



OFFICIAL PROCEEDINGS

October 1, 2021

Regular Meeting

The meeting was called to order at 2:30 p.m. by President Wilson. Secretary Miller called the roll. A quorum was present, with the following Board members in attendance:

Present: Governors Barnhill, Busuito, Gaffney, Kumar, Kelly, Land, Stancato, and Thompson; and President Wilson

Also Present: Provost Clabo, Vice Presidents Burns, Decatur, Lanier, Lessem, Lindsey, Schweitzer, Staebler, Wright, and Secretary Miller

APPROVAL OF CONSENT AGENDA

President Wilson asked for approval of the consent agenda containing the following items:

Board Meeting:

- A. Approval of the Official Proceedings of June 25, 2021 (Board)

Approve proceedings as presented.

Academic Affairs:

- B. Establishment of a New Accelerated 3-Year MD Program (Academic Affairs)

Authorizes the establishment of a new accelerated 3-year MD program in the School of Medicine, effective January 2022.

Budget and Finance:

- C. Art Building HVAC Renovation (Budget and Finance)

Authorizes the President or his designee to approve spending to design, solicit bids and award contracts for the Art Building HVAC improvements located on 5400 Gullen Mall with a project cost not to exceed \$8,500,000. Funding for this project will be initially provided by Deferred Maintenance

Reserve. This project qualifies and the Deferred Maintenance Reserve will be reimbursed.

D. Improvements Matthaei Office Addition (Budget and Finance)

Authorizes the President or his designee to execute contracts for the design and construction of an addition to the Frederick C. Matthaei Physical Education Center. In September 2019, the Board of Governors authorized \$840,000 for the design and construction of the project. This request is to authorize additional spending up to \$390,000 to conduct repairs to the addition for a total project cost of \$1,230,000. Funding will be provided by the current plant fund account.

ACTION: Upon motion made by Governor Thompson, and supported by Governor Busuito, the Consent Agenda was approved as presented. The motion carried.

PERSONNEL RECOMMENDATIONS

Provost Kornbluh submitted recommendations for Personnel actions for this period for board approval.

ACTION: Upon motion made by Governor Barnhill, and supported by Governor Thompson, the Board of Governors approved the personnel recommendations as presented. The motion carried.

DELEGATION OF AUTHORITY

President Wilson next asked the Board to ratify an action adopted by the Board by electronic vote in mid-August, approving the appointment of incoming CFO, David Massaron.

ACTION: Upon motion made by Governor Kelly, and supported by Governor Stancato, the Board of Governors ratified the action adopted by electronic vote on August 12, 2021, with a vote of 8-0. The action approved the appointment of David Massaron as Senior Vice President for Finance and Business Operations, Chief Business Officer and Treasurer. The effective date of this appointment is October 1, 2021. The motion carried.

Mr. Massaron thanked the President and the Board for the opportunity to join the University, and thanked Rebecca Cooke for her help during the transition. President Wilson offered his congratulations to the incoming CFO and took a few minutes to express his own thanks to Ms. Cooke, who had graciously extended her time at the university past the time she had planned on retiring. Ms. Cooke thanked President Wilson, her colleagues and her staff for their support and flexibility during the 18 months she served as Interim CFO.

PRESIDENTS REPORT

President Wilson began his report with an overview of recent research grants. The School of Medicine received \$40,381,772 in grants and contracts between July and September. The amount includes an P50 NIH grant of \$3.7 million, a State of Michigan grant of \$7 million, and a CDC grant of \$15.8 million. The NCA designation of a comprehensive cancer center for KCI has been successfully renewed for another five years at \$3.2 million per year. The Innovative Research and Development Initiative in Cardio Metabolic Health and Disease had its operational launch. This is a partnership between Wayne State and Henry Ford Health System with 11 research teams integrated into the School of Medicine. In addition, the university also received a \$10 million dollar contract award from the United States Army Core of Engineers for REUSE (Rare Earth from US Extractions) awarded to Matt Allen in Chemistry and Tim Dietrich in Civil and Environmental Engineering. The Federal Affairs office worked closely with Department of Chemistry personnel to secure funding in the Defense Appropriations for fiscal year 2021 and fiscal year 2022 funding is expected. REUSE cleans up the water in Lake Michigan removing heavy metals to secure future use in smart phones and advanced consumer and military technologies.

TechTown held its annual fundraiser, Toast of the Town, in both virtual and live formats, at various venues. The U.S Assistant Secretary of Commerce for Economic Development, Alexandra Castillo, visited Detroit to announce President Biden's Build to Scale grant winners. TechTown was one of two winners in Michigan. This marked the 4th federal grant TechTown received this summer and fall. The grant enables opportunities for tech founders of color and female founders to have more equitable access to capital needed to launch and grow their startups. The project includes partnerships with the Angel Capital Association, VentureWell and AnnArborSpark. From March 2020 to March 2021 TechTown served 1,731 businesses, with 57 percent identifying with the pronouns she, her, hers, 86% identifying as a person of color, and 12% as immigrants.

In terms of athletic highlights, football student athlete, Julius Wilkerson was one of 11 non Division 1 football players selected to the AFCA All-State Good Works team for community service involvement. Women's Tennis student athlete, Laura Cazacu will be one of 3 GLIAC representatives at the 2021 student athlete leadership forum in Houston, Texas in November 2021. The Department of Athletics had a school record of 147 student athletes that received the D2 Athletic Directors Association Academic Achievement Award for maintaining a cumulative grade point average of at least 3.5. Women's golfer Daniela Moreno, and Football student athlete Lane Potter, were voted to the Cosita Academic All-America team for 2020/2021. Swimmer Franz Mueller and golfer Grant Hafner received the GLIAC Commissioners award for 2020/2021 for combining classroom excellence and on the field of play.

The president concluded his report by recognizing the frontline custodial and ground staff. In light of Custodian Day on October 2, he thanked them for their stellar service to the University throughout the pandemic and celebrated their work to keep the campus safe and get it ready for students to return. He also noted that they were among the first responders to the campus flood event that impacted 68 buildings on campus. Custodial and ground employees have been present through the restart of campus wide activities

that welcomed students, staff, and faculty. They are supporting the campus community while working at less than capacity but with the same amount of responsibilities. Custodial has 22 open positions out of 165 and grounds has 6 field positions out of 24. The president also recognized the building engineers and maintenance trade staff who are also working with position vacancies, and noted that the campus mechanical, electrical, plumbing and building infrastructures have been attended to. He expressed his thanks to all of these employees for their great work.

BOARD CHAIR'S REPORT

Governor Kelly gave a brief report on recent Board activities. The Board's action on the budget with a minimum of questions comes after working many hours with VP Rebecca Cooke and her team, the President, and others in the University. The board has been able to gain full understanding of the intricate budget through many months of work. The Board has revised its Bylaws, for the first time since 2007, to enact necessary changes. She advised that the Board's annual assessment of President Wilson is underway and will be completed by the next public board meeting. She added that the assessment is required by his contract and gives an opportunity for the President to project his goals for the future of the University. In addition to these activities, the Board met in retreat to set goals for a multiyear strategic plan now in development, and formed an advocacy Committee this year, under the chairmanship of Governor Terri Land, to advocate for the University's interests in the Michigan legislature. She concluded her report advising that a second board retreat has been planned at the request of Governor Barnhill, to focus on formalizing long-range budget planning.

SPECIAL TOPIC – UPDATE ON WDET

VP and Chief of Staff Michael Wright introduced Mary Zatina, General Manager of WDET. He advised that Ms. Zatina joined the station and the university right before the pandemic and that WDET was fortunate to have her leadership. He added that WDET is a valuable asset as a Detroit Public Radio station.

Ms. Zatina began by advising that her goal in the presentation was to give confidence about WDET's future. In addition to its local and regional audience, the station also has built national and international audiences through the website and phone app. Arbitron, ratings between January and September 2021 estimate the station has 106,000 weekly listeners from Wayne, Oakland, St. Clair, Livingston, and Monroe counties. The ratings do not include Ohio, Canada, or Washtenaw, where there are both listeners and members. There is an average of 105,000 people accessing digital content each month. WDET's competition includes WUOM in Ann Arbor, which has approximately 125,000 listeners. Radio rating metrics show WDET's share of listeners solidly beats UOM.

WDET listeners listen more often and for longer periods of time. Seventeen percent of the audience is African American compared to WUOM's audience at 6% African American. Nielson does not provide statistics for Arab American or Latino listeners. WDET lost 1/3 of its audience during COVID but is starting to rebound. Local programs held their audiences. Culture Shift, a local program, increased its audience during this period.

Financially, WDET ended fiscal 2020 in the black and will end fiscal 2021 in the black as well. Ms. Zatina was confident that fiscal 2022 would also end in the black. Sources of revenue from individuals amounts to over half of WDET revenue in 2021. The station received extra federal funds from the Corporation of Public Broadcasting for COVID relief and Payroll Protection Funds in 2021. The station's total revenue of \$4.7 million does not include indirect revenue received from the University including rent, utilities, human resources, legal services, public safety, janitorial services valued at \$585,000

The station's donors come from all over the country and the world, and many are in South East Michigan. The station has 14,000 total members and hopes to add another 750 members during the fall on-air fundraiser. Ms. Zatina also has plans to increase business program sponsorship. Ms. Zatina spoke with pride about her staff of 68, including interns and the WDET leadership team who are skilled and diverse, including people who identify as Arab American, Hispanic, African American, and LGBTQ.

WDET programs have won over 50 awards for news, music, and public affairs. The Michigan Associated Press gave the first place award to WDET for best news organization and the station's series, COVID Diaries, won a national Edward R. Murrow award for innovation.

This past year, WDET celebrated 60 years of ED Love and honored Ed with the Michigan Association of Broadcasters Lifetime Achievement Award. New series were launched including the Science of Grief, Rooted and The Artist Next Door. WDET collaborated with many University experts to do a community wide conversation about the US Constitution and its relevance in the lives of our community. WDET stayed on the air as an essential business during the pandemic 24-7 and every day of the year. University resources were tapped to provide knowledgeable content to help the community understand the pandemic.

Ms. Zatina closed her presentation by discussing her priorities for the station for the upcoming year. These include work on returning listeners post pandemic, updating the internship program, developing a plan for the radio reading service, attending to building and facilities issues, and potentially a new home for the station. In 2022, WDET will celebrate the 70th anniversary of Wayne State assuming ownership of WDET from the UAW. She thanked the University and the Board for ongoing support of WDET. President Wilson thanked Ms. Zatina for her presentation.

BOARD COMMITTEE REPORTS

The President reported that three of the Board's standing committees met during the morning session. A detailed report of the discussions during each committee meeting can be found in the Minutes for each committee. He called on each of the Committee chairs for a report.

Academic Affairs Committee

Governor Gaffney advised that the committee heard two reports and received an update on the status of the University's HLC Accreditation. The first report was an update on the

return to campus in the time of COVID from Provost Mark Kornbluh. The second informational report was the annual status report on Accreditation. At the end of the Higher Learning Commission's 4 year assurance review, the University received notice that no additional monitoring was necessary. One action item, the establishment of a new accelerated 3-year MD program in the School of Medicine, was included on the consent agenda approved earlier this afternoon.

Budget and Finance Committee

Governor Barnhill reported that the committee heard two informational reports on purchasing exceptions and considered 4 action items. Action items included funding for the HVAC Improvements in the Art building and a project fund increase to a building addition approved last year for the Matthei Physical Education complex. Two transfers were approved from the contingency reserve to fund two Dean searches and there was an update on major capital projects and their progress toward completion. The final item on the committee's agenda was consideration and adoption of the FY 22 proposed general fund and auxiliary fund budgets. Governor Barnhill commented that these discussions have been particularly challenging as the pandemic continues to impact campus, the university's student body and operations. Governor Barnhill then turned the floor back to President Wilson for consideration of and action on the general fund and auxiliary fund budgets for FY 22.

Proposed General Fund and Auxiliary Fund Budget, FY 2022

President Wilson summarized the proposal for FY 2022 general fund and auxiliary budgets and ask for a motion to approve. There were no further questions on the motion, and the following action was taken.

ACTION: Upon motion made by Governor Barnhill and supported by Governor Busuito, the Board of Governors approved the proposed FY 2022 general fund and auxiliary budgets, as presented. The motion carried.

Reserve Funds

President Wilson called on Governor Gaffney regarding his interest in bringing forward a motion related to reserve funds.

Governor Gaffney introduced a motion related to an action that the Board took in 2020 to cover FY 2021 budget shortfall. His motion was as follows:

MOTION: Governor Gaffney moved that the Board of Governors' approved use of the current rainy-day fund to cover the fiscal year 2021 general fund net operating budget shortfall should only be used if lost revenue funding from the Higher Education Emergency Relief fund grant and the supplemental funding from the state of Michigan are insufficient to cover any actual fiscal year 2021 general fund budget shortfall. Governor Barnhill supported the motion

Governor Gaffney advised that the Board must take this action because the Board approved a motion to use the rainy-day fund to cover the FY 21 budget shortfall. Since

that action was taken there are other monies now available, including HEERF funds from the federal government and additional monies from the State, that could be used for this purpose. This lost revenue funding would be used to replace the Board approved rainy-day fund to cover the actual fiscal year 2021 deficit, and the FY 21 parking fund deficit as well.

ACTION: The above motion carried.

Governor Gaffney then proposed a second motion for the FY 2022 budget, as follows:

ACTION: Upon motion made by Governor Gaffney and supported by Governor Busuito, the Board of Governors approved using the rainy-day fund to cover the fiscal year 2022 general fund net operating budget shortfall, only if the lost revenue funding from HEERF is insufficient to cover the actual fiscal year 2022 general fund deficit. It is expected from reviewing the projected deficit that it could be covered entirely by the HEERF monies, however, if it does not, then the rainy-day fund will be used. In order to save that rainy-day fund, the HEERF monies would be used first. The motion carried.

The schedules for the General Fund and Auxiliary Funds FY 2022 budgets follow below:

**General Fund Budget
SUMMARY REVENUES AND EXPENDITURES**

**Fiscal Year 2022
(In Dollars)**

	FY 2021 Restated Budget	FY 2022 Recommended Budget	Variance Dollars	%
Revenues				
State Appropriations	203,210,900	205,248,400	2,037,500	1%
Net Tuition and Fee Revenues	416,076,336	410,677,396	(5,398,941)	-1%
Indirect Cost Recovery	36,500,000	34,000,000	(2,500,000)	-7%
Investment Income	4,100,000	5,100,000	1,000,000	24%
Other Revenues	10,759,025	12,636,902	1,877,877	17%
Total Revenue	670,646,261	667,662,698	(2,983,563)	0%
Expenditures				
Schools and Colleges	228,809,765	217,907,624	(10,902,141)	-5%
Divisions	169,133,228	166,931,789	(2,201,440)	-1%
Student Financial Aid	95,993,121	96,015,360	22,239	0%
Central Accounts	181,715,048	189,661,457	7,946,409	4%
Other Expenses	7,497,975	7,448,673	(49,302)	-1%
Total Expenditures	<u>683,149,137</u>	<u>677,964,902</u>	<u>(5,184,235)</u>	<u>-1%</u>
Net Budget Surplus (Shortfall)	(12,502,876)	(10,302,204)	2,200,672	-18%
Use of One-Time Funding	<u>12,502,876</u>	<u>10,302,204</u>	<u>(2,200,672)</u>	
Final Budget Surplus (Shortfall)	0	0	0	

Category	FY 2021 Approved Budget	FY 2021 Projected Actual	FY 2022 Proposed Budget
REVENUES			
Beginning Net Assets Operating Revenue	\$4,159.5	\$4,712.1	\$423.0
Student Tuition and Fees	\$6,056.5	\$7,247.9	\$7,250.3
Auxiliary Revenues	\$17,523.3	\$12,309.5	\$22,343.9
Total Operating Revenue	\$23,579.8	\$19,557.4	\$29,594.2
Non-Operating Revenues			
Gifts	\$2,540.0	\$2,524.0	\$2,640.0
Other	\$1,569.8	\$2,220.8	\$3,515.2
Total Non-Operating Revenues	\$4,109.8	\$4,744.8	\$6,155.2
TOTAL REVENUES	\$27,689.6	\$24,302.2	\$35,749.4
EXPENDITURES AND TRANSFERS			
Auxiliary Enterprises			
Compensation	\$11,228.9	\$10,088.2	\$12,500.2
Operating Expenses	\$13,125.8	\$12,169.3	\$16,893.9
Expenditures	\$24,354.6	\$22,257.5	\$29,394.2
Transfers Out/(In)			
Debt Service	\$6,918.0	\$6,918.0	\$7,754.6
Plant & Other	\$1,376.9	\$1,218.9	\$1,341.6
General Fund Support	(\$1,803.1)	(\$1,803.1)	(\$2,649.6)
Subtotal Transfers	\$6,491.8	\$6,333.8	\$6,446.6
TOTAL EXPENDITURES AND TRANSFERS	\$30,846.4	\$28,591.4	\$35,840.7
Operating Surplus / (Deficit)	(\$3,156.8)	(\$4,289.1)	(\$91.4)
Ending Net Assets	\$1,002.7	\$423.0	\$331.6

The Student Affairs Committee

Governor Stancato reported that the committee heard a number of informational reports. The reports included the fall enrollment report from AVP Ezzeddine, who highlighted enrollment strategies to strengthen recruiting and enrollment and an overview of student demographics. The committee also received the annual update from Student Senate President Sailor Mayes, who discussed a number of initiatives the Senate has underway, an update on the South End from managing editor, Jenna Prestininzi, who discussed areas of focus for the year and staffing needs and reports from the Dean of Students, David Strauss, on student programming and activities and student conduct.

Bylaws Committee

President Wilson called on Governor Kelly for a report and recommendation from the Board's adhoc Bylaws Committee.

Governor Kelly advised that in May of 2021, the Bylaws Review Committee was formed to review the Bylaws, which are the Board's operating guidelines. The bylaws had not been reviewed since 2007. The committee consists of Governors Kelly, Kumar, Stancato and Thompson. The committee met a number of times to review the existing bylaws, reviewed bylaws from other universities, and looked at materials available from the Association of Governing Boards. Today, the committee is presenting its recommendations for changes in the language and form of the bylaws and believes that these changes strengthen these guidelines.

Governor Thompson added a clarification for section 1.5.1, which deals with communications to and from the board. The 5th line that states "this provision does not preclude members, should state "board members." Governor Kelly accepted the change as part of the motion.

ACTION: Upon motion made by Governor Kelly and supported by Governor Thompson, the Board of Governors approved the revision of the Board of Governors Bylaws, as presented and with the addition of the word "Board," before "member" in section 1.5.1. The motion carried.

President Wilson then called on members of the administration for divisional reports, and asked them whether they had anything to add to the written reports provided.

Academic Affairs Informational Report

Provost Kornbluh had no additional comments on the report presented.

Division of Research Awards Report: Quarter 3 – FY 2021

VP Lanier commented that it was noteworthy that the research awards received cut across many different colleges and departments, harnessing the strengths of the institution.

Report on Waivers to Board Statute 2.41.01.140

VP Lanier had nothing to add to the report.

Conflict of Interest Contracts

Vice President Lanier presented two contracts for Board approval with companies owned or partially owned by Wayne State University employees. This creates a potential conflict of interest. Michigan Conflict of Interest law requires specific sunshine procedures in order for a University employee, or a company owned by a University employee, to contract directly or indirectly with the University. The law requires disclosure of any pecuniary interest in the contract, and the disclosure must be made a matter of record in the Board's proceedings, including the name of the parties involved, and the terms of the contract. The contract must be approved by the Board with a vote of not less than two-thirds of the full membership of the Board in open session. The disclosures required by the Conflict of Interest law for these contracts are shown below.

UNIVERSITY CONTRACT FOR RESEARCH AND SERVICES FROM REPELA TECH, LLC., A COMPANY OWNED BY A COLLEGE OF ENGINEERING FACULTY MEMBER REPELA TECH, LLC.

- (i) The parties involved in the contract are Wayne State University and REPELA TECH, LLC.
- (ii) The contract will provide:
 - (a) Scope: Preparing various primer and top coat formulations, examining coating stability after wear challenges, examining coating antifouling performance, and conducting composition and performance tests for prototype quality control.
 - (b) Duration: The contract will be for twenty-four months.
 - (c) Financial Consideration: The amount of the contract will not exceed \$300,000 including 25% F&A costs.
 - (d) University Facilities to be utilized: The research will be performed in the College of Engineering Building (COE) at Wayne State University.
 - (e) Employees Assigned to the Services: Ershuai Zhang, Ph.D. and two (2) graduate research assistants (TBN).
 - (f) Dr. Cao’s pecuniary interest consists of a current interest of approximately 40% ownership in Repela. Dr. Cao will therefore have the potential to financially benefit from the commercial success of the company.

ACTION: Upon motion made by Governor Busuito, and supported by Governor Kumar, the Board of Governors authorized the President or his designee to enter into a contract for research and laboratory services from Repela Tech, LLC. The contract will provide for services related to the evaluation of marine antifouling coatings. The motion carried with a roll-call vote:

Governor Barnhill – yes	Governor Kumar - yes
Governor Busuito - yes	Governor Land - yes
Governor Gaffney - yes	Governor Stancato - yes
Governor Kelly – yes	Governor Thompson – yes

UNIVERSITY SUBCONTRACT FROM RAY THERAPEUTICS, A COMPANY PARTIALLY OWNED BY A SCHOOL OF MEDICINE FACULTY MEMBER

Ray Therapeutics, Inc.

- (i) The parties involved in the contract are Wayne State University and Ray Therapeutics, Inc.
- (ii) The contract will provide:
 - a. Scope: Research services for Ray Therapeutics, Inc. will be provided by Dr. Zhuo-Hua Pan’s laboratory personnel in the Department of Ophthalmology, Visual and Anatomical Sciences, School of Medicine, Wayne State University. Experiments will be conducted in Dr. Pan’s lab located on the 8th floor of Scott Hall, the core facilities located on the 7th

- and 8th floors of Scott Hall, and the DLAR animal facilities at Wayne State.
- b. Term: The contract will have an initial term of 36 months, with an estimated start date of October 1, 2021.
 - c. Financial Consideration: The contract to Wayne State University will total \$332,640 (\$72,000/per year for three years plus 54% indirect cost).
- (iii) Dr. Pan's pecuniary interest consists of an ownership interest in Ray Therapeutics. Dr. Pan currently holds 10% equity interest and will therefore have the potential to financially benefit from the commercial success of the company.

ACTION: Upon motion made by Governor Stancato and supported by Governor Gaffney, the Board of Governors authorized the President or his designee to contract with Ray Therapeutics, Inc. to further develop intellectual property related to retinal gene therapy for treating blindness caused by retinal degenerative diseases. This contract will be to perform comparative studies in mouse models to evaluate pharmacology and function of virus vector constructs containing the licensed gene of CoChR-3M from Wayne State University. The motion carried with a roll-call vote:

Governor Barnhill – yes	Governor Kumar - yes
Governor Busuito - yes	Governor Land - yes
Governor Gaffney - yes	Governor Stancato - yes
Governor Kelly – yes	Governor Thompson – yes

Government and Community Affairs Report

Vice President Lindsey added that since the time of submission of his report, the State of Michigan has finalized its budget, and he wanted to point out a couple of noteworthy items. First, a special grant was received for the National De-escalation Center operated at the University and headed by Chief Holt, helping train policemen on de-escalation. He commended his team for great work in securing \$2.5 million dollars for first responder services including psychiatric support for PTSD, and for a \$1.6 million dollar grant secured for psychiatric nurse practitioner training. He commended the team in Lansing, Elizabeth Cutter, Taylor Newman, and Monica Minor for maintaining the funding streams and opportunities in addition to other appropriations.

Economic Development Report

Vice President Staebler provided an update on the status of the University Transit Pass program. He noted that as of September 1, 2021, all Wayne State staff, faculty and students are eligible to use DDOT, SMART, QLine and MoGo services at no cost. In September, more than 1000 Wayne State people signed up for DART passes. The data on the specific number of rides is pending from DDOT. From MoGo, 700 Wayne State people signed up and took 2,551 rides. He added that the two bike stations near campus

are the busiest in the MoGo system for the month of September. There are good early returns reported for this program.

Development and Alumni Affairs

Vice President Burns advised that since her report was submitted, an additional \$8 million dollars was raised. She added that they expect to exceed \$50 million for the year, which will be a few percent over last year at the same time.

University Endowment Fund Policy Revisions to University Board of Governors Common Trust Fund Statute, Section 2.73.05

President Wilson called on VP Burns for an explanation of the proposed statue change. VP Burns advised that statute change recommend is a 1/2 % increase, the first since 2005, and is recommended in anticipation of the start of the upcoming capital campaign and the need to increase support. She added that it is in line with peer institutions in terms of distribution rate and spending policy. This brings the University in line with its peers, but toward the bottom of the group.

ACTION: Upon motion made by Governor Land and supported by Governor Gaffney, the Board of Governors authorized the President or his designee to approve the revisions to the Wayne State University Code Annotated statute 2.73.05 as presented with changes becoming effective October 1, 2021. The change is to increase the annual distribution rate from 4.50% to 5.00%. Of this annual distribution, 4.00% will be transferred to the beneficiary or spending account and 1.00% will be transferred to an administrative fee account as a fee to support the Development and Alumni Affairs’ capital campaign and fundraising activities. The motion carried.

Establishment of Endowment Funds

Vice President Burns submitted a recommendation to establish endowments, which included information about the donor and the purpose of the endowment. The following action was taken.

ACTION: Upon motion made by Governor Thompson and supported by Governor Stancato, the Board of Governors established endowment funds that total \$4,517,000 for the purposes presented. The motion carried.

ESTABLISHMENT OF ENDOWMENTS

	It is recommended that the Board of Governors approve the establishment of endowments as listed below.	ENDOWMENT AMOUNT
1	BRUCE BEHNKE AND STEVEN LEONG PWC MULTICULTURAL PROFESSIONAL READINESS EDUCATION PROGRAM	\$25,000.00

	This endowed support fund is established to provide support for the PwC MPREP Scholars program in the Mike Ilitch School of Business with a generous pledge of \$25,000.00 from Bruce S. Behnke.	
2	CROSSING THE ENGINEERING FINISH LINE ENDOWED SCHOLARSHIP This endowed scholarship fund is established to recognize scholastic achievement, encourage continued progress, and provide assistance to students in financing their education in the College of Engineering with gifts and pledges raised for this purpose and totaling \$30,000 from multiple individual donors.	\$30,000.00
3	C&IT GOSSMAN ENDOWED INTERNSHIP PROGRAM (FUND FUNCTIONING AS AN ENDOWMENT) This fund functioning as an endowment support fund is established to provide major support for expenses associated with the C&IT Gossman Endowed Internship Program in the Division of C&IT with an initial transfer of unrestricted funds totaling \$100,000.00 from the Division of C&IT index# 225609, and a second transfer, directed to the corpus of this Fund and totaling \$3,700,000.00	\$3,800,000.00
4	MARK R. GRUSKIN, PH.D. ENDOWED FACULTY RESEARCH FUND This endowed faculty research fund is established to promote and support faculty research in the Department of Finance at WSU's Mike Ilitch School of Business with a generous pledge of \$50,000.00 from Mark R. Gruskin.	\$50,000.00
5	KENNETH A. KISH ENDOWED SCHOLARSHIP This endowed scholarship fund is established to recognize scholastic achievement, encourage continued progress, and provide assistance to students in financing their education in the School of Social Work with a generous pledge of \$50,000.00 from Kenneth A. Kish	\$50,000.00
6	SADIE AND REUBEN LAUTER ENDOWED SCHOLARSHIP This endowed scholarship fund is established to recognize scholastic achievement, encourage continued progress, and provide assistance to students in financing their education in the School of Medicine with a generous pledge of \$250,000.00 from Steven A. Lauter.	\$250,000.00

Executive Committee

President Wilson then called on Governor Kelly to present the report from the Executive Committee. Governor Kelly made a motion that the Board of Governors establish a fund in the amount of \$25,000 to fund a scholarship in honor of First Lady Jacqueline Wilson. The scholarship will be used for the High Program, which is for students at the University who are financially stressed. This scholarship honors the fine work the First Lady has done for the program.

ACTION: Upon motion made by Governor Kelly and supported by Governor Kumar, the Board of Governors established a \$25,000 scholarship honoring First Lady Jacqueline Wilson, for the High Program. The motion carried.

PUBLIC COMMENT

President Wilson advised that the Secretary received four requests to speak from members of the University community. Each speaker will be given three minutes to present their remarks and will receive a 1 minute warning from the Secretary when their time is almost up. The first speaker, Terra Shabo, was not present. President Wilson then called on the remaining three speakers, whose statements follow below.

Reverend Dr. Yvette Griffin

Good afternoon. This is the day that the Lord has made and we ought to rejoice and be glad in it. To the Wayne State Board of Governors and President Wilson and to all of you under the sound of my voice. I am Reverend Dr. Yvette Griffin, pastor of Pilgrim Baptist Church in Northeast Detroit. I'm a resident of Woodbridge estates for 16 years. President of the Woodbridge estates home-owners association. Vice president of the Woodbridge citizens council. I am representing approximately 4-6000 residents and businesses in Woodbridge. The university community Woodbridge where residents are Wayne State students, Wayne State professors, Wayne State staff, Wayne State alumni, Wayne State retirees, Wayne State administrators. On behalf of Woodbridge, I am here to thank the Wayne State Police Department led by Chief Anthony Holt for protecting and serving the entire Wayne State community which includes Woodbridge. Chief Holt and his department have protected and served our community through community policing. Where many agencies use community policing as a buzzword to keep their budgets, the Wayne State Police Department actually does it. Within the last two months this department talked down a barricaded gunman, and investigated and provided surveillance. They apprehended a serial rapist who was two blocks from campus. The barricaded gunman, mentally deranged, threatened the lives of family, neighbors, police officers and bystanders all the while his mental stability could have been broken at anytime and innocent people could have been killed or hurt. And as the streets were blocked as the helicopters were flying overhead, it was a Wayne State Police Department who spoke to and acted to protect us from this mentally ill person. Drew his weapon, and the family and community trusted Wayne State police to handle this. We thank God for the department under this leadership and we wanted them to know how much we appreciate them. And the fact that we appreciated them we nominated Chief Holt as the Michigan of this

year. And as the unsung hero, as his leadership protects the community through this pandemic, we wanted this department and this body to know that they've been making the right decision. And should be commended publicly for their brave acts that saved the Wayne State and Woodbridge community. This department under the leadership of this man provided investigative skills and partnering with the community, provided surveillance and arrested a serial rapist who had molested and raped women in our community and threatened this campus just blocks away. All within this last month. We would like all Wayne State police officers commended for job well done through community policing. We commend this department for their actions. I know I'm over my time but I wanted to present Chief Holt and his department with an award from our community to show our appreciation because they have been a blessing to us. I think I think some of us need to be standing up because like I said, they apprehended and arrested a serial rapist, and talked down a barricaded gunman. This certificate of appreciation for a humble man is awarded to Chief Anthony Holt of the Wayne State Police Department for being an outstanding community policing partner, awarded on this first day of October 2021 from the Woodbridge community.

Maureen Kemp

I'm the chief Steward for the engineers here at Wayne State University, IUOE local 324. I appreciate the opportunity to bring to your attention the staffing related issues in the engineering department. Facilities gave a presentation to the trades and the engineers this past April. The reorganization that was presented lacked critical information and have asked repeatedly for what the department sees as final staffing for our unit and these requests have gone on answered. Every trade has had job postings to fill positions but not one posting is up for engineers. So we have surmised that the department must want fewer engineers. They just stopped filling vacancies even though we are essential personnel. Our department and the Wayne State police are the only employees on campus 24/7 every shift every day of the year. This includes every hour every day of the pandemic. Our primary job is to operate and maintain, troubleshoot and repair environmental systems. We test water systems to ensure students and staff are not exposed to Legionnaire's disease. We install filters to reduce the spread of COVID-19. We are the first response for fire emergencies and other safety related hazards affecting the buildings. Engineers are the knowledge base for the campus day-to-day operations. Many are leaving Wayne State due to the stress and understaffing and lack of support from the department. When they leave, they not being replaced. The institutional knowledge is leading with them. One example of this is Kenny Brand. He retired last February after working for Wayne State for 30 years. He was the engineer at Old Main. His position was not filled, and his work was given to another engineer. That engineer had already been covering for two engineers for over a year with no end in sight. Getting assigned Old Main meant that he would be responsible for what had previously been assigned to three engineers. He quit and all of these positions remain vacant, and the positions have not been posted. None of the 14 vacancies in our department have been posted and we are hearing

rumors that the administration wants to hire unlicensed personal to do our work. Our directors claim they do not have to abide by city code, but the staffing in our department is unsafe. It is critically important to the safety and well-being of the Wayne State community to properly staff with licensed engineers. This licensing process is administered by the City of Detroit building safety and engineering department and it's an objective standard that has served us well. We want this department, the engineers of facilities operation and maintenance, that exists to protect the university assets and keep staff and students safe to be properly staffed. There are very real concerns around COVID-19 and growing concerns about legionella and the Detroit area.

The staffing situation creates an otherwise avoidable hazardous situation. We are missing more than 30% of our day engineers with no plan insight to fill vacancies. Engineers are covering for multiple engineers daily and it is an untenable position. This work is not getting done. It's also causing burnout and we're losing valuable employees. The engineers being spread so thin that they are unable to do normally scheduled preventative maintenance. This will translate to emergency shutdowns possible health and safety hazards for employee's campus and students. In addition to the inherent dangers this creates, response time will suffer, continuity of service will be jeopardized and in the end more money will be spent on replacement of equipment. Our department will look like we're failing but this seems to be by design. We would like the board to give this concern their attention. We want vacancies filled, we want Wayne State to sit down with our union to develop a plan for the future, that at the very least aligns with the city of Detroit code developed by the department of building and safety engineering. And we want to ensure safe staffing levels that are objectively verifiable. We want to move in this direction without retaliation to any of our members. We now have a tentative date of October 11th set for our first negotiations. We debated whether we should go forward with this presentation but we have had dates scheduled before and they were cancelled with no urgency to reschedule. So we thought that this was important. Thank you for your time.

Richard Hosking

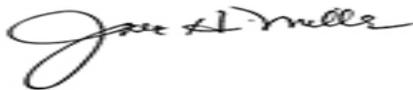
Thank you for the opportunity to speak to you today. My name is Richard Hosking and I am an operating engineer here at WSU, and a member of the bargaining team. I'm one of two building automation technicians who monitor programs and work in the field to keep Wayne State's extensive HBAC computer control systems running. I've been a proud university employee for 17 years. The University recently thanked essential workers who served through the pandemic in an online post. And again, President Wilson reiterated that thanks. Though I have no doubt that this was an earnest sentiment, it was undercut significantly by the fact that our union has had to file a grievance and are going to arbitration to try to obtain compensation. This while other university departments received compensation shortly after the end of the executive ordered closure. The union at last year to begin negotiations. Management has still not met with our union for negotiations,

a stalling tactic most would consider a violation of Labor law. Our contract expired October of 2020, and we've been working under month to month extensions. Today is in fact the anniversary of that contract's expiration. Compounding matters, retirements and employee attrition have cut our staffing by 30% on day shift with no postings to fill any of these positions to date. While the ranks are caught, management continues to withhold hard staffing numbers regarding its reorganization plan preventing the union from properly informing its members. We are now heading into a second year without a contract. The situation has grown progressively worse. We have over a dozen unfilled vacancies at FP&M and another half dozen anticipated by year end. Operational cracks are becoming apparent. Management states its assessment of University HVAC assets, is only 22% complete. Knowing what material assets Wayne State has, seems like a necessary precondition to properly assess staffing levels. This implies months of further delays before a plan based on actual hard criteria can be formulated. And yet a de facto drawdown of engineering staff is already well underway. Our collective bargaining agreement does not allow for strikes as public employees. Management has near total control of staff as they see fit, when they see fit and for what reasons they find compelling. And we were reminded of this regularly. We only ask that the University negotiate with us in good faith and complete a contract. Provide information regarding future plans, staffing levels so employees can plan and consider what's best for them and for their families. And the union itself can provide informed considered input. Our plea here isn't for gratuitous raises or hard staffing levels. We have already presented our concerns and advocacy for skilled licensed trades and documented the ongoing personal personnel losses. This is ultimately all we can do. We are asking for basic human decency and for management to abide by the law and for the University to uphold its ethical foundation. We are asking this not just in word but in action. I hope you agree that local 324 employees and their families deserve nothing less. Thank you so much for your time.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:09 p.m.

Respectfully submitted,



Julie H. Miller
Secretary to the Board of Governors