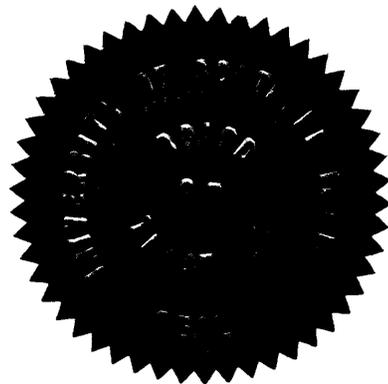


**MINUTES**  
**UNIVERSITY OF SOUTHERN INDIANA**  
**BOARD OF TRUSTEES**

**January 7, 1993**



## MINUTES

### UNIVERSITY OF SOUTHERN INDIANA BOARD OF TRUSTEES

January 7, 1993

The University of Southern Indiana Board of Trustees met on Thursday, January 7, 1993, in Ambassador II Room of the Embassy Suites Hotel, Washington and Illinois Streets, Indianapolis, Indiana. Present were Trustees Bruce Baker, Percy Clark, Jr., Charles Combs, J. David Huber, Thomas McKenna, Robert Swan, Kristel Swan, and Harolyn Torain. Also attending were President David Rice; Vice Presidents Donald Bennett, Robert Reid, Sherrienne Standley, and Byron Wright; Acting Vice President for Business Affairs Richard Schmidt; and Faculty Senate Chairperson Marlene Shaw.

Mr. Baker called the meeting to order at 10:55 a.m.

#### SECTION I - GENERAL AND ACADEMIC MATTERS

##### A. APPROVAL OF MINUTES OF NOVEMBER 5, 1992, MEETING

The minutes of the November 5, 1992, meeting were approved by consensus.

##### B. ESTABLISHMENT OF NEXT MEETING DATE, TIME, LOCATION

The next regular meeting of the Board of Trustees was set for Thursday, March 4, 1993, at the University of Southern Indiana.

##### C. PRESIDENT'S REPORT

Dr. Rice reported that the Indiana Commission for Higher Education at its December meeting authorized the University to offer a Master of Science in Education, Elementary Education degree program. He said that Indiana State University will begin to phase out its Evansville-based program over the next few years. Dr. Rice added that Indiana State University President John Moore has been very cooperative in the transition of this program.

Dr. Rice reported that representatives from the Kentucky Council on Higher Education and the Indiana Commission for Higher Education met in December to review the reciprocity agreement and attempt to achieve a longer term commitment between both states. A representative from the Kentucky Council on Higher Education plans to meet with Indiana legislators in early February.

Dr. Rice announced that the University's athletic teams have been moving up in the ratings.

Dr. Rice said that upon returning from the holiday break, construction of the Health Professions Building had begun. He said also that some of the timber was harvested in the wooded area in front of campus in preparation of the interchange on Highway 62.

Dr. Rice reported that the University received a request from a group of interested citizens about the possibility of displaying a restored World War II P-47 airplane on the USI campus. The P-47s were built by Republic Aviation during World War II in the plant now owned by Whirlpool Corporation. Dr. Rice said the outdoor court behind the Science Center was suggested as a possible location. He said the outdoor court might be easily converted to an indoor court which would create an attractive setting and study area for students. He added that their committee proceed with the project and bring to the University a grant proposal in which the group would be responsible for the financing and construction.

Dr. Rice called the Board's attention to the publication *Teachers Under Cover* in their folders, a project originated by Professor of Education Aldo Cardarelli and funded by the Lilly Endowment. He noted also the Association of Governing Boards of Universities and Colleges publication *Trustees and Troubled Times in Higher Education*, which addresses contemporary issues of higher education.

Dr. Rice announced the recent appointments of Byron Wright as Senior Vice President and Richard Schmidt as Acting Vice President for Business Affairs.

Dr. Rice called on Mr. Wright to review the budget request process. Mr. Wright reviewed the University's budget requests and budget recommendations of the Commission for Higher Education and State Budget Committee.

Mr. Schmidt reported that the State suggested the USI Foundation, rather than the University, purchase the Kolb property which was on the agenda for approval at the November Board meeting. He said the Foundation will lease it to the University and possibly sell it for the appraised value at a later time.

Mr. Schmidt said that requests for submitting proposals for the Health Professions Building financing will be sent during the next month.

**D. APPROVAL OF CONDITIONS FOR COOPERATION BETWEEN EMPLOYEE ORGANIZATIONS AND THE ADMINISTRATION OF THE UNIVERSITY OF SOUTHERN INDIANA**

The University of Southern Indiana has prepared a Policy on Conditions for Cooperation Between Employee Organizations and the Administration.

On a motion by Mr. McKenna, seconded by Mr. Swan, the procedure for the recognition of employee organizations included in the Policy on Conditions for Cooperation Between Employee Organizations and the Administration, Exhibit I-A was approved.

**E. APPOINTMENT OF TREASURER**

Effective January 1, 1993, Byron Wright was named Senior Vice President of the University. Richard W. Schmidt has been appointed Acting Vice President for Business Affairs.

Mr. Baker appointed Richard W. Schmidt as Treasurer, effective January 7, 1993.

**F. OTHER BUSINESS**

Mr. Baker presented a plaque to Dr. Rice containing the resolution of the Board to name the University Library in his honor. The resolution was approved at the November 5 Board of Trustees meeting.

Mr. McKenna mentioned that answering questions from legislators earlier today brought to mind a few things the University is achieving: the significant number of first-generation college graduates from USI, and the Historic Southern Indiana project as an economic value investment. He expressed concern that the University needs the additional investment for continued economic development in Southern Indiana.

## SECTION II - FINANCIAL MATTERS

### A. REPORT OF THE FINANCE COMMITTEE

The Board of Trustees Finance Committee met on November 25, 1992, to review and accept either original bids received on September 23, 1992, or rebids received on November 18, 1992, for the construction of the Health Professions Building. A summary follows of the bids which were accepted by the committee for this project. Discussion followed on the bids.

Peyronnin Construction Co. Evansville, Indiana General construction & equipment Alternate for faculty offices	\$7,055,300 52,500
Goedde Heating & Plumbing Evansville, Indiana Mechanical Alternate for faculty offices	3,173,400 33,800
Sterling Boiler Evansville, Indiana Electrical - building Alternate for faculty offices Alternate for fiber optics	1,406,000 27,818 4,298
Process Chemical Piping Mt. Vernon, Indiana Electrical - power plant and tunnel	210,000
Johnson Controls Indianapolis, Indiana Temperature controls Alternate for faculty offices	308,000 12,705
Thermal Balance Newburgh, Indiana Testing and balance Alternate for faculty offices	27,215 1,415

### B. APPROVAL OF MISCELLANEOUS FEE

On a motion by Mr. Swan, seconded by Mrs. Torain, the following miscellaneous fee was approved.

<u>Type of Fee</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Effective Date</u>
Payment Plan Late Fee	N.A.	\$10.00	1-1-93

### C. APPROVAL OF BUDGET APPROPRIATIONS, ADJUSTMENTS, AND TRANSFERS

On a motion by Mr. Swan, seconded by Mr. Combs, the following Budget Appropriations, Adjustments, and Transfers were approved.

#### 1. Additional Appropriations

From:	Unappropriated Current Operating Funds		
To:	1-10170	USI Theatre Supplies & Expense	\$ 4,484

To:	1-16230	News & Information Services Supplies & Expense Capital Outlay	519 1,329
From:	Unappropriated Designated Funds		
To:	2-20000	Student Activities Supplies and Expense	1,138
To:	2-20700	Orientation Programs Supplies and Expense Repairs and Maintenance	8,536 100
To:	2-23100	Faculty Development Travel Supplies & Expense	9,677
To:	3-30605	Athletics: Basketball-Women Supplies and Expense	4,130
To:	3-30607	Athletics: Softball-Women Supplies and Expense	2,011
To:	3-30612	Athletics Tournament Supplies and Expense	1,866
To:	3-30710	Soccer Grant-in-Aid Supplies and Expense	7,000
To:	3-30810	School Age Program Supplies and Expense Personal Services	1,044 9,098
From:	Unappropriated Restricted Funds		
To:	4-46106	Posey County Redevelopment Commission Project Supplies & Expense	2,500

2. Appropriation Transfer

From:	1-10170	USI Theatre Personal Services	
To:	1-10170	USI Theatre Supplies & Expense	1,953
From:	1-10200	School of Liberal Arts Capital Outlay	
To:	1-10200	School of Liberal Arts Repairs & Maintenance	1,000

From:	1-10330	Mathematics Supplies & Expense	
To:	1-10300	School of Science & Engineering Technology Capital Outlay	965
To:	1-10330	Mathematics Capital Outlay	119
From:	1-10400	School of Nursing & Health Professions Supplies & Expense	
To:	1-10400	School of Nursing & Health Professions Repairs & Maintenance	6,771
From:	1-10700	School of Business Student Wages	
To:	1-10700	School of Business Supplies & Expense	1,131
From:	1-10800	School of Education and Human Services Personal Services	
To:	1-10830	Physical Education Supplies & Expense	1,020
From:	1-14000	Student Services Capital Outlay	
To:	1-14000	Student Services Personal Services	6,000
From:	1-15000	Physical Plant Supplies & Expense	
To:	1-15000	Physical Plant Repairs & Maintenance Capital Outlay	100 1,000
From:	1-16220	University Relations Capital Outlay	
To:	1-14001	Admissions Capital Outlay	2,979
From:	3-32020	Young Abe Lincoln 1992 Capital Outlay	
To:	3-32020	Young Abe Lincoln 1992 Personal Services Supplies and Expense	9,572 7,186

From:	3-32020	Young Abe Lincoln 1992 Personal Services	
To:	3-32020	Young Abe Lincoln 1992 Supplies and Expense	4,042
From:	4-45994	Technical Assistance Center Supplies & Expense	
To:	4-45994	Technical Assistance Center Personal Services Capital Outlay	1,981 3,359
From:	4-46304	1991-92 CASE Program Personal Services	
To:	4-46304	1991-92 CASE Program Supplies and Expense	1,905

**SECTION III - PERSONNEL MATTERS**

**A. APPROVAL OF PERSONNEL ACTION**

Dr. Raymond L. Newnum will retire this spring from the I.U. School of Medicine.

On a motion by Mr. Combs, seconded by Mrs. Torain, emeritus status was approved.

Raymond L. Newnum, Director Emeritus of Evansville Center, I.U. School of Medicine, and Professor Emeritus of Medicine.

There being no further business, the meeting was adjourned at 11:20 a.m.

Respectfully submitted,



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Thomas McKenna, Secretary

**UNIVERSITY OF SOUTHERN INDIANA**  
**CONDITIONS FOR COOPERATION BETWEEN EMPLOYEE**  
**ORGANIZATIONS AND THE ADMINISTRATION**

WHEREAS, it is the policy of the Trustees of the University of Southern Indiana to receive and consider suggestions and advice from staff employees of the University in the formulation of policies and the solution of problems affecting the general welfare and working conditions of staff employees; and

WHEREAS, the rights of staff employees independently to associate themselves together, whether that association is known as a union or by some other name, is recognized in Indiana, and according to Indiana Attorney General Opinion Number 25, 1968, and practice within the state, there is no legal bar to their collective presentation of their employment interests to the public officials charged with the duty of fixing the terms of employment; and

WHEREAS, subject to law and the paramount requirements of public service, the interests of the University are served by provisions for orderly methods and procedures for the collective presentation of employee-employment interests, if employees so desire; and

WHEREAS, effective employee organization and management cooperation in the University requires a clear understanding of the respective rights and obligations of employee organizations, administration, and Trustees;

NOW THEREFORE, the Trustees of the University adopt the following procedures for the recognition of employee organizations and the consideration of collective presentation of their views, suggestions, and employment interests. These provisions shall not be construed as the relinquishment by the Trustees of their obligations, responsibilities, and authorities, conferred upon them by the people of the state through legislative statutes to act in final judgment on the management of institutional affairs in the public interests, nor as a recognition by the Trustees of any right to strike by employees of the University or of any right to take any other concerted action to impede or to threaten to impede, the Trustees or administrative officials in the operation of the University.

Section 1 (a) Staff employees of the University shall have the right, freely and without fear of penalty or reprisal, to form, join and assist any lawful employee organization, or to refrain from any such activity.

(b) For the purposes of this policy, the rights described in this section do not extend to administrators, supervisors, professional employees, faculty, student employees, confidential employees, administrative assistants, security guards, or casual employees.

Section 2 (a) The term "employee organization" shall mean any lawful association, labor organization, federation, or brotherhood having as a primary purpose the improvement of working conditions among University employees, but such term shall not include any organization (1) which asserts the right to strike against the State of Indiana or any agency thereof, or to assist or participate in any such strike;

or which imposes a duty or obligation to conduct, assist or participate in any such strike; or (2) which advocates the overthrow of the constitutional form of government in the United States; or (3) which discriminates with regard to the terms or conditions of membership because of race, color, sex, age, religion, national origin, handicap, or Vietnam Era veteran; or (4) which is subject to corrupt influences.

(b) The term "appropriate staff unit" means any unit agreed to by the University and an employee organization entitled to formal recognition and seeking exclusive recognition in accordance with the terms of this policy. In the event of a disagreement between officials of the University and the employee organization concerning the nature of an appropriate staff unit for purposes of determining whether an employee organization is entitled to exclusive recognition, either party may seek the assistance of a qualified arbitrator with either legal or NLRB experience from a panel provided by the American Arbitration Association selected and compensated according to methods prescribed in the Voluntary Labor Arbitration Rules. The arbitrator shall recommend to the President an appropriate unit on the basis of a community of interest based on geographical factors or occupational factors or other factors deemed under the circumstances appropriate. But no staff unit shall be recognized or established solely on the basis of the extent to which employees within the proposed unit have organized. The unit should be as broad as possible to reduce the cost of administering the relationship and to prevent proliferation of units. The President, after consideration of the recommendations of the arbitrator, shall designate an appropriate staff unit subject to the approval of the Board of Trustees. The President shall also establish the election procedures.

Section 3 (a) University officials shall accord exclusive recognition to employee organizations which request such recognition in conformity with the requirements specified in Section 4 hereof except that no recognition shall be accorded to any employee organization which the Trustees consider to be subject to corrupt influences or influences opposed to basic democratic principles or is not an employee organization as defined in Section 2(a).

(b) Recognition of an employee organization shall continue so long as such organization satisfies the criteria of this policy applicable to such recognition. Nothing in this section shall require the University to determine whether an organization should become or continue to be recognized as exclusive representative of the employees in any unit within 12 months after a prior determination of exclusive status with respect to such union has been made pursuant to the provisions of this policy.

(c) Recognition shall not preclude any employee or group of employees regardless of employee organization membership, from bringing matters of personal concern to the attention of appropriate officials in accordance with applicable rule, regulations, or established policy, or from choosing his/her own representative in a grievance or arbitration proceeding, so long as that representative is not another employee organization or a person directly or indirectly related to another employee organization. The term "another employee organization" shall mean with respect to an employee of an appropriate staff unit, any employee organization other than the employee organization recognized as the exclusive representative for employees in such appropriate staff unit.

Section 4 (a) Administrative officials shall recognize an eligible employee organization as the exclusive representative of the regularly employed staff employees of an appropriate staff unit when such employee organization has been elected by a vote of an uncoerced majority of the regular staff employees in the unit as their representative.

(b) When an employee organization has been recognized as the exclusive representative of employees of an appropriate staff unit, it shall be entitled to the following privileges:

(1) To speak on behalf of all employees and shall be responsible for representing the interests of all such employees without discrimination and without regard to employee organization membership;

(2) To be given the opportunity upon request of the employee to be represented at discussions between administrative officials or their representative and employees or employee representatives concerning grievances, personnel policies and practices, or other matters affecting general working conditions of employees;

(3) To call, and be represented on, an equal representation committee meeting with administrative officials or their representatives for the purpose of negotiating joint written recommendations to the Trustees of the University on matters of personnel policy and working conditions, but such privilege shall not be construed to extend to such areas of discretion and policy as the mission of the University, its budget including wages and salaries, its organization and assignment of its personnel, the technology of performing its work or other management rights; and

(4) To have organizational membership dues collected by paycheck withholding upon signed written request of employee conforming to law.

Section 5 (a) An equal representation committee shall consist of equal representatives of the employee staff which shall be called the "staff panel," and of the administrative officials which shall be called the "administrative panel." A presiding chairperson-secretary for all such committees shall be designated by the Trustees of the University who shall be nonvoting.

(b) Equal representation committee meetings will be called by the designated chairperson upon receipt of a written request, setting forth the agenda proposal, from an appropriate officer of any employee organization given exclusive recognition for employee representation, or from the President of the University.

(c) When agreement is reached by an equal representation committee on a recommendation to the Trustees of the University, it may be submitted to the Trustees in the form of a memorandum of understanding on recommendation, signed by both panels of the committee.

(d) In the event the committee shall not be able to agree on matters of recommendation to the Trustees, the originating panel may make written recommendation to the Trustees witnessed by the opposing panel, together with the written recommendation of the opposing panel witnessed by the origination panel. Such a split in recommendations of the committee shall be made only after full vote of all members to the effect that agreement cannot be reached.

(e) Other formal rules and conditions of equal representation committee operations may be established from time as necessary by such committee recommendation to the Trustees of the University.

Section 6 (a) Administrative officials retain the right and responsibility (1) to direct .Im 1.02" employees of the University; (2) to hire, promote, transfer, assign, and retain employees in positions, and to suspend, demote, discharge, or take other disciplinary action against employees; (3) to relieve employees from duties because of lack of work or for other legitimate reasons; (4) to maintain the efficiency of the operations entrusted to them; (5) to determine the methods, means and personnel by which such operations are to be conducted; (6) to take whatever actions may be necessary to carry out the mission of the University; and (7) to take any other action necessary to the orderly, efficient, economic operation of the University.

(b) It is the intent of the Trustees that this management's rights clause be construed broadly.

Section 7 Administrative procedures for the handling of employee grievances shall contain the following provisions and conditions:

(a) Any grievance and arbitration procedure shall extend only to the interpretation or application of University policy and not to changes in or proposed changes in University policy;

(b) The aggrieved employee or employees shall have the right to have a representative of his/her or their own choosing speak for their interests provided the chosen representative is not either directly or indirectly a representative of another employee organization or a person directly or indirectly related to another employee organization as provided in Section 3(c) hereof; and

(c) Procedures established may include provisions for the arbitration of grievances, which shall be advisory in nature with any decision or recommendations subject to the approval of the President of the University and shall be invoked only with the approval of the individual employee or employees concerned.

Section 8 Solicitation of membership, dues, or other internal employee organization business shall be conducted during the non-duty hours of the employees concerned. Officially requested or approved consultations and meetings between management officials and representatives of recognized employee organizations shall, whenever practical, be conducted on official time, but the President of the University may require that such meetings, including equal representation committees, be conducted during the non-duty hours of the employee organization representatives involved.

Section 9 A person separated from employment for knowingly violating the preceding conditions may subsequently be appointed or reappointed, employed or reemployed but only upon the following conditions: (1) such person shall be on probation for a period of two years following such appointment or reappointment, employment or reemployment, during which period he/she shall serve at the pleasure of the appointing officer or body without recourse to grievance procedures; and (2) such person shall be considered a completely new employee for purposes of vacation allowance, sick leave accrual, and other benefits related to length of service, except retirement benefits as established from time to time by law.

Section 10 The Trustees reserve the right to modify or revoke this policy at any time.