

MINUTES

The Board of Trustees

Temple University - Of The Commonwealth System of Higher Education

Tuesday, March 12, 1985

3:00 P.M., Ritter Hall South, Room 106, KIVA
Park Mall and Columbia Avenue

Attendance:

Members - Richard J. Fox, Chairman; Gail M. Barsky, Ethan Allen Doty (elected today), Louis J. Esposito, Howard Gittis, John C. Haas, Irving K. Kessler, Hillel S. Levinson, Peter J. Liacouras, Henry H. Nichols, Brian J. O'Neill, R. Anderson Pew, Royal T. Popper, Frances B. Rauch, Charles F. Schalch, Anthony J. Scirica, Isadore A. Shrager

being a quorum of the Board of Trustees

Ex Officio Member - Donald Rentschler, representing Secretary of Education Margaret A. Smith

Invited Guests - Faculty - S. Elizabeth Davis, Robert Haythornthwaite, George Manaker, Alma N. Quigley

Students - Juan Fernandez, Mark Givens, Robert Sussen

Administration and Staff - Rodney D. Johnson, Harold B. Morley, Francis J. Sweeney, Jr., H. Patrick Swygert, Michael Jhin, Richard M. Englert, Stanton B. Felzer, David V. Randall, James W. Hilty, Philip B. Schaeffer, C. Robert Harrington, Kathy Gosliner, William C. Seyler, Donald M. Gravatt

General Counsel - Peter Mattoon

University Counsel - Eleanor Myers

Members Absent - Mildred Beck, Linda D. Brawner, Francis J. Catania, Patricia J. Clifford, John J. Contoudis, Bill Cosby, Paul A. Dandridge, Alphonso Deal, Chaka Fattah, Clifford Scott Green, Esther Boyer Griswold (elected today), Roger S. Hillas, Harold E. Kohn, William A. Pollard, William L. Rafsky, William W. Rieger, Milton L. Rock, Edward H. Rosen, Samuel Rudofker

The meeting was opened with prayer by Dr. Henry H. Nichols, paying tribute to Bishop Fred Pierce Corson, in whose memory the Board of Trustees adopted a Resolution which is attached as SUPPLEMENT I.

The Chairman of the Board, Mr. Fox, introduced and welcomed the guests from the faculty and from the student body. The Chairman also introduced and welcomed Mr. Donald Rentschler, who is representing Secretary of Education Margaret A. Smith.

ACTIONS OF THE BOARD OF TRUSTEES

1. Approval of Minutes - Regular Meeting of December 11, 1984

On motion duly made and seconded, the Minutes of the Regular Meeting of December 11, 1984 were approved as previously mailed to the members.

2. Memorial Resolution for Bishop Fred Pierce Corson

The Chairman noted that Bishop Fred Pierce Corson had died on February 16, 1985, and he called attention to the Memorial Resolution for Bishop Corson, which Resolution cites the long and distinguished association the Bishop had with Temple University.

On motion duly made and seconded, the Board of Trustees adopted unanimously the Memorial Resolution for Bishop Fred Pierce Corson (attached as SUPPLEMENT 1), citing his major contribution to Temple University and noting the high esteem and deep affection in which he was held by the entire University Community. (The Secretary was instructed to send a copy of the Resolution to Bishop Corson's widow and family.)

Committee on Trustees Report and Recommendations for Action

Judge Scirica, Chairman of the Committee on Trustees, called the attention of the Board to the report of that Committee (Agenda Reference 2), and then recommended approval of the matters covered in Items 3, 4, and 5 of these Minutes.

3. Election of Esther Boyer Griswold

On motion duly made and seconded, the Board voted to elect for a term beginning March 12, 1985, and ending October 13, 1987, to the Board of Trustees of Temple University - Of The Commonwealth System of Higher Education, Esther Boyer Griswold, Mrs. Griswold having been duly nominated by the Committee on Trustees (12/20/84). (Mrs. Griswold will fill the unexpired term of Harold Sorgenti who has resigned.)

4. Election of Ethan Allen Doty (Alumni Trustee)

On motion duly made and seconded, the Board voted to elect for a term beginning March 12, and ending October 8, 1985, to the Board of Trustees of Temple University - Of The Commonwealth System of Higher Education, Judge Ethan Allen Doty, Judge Doty having been duly nominated by the Committee on Trustees (1/23/85). (As an Alumni Trustee, Judge Doty will fill the unexpired term of M. Mark Mendel who has resigned.)

Mr. Fox introduced and welcomed Judge Doty, who has served as an Alumni Trustee from 1975 to 1979.

5. Election of Acting Secretary, Board of Trustees and Acting Secretary, Board of Visitors

On motion duly made and seconded, the Board voted to elect as Acting Assistant Secretary of the Board of Trustees (she will also serve as Acting Secretary of the Board of Visitors) Ms. Bonnie Squires, Ms. Squires having been duly nominated by the Committee on Trustees on 3/12/85.

6. President's Report

Mr. Fox said that President Liacouras is in Washington, D.C., testifying before the House Budget Committee regarding budget proposals for higher education. Unfortunately, high winds have delayed the take-off of the airplane on which he was scheduled to return to Philadelphia. The President expects to return to the City before the conclusion of the Board meeting. (Secretary's Note: The President did return and his remarks are found at the end of these Minutes.)

Executive Committee Report and Recommendations for Action

Mr. Gittis, Chairman of the Executive Committee, called the attention of the Board to the report of that Committee (Agenda Reference 6) noting that essentially the Committee had authorized a long series of expenditures from various University funds, including funds made available by the recent University Bond Issue. Mr. Gittis then recommended approval of the matters covered in Items 7, 8, 9, and 10 of these Minutes.

7. Borrowing Authority - 4/1/85 - 6/30/85

On motion duly made and seconded, the Board voted to approve the recommendation of the Executive Committee (2/28/85) that the officers be authorized to borrow for operating purposes of the University \$30 million on terms which the officers believe best for the University, such authorization to cover the period from April 1, 1985 through June 30, 1985. (Resolution is attached as SUPPLEMENT II.)

8. Temple University Invention and Patent Policy

Mr. Gittis said that the proposed document is designed to update and improve the University's policy in the invention and patent areas. It is also intended to give incentives to the research faculty at the University to produce the kinds of patents which are likely to be income producing.

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Executive Committee (2/28/85) that the Board adopt the Temple University Invention and Patent Policy (attached as SUPPLEMENT III), thereby superseding the University Patent Policy which was adopted by the Executive Committee on 5/3/66, acting under authorization of the Board of Trustees (3/11/66), and as further amended by the Board on 5/12/70 and on 3/14/72, the new policy to be effective for all disclosures occurring after March 12, 1985.

9. Open Forum Policy of the Board of Trustees in View of Human Relations Commission's Order on Military Recruiting on Campus

Mr. Gittis called attention to the following Open Forum Policy, adopted by the Board of Trustees on 12/14/82:

"Temple University is an open forum for the interchange of and for the exercise of free speech and debate. In making its facilities available for the exercise of such rights, the University shall apply reasonable and non-discriminatory rules as to the time, place and manner."

Mr. Gittis said that there has been an Order of the

Philadelphia Human Relations Commission, which relates to military recruiting at the Law School, essentially prohibiting some forms of military recruiting because of the military's hostility to certain sexual preferences. Consistent with our Open Forum Policy, the administration will appeal this Order by the Human Relations Commission, unless the Board instructs it to do otherwise.

Mr. Schalch asked about the legal authority of the Human Relations Commission to issue such an Order, and Mr. Gittis said the Commission claims it has the power to enforce ordinances adopted by the Council of Philadelphia. Ms. Eleanor Myers, of University Counsel's Office, said that the Human Relations Commission found Temple University liable both as an employment agency, because it makes referrals to an entity that discriminates - and directly because Temple permitted the Army on the Campus. Both actions were found to violate a Philadelphia Ordinance, since Temple knows that the Army's official policy precludes hiring homosexuals. The Commission cannot directly regulate the Army, so they did not say anything about the Army. It is our feeling, however, that they are trying to regulate the Army indirectly by regulating Temple University, saying we are not permitted to have the Army on campus at the Law School.

Responding to Mr. Pew's question as to whether the Commission's Order applies only to the Army or to all armed services, Ms. Myers said this particular Order applies only to the Judge Advocate General's Office of all armed services; but she suspects if other activities came before the Commission, it would probably rule similarly with respect to other military units.

After further discussion, on motion duly made and seconded, the Board of Trustees voted to endorse the administration's plan to appeal the Order of the Philadelphia Human Relations Commission of February 15, 1985 (Richard Brown, Loretta DeLoggio and Philadelphia Commission on Human Relations v. Temple University Law School), since such an appeal will be consistent with the Board of Trustees' Open Forum Policy adopted on 12/14/82.

10. Naming of Rooms in the Charles Klein Law Building and in Presser Hall

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Executive Committee (3/6/85) that the following rooms be named as indicated:

- (1) That the Rehearsal Hall on the second floor of Presser Hall, College of Music, be named in honor of Jacob and Gertrude Arronson in recognition of their gifts from the Arronson Foundation;
- (2) That a room in the Charles Klein Law Building be named in honor of Jacob and Gertrude Arronson in recognition of their gift from the Arronson Foundation and in recognition of a gift from Joseph Sloane; and
- (3) That a second room in the Charles Klein Law Building be named in honor of George Adrian Maene (LL.B., School of Law, 1911) and Josephine Maene, in recognition of their bequest to Temple University.

Board of Governors, Temple University Hospital Report

Mr. Haas, Chairman of the Board of Governors, called attention to the report of the Board of Governors (Agenda Reference 11), noting that the Hospital, in the short term, is doing very well with adult admissions up; but patient days are down because the length of stay is lower (7.5 days as compared with 8.8 days for fiscal 1984). On a year to date basis (through January 1985), the financial statement reflects net income of \$1,430,000. This is due to lower operating expenses and increased admissions to the Hospital. Operating expenses are \$1.3 million under budget which is contributed to by vacant positions, a malpractice insurance refund, lower interest costs, lower depreciation costs, and decreased costs of medical surgical supplies. The malpractice refund amounted to approximately \$200,000.

Mr. Haas said that the new Hospital construction is proceeding on schedule and within budget, and the Nichols Committee continues to help the University attain its Affirmative Action goals.

Committee on Athletics Report

Mr. Levinson, Chairman of the Athletics Committee, called attention to the Report of that Committee (Agenda Reference 13), noting that the Committee has received a preliminary report from the Ad Hoc Committee on Drug Testing. There are a number of difficult issues involved in drug testing of student athletes, and the Committee is gathering information about what other universities are doing in this area. Reference was also made to the Committee on Agents, Chaired by Professor Joseph Marshall of the Law School, with the purpose of the Committee being to counsel prospective professional student-athletes in their dealings with agents.

Mr. Fox commended the Men's Basketball Team for winning the Atlantic 10 championship, noting that Temple will play Virginia Tech in the first round NCAA Basketball Tournament on Thursday, March 14. The game will be televised live by Channel 29 and will be broadcasted by WRTI at 2:30 P.M. from the Hartford Civic Center in Hartford, Connecticut.

Audit Committee Report and Recommendation for Action

Mr. Kessler, Chairman of the Audit Committee, called attention to the report of that Committee, noting that the Committee had considered the management letters prepared by Peat, Marwick, Mitchell and Company as a part of its annual audit for fiscal year 1983-84, that it reviewed the management response to those management letters, and that it reviewed the Semi-Annual Objective Plan of the Department of Internal Audits for the period January-June 1985. Mr. Kessler then recommended approval for the matter covered in Item 11 of these Minutes.

11. Selection of Outside Auditors for Fiscal Year 1984-85

Mr. Kessler said that the Audit Committee considered the matter of selecting outside Auditors for next year, and is recommending that Peat, Marwick & Mitchell be chosen for the fiscal year 1984-85.

On motion duly made and seconded, the Board of Trustees voted to approve the recommendation of the Audit Committee (3/12/85) that Peat, Marwick, Mitchell and Company be retained as the outside auditors for fiscal year 1984-85.

Educational Policies Committee Report

Mr. Shrager, Chairman of the Educational Policies Committee, called attention to the Report of that Committee (Agenda Reference 18), noting that the Committee has been scrutinizing very carefully all of the requests that come before it prior to giving its approval. He called attention to the major conference on Higher Education, sponsored by Temple, Penn State, Pitt, The State University System, Lincoln and the Department of Education. The Educational Policies Committee feels that this will be an excellent conference.

Committee on Honorary Degrees Report

In the temporary absence of President Liacouras, who chairs the Honorary Degrees Committee, Mr. Fox called attention to the Report of that Committee (Agenda Reference 19), noting that the Committee has updated the list of potential honorary degree recipients, and the President will then choose those who will be receiving these degrees, after Board approval is given to an overall list.

Committee on Student Affairs Report

Judge Scirica, Chairman of the Student Affairs Committee, called attention to the Report of that Committee (Agenda Reference 20), noting that a Security Kiosk at 11th and Berks Streets will be open by mid-March. He also noted that the Non-Alcoholic Student Pub will be opening as of March 21. Work is proceeding on the Integrated Student Identification Card, and the costs of such a card must still be weighed against the benefits of such a card, after which a recommendation will be made to the appropriate committees of the Board.

Reports of Other Committees

The Chairman of the Board called attention to the Reports of the other Committees (Agenda Reference 12, 15, 16 and 21) suggesting that if Trustees had questions about these Reports, they should communicate with the respective chairmen.

12. Treasurer's Report

Without objection, the Board of Trustees received the list of gifts and grants received and purchases and sales of securities between November 1, 1984 and January 31, 1985, said Report having been distributed at the Board meeting today (Agenda Reference 22).

13. Secretary's Report

On motion duly made and seconded, the Board of Trustees voted to approve the presentation of degrees-in-course dated May 23, 1985 to candidates approved by the appropriate academic committees of the faculty.

14. Tenth Annual Temple Law Day Reception

Judge Doty invited Trustees to attend the captioned Reception, honoring the Judiciary and introducing the Law Class of 1985, on Wednesday, March 20, 1985, 4:00 to 5:30 P.M., in Room 653, City Hall, Philadelphia.

The regular session of the Board of Trustees was adjourned at 3:35 P.M., and the Board went into Executive Session to discuss personnel matters.