AT MICHIGAN STATE UNIVERSITY

This document provides the framework for student rights and responsibilities at Michigan State University, including student conduct, academic pursuits, keeping of records, and publications. It describes procedures for formulating regulations governing student conduct and for providing due process in the adjudication of student disciplinary cases. This document also defines channels and procedures for student complaints and grievances.

ARTICLE 1: Student Rights and Responsibilities

ARTICLE 2: Academic Rights and Responsibilities

ARTICLE 3: Student Records

ARTICLE 4: Non-Academic Hearing Board Structures

ARTICLE 5: Adjudication of Non-Academic Cases

ARTICLE 6: Academic Hearing Board Structures

ARTICLE 7: Adjudication of Academic Cases

ARTICLE 8: Regulations, Policies, and Rulings

ARTICLE 9: Independent and University-Supported Student Publications

ARTICLE 10: Office of the Ombudsman

ARTICLE 11: Definitions

ARTICLE 12: Procedures for Amending and Revising This Document

HISTORY OF APPROVAL

ACADEMIC FREEDOM FOR STUDENTS AT MICHIGAN STATE UNIVERSITY

FOREWORD

The foreword is not a part of the document that follows. It supplies, however, a necessary perspective for interpreting the document.

Student rights and responsibilities at Michigan State University must be understood against the social and historical background of the University itself.

When, more than 150 years ago, the people of Michigan established this institution on the land-grant principle, they framed a new conception of the role of the university in American life. A land-grant university is a trusteeship of intellect in the service of society. It gathers society's creative and critical powers and uses them to advance the common good and to solve fundamental problems.

That is the special character that has caused the land-grant university to become one of the great transforming agencies of the American scene. When it honors its commission, it acts not for the sake of the academic community, but for the sake of society beyond the academy. All members of the academic community -- trustees, administrators, faculty, staff and students -- enact a trust of which society beyond the University is the proper beneficiary.

The real significance of this document, as we believe, is not that students have acquired rights, but that they have explicitly been made party to our social trust. The responsibility which lies upon the trustees, the administration, and the faculty continues. They remain guardians of the University, charged with preserving in it the genius of scholarship and the conditions of inquiry which society has entrusted to their care.

PREFACE

This report, the *Graduate Student Rights and Responsibilities* document, and the *Medical Students Rights and Responsibilities* document contain guidelines to the rights and duties of students in matters of conduct, academic pursuits, the keeping of records, and publications. This report describes structures and procedures for the formulation of regulations governing student conduct, for the interpretation and amendment of the guidelines, for the adjudication of student disciplinary cases, and for channeling student complaints, grievances, or concerns to faculty, staff, and administrators for appropriate action.

For the most part, these provisions simply make explicit what has been long understood and practiced at Michigan State University. This report identifies rights and duties of students and provides for students a carefully prescribed system of due process. The report does not contain a

general or abstract definition of academic freedom. Rather, the report is an operational definition with concrete application of the concept of academic freedom for students.

ARTICLE 1

Student Rights and Responsibilities

Michigan State University is a community of scholars whose members include its faculty, staff, students¹, and administrators. The basic purposes of the University are the advancement, dissemination, and application of knowledge. The most basic condition for the achievement of these purposes is freedom of expression and communication. Without this freedom, effective sifting and testing of ideas cease, and research, teaching, and learning are stifled. Knowledge is as broad and diverse as life itself, and the need for freedom is equally broad. Yet absolute freedom in all aspects of life means anarchy, just as absolute order means tyranny. Both anarchy and tyranny are antithetical to the purposes and character of the University. Therefore, the University always must strive to strike that balance between maximum freedom and necessary order which best promotes its basic purposes by providing the environment most conducive to the many faceted activities of instruction, research, and service.

Each right of an individual places a reciprocal duty upon others: the duty to permit the individual to exercise the right. The student, as a member of the academic community, has both rights and duties. Within that community, the student's most essential right is the right to learn. The University has a duty to provide for the student those privileges, opportunities, and protections which best promote the learning process in all its aspects. The student also has duties to other members of the academic community, the most important of which is to refrain from interference with those rights of others which are equally essential to the purposes and processes of the University.

The University cherishes many values, modes of thought, and standards of behavior that are better taught by example and rewards than by the threat of penalties. Regulations governing the activities and conduct of student groups and individual students should not be comprehensive codes of desirable conduct; rather, they should be limited to the prescription of procedures for meeting the practical, routine necessities of a complex community and to the prohibition or limitation of acts which cannot be tolerated because they seriously interfere with the basic purposes, necessities, and processes of the academic community, or with rights essential to other members of the community.

The student is not only a member of the academic community, but a citizen of the larger society, who retains those rights, protections, and guarantees of fair treatment held by all citizens, and which the University may not deny. The enforcement of the student's duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.

¹ For the purposes of this document, an individual is considered a student from the time he or she attends his/her first class until graduation, recess, dismissal, suspension, or withdrawal from the University or until he/she fails to register for more than one consecutive term.

I. Guidelines

To protect student rights and to facilitate the definition of student responsibilities at Michigan State University, the following guidelines shall apply to those stipulations and conditions by which student conduct is regulated, broadly referred to as "regulations" in the remainder of this Article.

- A. All regulations shall seek the best possible reconciliation of the principles of maximum freedom and necessary order.
- B. There shall be no regulation unless there is a demonstrable need which is reasonably related to the basic purposes and necessities of the University as stipulated herein.
- C. To the maximum extent feasible, students shall participate in formulating and revising regulations governing student conduct.
- D. All regulations governing student conduct shall be made public in an appropriate manner.
- E. Every regulation shall be as brief, clear, and specific as possible.
- F. Wherever rights conflict, regulations shall, to the maximum extent feasible, permit reasonable scope for each conflicting right by defining the circumstances of time, place, and means appropriate to its exercise.
- G. Regulations shall respect the free expression of ideas and shall encourage the competition of ideas from diverse perspectives.
- H. Procedures and penalties for the violation of regulations shall be primarily designed for guidance or correction of behavior.
- I. Penalties shall be commensurate with the seriousness of the offense. Repeated violations may justify increasingly severe penalties.
- J. There shall be clearly defined channels and procedures for the appeal and review of:
 - 1. The finding of guilt in an alleged violation of a regulation.
 - 2. The reasonableness, under the circumstances, of the penalty imposed for a specific violation.
 - 3. The substance of a regulation or administrative decision which is alleged to be inconsistent with the guidelines in this document.
 - 4. The fairness of the procedures followed in the adjudication.

- K. Students accused of violating a regulation or University policy shall have the right to appear before a duly constituted hearing board as provided in this document. No student shall be suspended or dismissed from the University for disciplinary reasons, except through the procedures of this document or the applicable sections of the *Graduate Student Rights and Responsibilities* document or the *Medical Student Rights and Responsibilities* document.
- L. Every regulation shall specify to whom it applies and whether responsibility for compliance lies with individuals, with groups, or with both.
- M. Student Handbook and Resource Guide: A handbook of the University's current regulations relating to student rights and responsibilities shall be made available to every member of the academic community (see *Spartan Life: Student Handbook and Resource Guide*).

ARTICLE 2

Academic Rights and Responsibilities

I. Preamble

The freedom and effectiveness of the educational process depend upon the provision of appropriate conditions and opportunities for learning in an environment that is supportive of diversity among ideas, cultures, and student characteristics. The responsibility to secure, respect, and protect such opportunities and conditions is shared by all members of the academic community. The primacy of the faculty's role and its centrality in the educational process must be recognized and preserved. The primary intellectual purpose of the University -- its intellectual content and integrity -- is the responsibility of the faculty.

The establishment and maintenance of the proper relationship between instructor and student are fundamental to the University's function, and require both instructor and student to recognize the rights and responsibilities which derive from it. The relationship between instructor and student as individuals should be founded on mutual respect and understanding together with shared dedication to the educational process.

II. Role of the Faculty in the Instructional Process

- A. No provision for the rights of students can be valid which suspends the rights of the faculty. The student's right to competent instruction must be reconciled with the rights of the faculty, consistent with the principle that the competency of a professional can be rightly judged only by professionals. It is, therefore, acknowledged and mandated that competence of instruction shall be judged by the faculty.
- B. Faculty shall have authority and responsibility for academic policy and practices in areas

such as degree eligibility and requirements, course content and grading, classroom procedure, and standards of professional behavior in accordance with the *Bylaws for Academic Governance*, the *Code of Teaching Responsibility*, and other documents on faculty rights and responsibilities.

- C. No hearing board established under this document shall interfere with the evaluation of a student that represents a course instructor's good faith judgment of the student's performance. In the event that an evaluation is determined to be based on inappropriate or irrelevant factors, as discussed in Section III.B.1 below, the dean of the relevant college shall cause the student's performance to be reassessed and a good faith evaluation to be made.
- D. Colleges/department/schools shall provide appropriate and clearly defined channels for the receipt and consideration of student complaints concerning instruction. In no instance shall the competence of instruction form the basis for an adversarial proceeding before any of the judicial bodies established in this document.

III. Rights and Responsibilities of the Student

- A. The student is responsible for learning the content of a course of study according to standards of performance established by the faculty and for adhering to standards of professional behavior established by the faculty.
- B. The student has a right to academic evaluations that represent the course instructor's good faith judgments of performance. Course grades shall represent the instructor's professional and objective evaluation of the student's academic performance. The student shall have the right to know all course requirements, including grading criteria, and course procedures at the beginning of the course. (See also *the Code of Teaching Responsibility*.)
 - 1. To overcome the presumption of good faith, it must be demonstrated that an evaluation was based entirely or in part upon factors that are inappropriate or irrelevant both to academic performance and applicable professional standards (e.g., race, sex, personal animus).
 - 2. The student shares with the faculty the responsibility for maintaining the integrity of scholarship, grades, and professional standards.²
 - 3. The student shall be free to take reasoned exception to information and views offered in the instructional context, and to reserve judgment about matters of opinion, without

² Professional standards are defined as the codes of expected professional conduct. Such codes (sometimes referred to as honor codes) must be approved by the academic units, the dean, and in the case of college statements, the Office of the Provost. The development of such standards within academic units shall include student participation. The dean and the Office of the Provost shall consult with appropriate governance groups before approving professional standards.

fear of penalty or reprisal.

4. The student's behavior in the classroom shall be conducive to the teaching and learning process for all concerned.
5. The student has a right to be governed by educationally justifiable academic regulations and professional standards. The administering unit shall inform students in writing of such regulations, including codes of professional behavior, at the time of the student's entry into the academic program.
6. The student has a right to accurate, timely, and clear information in writing³ at the time of entry into an academic program concerning (a) general academic requirements for establishing and maintaining an acceptable academic standing, (b) the student's academic relationship with the University and the details of any special conditions that may apply, and (c) graduation requirements for the student's academic program.
7. Students are responsible for informing themselves of University, college, department, and school requirements as stated in unit publications and in the University catalog. In planning to meet such requirements, students are responsible for consulting with their academic advisors.
8. The student has a right to protection against improper disclosure of his/her education records⁴ and personal information such as values, beliefs, organizational affiliations, and health. (See also Article 3.)
9. The student has a right to be protected from personal exploitation and to receive recognition for scholarly assistance to faculty.
10. The student and the faculty share the responsibility for maintaining professional relationships based on mutual trust and civility.

ARTICLE 3

Student Records

- I. Achieving educational goals, providing direction to students, and extending service to society demand that the University keep records. All policies and practices concerning records shall be based on respect for the privacy of the individual student as well as current federal and state law.

³ The terms "in writing" or "written" refer throughout the AFR to documents that exist in paper or electronic form.

⁴ See the MSU Access to Student Information Guidelines for information regarding confidentiality of student education records.

- II. Because of respect for the privacy of the individual student, record keeping must be performed only by University personnel whose job responsibilities require record keeping.
- III. All policies and practices governing access to, and maintenance and release of, student records shall conform to the University's published guidelines. (See the MSU Access to Student Information Guidelines).
- IV. No record shall be made, reproduced, or retained unless there is a demonstrable need for it that is reasonably related to the basic purposes and necessities of the University.
- V. The University shall not make, reproduce, or retain records of a student's religious or political beliefs or affiliations without the student's knowledge and consent.
- VI. Students shall have the right to inspect any of their own educational records, except as waived by the student (e.g., confidential letters of recommendation). Student educational records include official transcripts, student disciplinary records, and records regarding academic performance.
- VII. All policies and practices dealing with the acquisition and dissemination of information in student records shall be formulated with due regard for the student's right to privacy and access.
- VIII. All student educational records shall include a notation of the name of the person who supplied the information and the date of its entry, with the exception of central, Student Information System records.
- IX. Confidential records shall be responsibly handled. Units shall train persons handling such records in appropriate methods of keeping and disposing of confidential records.
- X. No one outside the faculty or administrative staff of Michigan State University, except as specified by law, may have access to the record of a student's offenses against University regulations without the written permission of the student.
- XI. All policies governing the maintenance and the selective release of records and of portions of records shall be made public in an appropriate manner and shall be subject to judicial review as provided in Article 5, Section II of this document. These policies and practices shall conform to current federal and state law. In addition, any changes to the policies shall be made known to the student body through the appropriate student governance bodies.

ARTICLE 4

Non-Academic Hearing Board Structures

Consistent with the fundamentals of fair play in any judicial process is an opportunity for those accused to be heard by their peers. What follows is the foundation and structure of a representative peer review structure, embedded within the hearing procedures outlined within this document. This Article describes the composition and jurisdiction of all non-academic hearing boards. Academic hearing boards are described in Article 6 of this document.

I. General Guidelines

A. Student Membership and Selection

A nomination committee composed of undergraduate and graduate members from each of the hearing boards outlined in this Article, as well as representatives from ASMSU⁵ and COGS⁶, will be responsible for recruiting and nominating a full complement of students to serve on each hearing board. At its discretion, the committee may include faculty members in the nomination process. The committee will be advised by a designee of the Vice President for Student Affairs and Services, who shall be a non-voting member. The committee will develop and follow written procedures to govern the nomination process. The committee shall also develop procedures to recruit and nominate students primarily enrolled at MSU locations other than the main campus in East Lansing to serve on panels that may be convened to hear cases involving students from that location.

Throughout the course of the year, the committee may also identify replacements in case of resignations or a member's inability to serve for a full term. Once the nomination process is complete, the committee must submit the names of the candidates for appointment to the appropriate governing body (see Section I.B below). The names of candidates for appointment shall be submitted to the appropriate governing bodies no later than the sixth week of spring semester.

B. Student Appointment/Reappointment

COGS shall be responsible for the appointment of graduate students to the hearing boards described in this Article. RHA shall be responsible for the appointment of residence hall students to the hearing boards described in this article.⁷ ASMSU shall be responsible for the appointment of undergraduates to the hearing boards described in this Article. All student appointments shall be made by the tenth week of spring semester.

⁵ ASMSU (the Associated Students of Michigan State University) is the All-University Undergraduate Student Governing Body.

⁶ COGS (the Council of Graduate Students) is the All-University Graduate Student Governing Body.

⁷ RHA (the Residence Hall Association) is the Residence Hall Governing Body.

The Owen Graduate Association⁸, University Apartments Council of Residents (UACOR)⁹, and RHA may establish their own hearing boards with jurisdiction over cases involving:¹⁰

1. Complaints of personal misconduct occurring in or around University housing, including alleged violations of General Student Regulations, Student Group Regulations, Living Group¹¹ Regulations, or University policies, where the possible sanction would not be expected to result in suspension or dismissal from the University.
2. Complaints regarding the constitution, bylaws, or policies of RHA, UACOR, or the Owen Graduate Association.

B. All-University Student Hearing Board

ASMSU and COGS shall form one All University Student Hearing Board to be comprised of at least three undergraduate students and three graduate students. This hearing board will have jurisdiction over cases involving:¹²

1. Complaints of personal misconduct occurring in or around University housing for which another hearing board is not available and where the possible sanction would not be expected to result in suspension or dismissal from the University.
2. Complaints alleging violations of General Student Regulations, Student Group Regulations, or University policies by individual members or constituent groups within ASMSU or COGS where the possible sanction would not be expected to result in suspension or dismissal from the University.
3. Complaints regarding the constitution, bylaws, or policies of ASMSU or COGS.

C. Terms of Appointment

Student members of these student only hearing boards shall serve for one full calendar year, commencing with summer semester following appointment, with opportunity for reappointment for one additional term. Student members appointed mid-semester will serve until the beginning of the next succeeding summer semester.

⁸ The Owen Graduate Association represents the residents of Owen Hall.

⁹ UACOR represents the residents of the University apartments.

¹⁰ University Housing Hearing Boards do not have jurisdiction over cases involving academic misconduct, except as described in Article 5, Section I of this document.

¹¹ A living group is defined as any unit of University-owned housing, including a campus residence hall, floor, apartment, or residence complex.

¹² The All-University Student Hearing Board does not have jurisdiction over cases involving academic misconduct, except as described in Article 5, Section I of this document.

III. Student-Faculty Hearing Board

A. Composition

The Student-Faculty Hearing Board shall be comprised of five undergraduate students, three graduate students, and five faculty members.

B. Jurisdiction

The Student-Faculty Hearing Board shall have jurisdiction over cases involving:¹³

1. Complaints of personal misconduct, including alleged violations of general student, student group, or living group regulations, or University policies.
2. Complaints arising between or within major governing groups¹⁴, student governing groups, living units, and/or registered student organizations that allege a violation of the group's, unit's, or organization's constitution, bylaws, or policies.
3. Complaints between ASMSU and COGS that allege a violation of either governing body's constitution, bylaws, or policies.

C. Terms of Office

Student members of the Student-Faculty Hearing Board shall serve for two years with the opportunity for reappointment for one additional two-year term. Faculty members shall serve for three years, with the opportunity for reappointment for one additional three-year term. All terms of office shall begin with the summer semester following appointment.

IV. University Student Appeals Board

A. Composition

The University Student Appeals Board shall be comprised of two undergraduate students, one graduate student, and three faculty members.

B. Jurisdiction

¹³ The Student-Faculty Hearing Board does not have jurisdiction over cases involving academic misconduct, except as described in Article 5, Section I of this document.

¹⁴ Major governing groups include the Greek Governing Boards, Student Housing Cooperative, Owen Graduate Association, RHA, and UACOR.

The University Student Appeals Board shall have appellate jurisdiction over appeals arising from sanctions imposed as a result of a hearing involving allegations of personal misconduct under any section of this Article and appeals arising out of cases heard pursuant to Section II of this Article. The University Student Appeals Board shall have original jurisdiction over non-academic student grievances filed pursuant to Section II of this Article to challenge a University policy or regulation.

C. Terms of Office

Student members of the University Student Appeals Board shall serve for two years with the opportunity for reappointment for one additional two-year term. Faculty members shall serve for three years, with the opportunity for reappointment for one additional three-year term. All terms of office shall begin with the summer semester following appointment.

ARTICLE 5

Adjudication of Non-Academic Cases

I. Personal Misconduct Cases

The following procedures shall govern cases involving alleged acts of personal misconduct. The procedures contained in this Article apply to all students at Michigan State University. These procedures do not govern cases involving academic misconduct, which are governed by Article 7. The Vice President of Student Affairs and Services (the “Vice President”) and the Provost will determine whether a case involving allegations of both personal misconduct and academic misconduct will be heard pursuant to Article 5 or Article 7 (or both).

A. Complaints

A complaint is defined as an allegation that a student has violated a University regulation, ordinance, or policy. Any member of the University community may file a complaint against a student.

B. Filing a Complaint

To file a complaint, a complainant must submit a written, signed statement to the Department of Student Life. The statement must contain the following information:

1. The specific policy, ordinance, or regulation that has allegedly been violated;
2. The time, place, and specific description of the alleged violation;
3. The name of the student against whom the complaint is filed (the “respondent”); and

4. The name of the individual who is filing the complaint (the “complainant”).

C. Notice of Complaint

Upon receipt of a complaint, a designee of the Vice President shall notify the respondent in writing within five class days that he or she has been accused of violating a University regulation, ordinance, or policy.¹⁵ The respondent shall be required to meet with an individual designated by the Department of Student Life (“administrator”) to discuss the complaint. The notice of complaint to the respondent shall include the following:

1. The specific policy, ordinance, or regulation that has allegedly been violated;
2. The time, place, and specific description of the alleged violation;
3. The name of the individual who is filing the complaint;
4. Notice of the opportunity to review the complaint in person;
5. A list of campus resources available to both parties; and
6. The deadline by which the respondent is required to meet with the administrator.

D. Administrative Meeting

1. The respondent will meet with the administrator, who will advise the respondent of his/her rights and responsibilities under this document. At that time, the respondent will be provided with a copy of the complaint and may admit or deny the alleged violation.
2. If the respondent fails to meet with the administrator or fails to admit or deny the alleged violation within five class days¹⁶ of meeting with the administrator, the administrator may take one of the following actions:
 - a. Place a hold on the respondent’s registration until the respondent meets with the administrator.
 - b. Refer the case to the appropriate hearing board for a formal hearing.
 - c. Render a decision on the complaint, provided that the administrator may not impose the sanctions of suspension or dismissal. If the administrator renders a decision on the complaint, the respondent shall have five class days from the date of the administrator’s decision to request a formal hearing before the appropriate

¹⁵ Notices sent via electronic mail will be sent to the individual’s official MSU email account.

¹⁶ A “class day” is a day on which classes are held, including the days of Final Exam Week but excluding weekends.

hearing board. Such a request must be made in writing and filed with the administrator. Such a request voids the administrator's decision, which will not be shared with the hearing board that hears the complaint. In the absence of such a request, the administrator's decision on the complaint will be final.

3. A respondent who admits his/her violation waives his or her right to a hearing on the matter of responsibility. In such a situation, the respondent may request that the administrator determine the sanction for the violation or request that the appropriate hearing board determine the sanction.
4. If the respondent denies the violation alleged in the complaint, the complaint will be referred to the appropriate hearing board. The hearing should follow in a timely manner.

E. Hearing Procedures

1. At least five class days prior to a hearing, both the complainant and respondent shall receive written notification of the hearing from the appropriate hearing board. This notice of hearing shall include:
 - a. A copy of the notice of complaint;
 - b. The date, time, and location of the hearing;
 - c. The names of the hearing board members conducting the hearing;
 - d. The names of the complainant's witnesses and advisor (if known).
2. The chair of the hearing board shall take necessary precautions to avoid any conflict of interest on the part of the hearing board's members. The complainant and the respondent shall have two class days from receiving the hearing notice to challenge any hearing board members for cause.¹⁷
3. The complainant and respondent shall have two class days from receiving the hearing notice to provide the chair of the hearing board with the names of his/her witnesses or advisors, if such names are not already listed on the hearing notice. The complainant and respondent will receive a second notice containing this information no less than one class day prior to the hearing.

¹⁷ The standard the chair of the hearing body shall follow in ruling on challenges for cause is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with the complainant, respondent, or a witness, the challenged person would be able to fairly and impartially hear the case. If the challenge is to the chair of the hearing body, the challenge shall be decided by the Senior Associate Vice President for Student Affairs and Services.

4. Either party may request, for good cause, that the hearing be postponed.¹⁸ The chair of the hearing board may grant or deny such a request.
5. The hearing shall be closed unless the respondent requests an open hearing. If the complainant is a student or the complaint was filed on behalf of a student, both the respondent and complainant must agree to an open hearing. The hearing board may close an open hearing at any time to maintain order or protect the confidentiality of information.¹⁹ An open hearing is open to any member of the University community.
6. The complainant and respondent shall be expected to appear at the hearing to present their cases. If appearance in person is not feasible, the hearing board may permit either party to present his/her case through other communication channels (phone, webcam, video conference, etc.). If the complainant fails to appear, the hearing board may either postpone the hearing or dismiss the case. If the respondent fails to appear, the hearing board may either postpone the hearing or hear the case in the respondent's absence. The respondent's failure to appear does not mean the respondent may be presumed to have committed the violation in the complaint.
7. The complainant and respondent shall be entitled to:
 - a. Receive a timely hearing.
 - b. Call witnesses on their behalf. Witnesses must be members of the University community, unless the hearing board determines that they have direct knowledge of the alleged behavior in question. Witnesses may be present in the hearing only when testifying. Witnesses may submit written statements to the hearing board in lieu of attending only with the written permission of the chair of the hearing board. Expert or character witnesses are generally not allowed. The hearing board may limit the number of witnesses.
 - c. Submit information in support of their positions.
 - d. Be accompanied to the hearing by an advisor, who must be a member of the faculty, staff, or student body of the University. The respondent may have an attorney who is not a member of the faculty, staff, or student body at the hearing as his/her advisor if criminal charges related to the alleged violation are pending. If the respondent is criminally charged with a sex offense related to the alleged violation when the hearing occurs, the complainant may have an attorney present at the hearing as his/her advisor. The advisor/attorney may be present throughout

¹⁸ "Good cause" includes, but is not limited to, circumstances outside of a party's control, such as illness, death in the family, or a class conflict.

¹⁹ The hearing board described in this document should refer to University policies and applicable laws regarding confidentiality of information.

the hearing but has no voice in the hearing unless the chair of the hearing board grants the attorney/advisor permission to participate.²⁰

- e. Question any witness who appears at the hearing.
- 8. The hearing board shall determine whether each allegation has been supported by a preponderance of the evidence²¹. If an allegation is not supported by a preponderance of the evidence, the respondent shall be found “not responsible” for that allegation. If the allegation is supported by a preponderance of the evidence, the hearing board may impose one or more of the sanctions listed in Section H of this Article.
- 9. The hearing board shall prepare a written report within five class days of the hearing. The report shall include rationale for the hearing board’s decision and notification of the right to appeal. A copy of the report shall be provided to the complainant and respondent, who will be required to maintain the confidentiality of the document.

F. Appeals

- 1. The University Student Appeals Board has jurisdiction over all appeals of decisions made by an administrator or hearing board under this Article.
- 2. A respondent may appeal an adverse decision on the basis that the information presented at the hearing does not support the decision reached by the hearing board or the sanction imposed or recommended by the hearing board.
- 3. Either the complainant or respondent may appeal on the basis that applicable procedures were not followed or there was a conflict of interest with a member of the hearing board.
- 4. A written appeal must be filed with the chair of the University Student Appeals Board within five class days after the date on which the hearing board’s decision was sent to the parties. Any sanctions imposed will be held in abeyance while the appeal is pending.
- 5. The chair of the University Student Appeals Board shall take necessary precautions to avoid any conflict of interest on the part of the appellate board’s members. Upon receipt of the appeal, the chair shall provide the complainant and respondent with written notice of the names of the members of the University Student Appeals Board. Both the complainant and respondent shall have two class days from receiving such notice to challenge any member for cause.

²⁰ The chair shall normally grant permission for a student representative from the undergraduate student defender program to have voice in the hearing.

²¹ A preponderance of the evidence is defined as that which is more convincing, more credible, and of a greater weight.

6. The University Student Appeals Board shall review the case and the procedures used, request additional information if needed, and then do one of the following:
 - a. Reject the appeal for lack of jurisdiction²².
 - b. Affirm or reverse the original decision.
 - c. Direct the original hearing board to rehear the case or to reconsider or clarify its decision.
 - d. Conduct a hearing of its own, from which the University Student Appeals Board may affirm, reverse or modify the original decision.
7. The University Student Appeals Board shall issue a written decision, including the rationale for its decision, within ten class days of convening to consider the appeal or conducting a hearing. A copy of the decision shall be provided to the complainant and respondent, who will be required to maintain the confidentiality of the document.
8. Either party may file a written request with the Vice President to review a decision by the University Student Appeals Board within five class days of the appellate board's decision. A request filed by the respondent must allege that the information presented at the appellate hearing does not support the decision reached by the University Student Appeals Board or the information presented at the hearing does not support the sanction imposed. Either the complainant or the respondent may file a request alleging that the applicable procedures were not followed or there was a conflict of interest with a member of the hearing board. The Vice President's decision is final.

G. Requests for Reconsideration

Each hearing board shall make provision to allow a complainant or respondent to request reconsideration of a case within 30 calendar days of its decision on the basis that new information has arisen.²³ An exception to the 30-day time limit may be granted by the appropriate hearing board only upon a showing of good cause.

H. Sanctions for Personal Misconduct

Disciplinary sanctions imposed should be based on a consideration of all circumstances in a particular case, including a student's prior record of misconduct, if any. Such sanctions may include any one or more of the following:

²² The appellate body must reject the appeal for lack of jurisdiction if the written appeal does not articulate one of the permissible bases for appeal or if the appeal deadline had already elapsed when the appeal was filed.

²³ For the purposes of this document, "new information" is defined as relevant information or documents previously unavailable to the party, although the party acted with due diligence to obtain such information.

1. Warning: An official written statement expressing disapproval of the behavior and notifying the student it must not occur again.
2. Probation: An official written statement establishing a period of time for observing and evaluating a student's conduct and indicating that any additional violations may result in more severe disciplinary action. This period may be accompanied by stipulations, including but not limited to restitution, participation in an educational program, or loss of specified University privileges.
3. Restitution: A requirement that a student pay for property damages or losses resulting from acts committed by the student, with the date by which the restitution must be completed.
4. Change of Residence: The student shall be required to move from his or her current on-campus residence, either to an off-campus location or to another location within the University housing system.
5. Other: The student may be required to participate in an educational program deemed appropriate to a specific case or set of behaviors or lose specified University privileges.
6. Suspension: A suspension is temporary removal from the University for a particular period of time, at the conclusion of which the student is eligible to apply for readmission. A suspension may also be a conditional suspension, in which case the student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission.
7. Dismissal: A dismissal is a permanent removal from the University.

Dismissal and suspension sanctions may be imposed only by the Vice President or Provost. A decision by the Student Faculty Hearing Board or University Student Appeals Board that includes the sanction of dismissal or suspension must be approved and implemented by the Vice President or Provost, as appropriate.

I. Urgent Disciplinary Cases

If the Vice President is presented with credible information that a student's continued presence at Michigan State University poses a clear and present danger²⁴ to the health or safety of persons or property, the Vice President or his/her designee may temporarily suspend a student from the University. Before temporarily suspending a student, the Vice President will make a reasonable attempt to notify the student of the potential interim suspension and offer the student an opportunity to present information that he/she does not pose a threat to persons or property.

²⁴ A "clear and present danger to the health or safety of persons or property" is defined as an immediate and significant danger.

The interim suspension shall not preclude, render irrelevant, or predetermine the outcome of subsequent disciplinary action relating to conduct on which the interim suspension is based. Nor shall an interim suspension create a presumption of guilt. Students placed on interim suspension may petition for reinstatement at any time, with the following guidelines.

1. Such petitions will be considered by either the Vice President or the Provost (or their designees) as requested by the petitioner.
2. Within five class days after receipt of a student's petition, the Vice President or the Provost (or their designees) shall meet with the student for the sole purpose of deciding whether to continue the interim suspension or grant reinstatement.
3. The outcome of the meeting shall not preclude, render irrelevant, or predetermine the outcome of subsequent disciplinary action.

Students placed on interim suspension shall face disciplinary action for the underlying conduct pursuant to this Article, regardless of where the conduct occurred.

II. Non-Academic Student Grievances

Any student (the “grievant”) may file a grievance against a registered student organization, student governing group, or University employee alleging a violation of this document or a violation of the student group's constitution, bylaws, or policies. Any student may also file a grievance pursuant to this section to challenge a University policy or regulation as being inconsistent with the guidelines established in this document.²⁵ Such grievances should be filed in writing with the Vice President.

A. Informal Resolution

Prior to filing a student grievance, the grievant should first attempt to resolve the grievance informally.

B. Jurisdictional Findings

A designee of the Vice President shall review the grievance and forward it to the appropriate hearing board to determine whether it has jurisdiction to hear the case. The hearing board shall then forward a copy of the grievance to the respondent and invite a written response. After considering all submitted information, the hearing board may:

1. Schedule a hearing.

²⁵ A designee of the Vice President will identify the appropriate respondent in grievances that are filed to challenge a University policy or regulation.

2. Reject the request for lack of jurisdiction²⁶ and provide a written explanation for that decision.
3. Invite all parties to meet with the hearing board for an informal discussion of the issues. Such a discussion shall not preclude a subsequent hearing.

C. Hearing Procedures

1. At least five class days prior to a hearing, the parties shall receive written notification of the hearing from the appropriate hearing board. This notice of hearing shall include:
 - a. The date, time, and location of the hearing;
 - b. The names of the hearing board members; and
 - c. The names of the parties' witnesses and advisors (if known).
2. Both the respondent and grievant shall have two class days from receiving the hearing notice to challenge any hearing board members for cause.²⁷
3. The parties shall have two class days from receiving the hearing notice to provide the chair of the hearing board with the names of their witnesses and advisors, if such names are not already listed on the hearing notice. Both parties will receive a second notice containing this information no less than one class day prior to the hearing.
4. Either party may request, for good cause, that the hearing be postponed.²⁸ The chair of the hearing board may grant or deny such a request.
5. The hearing shall be open unless the hearing board determines that the hearing should be closed to protect the confidentiality of information. An open hearing is open to any member of the University community. The hearing board may close an open hearing at any time to maintain order or protect the confidentiality of information.
6. Both parties are expected to appear at the hearing to present their cases. If appearance in person is not feasible, the hearing board may permit either party to present its case through other communication channels (phone, webcam, video conference, etc.). If the grievant fails to appear, the hearing board may either postpone the hearing or

²⁶ The hearing board must reject the grievance for lack of jurisdiction if the grievance does not articulate one of the appropriate bases for a grievance.

²⁷ The standard the chair of the hearing body shall follow in ruling on challenges for cause is whether, in light of the challenged person's knowledge of the case or personal or professional relationship with a party or a witness, the challenged person would be able to fairly and impartially hear the case. If the challenge is to the chair of the hearing body, the challenge shall be decided by the Senior Associate Vice President for Student Affairs and Services.

²⁸ "Good cause" includes, but is not limited to, circumstances outside of a party's control, such as illness, death in the family, or a class conflict.

dismiss the case. If the respondent fails to appear, the hearing board may either postpone the hearing or hear the case in the respondent's absence. The respondent's failure to appear shall not result in any presumption favoring the grievant.

7. Both parties shall be entitled to:
 - a. Receive a timely hearing.
 - b. Call witnesses on their behalf. Witnesses must be members of the University community, unless the hearing board determines that they have direct knowledge of the matter at issue. Witnesses may be present in the hearing only when testifying. Witnesses may submit written statements to the hearing board in lieu of attending only with the written permission of the chair of the hearing board. Expert witnesses are generally not allowed. The hearing board may limit the number of witnesses.
 - c. Submit information in support of their positions.
 - d. Be accompanied by an advisor, who must be a member of the faculty, staff, or student body of the University. The advisor/attorney may be present throughout the hearing but has no voice in the hearing unless the chair of the hearing board grants the advisor permission to participate in the hearing.²⁹
 - e. Question any witness who appears at the hearing.
8. The hearing board shall determine whether the allegation has been supported by a preponderance of the evidence³⁰. If the allegation is not supported by a preponderance of the evidence, the grievance shall be decided in favor of the respondent. If the allegation is supported by a preponderance of the evidence, the hearing board may impose one or more of the sanctions listed in Section D below.
9. The hearing board shall prepare a written report within five class days of the hearing. The report shall include the rationale for the hearing board's decision and notification of the right to appeal. The hearing board will send a copy of its report to both parties, who will be required to maintain the confidentiality of the document.

D. Sanctions

1. Warning: An official written statement expressing disapproval of the behavior and notifying the respondent it must not recur.

²⁹ The chair shall normally grant permission for a student representative from the undergraduate student defender program to have voice in the hearing.

³⁰ A preponderance of the evidence is defined as that which is more convincing, more credible, and of a greater weight.

2. Warning Probation: An official written statement establishing a period of time for observing and evaluating a student group's conduct and indicating that further violations may result in more severe consequences. This probation may be accompanied by conditions.
3. Revocation of privileges for a registered student organization or student governing group.
4. Revocation of registration of a student organization.
5. Other action deemed appropriate to the specific case.
6. A formal recommendation to the appropriate administrator to correct the action, policy, or regulation in question.

E. Appeals

Either party may appeal the decision of the hearing board on the basis that (1) the information presented does not support the decision reached by the hearing board, (2) the information presented does not support the sanction imposed or recommended by the hearing board, or (3) the procedures described above for adjudicating the case were not followed. A written appeal must be filed with the chair of the University Student Appeals Board within five class days after the hearing board's report has been sent to the parties. Any sanctions imposed will be held in abeyance while the appeal is pending.

F. Temporary Restraining Actions

1. The codes of operation for student judiciaries described in Article 4 of this document shall include provisions for expedited consideration of urgent cases in which a restraining action is sought because (1) a group action allegedly threatens immediate and irreparable harm through action contrary to the constitution of any undergraduate or graduate student governing group within the judiciary's jurisdiction; or (2) a regulation or administrative decision allegedly threatens immediate and irreparable harm through infringement of rights defined by this document.
2. Upon receipt of such a request, the relevant hearing board shall conduct a preliminary review to determine whether a temporary restraining action is appropriate. This review should include opportunity for both the grievant and the respondent to present information, either in writing or in person at the discretion of the hearing board. The purpose of the review is to consider the nature and potential extent of irreparable harm and other alternatives to remedy the situation. The review shall not preclude, render irrelevant, or predetermine the outcome of the ultimate decision of the hearing board on the grievance in question.
3. If the hearing board decides to take a temporary restraining action, the appropriate individual, group, or administrative unit shall be required to postpone or withdraw

the action in question pending a hearing on the merits of the grievance by the appropriate hearing board.

4. The hearing board shall make every reasonable effort to meet whatever exigencies of time may exist in such a case. If necessary, the hearing board may announce its decision regarding a temporary action without a written statement of its reasons, provided that such a statement of its reasons shall be made available to the parties as soon as is reasonably possible.

ARTICLE 6

Academic Hearing Board Structures

This Article describes the composition and jurisdiction of all academic hearing boards that hear cases involving undergraduate students. Academic hearing boards that hear cases involving graduate students are described in the *Graduate Student Rights & Responsibilities* document. Non-academic hearing boards are described in Article 4 of this document.

I. Department/School Level Hearing Boards

A. Jurisdiction

Department/school hearing boards shall have initial jurisdiction over student academic grievances alleging violations of student academic rights. Department/school hearing boards also have jurisdiction over student grade disputes.

B. Composition

Department/school hearing boards shall be comprised of an equal number of undergraduate students and faculty and shall be drawn from the pool of potential hearing board members, as defined by the relevant department/school/college procedures. Those not selected shall serve as alternates. In addition, the chair of the hearing board shall be selected according to relevant department/school procedures and shall serve without vote, except in event of a tie.

C. Terms of Office

Terms of office shall be governed by department/school hearing board procedures. Students and faculty shall be selected for their department/school hearing board by the end of the tenth week of spring semester for the upcoming summer semester. Department/school hearing board procedures shall include provisions for filling vacancies, including provisions for appointments on an interim basis during summer semester.

D. Decisions

Department/school hearing boards may recommend whatever redress it may consider appropriate to the specific case.

E. Appeals

Decisions of department/school hearing boards may be appealed to the University Academic Appeal Board.

II. College Level Hearing Boards

A. Jurisdiction

College hearing boards serve as initial hearing boards for (1) allegations of violations of student academic rights in colleges without departments; (2) allegations of violations of student academic rights when the department/school hearing board has waived jurisdiction; (3) academic disciplinary hearings involving academic misconduct (including violations of professional standards)³¹; (4) allegations of violations of student academic rights occurring in courses or programs offered by a college, including integrative studies centers; and (5) cases of ambiguous jurisdiction in which the Associate Provost for Undergraduate Education has selected the board as the appropriate college hearing board.

B. Composition

College hearing boards shall be comprised of an equal number of undergraduate students and faculty and shall be drawn from the pool of potential hearing board members, as defined by the relevant department/school/college procedures. Those not selected shall serve as alternates. In addition, the chair of the hearing board shall be selected according to relevant college procedures and shall serve without vote, except in event of a tie.

C. Terms of Office

Terms of office shall be governed by college hearing board procedures. Students and faculty shall be selected for their college hearing board by the end of the tenth week of spring semester for the upcoming summer semester. College hearing board procedures shall include provisions for filling vacancies, including provisions for filling appointments on an interim basis during summer semester.

D. Decisions

In cases involving allegations of violations of student academic rights, a college hearing board may make whatever recommendations on redress it may consider appropriate to the specific case before it. In cases involving academic disciplinary hearings, college hearing boards shall have available to them the full range of sanctions listed in Article 7, Section VI below.

E. Appeals

The decision of a college hearing board that served as the initial hearing board for alleged violations of student rights may be appealed to the University Academic Appeal Board. The decision of a college hearing board, acting as a disciplinary hearing body, for an allegation of academic misconduct by an undergraduate student may be appealed to the University Academic Appeal Board.

III. University Academic Integrity Hearing Board

A. Jurisdiction

³¹ See Article 7, Section V and the *Integrity of Scholarships and Grades policy*.

The University Academic Integrity Hearing Board shall have jurisdiction over academic grievances brought by a student to contest a penalty grade based on a charge of academic misconduct.

B. Composition

The University Academic Integrity Hearing Board shall be comprised of three faculty members, excluding the chair, and three undergraduate students drawn from a pool representing each college. The pool shall consist of at least two faculty members and two undergraduate students from each college. The chair of the hearing board will be a faculty member with seniority and will serve without vote, except in the event of a tie. Members of the University Academic Integrity Hearing Board selected to hear a case shall include at least one faculty member and one undergraduate student from the college in which the alleged violation occurred and at least one faculty member and one undergraduate student from the college in which the student is enrolled (if applicable). Those not selected from the pool will serve as alternates. The Office of the Provost shall provide necessary support services for the University Academic Integrity Hearing Board.

C. Terms of Office

Student members of the University Academic Integrity Hearing Board shall serve for two years, with the opportunity for reappointment for one additional two-year term. Faculty members shall serve for three years, with the opportunity for reappointment for one additional three-year term. All terms of office shall begin with the summer semester following appointment.

D. Decisions

The University Academic Integrity Hearing Board shall have available to it the full range of sanctions listed in Article 7, Section VI below. In addition, the Board may make whatever recommendations to the appropriate dean that it may consider appropriate to the specific case before it.

E. Appeals

Decisions of the University Academic Integrity Hearing Board may be appealed to the University Academic Appeal Board.

IV. University Academic Appeal Board

A. Jurisdiction

The University Academic Appeal Board shall have appellate jurisdiction over (1) decisions by the University Academic Integrity Hearing Board in cases involving penalty grades for academic misconduct; (2) decisions by a college hearings boards acting as a disciplinary hearing body for an allegation of academic misconduct by an undergraduate student, and (3) decisions by department/school and college hearing boards in cases involving academic grievances alleging violations of student rights.

B. Composition

The University Academic Appeal Board shall be comprised of three faculty members, excluding the chair, and three undergraduate students drawn from a pool representing each college. The pool shall consist of at least two faculty members and two undergraduate students from each college. The chair of the hearing board will be a faculty member with seniority and will serve without vote, except in the event of a tie. Members of the University Academic Appeal Board selected to hear a case shall include at least one faculty member and one undergraduate student from the college in which the alleged violation occurred and at least one faculty member and one undergraduate student from the college in which the student is enrolled (if applicable). Those not selected from the pool will serve as alternates. The Office of the Provost shall provide necessary support services for the University Academic Appeal Board.

C. Terms of Office

Student members of the University Academic Appeal Board shall serve for two years, with the opportunity for reappointment for one additional two-year term. Faculty members shall serve for three years, with the opportunity for reappointment for one additional three-year term. All terms of office shall begin with the summer semester following appointment.

D. Decisions

If the University Academic Appeal Board agrees to hear an appeal of an academic disciplinary decision, the Board shall have available to it the full range of sanctions listed in Article 7, Section IV of this document. If the University Academic Appeal Board agrees to hear an appeal of an academic grievance decision, the Board may recommend any redress it considers appropriate to the specific case before it.

E. Appeals

All decisions of the University Academic Appeal Board are final unless appealed to the Provost, who may affirm or reverse the decision, reduce the sanction imposed, or direct that the case be reheard.

ARTICLE 7

Adjudication of Academic Cases

The University undertakes, within the limits of its resources and the limits imposed by due respect for the professional rights of the faculty, to supply an appropriate remedy for legitimate student grievances. The limits of the University's resources proceed from factors that, while subject to its influence, are not always subject to its control.

I. Academic Grievances

- A. For the purposes of this Article, a grievance is an allegation filed by a student against a faculty or staff member within the time periods set forth in Section III.C below.
- B. A grievance may (1) allege a violation of any of the academic rights of students under this document, (2) challenge an academic evaluation on the grounds that the evaluation was based entirely or in part upon factors (e.g., race, sex, personal animus) other than a good faith judgment of the student's academic performance, including compliance with applicable professional standards, or (3) contest a penalty grade based on a charge of academic dishonesty.³²
- C. A student who has been dismissed by a college for lack of academic progress may file a grievance under this section alleging procedural violations. Students may not file a grievance challenging such a decision to dismiss on substantive grounds.
- D. Where an instructor or a committee has rendered a judgment regarding a student's academic performance, that judgment is presumed to be made in good faith and the grievant bears the burden of proving the contrary, with the exception of allegations of academic dishonesty. In those cases, the instructor bears the burden of proof.

II. Academic Complaints

- A. For the purposes of this Article, a complaint is an allegation filed by a member of the University community against a student within the time periods set forth in Section III.C below.
- B. A complaint may allege academic dishonesty, violation of professional standards, or falsification of academic or admissions records³³ ("academic misconduct"). (See also

³² Instructors and deans seeking sanctions for academic dishonesty other than, or in addition to, penalty grades must file a complaint under Section II.B of this Article.

³³ Allegations of falsification of records submitted for admission to the University are processed through the Office of the Provost to determine whether the individual's admission will be rescinded. A decision by the Associate Provost for Undergraduate Education or the Dean of the Graduate School (as appropriate) to rescind admission may be appealed to the Provost within ten calendar days of the decision. Allegations of falsification of records submitted

Integrity of Scholarships and Grades policy.)

III. Filing a Request for an Academic Grievance Hearing

- A. If problems arise in the relationship between instructor and student, they should attempt to resolve them in informal, direct discussions. If the problem remains unresolved, they should consult the unit administrator. If the problem remains unresolved, the student may file a request for a grievance hearing.
- B. To file a request for a grievance hearing, the student must submit a written, signed statement that contains the following information to the chair of the hearing board of the department/school within which the violation is alleged to have occurred. In cases of ambiguous jurisdiction, the appropriate college hearing board will be selected by the Associate Provost for Undergraduate Education ("Associate Provost"). Anonymous grievances will not be accepted.
 - 1. The specific basis for the grievance;
 - 2. The person(s) against whom the grievance is filed; and
 - 3. A concise statement of the sanction or remedy sought.
- C. Grievances must be filed not later than the middle of the semester (including summer semester) following the one in which the event which is the basis for the grievance occurred. If the middle of the semester falls during a scheduled vacation period when students are not enrolled for classes, the grievance must be filed on the first class day after the vacation period. If either party to a grievance is absent from the University during that semester, or if other appropriate reasons exist, an exception to this time limit may be granted. If either party to the grievance leaves the University prior to its resolution, the grievance may proceed at the discretion of the chair of the hearing board.

IV. Judicial Procedures

- A. Departments/colleges/schools shall establish hearing board procedures consistent with this document. A copy of these procedures shall be filed with the dean's office and the Office of the Ombudsman. Units shall review their hearing board procedures every five years.
- B. Grievance hearings normally must be initiated at the department/school level. With the approval of the relevant college dean, departments/schools may waive jurisdiction over a grievance and refer it to the college hearing board.
- C. Each department/school/college shall provide training to its hearing board members

by a current student for admission to a school, college, or program are handled through the academic disciplinary process as allegations of academic misconduct.

regarding its hearing procedures and the requirements of this document.

- D. The adjudication of grievances and complaints should proceed in a timely manner, as described below.
1. Within five class days of its receipt, the chair of the hearing board shall forward a copy of the request for a complaint/grievance hearing to the hearing board members and to the respondent.
 2. The chair of the hearing board shall take necessary precautions to avoid any conflict of interest on the part of the hearing board's members. The chair of the hearing board must promptly notify each party of the names of the hearing board members. Within three days of that notice, either party may submit a written challenge to the chair of the hearing board seeking to remove any member of the hearing board for cause. The challenge must explain the cause for removing the hearing board member. If the chair of the hearing board is the subject of the challenge, the challenge should be filed with the unit administrator.³⁴
 3. The chair of the hearing board or unit administrator shall rule promptly on any challenge, replace any removed hearing board member from the pool of hearing board alternates, and promptly forward the name of the new hearing board member to the parties.
 4. Within five class days of being established, the hearing board shall review the request for a complaint/grievance hearing to determine whether it meets the requirements established by this Article. If it does, the chair of the hearing board shall invite a written response from the respondent. After considering the submitted documents, the hearing board shall:
 - a. Accept the request, in whole or in part, and schedule a hearing.
 - b. Invite the parties to meet with the hearing board to attempt to informally resolve the dispute. Such discussion does not preclude a later hearing.
 - c. Reject the request for lack of jurisdiction³⁵ and refer the case to the appropriate hearing board (if any).
 5. At least five days prior to the hearing, the chair of the hearing board shall provide the parties with written notice of the hearing. This notice shall include:

³⁴ The standard to be used in ruling on challenges is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party or witness, the challenged person would be able to fairly and impartially hear the case.

³⁵ The hearing board must reject the complaint/grievance if the written complaint/grievance does not contain the information required in Section III.B above, if it has been filed with the wrong hearing board, or if the deadline for filing a grievance/complaint had already elapsed when it was filed.

- a. The names of the parties;
 - b. A copy of the request for a complaint/grievance hearing and the response to it; and
 - c. The date, time, and place of the hearing.
6. At least three class days prior to the hearing, the parties shall provide the chair of the hearing board with the names of their witnesses (if any) and advisor (if any). The chair of the hearing board shall forward this information to both parties prior to the hearing.
 7. Any amendment to a complaint/grievance must be filed at least five class days before the hearing.
 8. Either party may request, with good cause,³⁶ that the chair of the hearing board postpone the scheduled hearing. The chair may grant or deny the request.
 9. Each party is expected to appear at the hearing and present his/her case to the hearing board. If it is not feasible for a party to appear in person, the hearing board may permit that party to present his/her case to the hearing board through other available communication channels (phone, webcam, video conference, etc.).
 10. The chair of the hearing board may permit either party to submit a written statement from a witness to the hearing board and to the opposing party if the witness is unavailable to testify at the hearing in person or by another means of communication. The statement must be submitted at least three class days before the scheduled hearing.
 11. Should the respondent fail to appear at a scheduled hearing, in person or through another communication channel, the hearing board may (a) postpone the hearing if an acceptable excuse for the absence has been offered, (b) hear the case in the absence of the party, or (c) dismiss the case. Should the grievant/complainant fail to appear at a scheduled hearing, in person or through another communication channel, the hearing board may (a) postpone the hearing if an acceptable excuse for the absence has been offered, or (b) dismiss the case.
 12. The hearing board shall maintain a collegial atmosphere in hearings.
 13. Hearings are closed unless an open hearing is requested by the student. An open hearing is open to any member of the University community. The hearing board may close an open hearing to maintain order or protect the confidentiality of information.

³⁶ "Good cause" includes, but is not limited to, circumstances outside of a party's control, such as illness, death in the family, or a class conflict.

14. Each party may choose to be accompanied to the hearing by a member of the faculty, staff, or student body of the University who is serving as that party's advisor. The respondent may be accompanied to the hearing by an attorney who is not a member of the faculty, staff, or student body if criminal charges related to the subject matter of the complaint/grievance are pending against the respondent at the time of the hearing. If the respondent is charged with a sex offense related to the subject matter of the grievance/complaint when the hearing occurs, the complainant may have an attorney present at the hearing as his/her advisor. The advisor/attorney may be present throughout the hearing but has no voice in the hearing unless the chair of the hearing board grants the attorney/advisor permission to participate.³⁷
 15. Witnesses must be members of the University community, unless the hearing board determines that they have direct knowledge of the matter at issue. Witnesses may be present in the hearing only when testifying. Expert witnesses are generally not allowed. The hearing board may limit the number of witnesses.
 16. During the hearing, each party shall have an opportunity to make an opening statement, present evidence, question witnesses, ask questions of the opposing party, present a rebuttal, and present a closing statement. The chair of the hearing board may set time limits on each party's presentation.
- E. The hearing board shall render a decision and prepare a written report of its findings and supporting rationale. As part of its decision, the hearing board shall recommend what, if any, redress or sanction should be implemented by the appropriate unit administrator.³⁸ The chair of the hearing board shall forward copies of the report to the appropriate unit administrator within three class days of the hearing.
 - F. Upon receipt of the hearing board's report, the appropriate unit administrator, in consultation with the hearing board, shall determine an appropriate redress or sanction within three class days. The chair of the hearing board will immediately forward copies of the final decision to the parties, the unit administrator who will implement the redress or sanctions, and the University Ombudsman. All recipients of the report are expected to respect the confidentiality of the report. If an appeal is filed pursuant to Section VII below, any redress or sanctions imposed will be held in abeyance while the appeal is pending.
 - G. Either party to a hearing may request reconsideration of a hearing board's recommendation within 30 days of the hearing board's decision on the basis that new evidence has arisen.
 - H. At any time during the grievance/complaint hearing process, the parties may consult with

³⁷ The chair shall normally grant permission for a student representative from the undergraduate student defender program to have voice in the hearing.

³⁸ The appropriate unit administrator is generally the head of the unit in which the hearing occurred.

the Office of the Ombudsman.

V. Academic Disciplinary Hearings

- A. In cases in which a complaint is filed against an undergraduate student for academic misconduct and the student's dean has requested an academic disciplinary hearing, the complaint will be forwarded to the Associate Provost.³⁹
- B. Upon receiving a complaint, the Associate Provost shall promptly notify the student in writing that he or she has been accused of academic misconduct and that the student's dean has requested an academic disciplinary hearing. The student shall be required to meet with the Associate Provost to discuss the alleged academic misconduct and review the academic disciplinary hearing process. The Associate Provost also will inform the student of his or her right to contest the allegation before the University Academic Integrity Hearing Board.
- C. The student shall have ten class days to request an academic grievance hearing to contest a penalty grade based on a charge of academic dishonesty. If the student files a request for a grievance hearing, the student will not meet with the Associate Provost until the University Academic Integrity Hearing Board has heard the student's academic grievance and all appeals, if any, are final. If the University Academic Integrity Hearing Board determines that the student did not commit academic dishonesty, the student will not face any additional sanctions based on that charge.
- D. In cases in which the student's dean (or designee) has requested an academic disciplinary hearing for a complaint involving the violation of professional standards, the Associate Provost will meet with the student to determine the appropriate college hearing board for the hearing and review the academic disciplinary process.
- E. In cases in which the student's dean (or designee) has requested an academic disciplinary hearing for a complaint involving academic misconduct other than violation of professional standards, the Associate Provost will meet with the student to discuss the allegations and ask the student to select either an administrative hearing conducted by the Associate Provost or a disciplinary hearing conducted by the appropriate college hearing board. If the student chooses to have a college hearing, the Associate Provost will forward the complaint to the chair of the appropriate college hearing board. If the student requests an administrative hearing, the Associate Provost will proceed with the hearing.
- F. A student who admits his/her academic misconduct to the Associate Provost waives the right to a hearing to contest the allegation. In such a situation, the Associate Provost shall impose an appropriate redress or sanction for the academic misconduct. The student may appeal the appropriateness of the sanction/redress imposed to the University Academic Appeal Board.

³⁹ An academic dean may request additional sanctions only in accordance with the *Integrity of Scholarships and Grades Policy*.

- G. If a student fails to meet with the Associate Provost when so required by this Article, the academic misconduct complaint will be referred to the appropriate college hearing board. (See also *Integrity of Scholarship and Grades Policy* and *General Student Regulation 1.00: Protection of Scholarship and Grades.*)
- H. In cases of ambiguous jurisdiction, the Associate Provost will select the appropriate college hearing board.

VI. Sanctions for Academic Misconduct

The academic disciplinary sanctions imposed on a student should be based on a consideration of all circumstances in a particular case, including the student's prior record of academic misconduct, if any. Such sanctions may include one more of the following:

- A. Warning: An official written statement expressing disapproval of the behavior and notifying the student that it must not recur.
- B. Probation: An official written statement establishing a period of time for observing and evaluating a student's conduct and indicating that further academic misconduct may result in more severe disciplinary action. This probation may be accompanied by stipulations, including, but not limited to, restitution, participation in an educational program, or the loss of specified privileges.
- C. Restitution: A requirement that a student pay for property damages or losses resulting from acts committed by the student, with the date by which the restitution must be completed.
- D. Other: The student may be required to participate in an educational program deemed appropriate to a specific case or set of behaviors or lose specified University privileges.
- E. Suspension: A suspension is temporary removal from the University or a department/school/college for a particular period of time, at the conclusion of which the student is eligible to apply for readmission. A suspension may also be a conditional suspension, in which case the student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission.
- F. Dismissal: A dismissal is a permanent removal from the University or a department/school/college.

Only the University Academic Appeal Board and the Associate Provost may impose the sanctions of suspension or dismissal from the University. Only the dean of the relevant college and the University Academic Appeal Board may impose the sanction of suspension or dismissal from a school/college.

VII. Appeals to the University Academic Appeal Board.

- A. Appeals must be filed within five class days following the date of the hearing board's decision and may challenge the substance of the decision and/or the procedures employed in the adjudication. Any redress or sanctions imposed will be held in abeyance while the appeal is pending.
- B. Appeals must be written and signed by the party filing the appeal and must specify the basis for appeal in sufficient detail to justify further proceedings. Presentation of new evidence will normally be inappropriate at an appeal hearing, unless the information was previously unavailable to the party submitting it and the party acted with due diligence to obtain such evidence.
- C. The chair of the University Academic Appeal Board shall take necessary precautions to avoid any conflict of interest on the part of the appeal board's members. The chair must promptly notify each party of the names of the appeal board members and provide either party with an opportunity to file a written challenge to any hearing board member for cause. If the chair is the subject of the challenge, the written challenge should be filed with the Associate Provost.
- D. The University Academic Appeal Board shall review the appeal and forward a copy of the appeal to the other party and invite a written response. After considering the appeal and response, the board may:
 - 1. Decide that it does not have jurisdiction⁴⁰ and let the decision of the initial hearing board stand;
 - 2. Direct the initial hearing board to rehear the case or to reconsider or clarify its decision; or
 - 3. Decide that sufficient reasons exist for an appeal and schedule an appellate hearing in a timely manner.
- E. When the University Academic Appeal Board finds that an academic grievance has merit and that redress is possible, it shall recommend that redress be provided. The relevant academic dean, after reviewing the decision of the appeal board, shall implement an appropriate remedy.
- F. The University Academic Appeal Board shall issue findings and recommendations in a written report that includes its supporting rationale within ten class days of the appeal hearing. The appeal board may affirm, reverse, or modify the decision of the hearing board. The appeal board also may direct the initial hearing board to rehear the original

⁴⁰ The University Academic Appeal Board must reject the appeal for lack of jurisdiction if the written appeal does not articulate one of the permissible bases for appeal or if the appeal deadline had already elapsed when the appeal was filed.

complaint/grievance.

ARTICLE 8

Regulations, Policies, and Rulings

The University community's expectations for student and group conduct which hold the potential for disciplinary action shall be promulgated as General Student Regulations, Student Group Regulations, Living Group Regulations, and All-University Policies as defined herein.

Administrative decisions which mediate the flow of services and privileges in the operation of the University are Administrative Rulings. All regulations, policies, and rulings promulgated by the University shall be consistent with this document.

I. General Student Regulations

- A. General Student Regulations shall be those regulations established within the University community to secure the safety of members of the University community and University facilities, maintain order, and ensure the successful operation of the institution. Such regulations shall apply to all students, regardless of class level, place of residence, or group affiliation, as well as to all governing bodies, governing groups, living groups, and registered student organizations.
- B. Any governing body, governing group, living group, or registered student organization or any individual student, faculty, or staff member may propose amendments to the General Student Regulations by submitting that proposal to the University Committee on Student Affairs. The University Committee on Student Affairs may also propose amendments to the General Student Regulations.
- C. Proposals submitted to the University Committee on Student Affairs may be approved or rejected. If rejected, the University Committee on Student Affairs shall forward a written explanation to the initiator of the proposal. The explanation may include suggestions for modification of the proposal. If approved, the University Committee on Student Affairs shall forward the proposal to the Academic Council.
- D. The Academic Council may approve or reject the proposal. If the Academic Council rejects the proposal, a written explanation of the rejection shall be forwarded to the University Committee on Student Affairs. The written explanation may include suggestions for modification of the proposal. If the proposal is approved, the Academic Council shall forward the proposal to the President.
- E. The President may approve or reject the proposal. If the President rejects the proposal, a written explanation of the rejection shall be forwarded to the University Committee on Student Affairs. The written explanation may include suggestions for modification of the proposal. If the proposal is approved, the amendment shall take effect upon its approval by the President.

II. Student Group Regulations

- A. Student Group Regulations shall be those regulations established within the University community to govern the conduct of the constituent members of a governing body or a governing group and the activities of living groups and registered student organizations under a governing body or governing group's jurisdiction. Such Regulations shall apply only to the students, bodies, groups, and organizations specified by the Regulations.
- B. Any constituent member of a governing body or governing group or any living group or registered student organization under its jurisdiction may propose amendments to the Student Group Regulations by submitting that proposal to the governing body or group with the appropriate legislative authority. A governing body or governing group may also propose amendments to the General Student Regulations.
- C. Proposals submitted to the appropriate student governing body (ASMSU or COGS) may be approved or rejected. If rejected, the student governing body shall forward a written explanation to the initiator of the proposal. The explanation may include suggestions for modification of the proposal. If approved, the student governing body shall forward the proposal to the University Committee on Student Affairs.
- D. The University Committee on Student Affairs may approve or reject the proposal. If rejected, the University Committee on Student Affairs shall forward a written explanation to the appropriate student governing body (ASMSU or COGS). The explanation may include suggestions for modification of the proposal. If approved, the proposal shall be forwarded to the Vice President for Student Affairs and Services.
- E. The Vice President for Student Affairs and Services may approve or reject the proposal. If the Vice President rejects the proposal, a written explanation of the rejection shall be forwarded to the University Committee on Student Affairs. The explanation may include suggestions for modification of the proposal. If the proposal is approved, the amendment shall take effect upon its approval by the Vice President.

III. Living Group Regulations

- A. Living Group Regulations shall be those regulations established within the University community to govern the conduct of residents and other students who are visitors and guests while within the building or buildings defining the living group. Such Regulations shall apply to all students regardless of class level, place of residence, or group affiliation.
- B. Any constituent member of a living group may propose amendments to that group's Living Group Regulations by submitting such proposals to the living group with appropriate legislative authority. Living groups may also propose amendments to their own Living Group Regulations.

- C. Proposals submitted to the living group may be approved or rejected. If rejected, the living group shall forward a written explanation to the initiator of the proposal. The explanation may include suggestions for modification of the proposal. If approved, the living group shall forward the proposal to the appropriate student governing body.
- D. The student governing body may approve or reject the proposal. If rejected, the student governing body shall forward a written explanation to the initiator of the proposal. If approved, the student governing body shall forward the proposal to the University Committee on Student Affairs.
- E. The University Committee on Student Affairs may approve or reject the proposal. If rejected, the University Committee on Student Affairs shall forward a written explanation to the appropriate student governing body. The explanation may include suggestions for modification of the proposal. If approved, the proposal shall be forwarded to the Vice President for Student Affairs and Services.
- F. The Vice President for Student Affairs and Services may approve or reject the proposal. If the Vice President rejects the proposal, a written explanation of the rejection shall be forwarded to the University Committee on Student Affairs. The explanation may include suggestions for modification of the proposal. If the proposal is approved, the amendment shall take effect upon its approval by the Vice President.

IV. All-University Policies

- A. All-University Policies shall be policies established within the University community to define and prescribe broad areas of institutional concern. Such policies shall apply to the individuals, groups, and organizations specified by the policies.
- B. All-University Policies are established by the Board of Trustees, usually following University-wide discussion and endorsement or as the result of a recommendation by an administrative unit or committee. It is the expectation that the appropriate academic governance bodies will be provided with an opportunity to review and provide input on such Policies as part of the approval process. All-University Policies may also be initiated and enacted by the Board itself.

V. Administrative Rulings

- A. Administrative Rulings shall be those policies, procedures, and practices established to implement the functions of the University's various administrative units. Such Rulings shall apply to the individuals, groups, and organizations specified by the Rulings. The various administrative units are delegated authority, by the Board of Trustees through the President, to establish Administrative Rulings.
- B. The process by which Administrative Rulings are developed shall be consistent with the legislative and advisory duties and prerogatives of the relevant academic governance

bodies. The process shall reflect concern for student input when the substance of a ruling affects students.

- C. When a student is alleged to be noncompliant with an Administrative Ruling that may result in disciplinary action under Article 5 of this document, the relevant unit administrator shall invite the student to a meeting to allow the student an opportunity to clarify the situation.
 - 1. The administrator shall determine whether the alleged noncompliance may violate a General Student Regulation, Student Group Regulation, or Living Group Regulation, or an All-University Policy. If so, the administrator may refer the student for disciplinary action under Article 5 of this document.
 - 2. The administrator shall assess the situation and decide whether any interim or temporary non-disciplinary actions must be taken during the pendency of his/her investigation (if applicable) or to prevent similar acts from occurring. The administrator may not impose disciplinary sanctions against a student without going through the judicial process described in Article 5 of this document.
 - 3. The administrator shall notify the student, in writing, of any non-disciplinary action taken here, the rationale for the action, and whether the Administrative Ruling provides any avenue of appeal of the decision. The student may challenge the Administrative Ruling itself pursuant to Article 5, Section II of this document.

ARTICLE 9

Independent and University-Supported Student Publications

I. Definitions

- A. Independent student publications: Publications that are prepared and distributed, at least in part, by students and that are not funded by the administrative units of the University. Independent student publications are typically publications of student living units, governing groups, registered student organizations, or student groups.
- B. University-supported student publications: Publications that receive funding from administrative units of the University.

II. General Guidelines

- A. Students and student groups shall have maximum freedom to express opinions and communicate ideas by preparing and distributing independent student publications.

- B. The University shall neither authorize nor prohibit the solicitation of advertising by an independent student publication.
- C. Administrative units may provide advice and counsel, but all University-supported student publications shall be guaranteed freedom of content and editorial policy.
- D. The withdrawal of financial support as a means of censorship over those University-supported student publications which are in substance a forum for free speech is recognized to be inappropriate.
- E. Every publication shall identify the agency, group, or organization responsible for its preparation and distribution.
- F. Regulations governing distribution of publications shall apply equally to all publications.
- G. No door-to-door solicitations for sale shall be permitted in organized living units on the campus without permission from the proper governing authority for the living unit. Each on-campus living unit shall decide what policies shall be formulated for distribution of publications within that living unit.
- H. For buildings other than organized living units, the Secretary of the Board of Trustees and the all-University student governing bodies, after consultation with the administrative, faculty, and student occupants of the building, shall determine designated places for the of distribution of publications.
- I. Publications may be distributed in living units, classroom buildings, and office buildings, but only in the places established through the procedures described above. Hand-to-hand distribution is permitted in all public areas of campus buildings, subject only to building security and access rules and such limitations as are necessary to prevent interference with scheduled University activities.
- J. Publications may be distributed shall be permitted outside campus buildings, subject only to such limitations as are necessary to prevent interference with the use of streets, sidewalks, and building entrances for other purposes.
- K. The offices of the Secretary of the Board of Trustees and ASMSU shall keep available for inspection an up-to-date list of places of distribution within campus buildings.
- L. Any regulations necessary to implement these guidelines shall be developed in accordance with Article 8 of this document.

ARTICLE 10

Office of the Ombudsman

- I. The President shall appoint a senior faculty member or executive manager with the title of University Ombudsman. The Ombudsman shall respect the sensitive and confidential nature of the position and the privacy of all persons soliciting assistance from the Office of the Ombudsman, thereby protecting them against retaliation. The Ombudsman's functions shall include the following charges:
 - A. The Ombudsman shall establish simple, orderly procedures for receiving requests, complaints, and grievances of students.
 - B. The Ombudsman shall assist students in accomplishing the expeditious settlement of their problems and may advise a student that the student's request, complaint, or grievance lacks merit, or that the student should seek a remedy elsewhere in the University. The Ombudsman may also assist the student in obtaining an informal settlement of the student's problem.
- II. The Ombudsman shall have broad investigatory powers and direct and ready access to all University officials, including the President.
- III. When necessary, the Ombudsman shall report directly to the President valid complaints for which no remedy has been found. The Ombudsman shall also report any recommendations regarding such complaints.
- IV. The Ombudsman shall make periodic reports to the President regarding the operation of the Office of the Ombudsman.

ARTICLE 11

Definitions

Academic Disciplinary Case: A case brought against a student accused of academic misconduct involving sanctions other than or in addition to a penalty grade.

Academic Misconduct: Instances of academic dishonesty, violations of professional standards, and falsification of academic records or records for admission to a department/school/college. See also General Student Regulation 1.00, Scholarship and Grades; Integrity of Scholarships and Grades Policy.

Administrators: University employees who manage University budgets, direct work units, or formulate, evaluate, and/or administer University policy.

Advisor: A member of the student body, faculty, or staff of the University chosen by a party to assist in the preparation of a case.

All-University Graduate Student Governing Body: Council of Graduate Students (COGS).

All-University Undergraduate Student Governing Body: Associated Students of Michigan State University (ASMSU).

Class Day: A day on which classes are held, including the days of Final Exam Week but excluding weekends.

Clear and Present Danger: An immediate and significant danger to the health or safety of persons or property.

Complainant: A member of the University community who initiates a judicial proceeding under this document.

Faculty: All persons appointed by the University to the rank of professor, associate professor, assistant professor, or instructor, all persons appointed by the University as librarians, and all other University employees with approved titles in the academic personnel system whose duties involve instructional activities.

Falsification of Admission or Academic Records: Falsification of any record submitted for admission to the University or an academic unit of the University. Falsification of any record created, used, and/or maintained by the Office of the Registrar, the Office of Admissions, or academic units (e.g. colleges, departments, and schools).

Good Cause: Good cause includes, but is not limited to, circumstances outside of a party's control, such as illness, death in the family, or a class conflict.

Graduate Student: A student enrolled in a master's, doctoral, or educational specialist program or in a graduate non-degree program, including Lifelong Education.

Hearing Body: A duly constituted judiciary as described in this document.

Living Group: A campus residence hall or residential complex, or a floor in such a residence hall or complex.

Major Governing Groups. The Greek Governing Boards, Student Housing Cooperative, Owen Graduate Association, RHA, and UACOR.

New Information: Relevant information or documents previously unavailable to a party to a proceeding, although the party acted with due diligence to obtain such information.

Non-Academic Disciplinary Case: A case brought against a student accused of violating a General Student Regulation, University ordinance, or University policy.

Ombudsman: The University Ombudsman is a senior faculty member or executive manager who assists members of the MSU community in resolving complaints or concerns confidentially, informally, impartially, and independently.

Penalty Grade: A grade assigned to a student by a faculty member based on a charge of academic misconduct.

Preponderance of the Evidence: Evidence that is more convincing, more credible, and of greater weight.

Professional Standards: Codes of expected professional conduct, sometimes referred to as honor codes.

Respondent: An individual or group against whom or which a complaint or grievance is filed.

Staff: Employees of the University other than administrators or faculty.

Student: An individual is considered a student from the time he or she attends his/her first class until graduation, recess, dismissal, suspension, or withdrawal from the University, or he/she fails to register for more than one consecutive semester.

Undergraduate: A student enrolled in a program leading to a bachelor's degree or in an undergraduate non-degree program, including Lifelong Education.

University Community: All University students, Trustees, administrators, faculty, and staff.

HISTORY OF APPROVAL

ORIGINAL DOCUMENT

Academic Council	January 10, 1967
Academic Senate	February 28, 1967
Board of Trustees	March 16, 1967

AMENDMENTS

Board of Trustees	June 18, 1971
Board of Trustees	June 24, 1977
Board of Trustees	July 1, 1971
Board of Trustees	June 24, 1983

COMPLETE REVISIONS

UCSA	February 28, 1983
ASMSU Student Board	March 8, 1983
UCSA	March 10, 1983
Elected Student Council	April 12, 1983
Academic Council	January 17, 1984
Board of Trustees	July 27, 1984

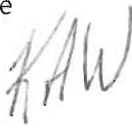
UCSA	December 4, 2009
ASMSU Academic Assembly	December 8, 2009
COGS	December 9, 2009
Academic Council	January 26, 2010
Board of Trustees	

MICHIGAN STATE UNIVERSITY

February 3, 2010

MEMORANDUM

TO: Trustee Policy Committee

FROM: Kim A. Wilcox, Provost 

SUBJECT: MSU Logotype/Wordmark, University Seal, and Official Spartan Green

RESOLUTION

Be it resolved that the Trustee Policy Committee recommends that the Board of Trustees endorse the modified MSU logotype/wordmark shown on Attachment A to this Resolution as one of the two official institution-wide graphic symbols (the other remaining the Block S); and

Be it further resolved that the Trustee Policy Committee recommends that the Board of Trustees approve the modified University seal shown on Attachment B to this Resolution; and

Be it further resolved that the Trustee Policy Committee recommends that the Board of Trustees endorse Pantone Matching System Color 567 as the official Spartan Green, and also authorize the administration to approve the use of other colors or tones when that is necessary to produce the effect of a single, consistent Spartan Green across various media and products.

BACKGROUND

On October 16, 1997 the Board of Trustees endorsed the MSU logotype/wordmark attached to this memorandum and the Block S as the official institution-wide graphic symbols. The University and corporate seals are described in Board Bylaw 15 (see Attachment C to this Resolution). No changes are proposed to the Block S or the corporate seal.

The current logotype/wordmark was approved at a time when the use of this mark was primarily in print. Today, with the vastly increased importance of electronic media, it is desirable to have a slightly bolder mark that translates more clearly into a variety of media. The current seal was originally developed as line art that was later scanned during the early days of desktop computing, yielding an image that lacks crispness. The



OFFICE OF THE
PROVOST

Michigan State University
Administration Building
East Lansing, Michigan
48824-1046

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recommended updated seal has been refined using up-to-date technology to create a clearer image with greater impact. The modified University seal remains consistent with Bylaw 15.

On October 16, 1997 the Board of Trustees also endorsed Pantone Matching System Color 341 as the official Spartan Green. As was the case with the wordmark and seal, print was the primary medium in which the color appeared. Unfortunately, Pantone Matching system Color 341 has not produced optimal results in increasingly important non-print media. (e.g., fabric). Pantone Matching System Color 567 is recommended as a new standard for the official Spartan Green with the understanding that different actual colors may still be utilized in certain media and products to achieve the best effect for the official Spartan Green. The proposed PMS 567 is more consistent with the green used prior to 1997 and is consistent with the green that has been historically used on fabric items such as the band uniform and the Varsity S jacket.

c: Trustee Finance Committee
 President Simon
 Vice President Poston
 Vice President Noto

Current

MICHIGAN STATE
UNIVERSITY

MICHIGAN STATE
UNIVERSITY

New



New

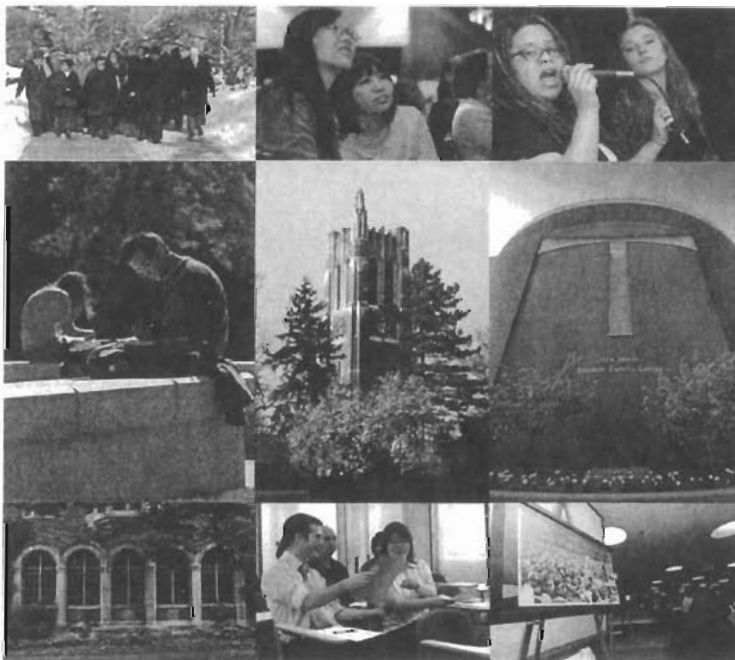


Current

Michigan State University

2008-09

Diversity and Inclusion at MSU Annual Progress Report



Executive Summary

Each year, a two-part narrative and data report is published to describe initiatives that support diversity and inclusion at Michigan State University. This executive summary highlights a small sample of activities from a vast pool that occurred between October 2008 and October 2009. The full report can be viewed at the Office for Inclusion and Intercultural Initiatives web site at www.inclusion.msu.edu.

INTRODUCTION

A **narrative report** is published each year to reflect progress made through program initiatives engaged in by colleges, academic units and support units that support inclusion and diversity at Michigan State University. A **data report** is also published each year that includes student and workforce trend data organized by race/ethnicity and gender categories. This executive summary highlights a sample of data and programs that took place in **2008-2009** from information provided by various MSU units. Program information in the narrative section is categorized according to the five strategic imperatives found in the “*Boldness by Design*” initiative. In fall 2009, President Lou Anna K. Simon delivered a message to the MSU community in response to the fiscal realities Michigan State is experiencing—and projecting for the future—which will require immediate action and long-term adaptations, while MSU holds constant to its core values of quality, connectivity, and inclusiveness.

Shaping the Future

“Difficult times require us to think differently, indeed boldly.” In her message to the University community in 2009, President Simon stated that:

Today’s increasingly severe economic circumstances and current fiscal realities demand our continued attention. We must build a new model that will change the way we work, but not the quality of the work we do for our students and in communities close to home and around the world.

This kind of transformational change is complex but necessary to preserve the quality of our academic programs over the long term. It is not top down. It is work that we will—and must—do together guided by overarching design principles and time-tested university governance and administrative processes.

Thanks to thoughtful past planning, hard work, decision making, and collaboration, Michigan State University is positioned to pursue greater efficiency and effectiveness in ways that do not compromise our values or our vision. Even as we make changes, we will continue to be guided by *Boldness by Design* and to maintain our commitment to being of the best research universities in the world.

Boldness by Design

The “*Boldness by Design*” strategic positioning initiative serves as the university’s plan that guides Michigan State University as it transforms to become the model land-grant university for the 21st Century. This initiative reaffirms MSU’s core value of inclusion which is woven throughout the mission of the institution:

Built on the foundation of our tradition, our land-grant values, and Michigan State’s historic and existing strengths, Boldness by Design is not a change of direction but a call to focus on five imperatives:

1. *Enhancing the student experience*
2. *Enriching community, economic, and family life*
3. *Expanding international reach*
4. *Increasing research opportunities*
5. *Strengthening stewardship*

Founders Day Address, President Lou Anna Kimsey Simon, February 9, 2006

At MSU we take great pride in our diversity. Valuing inclusion means providing all who live, learn and work at the university the opportunity to actively participate in a vibrant, intellectual community that offers a broad range of ideas and perspectives....

Valuing inclusion benefits MSU scholars who advance knowledge by exploring the vast range of questions that result from our differences....

Our commitment to inclusion means we embrace access to success for all and treat all members of the extended MSU community with fairness and dignity.

Taken from President’s Statement on Diversity and Inclusion

This report was compiled and edited by the Office for Inclusion and Intercultural Initiatives. Special thanks is extended to the following offices for their contributions to the report: Office of the Provost, Planning and Budgets, Associate Provost and Assistant Vice President for Academic Human Resources, Assistant Vice President for Human Resources, Vice President for Student Affairs and Services, and Admissions and Scholarships. The full report can be viewed at the Office for Inclusion and Intercultural Initiatives' web site – www.inclusion.msu.edu.

Changes in Diversity and Inclusion Related Policies, Procedures, and Resources

Race and ethnicity reporting of data changes

New federal guidelines for collecting and reporting of data on race and ethnicity will become effective for federal data reporting for the 2010-11 academic year. The current "Asian/Pacific Islander" category will be separated into two new categories—"Asian" and "Native Hawaiian or Other Pacific Islander." For the first time, individuals will have the opportunity to identify themselves as being of or belonging to more than one race.

An implementation team has made changes in the Student Information System and Human Resource system to accommodate the entry and storage of the new categories and multiple racial/ethnic codes. All current MSU faculty, staff and students will be able to self-identify using the new racial and ethnic categories. Current faculty and staff were resurveyed in fall 2009, and current students are tentatively scheduled to be resurveyed in August 2010.

Web Accessibility Policy

The university adopted a Web Accessibility Policy which sets minimum guidelines for accessibility of Web sites used to conduct core university business. The Policy was announced in July 2008, and became effective for all new and redesigned Web sites on May 15, 2009. Information on the policy is available at www.webaccess.msu.edu.

As part of the implementation process, units were required to complete an accessibility review of existing Web sites prior to May 15, 2009 and develop plans to correct any deficiencies. As of September 2009, the **Office of Inclusion and Intercultural Initiatives** had received 535 Web Accessibility Review forms. Of the total:

- 182 met requirements of web accessibility policy
- 36 were not used to conduct core business
- 483 have developed remediation plans, with completion dates ranging from March 2009 to May 2011
- 85 requested an exception to the policy. The most frequent reasons for requesting an exception included plans to launch a new website, use of third party vendor application/software, and application scheduled for replacement (i.e., EBSP).

Launch of Michigan State University's Web Site on Diversity and Inclusion

In collaboration with the Division of **University Relations** and the **Office for Inclusion and Intercultural Initiatives** MSU's new diversity and inclusion Web site was designed and launched in fall 2009. The site is unique in that it includes personal stories of a diverse group of faculty, students and staff members who give reasons why they believe MSU is a great place to work and attend school. President Simon's personal story and message on the site's home page, further inspires visitors to value the diversity that exists at MSU:

At MSU, we are more than the sum of our parts. Our diverse community challenges us to share our own ideas while considering other points of view. Here, differences are assets. They make us better learners, teachers, scholars, employees, and community members.

MSU's roots as a land-grant university have created a culture that encourages all people to contribute their special talents and reach their full potential. This inclusive culture extends far beyond the perimeter of campus. In our global research and outreach efforts, we focus our vast capabilities on society's most pressing challenges and enhance quality of life for individuals and communities worldwide.

We invite you to learn about MSU's rich heritage and to read and listen to stories from students, faculty, and staff who are part of the Michigan State University community.

Message by President Simon
Homepage of MSU's Diversity and Inclusion Web site
<http://inclusivity.msu.edu/index.php>

FIRST TIME FALL ENROLLMENT

The university's total first time fall enrollment of freshman for fall 2009 was 7,209, with a first time fall 2009 enrollment of minority freshman of 1,267, an increase of 83 compared to 2008. Minority freshman composed 17.5 percent of the freshman class. In other categories, total enrollment of minority undergraduate transfer student for fall 2009 was 180, a decrease of nine compared to 2008. Total enrollment of minority graduate students for fall 2009 was 187, a slight decrease as compared to 206 for fall 2008.

First Time Fall Enrollment	Freshman		Transfer		Graduate	
	2009	2008	2009	2008	2009	2008
Black/African American	605	568	69	57	79	89
Asian/Pacific Islander	401	370	62	72	48	54
Hispanic/Latino	213	207	34	41	48	49
American Indian/Alaska Native	48	39	15	19	12	14
TOTAL MINORITY	1,267	1,184	180	189	187	206
White	5,131	5,553 ¹	1,112	1,124	1,017	1,023
Other/No Response	140		35		73	
DOMESTIC TOTAL	6,538	6,737	1,327	1,313	1,277	1,229
International	671	600	219	160	524	508
UNIVERSITY TOTAL	7,209	7,337	1,546	1,473	1,801	1,737
Men	3,347	3,220	832	776	813	734
Women	3,862	4,117	714	697	988	998 ²

The decrease in the first time freshman gender data for women and the increase in the first time freshman gender data for men enrolled in 2008 and 2009 is a result of a further diversification of the geographic mix within the freshman cohort, inclusive of out-of-state domestic and international students where MSU saw increases in enrollment in fall 2009 over fall 2008. In-state males also saw a slight increase from the year before. The international student population grew overall, but increases among international male students grew at a rate greater than women. Women still constitute the majority of first time fall enrollment freshmen in fall 2009 at 53.6 percent.

¹ The total number includes those who chose to designate their racial/ethnic category as "White" or "other". In 2008 this category and combined data was reflected in the Diversity and Inclusion report as "White/Other".

² The total number of women Fall New Graduate students for 2008 were incorrectly reported in the "2007-08 Annual Diversity Progress Report" to be 1003. Correction is made in the 2008-09 to reflect 998.

TOTAL ENROLLMENT

There was a slight increase in overall minority and women student enrollment in fall 2009. Minority students represented 17.8 percent of domestic student enrollment in fall 2009, and 53.3 percent of total students enrolled were women, a slight decrease in percentage of representation compared to one year ago (53.9 percent). International students represented 5,056 or 10.7 percent of total students enrolled in fall 2009, an increase from 4,509 or 9.6 percent of total student enrollment in 2008.

Total Enrollment	Fall 2009		Fall 2008	
	Number	Percent	Number	Percent
Black/African American	3,435	8.1	3,392	8.0
Asian/Pacific Islander	2,407	5.7	2,361	5.6
Hispanic/Latino	1,357	3.2	1,337	3.1
American Indian/Alaska Native	324	0.8	325	0.7
TOTAL MINORITY	7,523	17.8	7,415	17.6
White	33,647	79.7	33,809	80.2
Other/No Response	1,052	2.5	915	2.2
DOMESTIC TOTAL	42,222	100.0	42,139	100.0
International	5,056		4,509	
UNIVERSITY TOTAL	47,278		46,648	
Men	22,077	46.7	21,519	46.1
Women	25,201	53.3	25,129	53.9

Undergraduate Enrollment	Fall 2009		Fall 2008	
	Number	Percent	Number	Percent
Black/African American	2,930	8.7	2,909	8.0
Asian/Pacific Islander	1,867	5.5	1,843	5.0
Hispanic/Latino	1,044	3.1	1,041	2.8
American Indian/Alaska Native	246	0.7	261	0.7
TOTAL MINORITY	6,087	18.0	6,054	17.7
White	27,075	80.0	27,491	80.5
Other/No Response	691	2.0	594	1.7
DOMESTIC TOTAL	33,853	100.0	34,139	100.0
International	2,636		2,198	
UNIVERSITY TOTAL	36,489		36,337	
Men	17,393	47.7	17,073	46.9
Women	19,096	52.3	19,264	53.0

Graduate Enrollment	Fall 2009		Fall 2008	
	Number	Percent	Number	Percent
Black/African American	505	6.0	483	6.0
Asian/Pacific Islander	540	6.5	518	6.4
Hispanic/Latino	313	3.7	296	3.7
American Indian/Alaska Native	78	0.9	64	0.8
TOTAL MINORITY	1,436	17.2	1,361	17.0
White	6,572	78.5	6,318	79.0
Other/No Response	361	4.3	321	4.0
DOMESTIC TOTAL	8,369	100.0	8,000	100.0
International	2,420		2,311	
UNIVERSITY TOTAL	10,789		10,311	
Men	4,684	43.4	4,446	43.1
Women	6,105	56.6	5,865	56.9

RETENTION and GRADUATION³

The overall first year persistence rates for undergraduate students (cohort of 2008 who returned to Michigan State University for fall semester 2009) showed a slight increase from the prior year (from 90.8% to 91.2%, while the rate for students of color (Minority), as a combined group, showed a slight decrease (from 89.6% to 88.9%). Individually, the rates for students of color (Minority) decreased, except for Hispanics, while the rates for Caucasian showed a slight increase. The 88.9% overall rate for students of color (Minority), while a decrease from last year, is still the second highest rate since 1994.

The overall six year graduation rates for undergraduate students (cohort of 2003) showed an increase from the prior year (from 75.3% to 76.7%). The same was true for students of color as a group (from 61.4% to 62.5%). The 76.7 % graduation rate for all students represents an all time high. The 62.5 % rate for students of color (Minority), as a combined group, also represents an all time high and is the fourth year that this rate has exceeded 60%. Individually, African Americans and Chicano students showed increases while American Indian and Hispanics showed decreases. The rate for Asian Pacific Islanders remained essentially the same. The rate for Caucasians showed an increase.

Michigan State University's persistence and graduation rates (overall and by groups) continue to be higher than the national rates at Division 1 NCAA colleges and universities while they continue to fall within the mid-range for Big 10 universities.

³ In reading this report, please note that the rates are dynamic, which means that the numbers can change from year to year.

ACADEMIC HUMAN RESOURCES

From October 2008 to October 2009, the total academic human resources workforce, i.e., headcount, not FTE's, decreased by 67 individuals, with a net decrease of 66 women representing 42.7 percent of all academic human resources, and a net loss of four minorities—representing 23.4 percent of the total academic human resources workforce. The academic human resources workforce includes 98 self-identified individuals with disabilities, including 47 tenure system faculty, 20 continuing academic staff, 12 fixed term academic staff and 19 fixed term faculty.

Academic Workforce	Fall 2009		Fall 2008	
	Number	Percent	Number	Percent
Black/African American	297	6.0	306	6.1
Asian/Pacific Islander	680	13.6	683	13.5
Hispanic/Latino	156	3.1	149	2.9
American Indian/Alaska Native	32	0.6	31	0.6
TOTAL MINORITY	1,165	23.4	1,169	23.1
White	3,820	76.6	3,883	76.9
ALL TOTAL	4,985		5,052	
Men	2,857	57.3	2,858	56.6
Women	2,128	42.7	2,194	43.4

During 2008-09, there were 96 new individuals appointed in the tenure system, including 28 minorities (29.2 percent) and 35 women (36.5 percent). On a non-duplicate basis, 50 individuals, or 52.1 percent of the total appointments in the tenure system were members of protected groups. This reflects a decrease from 68.4 percent in 2007-08. Overall, the number of tenure system faculty increased from 2,010 to 2,033, a net gain of 13 minorities and 14 women.

Tenure System Faculty	Fall 2009		Fall 2008	
	Number	Percent	Number	Percent
Black/African American	96	4.7	97	4.8
Asian/Pacific Islander	250	12.3	242	12.0
Hispanic/Latino	66	3.2	59	2.9
American Indian/Alaska Native	16	0.8	17	0.8
TOTAL MINORITY	428	21.1	415	20.6
White	1,605	78.9	1,595	79.3
ALL TOTAL	2,033		2,010	
Men	1,375	67.6	1,366	67.9
Women	658	32.4	644	32.0

The retention of minority and women tenure system faculty requires continued attention by the university given the relatively limited opportunity to hire and the experience over the past several years in which gains have been offset by a higher rate of separation for women and minorities than for White men. For 2008-09, the proportion of minorities who resigned was higher than their overall representation in the tenure system; while the proportion of women who resigned was lower than their overall representation in the tenure system. The Office of the Associate Provost for Academic Human Resources and the Office for Inclusion and Intercultural Initiatives continue to review the data and have completed testing of an online faculty exit survey that will assist in identifying reasons beyond normal attrition through retirement that impact retention for women and minority faculty.

The NSF funded ADVANCE Grant: **MSU Advancing Diversity through the Alignment of Policies and Practices (ADAPP)** initiatives to increase diversity in science, technology, engineering and mathematics disciplines is in its second year and has completed conducting a faculty work environment survey, and inventories of the promotion and tenure process, and recruitment and hiring process for three colleges associated with the grant. Areas of emphasis include leadership development of women in the STEM disciplines, support and resources for the formalization of mentoring practices within academic units/departments, and support of and adherence to best practices for recruiting and hiring a diverse faculty in STEM positions consistent with the goals outlined in the NSF ADVANCE grant.

SUPPORT HUMAN RESOURCES

During 2008-09 the university experienced increases in the support staff workforce by 169 employees, including an increase of 62 women employees (63.5 percent of the workforce). The racial composition of the total support staff workforce increased during 2008-09 including the number of minority support staff that increased by 38, representing 15.1 percent of the total support staff population. Regular new hires decreased by 78 (13.0 percent) from 598 to 520. The number of self-identified employees with a disability decreased by 6 from 121 to 115 (1.8 percent) of the workforce. The support staff veteran data reflects self-identification in one or more categories: 125 (2.0 percent) U.S. veterans, 95 (1.5 percent) Vietnam era veterans, 51 (0.8 percent) other eligible veterans, 51 (0.8 percent) armed forces service medal veterans, 9 (0.1 percent) disabled veterans and 2 (0.03 percent) recently separated veterans.

Support Staff Workforce	Fall 2009		Fall 2008	
	Number	Percent	Number	Percent
Black/African American	433	6.8	421	6.8
Asian/Pacific Islander	164	2.6	154	2.5
Hispanic/Latino	333	5.3	319	5.2
American Indian/Alaska Native	40	0.6	38	0.6
TOTAL MINORITY	970	15.3	932	15.1
White	5,365	84.7	5,234	84.8
ALL TOTAL	6,335		6,166	
Men	2,311	36.5	2,204	35.7
Women	4,024	63.5	3,962	64.3

DIVERSITY and INCLUSION INITIATIVES

The following are examples of 2008-2009 activities engaged in throughout the university community that support diversity and promote inclusion at MSU. Information is organized according to the five strategic imperatives identified in the *Boldness by Design* initiative.

ENHANCE THE STUDENT EXPERIENCE by continually improving the quality of academic programs and the value of an MSU degree for undergraduate and graduate students.

- **“Women in Science: Why the Leaky Pipeline” (NEU 922)** is a graduate seminar that focuses on why female PhDs disproportionately leak from the academic pipeline in the STEM disciplines. The seminar was prompted by the observation that female graduate students in Neuroscience and Psychology (Behavioral Neuroscience), representing a majority of students in these classes, are less confident than their male counterparts (despite their exemplary credentials) and seem burdened by the concern of successfully balancing family and career. Despite the diverse backgrounds, women in class clearly shared a common interest and desire to explore questions centered on life/work integration and self-advocacy.
- *Student Speak: Asian/Asian Pacific American Students at MSU* – complexities and diversity of Asian students was examined and discussion focused on personal experiences, told through stories by a panel of undergraduate and graduate Asian international and domestic students at MSU. The program co-sponsored by the **Office of Inclusion and Intercultural Initiatives, Office of Cultural and Academic Transitions, and the Office of Faculty and Organizational Development.**
- **MSU Human Resources** redesigned the student insurance plan that eliminated a pre-existing condition clause from the insurance coverage that significantly benefited international students, and human medicine and veterinary medicine students.
- **Campus Planning and Administration** presented to a Landscape Architecture 400 class on Design Study. Campus planning principles including contextual design, historic preservation/adaptive reuse, campus history and design standards were taught.
- Outreach, Visitation, the Saturday Academy and Summer Residency are part of the **GEAR UP/CD Programs**. They form a system that serves to increase the number of and provide support to low-income students who enter post-secondary education.
- *Cultural Competency Series: Developing Multicultural Competencies from the Inside Out: Skills for Lifelong Learning (MSU Extension)*. This five-module program that is open to Extension employees and other MSU faculty and staff was launched in September 2009.
- *“Tools of Engagement”* is a web-based curriculum modules developed by the **Center for Service Learning and Civic Engagement**. These modules encourage students to engage in community service activities and to become community partners in ways that appreciate, respect and benefit the citizens within the various communities.
- Representatives from **Residence Life, the Office for International Students and Scholars, the Office for Cultural Academic Transitions (OCAT), the Counseling Center, the Office of Study Abroad and the College of Social Science**, formed a team to develop and implement more than 20 sessions on

intercultural competencies at the Summer Institute for Intercultural Communications. These sessions were offered to more than 400 Residence Life and OCAT student staff members.

- The *Office of International Studies in Education*, (**College of Education**) provided support services to international students that requested assistance with writing, presentations, locating opportunities to learn English through conversations with American students.
- The Arabic Flagship (**College of Arts and Letters**) funded by a multi-year grant from the National Security Education Program was created to improve Arabic language teaching and learning and to produce superior-level students who are able to use Arabic in a professional context.
- The **Family Resource Center** adds value to the academic achievement of students with children. Low income student parents report that the child care scholarships facilitate their persistence towards graduation because the funding eases their financial stress, and provides a safe environment for their children while they attend classes.

ENRICH COMMUNITY, ECONOMIC AND FAMILY LIFE through research, outreach, engagement, entrepreneurship, innovation and diversity.

- The **Center for Service-Learning and Civic Engagement** registered 15,221 MSU students during 2008-09. Students served over 370 community non-profit agencies, neighborhood organizations, pre-K through 12th grade schools, hospitals, health care and senior facilities, and youth mentoring programs.
- Spring 2008 *Meet Michigan Traveling Seminar* (**Office of Faculty and Organizational Development**) was designed for participants whose work focuses on and supports the theme of "Birth to Five: Families, Health, and Education." Seminar presentations focused on families, health and nutrition, education, diversity, public policy, research, collaborations, networks, and funding.
- The *Tollgate Education Center* (**Land Management**) maintained a Demonstration Enabling Garden that has an accessible design using containers to accommodate guests with limited strength or mobility enhancing their quality of life.
- The *Visiting International Professional Program* (**International Studies Program**) continued to design and offer cultural events to international students that included traditional American cultural activities.
- In addition to a number of different programs, the *Office of Diversity Programming* (**James Madison College**) provided "welcome baskets" at the start of fall semester 2008-09 for international students filled with supplies to assist them in their transition to the college.
- The *Testing Center* (**Counseling Center**) installed a Spanish phone line for non-English speaking GED students, put a Spanish language GED in an Hispanic publication serving the tri-county area and hired/trained an oral evaluator for the Michigan English Language Assessment Battery, resulting in double the number of MELAB takers.

EXPAND INTERNATIONAL REACH through academic, research, and economic development initiatives and global, national, and local strategic alliances.

- The **College of Education** continued to increase their emphasis on globalization initiatives as a way to support students and educators to help them understand the challenges and importance of inclusive education. An MSU working group reported on Internationalizing the Student Experience indicating that

internationalization involves *global education* to address human rights, environmental changes, food security, peace and conflict, citizenship and governance as well as *multicultural education* for the study of relationships among ethnic and racial groups in order to increase understanding and social justice. The working group advocated for competencies such as: developing the judgment to understand one's place in the world relative to historical geopolitical and intellectual trends, including socio-cultural influences; perceiving the world as an interdependent system, recognizing the effects of the system on all our lives; learning about the influence of cultural norms, customs and traditions on communication and making use of this knowledge to enhance interactions among diverse members of society; using conflict management, dialogue and active listening to understand and engage productively with diverse people; understanding the influence of history, geography, religion, gender, race, ethnicity and other factors that impact a person's identity; and questioning explicit and implicit forms of power, privilege, inequality and inequity.

- **Lyman Briggs College** provided scholarship opportunities to five of its students to participate in a one-week study abroad program: *Rainforests and Reality in Nicaragua*. The program was a success and two of the students intend to conduct a research internship with a Lyman Briggs faculty member in Nicaragua during summer 2010.
- **Career Services, Career Employment Research Institute and the Office of Study Abroad** presented "*Unpacking International Experiences*" at the National Association of Foreign Student Advisors Annual Conference and Expo in Los Angeles, California. The team was also invited by the McCombs School of Business at the University of Texas to create an online curriculum for enhancing student learning on study abroad programs, followed by an on-site workshop for 70 McComb administrators, faculty and advisors.
- **Center for Gender in Global Context (GenCen)**, an interdisciplinary center in International Studies and Programs that focuses on gender, feminist and women's studies engaged in numerous GenCen research and initiatives related to the goals of inclusion and diversity. Among them was the *Africa-US Higher Education Planning Grant*, "*Ecosystem Services: Linking Science to Action in Malawi and the Region*" – submitted to USAID/HED and NASULGC by MSU faculty from the College of Agriculture and Natural Resources, College of Social Science, Lincoln University and the University of Malawi.
- **W. J. Beal Botanical Garden** led a tour for officials of the Philippine Justice Department that focused on forensic botany techniques and plants that illustrated certain points that could be utilized during a criminal investigation. The outreach increased international awareness of MSU's leadership role in plant biology.
- **International Student Child Care Committee** was initiated by an international graduate student to discuss the concerns of international families, particularly the issue of funding child care expenses as international students do not qualify for university scholarships. (**Family Resource Center**)
- **International Literacy Programming for Children** is a collaborative effort that includes the **Family Resource Center, East Lansing Public Library, Office of International Students and Scholars, Residence Life and Red Cedar Elementary School**. The purpose of this initiative was to bring a renowned children's author to an event for children of many cultures. Each child received a free book and the opportunity to interact with the author.
- **The Office for Faculty and Organizational Development** and a faculty representative from **Educational Administration (College of Education)** participated in an international delegation to a conference on "*Theory, Practice and Implications: Professional and Organizational Development for Chinese Higher*

Education in the Global Context,” in China on how faculty development can assist China to reach its goals for higher education. A paper was presented entitled, *Faculty Career Stages and Implications for Professional Development Practice* (July 2009).

- MSU was one of four public universities in the nation that rank in the top 10 for both study abroad participation and international student enrollment, according to **Open Doors 2008**, the annual report on international education released by the **Institute of International Education**.
- The **Confucius Institute at MSU** was named a Confucius Institute of the Year among peers worldwide in 2007–08 by Chinese Language Council International, also known as Hanban, for providing exemplary opportunities to learn Chinese language and culture.

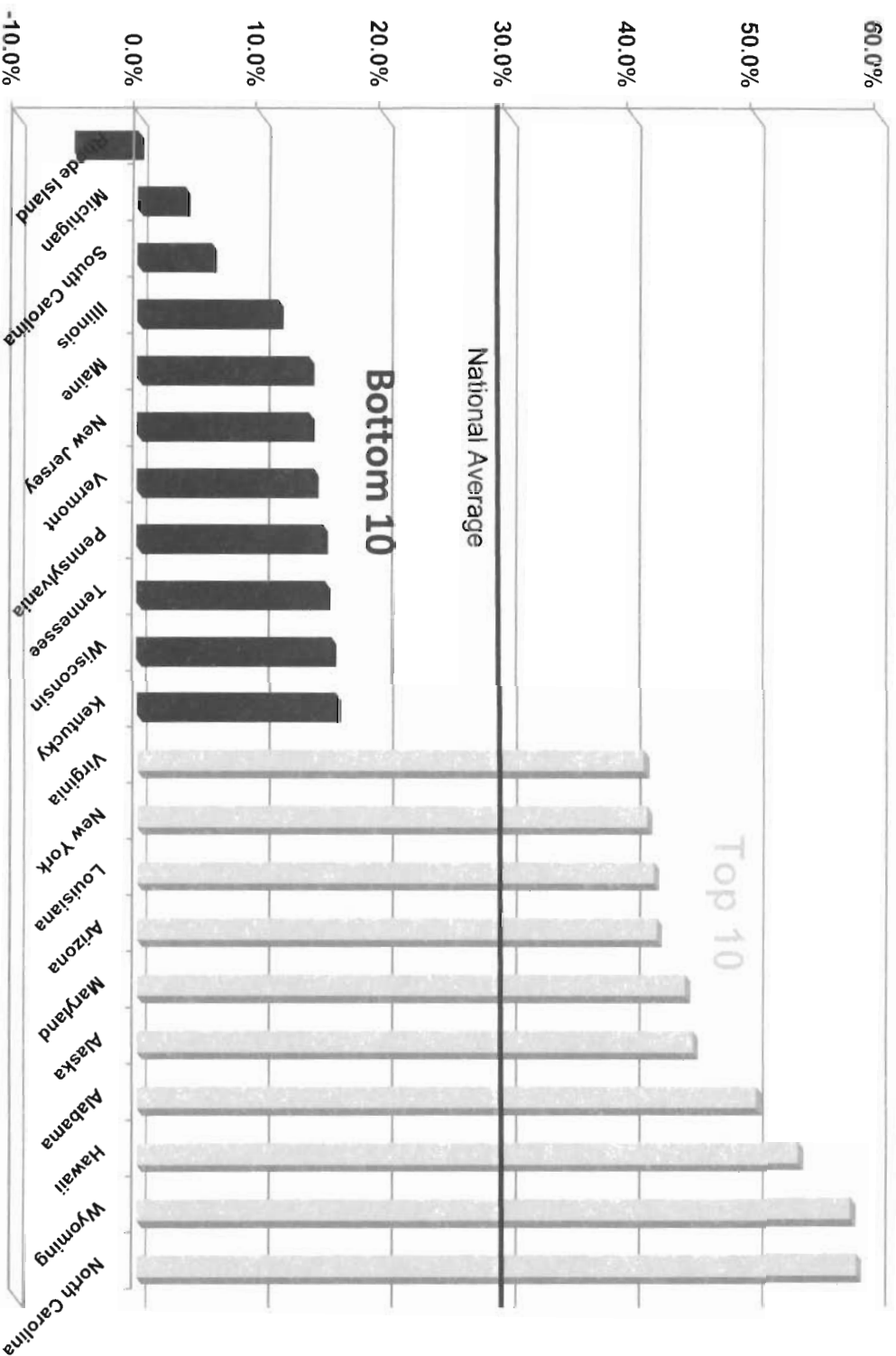
STRENGTHEN STEWARDSHIP by appreciating and nurturing the university’s financial assets, campus infrastructure, and people for optimal effectiveness today and tomorrow.

- *Leadership in Medicine for the Underserved/Vulnerable (College of Human Medicine)* is a program crafted to function within the required clinical curriculum and available to clinical students who are in the Saginaw community. Its purpose is to provide experiences to medical students to help them care for underserved/vulnerable populations with sensitivity and expertise, while helping communities address public health needs affecting the level of wellness of individuals and groups and to guide students to develop an appreciation of the impact of direct care delivery, epidemiologic research and health education on health status as well as health policy implications.
- Through the *America Reads/America Counts* federal work-study initiative, the **Center for Service-Learning and Civil Engagement** employed 11 College Assistance Migrant Program (CAMP) students as tutors for the High School Equivalence Program (HEP), at no cost to CAMP, allowing CAMP students to fulfill their service requirement while earning necessary wages.
- The **Office for Inclusion and Intercultural Initiatives** provided 24 educational and development programs to faculty, staff and students at MSU. The Office worked in collaboration with Human Resources Development, the College of Veterinary Medicine, College of Education and the Division of Residential and Hospitality Services to provide workshops on diversity and inclusion to employees and students in these areas.
- The **College of Music** established a curricular community service requirement for all students enrolled in chamber music to make two presentations in the community that include performances and commentary tailored to the specific audience, i.e., retirement homes, public schools, and the Michigan Historical Museum children’s concert series.
- The **Tollgate Education Center** maintained a volunteer run *Plant a Row* for the Hungry Garden which grows produce for Detroit area food banks. During 2008-09, Tollgate produced over 4000 pounds of produce that was distributed by the *Forgotten Harvest* organization to food distributors through Southeast Michigan. Many people are eating better because of the efforts of volunteers at MSU Tollgate. As a result of this project, MSU is recognized on *Forgotten Harvest’s* website for its work against hunger in Southeast Michigan.
- *Transportation Services (Division of Physical Plant)* added 30 Ford Fusion Hybrid vehicles to its fleet. These vehicles reduce fuel consumption and greenhouse gas emissions which lowers annual fuel costs.

February Update

Covid-19's Impact on Business Operations

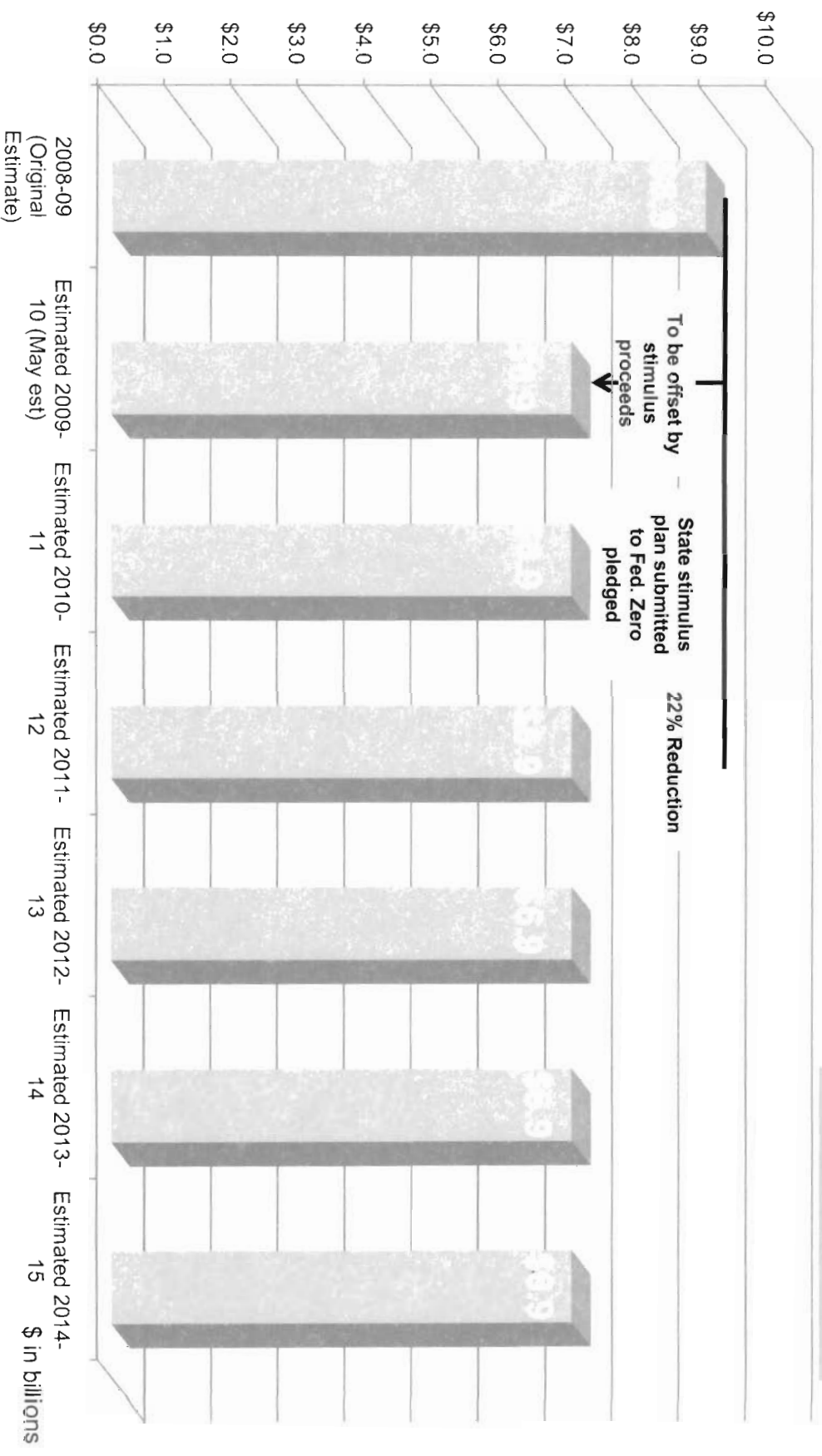
Michigan Ranks 49th in State Support Increases in Higher Education Spending, 2004-2009



Michigan's higher education investment over the last five years has been second to last in the nation, and well under the national average of 29.2% over that period.

SOURCE: <http://www.grapevine.ilstu.edu>

State Revenue Estimates

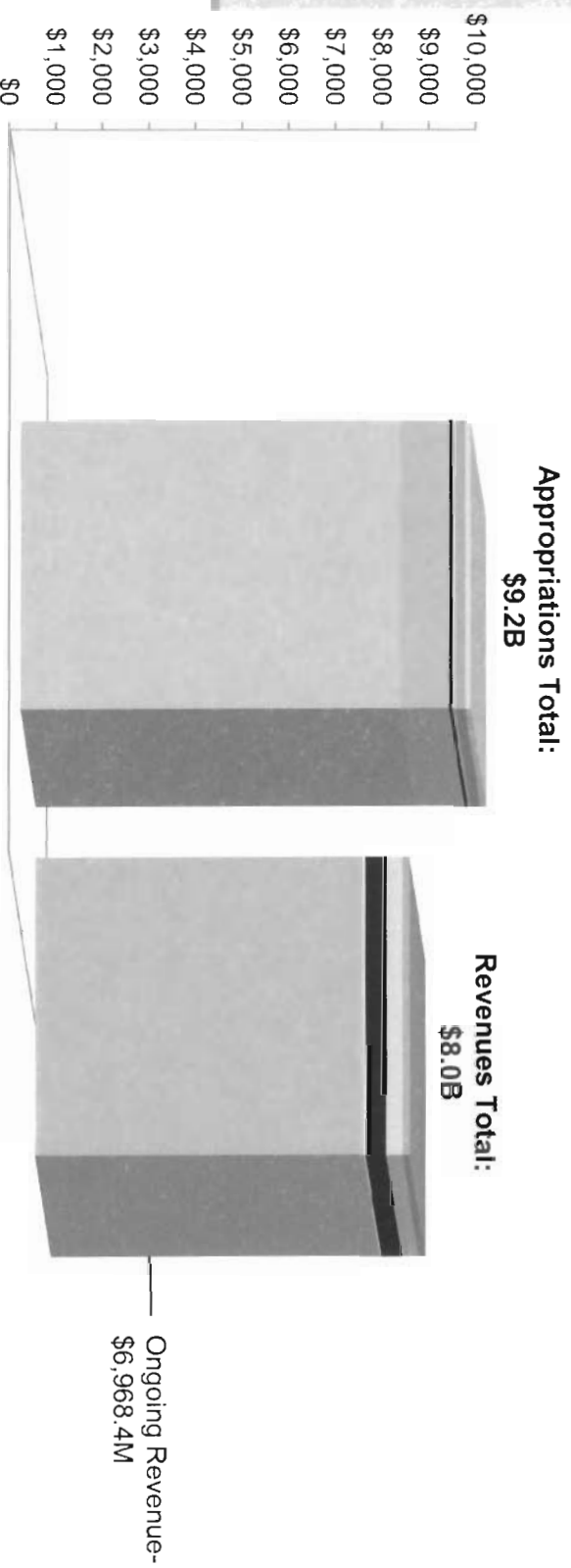


* In addition, School Aid Fund deficit projected at \$400M

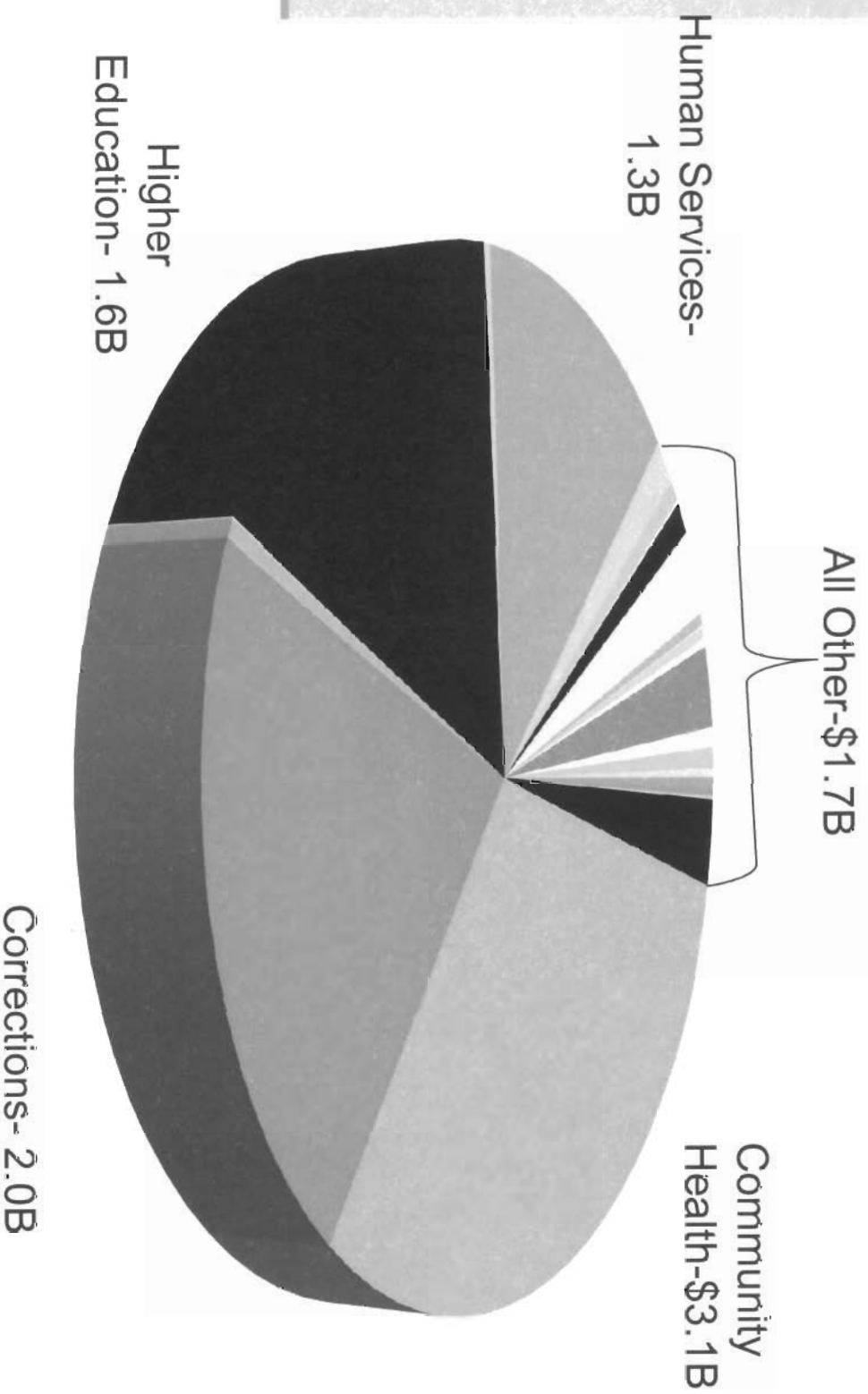
2010-11 State Revenue Shortfall Projected at \$1.2B, 13%

Shortfall can be mitigated/diminished by three strategies:

- Tax increases
- Additional stimulus funds
- Appropriation reductions (across the board reductions considered untenable)



State of Michigan Budgeted Expenditures



Governor's Recommendations

- Commits stimulus resources – some estimate as much as \$700M
- Restructures sales and other taxes
- Maintains higher education appropriations at current levels
- Restores recurring support to MAES and MSUE
- Promise grant program restructured to tax credit after graduation
- Michigan competitive scholarships only remaining state aid program – serves apx. 27,000 students state wide, 4,500 here
- K-12 education deficit addressed through tax changes and spending reforms
- Reduces state departments, reforms employee benefits

Details regarding higher education appropriations can be found [here](#)

Next Steps

- Recommendations consistent with MSU multi-year planning trajectory
- Three year budget planning model available at www.budget.msu.edu
- Future years planning information available at www.shapingthefuture.msu.edu
- Michigan House and Senate budget hearings begin in approximately two weeks

MSU Context

MSU operates with the lowest total tuition & fees and appropriation per student in the Big Ten

Current student faculty ratio: 16-1, approximates the Big Ten average

MSU typically 1st or 2nd in the Big Ten for proportion of expenses related to instruction, research, and public service

MSU ranks 5th in the Big Ten for total Faculty compensation and averages 5th in the Big Ten for total Graduate Assistant compensation

MSU second to last in the Big Ten for number of students per employee

MSU has the lowest total unit cost for energy in the Big Ten

MSU is the most efficient in the Big Ten for custodial, maintenance, and grounds staffing