STATE BOARD OF HIGHER EDUCATION
MINUTES OF MEETING HELD IN
CARSON HALL DINING ROOM, UNIVERSITY OF OREGON, EUGENE, OREGON

September 8, 1970

MEETING #389-1 A regular meeting of the State Board of Higher Education was held in the Carson Hall Dining Room, University of Oregon, Eugene, Oregon.

ROLL CALL The meeting was called to order at 9:00 A.M. Tuesday, September 8, 1970, by the President of the Board, Mr. George H. Layman, and on roll call the following answered present:

Mr. George H. Corey Mr. Philip A. Joss
Mr. Chas. R. Holloway, Jr. Mr. John D. Mosser
Mr. Robert D. Holmes Mr. Loran L. Stewart
Mrs. Elizabeth H. Johnson Mr. George H. Layman

Absent: Mr. John W. Snider was out of the state.

OTHERS PRESENT

Centralized Activities—Chancellor R. E. Lieuallen; Secretary R. L. Collins; Mr. Freeman Holmer, Vice Chancellor for Administration; Mr. J. I. Hunderup, Vice Chancellor for Facilities Planning; Dr. Miles C. Romney, Vice Chancellor for Academic Affairs; Mr. D. R. Larson, Assistant Chancellor; Mr. H. A. Bork, Consultant; Dr. James Beard, Director, Teaching Research Division; Dr. Duane Andrews, Director, Division of Continuing Education; Mr. Kenneth Ahlberg, Manager of Business Affairs, Division of Continuing Education; Mr. Ralph Steetle, Director of Program Coordination, Division of Continuing Education; Mr. J. L. Watson, Comptroller and Assistant Vice Chancellor for Administration; Dr. Carl C. Paetz, Director of Campus and Building Planning; Mr. Keith L. Jackson, Budget Director; Dr. George Diel, Director, Communications Development; Mr. Guy Lutz, Director, Office of Institutional Research; Mr. Allen McKenzie, Contracting Officer and Assistant to Vice Chancellor for Administration; Mr. Richard Zita, Director of Publications; Mr. Raymond P. Underwood, Assistant Attorney General; Mr. Fred Segrest, Administrative Assistant; Mr. John Richardson, Assistant to the Chancellor; Mr. Robert Halvorsen, Management Analyst, Management Audit Unit, Office of Administration; Mr. Odell Wood, Fiscal Officer.

Oregon State University—President R. W. MacVicar; Mr. M. Popovich, Dean of Administration; Mr. G. M. Robertson, Director of Business Affairs; Dr. David B. Nicodemus, Dean of Faculty; Mr. G. M. Thornburgh, Director of Facilities Planning and Institutional Research; Mr. Miles Metzger, Superintendent of Planning and Construction; Dr. Harry Freund, Vice Chairman of the Faculty Senate; Dr. Lester B. Strickler, Professor of Business Administration; Miss Lois A. McGill, Associate Professor of Food Science and Technology.
Meeting #389-2

University of Oregon—President Robert D. Clark; Dr. John E. Lallas, Director, Office of Planning and Institutional Research; Mr. J. O. Lindstrom, Director of Fiscal Affairs; Dr. Harry Alpert, Dean of Faculties; Mr. Charles T. Duncan, Associate Dean of Faculties; Mr. George Wallman, Architect; Dr. Arnulf Zweig, Head of the Department of Philosophy; Dr. Waldo McNair, Professor of English; Dr. Hans Linde, Professor of Law; Dr. Robert Campbell, Professor of Economics; Dr. Lynn S. Rodney, Head of the Department of Recreation and Park Management; Dr. John W. Borchardt, Associate Professor of Physical Education; Mrs. Helen Curtis, Assistant to Director of University Relations.

University of Oregon Dental School—Dean L. G. Terkla; Mr. Eugene W. Bauer, Assistant Dean for Business Affairs.

University of Oregon Medical School—Dean C. N. Holman; Mr. W. A. Zimmerman, Associate Dean for Business Affairs.

Portland State University—President Gregory B. Wolfe; Mr. Robert Low, Vice-President for Administration; Mr. W. T. Lemmon, Jr., Vice President for Business and Finance; Dr. Joseph C. Blumel, Vice President for Academic Affairs; Dr. Whitney Bates, Professor of History.

Oregon College of Education—President L. W. Rice; Mrs. Maxine H. Warnath, Assistant Professor of Psychology.

Southern Oregon College—President James K. Sours; Dr. E. C. McGill, Dean of Faculty; Mr. D. E. Lewis, Dean of Administration; Dr. W. G. Cornelius, Professor of Political Science, representing Interinstitutional Faculty Senate.

Eastern Oregon College—President A. M. Rempel.

Oregon Technical Institute—President W. D. Purvine.

Others—Dr. B. Hughel Wilkins, Professor of Economics at Oregon State University, representing the American Association of University Professors Federation; Mr. Richard Burke, Fiscal Analyst, Executive Department, Fiscal Management Division; Mr. Gilbert Polanski, Field Representative, Oregon State Employees Association; Mr. Ray Field, Auditor, Office of the Secretary of State; Dr. E. M. Pallett, former Secretary of the Board; Mr. Paul Weswig, Professor of Agricultural Chemistry, Oregon State University, and OSEA representative; Mr. Robert Ackerman, Attorney, Associated Students, University of Oregon.

Student Representatives—Mr. James Davis, Chairman, Interinstitutional Union of Students of the Oregon State System of Higher Education; Mr. Ron L. Eachus, President, and Mr. Mike Kment, Vice-President, Associated Students of the University of Oregon; Mr. Irvin H. Fletcher, Miss Mary England, Mr. Allan Alef, and Mr. John Pileth, University of Oregon students; Mr. Adam R. Clopton, Executive Assistant, Associated Students of Oregon State University; Miss Janet Bennett, Oregon State University Student and Director of Experimental College.
MINUTES
APPROVED

The Board voted to dispense with the reading of the minutes of the last regular meeting held on July 27, 1970, and the special meeting held on August 18, 1970, and approved them as printed in the preliminary minutes previously issued.

CHANCELLOR'S
REPORT

The Chancellor called attention to three items on the agenda for the Board meeting—the proposed amendments to the Administrative Code relating to faculty and student conduct; the capital construction program for the next six-year period; and the biennial operating budget for 1971-1973.

He said that these three items had required overtime work and performance beyond the call of duty for the three vice chancellors and their staffs. He noted that outstanding cooperation had been received from the institutions and said that the production of these reports, with the help of the Board's Committees and the Board itself had been a series of accomplishments which justified great pride in the Board's Office staff.

Fall Term
Enrollment
Prospects

The Chancellor indicated that the quotas established for the fall term enrollment involved both limits and estimates of enrollment. He said that the three categories of enrollment figures used for enrollment estimates and controls were graduate enrollments, nonresident undergraduate enrollments and resident undergraduate enrollments. In response to Board and legislative admonitions, the Board's Office and the institutions are attempting to control quite accurately the enrollments in each of these categories and also the total enrollment. This accurate control requires careful and exact estimating of the returning students in each category and of the numbers of new students who actually enroll after having been admitted.

The Chancellor indicated that on the basis of current evidence, it appears that the enrollment of graduate students and nonresident undergraduates will be quite close to the limit established for those categories, and that the enrollment of resident undergraduates will probably exceed the originally proposed enrollment figures by 200 to 500 students.

Revision of Program for Utility Extensions, UO

(Considered by Building Committee, August 18, 1970.)

As noted in a report to the Board on March 10, 1970, Sandwell International Incorporated was commissioned to make a comprehensive engineering economics study with recommendations for utility services at the University of Oregon. Copies of the engineers' report have now been filed with the University and a detailed examination is being made by members of the staff to determine the short- and long-range implications of the various findings and recommendations. It is expected that the results of the study will be summarized for presentation to the Board at a later meeting. Meanwhile, it is apparent that certain portions of the utility improvements authorized by the 1969 Legislature are more essential than others and some revisions in the planning and construction schedule are recommended.
The Sandwell report confirms the need for the immediate construction of the extensions of the utility tunnel system which were incorporate within the "Utility Extensions" project assigned Priority No. 3 within the 1969-1971 capital outlay program. The preliminary plans for such work were prepared by Engineers J. Donald Kroeker & Associates and were reviewed and approved by the Board on April 27, 1970. This project was also expected to include the installation of chilled water lines as well as electrical feeder and switchgear equipment within the proposed new tunnel from the heating plant east and south to a point 75 feet north of 13th Avenue for connection with the tunnel extension planned as part of Phase III of Central Cooling. (This latter work constituted a portion of Priority No. 14, along with the proposed new College of Education Building.)

It has now been determined that programmed utility extensions need to be constructed simultaneously in order to complete the loop system and assure the availability of steam service to all portions of the campus. Thus, the scope of the project identified as "Utility Extensions" within the 1969-1971 capital outlay program would need to be modified as follows:

(1) Omit the installation of chilled water lines, electrical feeder and switchgear; and in lieu thereof,

(2) Include further extensions of the tunnel, with steam and condensate return lines, along Beech Street from a point 75 feet north of 13th Avenue to 14th Avenue for a loop connection with the existing tunnel near the Student Health Service Building, and along Franklin Boulevard westerly to connect with the existing tunnel serving the Science Building, Second Addition, thus completing another loop.

The estimated direct construction costs would be approximately $555,000, requiring no change in the total expenditure limitation of $635,000 for the Utility Extension project.

With the concurrence of the Chancellor, President Clark recommended that the modifications to the Utility Extensions project at the University of Oregon, as outlined above, be approved and that the appropriate Board officials be authorized to instruct Engineers J. Donald Kroeker & Associates to make such revisions in the final plans and specifications as may be required, solicit bids and award construction contracts within a total budget not to exceed $635,000 following the release of funds by the State Emergency Board. It is expected that further planning of Phase III of the Central Cooling System would be deferred pending an analysis of the report of Sandwell International Incorporated.

RECAPITULATION UPON REVISION OF PRELIMINARY PLANS

Project - UO Utility Extensions

Engineers - J. Donald Kroeker & Associates, Portland
Legislative authorization - Chapter 664, Oregon Laws 1969

Board's priorities - No. 3 in 1969-1971 (both for the Educational and General Plant and for Auxiliary Enterprises)

Estimated total project costs - $ 635,000

Estimated direct construction costs - $ 555,000

Tentative schedule:
Bidding - October 1970
Completion - April 1971

Tentative financing plan:
General Fund appropriation in Chapter 664, Oregon Laws 1969, and/or Article XI-G bonds $ 515,000
Self-liquidating bond borrowings issued under authority of Article XI-F(1) of Oregon Constitution and/or other funds available for auxiliary enterprises 120,000
Total $ 635,000

During the Committee discussion, Mr. Hunderup indicated that the proposed modifications to the present capital outlay program would incorporate certain utility extensions which had a lower priority than others, but indicated that the Board's Office concurred in the recommendation.

The Building Committee recommended that the Board approve the recommendations as presented.

The Board approved the recommendations as presented.

(Considered by Building Committee, August 18, 1970.)

Preliminary Plans for Men's Physical Education Building Restoration, UO

As reported to the Board on July 27, 1970, Architects Morin, Longwood, Edlund were appointed to assist the staff of the University of Oregon in preparing plans, specifications, cost estimates and construction supervision for the restoration of areas within the Men's Physical Education Building which were destroyed by fire on February 16, 1970.

Institutional officials and the project architects have filed with the Board's Office a copy of the preliminary plans for the proposed restoration and remodeling work within areas totaling approximately 22,624 square feet. Generally, the remodeling work would restore spaces to their original use but with such modifications in finishes as are necessary to conform to current building code requirements. Some rearrangement of space assignments would be made to provide better circulation and greater utility of the instructional and service areas. The remodeling within the basement would be limited to the expansion of locker and storage spaces into the areas formerly occupied by the ROTC and would include the installation of an automatic fire sprinkling system to conform to present code requirements.
Inasmuch as the fire totally destroyed the floor, interior partitions and roof of the northwest section of the building, the space has been cleared and it is possible for the restoration thereof to provide for more functional space arrangement on the main floor than had existed within the original building. For example, the two classrooms formerly located on the west side near University Street traffic would be placed on the east side of the corridor, with windows opening to the interior court side of this wing. Departmental offices would be arranged for more efficient use principally along the front of the building (west side). The former penthouse space used by Health Education, also totally destroyed by the fire, would be restored but in a slightly modified manner. A more efficient structural system has been designed to provide the potential of future additions which would complete the second floor level at this northwest section of the building.

In addition to the remodeling work required to restore the fire-damaged areas, minor modifications are planned within the northeast wing of the building to provide proper corridor exiting and more efficient utilization of the space. (As part of Phase II of the Central Cooling project authorized by the 1967 Legislature, the existing ventilating systems in this wing would be modified to permit cooling within the classrooms.)

The direct construction costs of the alterations are estimated to be $262,000, or about $11.62 per square foot. These amounts exclude the demolition work and also exclude the new flooring now being installed within an apparatus room which suffered water damage. These portions of the work were contracted separately.

Although the claim filed against the State Restoration Fund for the fire loss was in the amount of $337,000, exclusive of equipment and supplies, the recommendation of officials of the Department of General Services was for payment of a smaller amount. Institutional officials and members of the Board's staff are attempting further adjustments based upon the comprehensive estimates prepared by the architects. It appears likely, however, that some allocation will be required from the Board's reserve for plant rehabilitation and minor capital outlay to cover the estimated requirements for the alterations proposed on the first floor, within the northeast wing, which are to be undertaken simultaneously with the restoration of the adjacent spaces.

With the concurrence of the Chancellor, President Clark recommended that the preliminary plans for the Men's Physical Education Building Restoration be approved and that the appropriate Board officials be authorized to instruct the architects to complete the final plans and specifications, solicit bids and seek the concurrence of the State Emergency Board to proceed with construction. Before a contract award is made, however, a financing plan is to be presented to the Board or to the Executive Committee of the Board for review and approval.
RECAPITULATION UPON THE COMPLETION OF PRELIMINARY PLANS

Project - UO Men's Physical Education Building Restoration

Architects - Morin, Longwood, Edlund, Eugene

Legislative authorization - To be requested from State Emergency Board

Approximate area to be remodeled: 22,624 square feet

Estimated total project costs $337,000

Estimated direct construction costs:
   Total (excluding demolition and new flooring) $262,000
   Cost per square foot: $11.62

Tentative schedule:
   Bidding - October 1970
   Completion - September 1971

Financing:
   State Restoration Fund, Article XI-G bonding
     (for portion applicable to Phase II of Central Cooling), and Board's Reserve for Plant Rehabilitation and Minor Capital Outlay - Total $337,000

The Building Committee recommended that the Board approve the recommendations as presented.

In response to a question during the Board discussion, Mr. Hunderup said that negotiations were still in progress with respect to the amount of the claim against the restoration fund and that no decision had yet been reached.

The Board approved the recommendations as presented.

(Considered by Building Committee, August 18, 1970.)

As reported to the Board on December 10, 1969, and March 10, 1970, following the rejection of bids which had been received earlier for the proposed construction of the Science Building, Third Addition, Architects Skidmore, Owings & Merrill were asked to revise the plans and specifications in an effort to bring the direct construction costs within the budget allowance of $2,568,000.

Working closely with members of the staff of the biology Department and the Physical Plant Department of the University of Oregon, the architects have developed a revised concept for the building to effect a more efficient plan and structure. Rather than to provide
a gross area of 86,680 square feet within five floor levels as reflected in the original preliminary plans approved by the Board on April 24, 1967, or even the gross area of 68,318 square feet contemplated on four floors when the final plans and specifications were approved on October 27, 1969, meeting, the revised scheme proposes a building of approximately 60,208 square feet. It would consist of four floor levels, including a basement. The two upper floors would contain research laboratories and staff offices similar in design to those within the original concept but somewhat condensed in area. Common service facilities within the central core on each floor would be substantially smaller but would be adequate for the research facilities.

In lieu of providing lecture halls and classrooms on the main floor, as originally planned, the area on the first floor would provide for undergraduate teaching laboratories for Biology. Initially, it had been expected that these would be located within the basement area. Under the current scheme, the basement would be unfinished, except for the mechanical room, and would provide for the future development of additional teaching laboratories and one or more classrooms.

The proposed structure would be of reinforced concrete, as was the previous design, but the supporting columns would be placed closer together to reduce the structural spans and permit more standard and economic framing. The exterior finish would be sandblasted colored concrete and oxidized aluminum window wall to match the finishes of the Science Building, Second Addition, recently completed. Interior finishes would include metal lath and plaster partitions, acoustic tile ceilings (in corridors and offices only), and resilient floor tile (in corridors only). The mechanical system would provide complete ventilation and cooling with a 100% exhaust of air.

Based upon the revised gross area of 60,208 square feet, the direct construction costs of $2,568,000 would average about $42.65 per square foot.

With the concurrence of the Chancellor, President Clark recommended that the revised preliminary plans for the University of Oregon Science Building, Third Addition, be approved and that the appropriate Board officials be authorized to instruct the architects to complete the final plans and specifications, solicit bids and award construction contracts subject to approvals by the granting agencies and the State Emergency Board.

RECAPITULATION UPON COMPLETION OF REVISED PRELIMINARY PLANS

Project - UO Science Building, Third Addition and Alterations (excluding Phase II of Central Cooling System)

Architects - Skidmore, Owings & Merrill, Portland

Legislative authorization - Chapter 404, Oregon Laws 1967
Board's priority - No. 3 in 1967-1969

Approximate gross area - 60,208 square feet

Estimated total project costs (excluding $400,000 for Phase II of Central Cooling System) $3,455,000

Estimated direct construction costs:
Total $2,568,000
Average (per square foot) - $42.65

Tentative schedule:
Bidding - December 1970
Completion - December 1972

Tentative financing plan:
Federal grant under Title I of Higher Education Facilities Act of 1963, as amended $299,222
Federal grant from U. S. Public Health Service 1,222,000
Building use credits 92,500
State Restoration Fund (from prior fire losses at UO) 167,104
General Fund appropriation in Section 1, Chapter 404, Oregon Laws 1967 370,000
General obligation bond borrowings under provisions of Article XI-G of Oregon Constitution 1,704,174
Subtotal $3,855,000
Less - Portion applicable to Phase II of Central Cooling System 400,000
Net sources of funds $3,455,000

During the Committee discussion, Mr. Hunderup emphasized that the modifications which had been required for this building due to cost factors resulted in a building which was quite different from that which was anticipated when the original legislative authorization for the building was obtained in 1967. The modifications include omission of one floor and shortening of the building resulting in a reduction in total area from 86,000 to approximately 60,000 square feet. Mr. Hunderup said these changes are being made by the architects in an effort to keep the cost of the project within the amount of funds available. When the plans are completed, they will be presented to the Emergency Board for final approval.

The Building Committee recommended that the Board approve the recommendations as presented.

The Board approved the recommendations as presented.

(Considered by Building Committee, August 18, 1970.)

Upon the completion of the Basic Science Classroom and Laboratory Building now under construction, all basic science medical instruction and three of the basic science departments will be moved from Mackenzie Hall (formerly identified as the Medical Science Building) and the Administration Building. The other basic science departments
will remain in these two older buildings but in relocated and remodel spaces. As reported to the Board on July 27, 1970, Architects Broome, Selig & Oringdulph, Portland, were appointed to assist the institution in the design and construction supervision of the proposed alterations. At the same meeting, the Board authorized the filing of an application for grant funds from the U.S. Public Health Service for a portion of the estimated project costs consistent with the commitment to increase the size of the entering class of medical students to 112.

Institutional officials and the project architects have filed with the Board's Office a copy of the completed schematic design for the proposed alterations work within Mackenzie Hall and the Administration Building. These plans are in substantial agreement with the program developed by the institution and give effect to the elimination of building and fire code discrepancies and the incorporating of vacant and unused utility and ventilation shafts into usable and assignable spaces. For example, all corridor doors would be replaced with new one-hour fire resistive doors and a new smoke-proof stair tower would be provided. Although precise calculations of the areas to be remodeled have not been made, it is estimated that approximately 41,240 square feet would be affected and the improvements proposed for mechanical and electrical services would extend to other portions of the buildings.

Alterations within the Administration Building would include the conversion of basement area Public Health space into offices for the Payroll and Personnel Department of the Business Office and the Instructional Aids Department would be assigned remodeled space next to the present photography areas. The second floor teaching laboratories of the Physiology Department, which are to be relocated within the new Basic Science Building, would be remodeled into a conference-resource center for that department, plus faculty laboratories and general offices. Space on the third floor currently assigned to the Pathology Department would be remodeled into offices and related service areas for the School of Nursing.

Alterations within the first floor of Mackenzie Hall would provide for the expansion of the book store and would accommodate a laboratory for the Public Health Department. The existing morgue would be converted into storage and mechanical spaces. Second floor areas to be vacated by the Biochemistry Department would be remodeled into offices and service spaces for Neurology. Other portions of the second floor would be remodeled for Public Health Department offices and for Pharmacology. A teaching laboratory for medical technicians in Clinical Pathology would also be provided. Alterations to the third and fourth floors of Mackenzie Hall would provide spaces for Medical Genetics, Surgery, Medical Psychology, Anatomy and Pediatrics. For example, laboratory-offices would be provided for diabetes-metabolism, hematology, cardiology, and gastroenterology,
New interior finishes would include sheetrock and plaster on steel studs, some noncombustible acoustical ceilings, vinyl asbestos tile and ceramic tile floors. Carpeting would be installed within certain conference rooms and offices. No exterior remodeling of the buildings is contemplated. The major plumbing revisions would be within areas where laboratory facilities exist presently and would be removed, or where new laboratory areas are planned. The two buildings are now heated with cast-iron steam radiation and various types of finned pipe radiation. In areas where this type of heating is not acceptable, the radiation would be removed and air systems would be installed. In this manner, air conditioning would be provided within certain, but not all, of the areas. In addition, certain modifications to the present electrical feeder would be required to increase the capacity for the additional loads within the remodeled buildings.

Based upon the price level expected to prevail late in 1971 when bids may be solicited for the alterations, following appropriate legislative authorization and the completion of the Basic Science Building, the direct construction costs are estimated to be approximately $1,612,567, including fixed equipment, and the total project budget is estimated to be $2,555,000. Tentatively, it is anticipated that approximately $1,125,000 of state funds, such as a General Fund appropriation and/or XI-G bonding, would be required in combination with about $1,430,000 of federal grant funds from the Division of Nursing and the Division of Physician Manpower of the U. S. Public Health Service.

With the concurrence of the Chancellor, Dean Holman recommended that the schematic design phase of planning for the Alterations to Mackenzie Hall and Administration Building at the University of Oregon Medical School be approved, and that the appropriate Board officials be authorized to instruct the architects to complete the design development phase based upon a direct construction cost allowance of $1,612,567.

RECAPITULATION UPON COMPLETION OF THE SCHEMATIC DESIGN PHASE

Project - UOMS Mackenzie Hall and Administration Building Alterations

Architects - Broome, Selig & Oringdulph, Portland

Legislative authorization - To be requested in 1971

Approximate gross area to be remodeled - 41,240 square feet

Estimated total project costs $2,555,000

Estimated direct construction costs $1,612,567

Tentative schedule:

Bidding - November 1971
Completion - January 1971
Tentative financing plan:

- General Fund appropriation and/or XI-G bonding $1,125,000
- Federal grant funds from the U.S. Public Health Service $1,430,000
- Total $2,555,000

The Building Committee recommended that the Board approve the recommendations as presented.

The Board approved the recommendations as presented.

Preliminary Plans for Parking Lot Improvements, UOMS

Engineers, Cornell, Howland, Hayes & Merryfield and officials of the University of Oregon Medical School have filed with the Board's Office the preliminary plans for the construction of the proposed improvements to parking lots 31 and 34 which had been authorized by the 1969 Legislature. A total of approximately 438 parking spaces would be provided in these lots south of S.W. Gaines Street and west of S.W. 6th Avenue Drive, across from the Crippled Children's Division Building. This would represent a net gain of about 216 spaces over the capacity of the temporary gravel parking lots currently available on a portion of this site. The work includes the grading of the entire surface areas which have been filled from the spoil of major construction projects at the Medical School during recent years, the paving thereof and the installation of curbs, walks, storm drainage systems, lighting and related construction and landscaping.

Of the total project budget of $170,000, it is estimated that the direct construction costs will be approximately $132,891, of which about $18,591 relates to the preparation of the spoil area and the installation of a temporary storm drain interceptor line by the contractor for the Teaching Hospital Addition.

With the concurrence of the Chancellor, Dean Holman recommended that the preliminary plans for the parking lot improvements be accepted and that the appropriate Board officials be authorized to instruct the engineers to complete the final plans and specifications, solicit bids and award construction contracts within a total project budget of $170,000. Funds for the project are to be provided from self-liquidating bond borrowings issued under the provisions of Article XI-F(1) of the Oregon Constitution and/or balances available for auxiliary enterprises.

RECAPITULATION UPON COMPLETION OF THE PRELIMINARY PLANS

Project - UOMS Parking Lot Improvements

Engineers - Cornell, Howland, Hayes & Merryfield, Portland

Legislative authorization - Chapter 664, Oregon Laws 1969

Board's priority - No. 11 in 1969-1971 (Auxiliary Enterprises)
Estimated total project costs $170,000

Estimated direct construction costs $132,891

Estimated capacity - 438 cars

Tentative schedule:
  Bidding - September 1970
  Completion - Late Fall 1970 or Spring 1971, depending upon weather conditions

Tentative financing plan:
  Article XI-F(1) bond borrowings and/or balances available for auxiliary enterprises $170,000

The Building Committee recommended that the Board approve the recommendations as presented.

The Board approved the recommendations as presented.

Alterations for Installation of Centrex Equipment, UOMS

Centrex service for the University of Oregon Medical School and Dental School is scheduled to begin July 1, 1971. In order to provide space for the equipment of the Pacific Northwest Bell Telephone Company for such service, several alternatives were examined, including the completion of an unfinished area of about 660 square feet adjacent to the north wall of the present parking structure, relatively close to the basement of the Administration Building. The use of this space, which would be fully air conditioned with humidity control, would avoid major reassignments or interruptions within other facilities on the campus.

With the concurrence of the Chancellor, Dean Holman recommended that $18,000, or as much thereof as may be required, be allotted from the Board's reserve for plant rehabilitation and minor capital improvements for alterations for the installation of Centrex equipment at the University of Oregon Medical School. It was understood that if additional funds are required, they would be provided from other resources available to the institution.

The Building Committee recommended that the Board approve the recommendation as presented.

The Board approved the recommendation as presented.
On June 12, 1970, upon the recommendation of University of Oregon Medical School officials and Architects Campbell-Yost & Partners, the work performed by the three principal construction contractors for the Child Development and Rehabilitation Center, formerly identified as the Mental Retardation Demonstration Center, was accepted, subject to the completion of a few minor items. The Vice Chancellor for Facilities Planning had inspected the project earlier with a representative of the U.S. Public Health Service. A revised semifinal budget is shown below in comparison with the budget reported to the Board on April 23, 1968:

<table>
<thead>
<tr>
<th>Project Costs</th>
<th>Revised Budget</th>
<th>Original Budget</th>
<th>Increase or Decrease</th>
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<tr>
<td></td>
<td>6/12/70</td>
<td>4/23/68</td>
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<td>Direct construction costs:</td>
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<td>General work - Todd Building Company, Roseburg</td>
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<td>Mechanical work - Imperial Plumbing &amp; Heating, Inc., Portland</td>
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<td>Electrical work - Bohm Electric Company, Portland</td>
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<td>Total direct construction costs</td>
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<td>Professional services fees, including consultants' charges for soil investigations, etc</td>
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<td>Furnishings and equipment</td>
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<td>Construction supervision</td>
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<td>Physical Plant costs, including landscaping</td>
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<td>Contingencies</td>
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<td>Total project costs</td>
<td>$3,717,649</td>
<td>$3,717,649</td>
<td>$0</td>
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</table>

(1) Includes modifications to drain tile, gravel fill, excavation, backfill and cement work; minor revisions to kitchen and dining area, hardware, doors and acoustical treatment; modifications to cabinetry, heating units and administrative offices; relocating partitions and changing some floor materials; and other changes incorporated within twelve approved change orders.

(2) Includes the installation of floor drains, the relocation of a steam manhole and the installation of steam conduit line; modifications to rain drain and water line and the duct system; the addition of fire dampers in the ventilation system and other modifications to the plumbing and heating incorporated within nine approved change orders.

(3) Includes modifications in the electrical system and illumination pattern in the administrative offices and other minor electrical work incorporated within eight approved change orders.

(4) Includes additional costs incurred by the purchase of a portable emergency generator, landscaping and moving costs.
The new Child Development and Rehabilitation Center, designed by Architects Campbell-Yost & Partners (formerly Campbell-Michael-Yost) of Portland, is constructed near the Crippled Children's Division Building in the south portion of the University of Oregon Medical School campus. The facilities will provide space for instructional and clinical activities related to mental retardation.

The basic design concept is that of three separate but interconnected building elements placed around a main entrance and circulation "spine." The three-level unit "A" is identified as the "working core" unit. Special medical evaluation, behavioral evaluation, occupational therapy, otolaryngology and speech and hearing, and neurology and electrocardiology are located on the first floor, along with the holding rooms, classrooms and play areas for patients. The second floor provides for dentistry, ophthalmology, special medical examination, behavioral science examination and six special laboratories. The third level will be used entirely by the staff and medical students and includes a classroom, seminar rooms, study rooms, library and faculty offices. Motel-type quarters for visiting staff persons are provided on the roof of this unit. The separation of patient and student-staff circulation and facilities for observation is accomplished by the provision of a mezzanine "spine" looking down into the larger areas, such as the classrooms and outdoor play spaces, and into the laboratories and examining rooms in the medical-dental sections.

Unit "B," planned as the recreational and administrative element, is situated immediately west of the "working core" unit and is a three-level structure. The first floor includes the reception areas, offices for interviews, conference spaces, staff lockers and general storage rooms. A large multi-purpose room for patient recreation, a lounge, library and television viewing room for patient-parent use, and dining and kitchen facilities are on the second floor. On the third level, provision is made for administrative offices, business offices, staff and student cafeteria and certain special service rooms, such as those required for data processing, etc. Mechanical space is provided in a partial basement level.

Located directly north of these two units is the third building element of the complex, Unit "C," identified as the "living-in" element. The lower level provides space for three parents' apartments. On the upper level, dormitory space is provided for approximately 24 patients in double occupancy rooms together with the necessary auxiliary service spaces. (Because of the limitation of operating funds, it is expected that this unit will not be used during 1970-71.)

Exposed structural walls of each of the three building units are brick on both faces with concrete filled cavity space. Other structural elements are poured-in-place concrete and pre-cast concrete. Entrance doors and windows are bronze anodized aluminum with heat-absorbing glass in the windows. For heating purposes, hot water will be generated in heat exchangers supplied with steam from the central plant.
For the gross area of approximately 111,103 square feet, the direct construction costs of $3,105,850 average about $27.95 per square foot.

Of the total project costs, $2,736,572 was financed from the grant of $3,706,500 which the U. S. Public Health Service awarded for mental retardation facilities at the University of Oregon Medical School and the University of Oregon, and the remaining $981,077 was provided from the General Fund appropriation within Chapter 456, Oregon Laws 1967, as adjusted by the State Emergency Board.

RECAPITULATION UPON INSPECTION AND ACCEPTANCE

Project - UOMS Child Development and Rehabilitation Center (formerly identified as Mental Retardation Demonstration Center)

Architects - Campbell-Yost & Partners, Portland

Legislative authorization - Chapter 456, Oregon Laws 1967

Board's priority - No. 47 in 1967-1969

Approximate gross area - 111,103 square feet

Estimated total project cost $3,717,649

Estimated direct construction costs:
  Total $3,105,850
  Average (per square foot) - $27.95

Financing plan:
  Grant funds from the U. S. Public Health Service $2,736,572
  State funds (General Fund appropriation in Chapter 456, Oregon Laws 1967) $981,077
  Total $3,717,649

The Board accepted the report as presented.

Upon the recommendation of officials of the University of Oregon Medical School, arrangements have been made for the professional services of Rose & Breedlove, Inc., and Stevens, Thompson & Runyan, Inc., a joint venture, consulting engineers, Portland, for the design and construction supervision of the proposed Parking Structure II for which legislative authorization is expected to be requested in 1971. Tentatively, it is contemplated that this multi-level structure would be located south of the Teaching Hospital and west of the University of Oregon Dental School Building, and would have a capacity of approximately 752 automobiles. The estimated total project cost is $2,535,000.
On the assumption of direct construction costs of approximately $2,056,560, excluding site work, the professional services fee would be about 5.2 percent. If the construction cost is larger, the fee rate would be lower; but if the contract amount is smaller, the fee rate would be higher.

Funds required for the schematic design phase of planning are to be provided from balances available to the institution from parking operations.

The Board accepted the report as presented.

Report of Appointment of Engineers for Utilities Study, UOMS

Upon the recommendation of institutional officials, arrangements have been made for the professional services of Cornell, Howland, Hayes & Merryfield, Consulting Engineers, Portland, for a comprehensive engineering-economics study of the utilities at the University of Oregon Medical School.

The scope of the work shall include an analysis of existing equipment and services, including distribution systems, and recommendations for a master plan for utilities with special attention to the major services of steam, electric power, air conditioning, water, sewers, natural and medical gasses, and solid wastes.

For their services, the engineers are to be compensated on a time and materials basis not to exceed a total of $30,000. Most of the requirements therefor will be advanced from the Board's reserve for architectural/engineering planning to be repaid from a capital outlay authorization in the future. The remainder of the fee is to be financed from balances available to the institution from auxiliary enterprises.

The Board accepted the report as presented.

Hospitalization Insurance for UOMS & UCDS Students

(Considered by Finance Committee, August 18, 1970.)

The Medical and Dental Schools include hospitalization benefits in their student health service programs. The rising costs of hospitalization and the limited reserves in health service accounts have led the Health Service Committee of the University of Oregon Medical School (including student representatives) to propose the purchase of hospitalization insurance, financed from the Health Service (incidental) fee.

The total incidental fee is now $37, of which $26 is allocated to health service.

Insurance providing a comprehensive schedule of benefits, including 31 days of hospitalization per year and major medical expense coverage, would require a $7 increase in the present fee.

The Dean of the Medical School recommended, the Chancellor concurring, that the schedule of tuition and fees approved by the Board on
January 26, 1970, be amended, effective immediately, to increase the incidental fee at the Medical School from $37 to $44 per term.

The Dean of the Dental School recommended, the Chancellor concurring, that the Dental School be similarly authorized.

In response to a question during the Committee discussion, Mr. Bauer indicated that the duplication in the health services at the Medical and Dental Schools was not great because the health service operation at the Dental School was comparatively small in terms of personnel and facilities. Mrs. Johnson suggested, however, that consideration should be given to the possibility of combining health service facilities for the Medical and Dental Schools.

The Finance Committee recommended that the Board approve the recommendations as presented.

During the Board discussion, Mrs. Johnson stated that a study should be made of the needs of all of the student health services and also of the possibility of combining the health services of the Medical and Dental Schools.

Mr. Holmer stated that the review of the health services at the institutions had been discussed with the Deans of Administration and that a report would be presented to the Board.

The Board approved the recommendations as presented.

(Considered by Building Committee, August 18, 1970.)

Institutional officials have proposed minor revisions in the boundaries of the area of development of Portland State University, as follows:

1. Exclusion of Lot 5, Block 188.

In 1954, the Board authorized the sale of lots 1, 2, 6, 7, and 8 in Block 188, east of Broadway between S. W. Mill and S. W. Market Streets. On a bid basis, the property was sold to the Oregon Automobile Association and was used for the development of an office building with adjacent surface parking. Subsequently, but sometime after the boundaries of the area of development of Portland State were established to include the remainder of Block 188, the Association purchased Lot 5 from others and has developed it for additional parking.

The Urban Renewal Project, begun in 1968, included all property within the area of development of the institution and therefore included this Lot 5. As the contracting agency for the acquisition of the properties not owned by the Board, the Portland Development Commission has advised that the Oregon Automobile Association understandably resists the transfer of title to this lot (containing 5,000 square feet) because it would impair its parking capacity. After exploring a number of alternatives, institutional officials have recommended, with the concurrence of the Chancellor, that Lot 5, Block 188, be excluded from the
area of development of Portland State University and that an appropriate amendment to the Urban Renewal agreement be executed.

2. Exchange of properties with the Oregon State Highway Commission.

To smooth certain boundaries between the Foothills Freeway right-of-way and the area of development of Portland State University, officials of the Oregon State Highway Commission have offered to sell to the Board a triangle of property within Lots 7 and 8 of Block 270, just south of S. W. Harrison Street, between S. W. Eleventh and Twelfth Avenues, consisting of approximately 2,640 square feet, for $12,105 plus the deeding of about 140 square feet of land which the Board acquired when the west end of Harrison Street was vacated. For the net area of 2,500 square feet of land which the Board would obtain through such an exchange, the cost of $12,105 would average about $4.84 per square foot. This is comparable to prices which are being paid to the Portland Development Commission for other properties acquired for the University under the Urban Renewal program. Funds would be provided from the Article XI-G bond borrowings authorized by the 1965 Legislature.

With the concurrence of the Chancellor, President Wolfe recommended that the appropriate officers of the Board be authorized to deed to the Oregon State Highway Commission the tract of about 140 square feet noted above and that the Board purchase from the Commission the area of 2,640 square feet within Lots 7 and 8 of Block 270 also noted above. Payment of $12,105, covering the purchase price, the costs of moving certain shrubs and sprinklers and the recording fee, would be charged against the land acquisition funds authorized for Portland State University by the 1965 Legislature. It was also recommended that the appropriate Board officials be authorized to execute such amendments to the Urban Renewal agreement as may be required to give effect to this exchange of properties with the State Highway Commission.

The Building Committee recommended that the Board approve the recommendations as presented.

The Board approved the recommendations as presented.

Amending Traffic Control and Parking Regulations, PSU

The President of Portland State University, with the concurrence of the Chancellor, recommended that the Portland State University "Rules and Regulations for the Policing, Control and Regulation of Traffic and Parking of Vehicles in the Parking Structure and Parking Lots" be amended as follows:

Section 3.A.4., Evening permits allow a vehicle to be parked from [4:00] 2:00 P.M. to 7:00 A.M. in any space not reserved or metered.

Section 3.A.6., Metered parking is available in [the parking structure] Lot A-3 for guests of the University.
<table>
<thead>
<tr>
<th>Service</th>
<th>Year 1969-70</th>
<th>Proposed Rates Year 1970-71</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day and Evening</td>
<td>$30.00 per term</td>
<td>$25.50 per term</td>
</tr>
<tr>
<td></td>
<td>10.00 per month</td>
<td>8.50 per month</td>
</tr>
<tr>
<td>Day and Evening Reserved</td>
<td>36.00 per term</td>
<td>28.50 per term</td>
</tr>
<tr>
<td></td>
<td>12.00 per month</td>
<td>9.50 per month</td>
</tr>
<tr>
<td>Car Pool</td>
<td>36.00 per term</td>
<td>28.50 per term</td>
</tr>
<tr>
<td></td>
<td>12.00 per month</td>
<td>9.50 per month</td>
</tr>
<tr>
<td>Evening Permits</td>
<td>2.50 per term</td>
<td>2.50 per term</td>
</tr>
<tr>
<td>Tuesday/Thursday Permits</td>
<td>7.50 per term</td>
<td>7.50 per term</td>
</tr>
<tr>
<td>Metered Parking</td>
<td>.20 per hour</td>
<td>.10 per hour</td>
</tr>
<tr>
<td>Temporary Permits</td>
<td>.50 per day</td>
<td>.50 per day</td>
</tr>
<tr>
<td>Special Event Permits</td>
<td>.25 per day</td>
<td>.25 per day</td>
</tr>
<tr>
<td>Motorcycle/Scooter Permits</td>
<td>6.00 per term</td>
<td>6.00 per term</td>
</tr>
</tbody>
</table>

Notice that a public hearing on the parking regulations at Portland State University will be held by the Board at its meeting on September 8, 1970, in Eugene, was sent to the Office of the Secretary of State to comply with the Administrative Procedure Act.

Other parking regulations will continue during year 1970-71 as approved by the Board on September 8, 1969, pages 748-750 of the 1969 Board minutes. The approved 1970-71 traffic control and parking regulations for Portland State University appear as Appendix A to these minutes.

President Layman indicated that presentations in connection with the hearing on the proposed parking regulations were in order. There being no response to his request, the Board then approved the proposed parking regulations.

Inadvertently, a report of the inspection and acceptance of the northeast and southwest units of Cramer Hall at Portland State University was not made to the Board previously. Upon the recommendation of institutional officials and Architects Wolff-Zimmer-Gunsul-Frasc-Ritter, the work performed by the three construction contractors was accepted as of February 16, 1970, subject to the completion of a few minor items. The Vice Chancellor for Facilities Planning had inspected the work earlier with a representative of the U. S. Office of Education. A revised semifinal budget for the project is shown below in comparison with the budget reported to the Board on April 23, 1968:
### Project Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Revised Budget 2/16/70</th>
<th>Original Budget 4/23/68</th>
<th>Increase or Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct construction costs:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General work - Paul B. Emerick Co., Portland</td>
<td>$2,120,829</td>
<td>$2,068,000</td>
<td>$52,829 (1)</td>
</tr>
<tr>
<td>Mechanical work - Harder Plumbing &amp; Heating, Inc., Portland</td>
<td>709,333</td>
<td>666,177</td>
<td>43,156 (2)</td>
</tr>
<tr>
<td>Electrical work - W. R. Grasle Co., Portland</td>
<td>299,440</td>
<td>276,700</td>
<td>22,740 (3)</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$3,129,602</td>
<td>$3,010,877</td>
<td>$118,725 (4)</td>
</tr>
<tr>
<td>Utility connections</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total direct construction costs</td>
<td>$3,129,602</td>
<td>$3,055,877</td>
<td>$73,725</td>
</tr>
<tr>
<td>Professional services fees</td>
<td>187,776</td>
<td>180,653</td>
<td>7,123</td>
</tr>
<tr>
<td>Furnishings and equipment</td>
<td>197,872</td>
<td>225,000</td>
<td>(27,128) (5)</td>
</tr>
<tr>
<td>Construction supervision</td>
<td>16,659</td>
<td>11,300</td>
<td>5,359</td>
</tr>
<tr>
<td>Legal, administrative and miscellaneous costs</td>
<td>28,091</td>
<td>26,952</td>
<td>1,139</td>
</tr>
<tr>
<td>Contingencies</td>
<td>60,218</td>
<td></td>
<td>(60,218)</td>
</tr>
<tr>
<td>Total project costs</td>
<td>$3,560,000</td>
<td>$3,560,000</td>
<td>-</td>
</tr>
</tbody>
</table>

(1) Includes the removal of an existing concrete wall; the provision of camber in all structural slabs; the provision of additional laboratory equipment; the support for a weather station recording tower for the Geography Department; the provision and installation of a ladder to roof to meet elevator code require; revisions to the third floor to provide for administrative offices; the addition of waterproof membranes; and other changes incorporated within eighteen approved change orders.

(2) Includes the drilling and casing necessary to construct cooling well No. 3 along with related piping to connect with well No. 2; the addition of valves in boiler room steam heater; revisions to third floor area for administrative offices and other changes incorporated within eight approved change orders.

(3) Includes power and central connections for Well No. 3; provision and installation of a junction box and conduit for roof weather station; modifications to lighting and telephone outlets; electrical work associated with the new administrative offices; and other changes incorporated within seven approved change orders.

(4) Although budgeted separately originally, utility connections were accomplished subsequently by change orders to the direct construction contracts noted above.

(5) A portion of the budget for furnishings and equipment was needed to cover change order requirements for the new administrative offices.
Plans and specifications for the northeast and southwest units of Cramer Hall (formerly State Hall) were prepared by Architects Wolff-Zimmer-Gunsul-Frasca-Ritter of Portland. The facilities may be described as follows:

Northeast Unit: Within a gross area of approximately 59,503 square feet, contained within a basement and five floor levels, classrooms, teaching laboratories, specialized laboratories, and office spaces are provided for earth sciences, anthropology, sociology, geography, business education and psychology. Student study areas are provided centrally on several of the floor levels, other than in the basement, as an enlargement of the corridor.

Southwest Unit: Within a gross area of approximately 60,203 square feet contained within the basement, and six other floor levels, general purpose, specialized instruction and research spaces are provided for sociology, anthropology, psychology and music. The basement area provides an extension of the boiler plant in the existing southeast unit and an additional water chilling unit integrated with the present central cooling system. Space also is provided for the enlarged central telephone equipment. Student study areas are provided adjacent to the corridors on several of the floor levels.

The structural system of both units featured steel columns, girders and beams, steel-formed concrete floors and roofs all fireproofed. The exterior finish is brick veneer over concrete. The exterior finish and windows of the initial two quarter-block units were changed to improve sound resistance and to provide appropriate integration with the new units architecturally.

Within the two units, approximately 170 classroom student stations, 235 laboratory student stations and 185 office stations are provided. For the gross area of 119,706 square feet, the direct construction costs of $3,129,602 average about $26.14 per square foot.

Funds for the project were provided from a General Fund appropriation of $2,350,745 authorized by Chapter 404, Oregon Laws 1967; capital outlay building use credits of $6,250; and federal grant funds of $1,203,005 under Title I of the Higher Education Facilities Act of 1963, as amended.

RECAPITULATION UPON INSPECTION AND ACCEPTANCE

Project - PSU Cramer Hall, N.E. & S.W. Units

Architects - Wolff-Zimmer-Gunsul-Frasca-Ritter, Portland

Legislative authorization - Chapter 404, Oregon Laws 1967

Board's priority - No. 6 in 1967-1969

Approximate gross area - 119,706 square feet
Estimated total project costs (excluding site acquisition and clearance) = $3,560,000

Estimated direct construction costs:
  Total $3,129,602
  Average (per square foot) = $26.14

Financing plan:
  State funds (General Fund appropriation within Chapter 404, Oregon Laws 1967) = $2,350,745
  Building use credits allocated for capital outlay = 6,250
  Federal grant funds under Title I of the Higher Education Facilities Act of 1963, as amended = 1,203,005
  Total $3,560,000

The Board accepted the report as presented.

Authorization to File Grant Application for Classroom, Laboratory, and Office Building (Fine Arts), OCE (Considered by Building Committee, August 18, 1970.)

In view of the requirement of the federal government that a separate resolution be approved for each application for grant assistance under the Higher Education Facilities Act of 1963, as amended, the Chancellor recommended that the following resolution be adopted by roll call vote in order to authorize such an application for the Classroom, Laboratory, and Office Building (Fine Arts) at Oregon College of Education, one of the projects authorized by the 1969 Legislature.

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR GRANT FUNDS UNDER TITLE I OF THE HIGHER EDUCATION FACILITIES ACT OF 1963, AS AMENDED, FOR THE CLASSROOM, LABORATORY, AND OFFICE BUILDING (FINE ARTS), OREGON COLLEGE OF EDUCATION

WHEREAS, the U. S. Commissioner of Education is authorized under the Higher Education Facilities Act of 1963, as amended, to grant funds for the construction, rehabilitation, and improvement of certain academic and related facilities; and

WHEREAS, the Oregon State Board of Higher Education on behalf of the Oregon College of Education, hereinafter called the Applicant is cognizant of the conditions under which such grant funds are made available and approved for payment to an applicant; and

WHEREAS, it is the sense of the governing body of the Applicant that it is desirable to apply for a grant under the aforementioned act for the project described as follows: Classroom, Laboratory, and Office Building (Fine Arts), consisting of classrooms and instructional laboratories, offices, special purpose space including an auditorium, listening rooms, etc.
NOW, THEREFORE, BE IT RESOLVED, that an application for the project described above is authorized and directed to be filed with the State of Oregon Educational Coordinating Council, with the understanding that if upon due consideration by said commission, applying the criteria of the State Plan, said application receives a priority rating sufficiently high to receive grant funds under the aforementioned act, said application will be forwarded to the U. S. Commissioner of Education for consideration for his approval; and be it further

RESOLVED, that the governing body of the Applicant designates J. I. Hunderup, Vice Chancellor for Facilities Planning, as the person authorized to file the application and act as the representative of the Applicant in connection with said application.

The Building Committee recommended that the Board approve the recommendation as presented.

Upon motion by Director Joss, the Board approved the recommendation as presented and the above resolution was adopted with the following voting in favor of adoption: Directors Corey, Holloway, Holmes, Johnson, Joss, Messer, Stewart, and Layman.

Those voting no: None.

The President of the Board thereupon declared said resolution duly adopted by a unanimous vote.

Report of
Appointment of
Architects for
College Center
Addition and
Alterations, OCE

Upon the recommendation of institutional officials, arrangements have been made for the professional services of Architects Lutes & Amundson of Springfield for the design and construction supervision of the proposed addition and alterations to the College Center at Oregon College of Education for which legislative authorization is expected to be requested in 1971. As noted in a separate agenda item relating to the capital outlay program for 1971-1973, the remodeling work (priority No. 3) is estimated to cost approximately $695,000, and the addition (priority No. 16) is estimated to require expenditures totaling $1,260,000. On the assumption that the direct construction costs will be approximately $1,500,000, the professional services fee rate would be about 7.35 percent. If the construction cost is larger, the fee rate would be lower; but if the cost is smaller, the fee rate would be higher.

For services related to the master planning of student union facilities for the College, involving the physical siting of future additions and a determination of the capacities of the site and the present building to accommodate future additions, the architects are to be compensated on a time and materials basis not to exceed $2,500.

Funds required for the master planning and for the schematic design phase of planning of the proposed addition and alterations are to be provided from balances available to Oregon College of Education from auxiliary enterprise operations and/or from student building fees.

The Board accepted the report as presented.
In accordance with authorization granted by the Board on January 26, 1970, the final plans and specifications for the first phase of the proposed new Physical Education Building at Oregon College of Education were accepted and a request was presented to the State Emergency Board on February 19 for the release of funds so that construction could be undertaken. Because of a moratorium on all major capital outlay projects, approving action by the State Emergency Board was not obtained until June 19. Immediately thereafter, arrangements were made for the publication of the advertisement for bids and the quotations received from contractors on July 23 for this work may be summarized as follows:

<table>
<thead>
<tr>
<th>Class of Work</th>
<th>No. of Bids</th>
<th>Low Bid</th>
<th>High Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Work</td>
<td>4</td>
<td>$868,200</td>
<td>$906,686</td>
</tr>
<tr>
<td>Mechanical Work</td>
<td>6</td>
<td>201,950</td>
<td>248,657</td>
</tr>
<tr>
<td>Electrical work</td>
<td>3</td>
<td>92,140</td>
<td>103,315</td>
</tr>
</tbody>
</table>

The sum of the lowest base bids was within the direct construction cost allowance indicated to Architects Payne and Settecasa, so it was not necessary to exercise the deductive alternates which would have deleted certain faculty offices, classrooms, the covered multi-purpose activity area, equipment items, etc., described in the report to the Board on January 26, 1970. It appears unlikely, however, that sufficient funds will be available within the project budget to restore certain other building features or equipment items which were eliminated from the plans when cost information became available upon the completion of the working drawings. The Board's Office has been assured by the institutional officials that the building will be equipped sufficiently to maximize its utility for physical education, intercollegiate athletics, recreation, convocations, commencement exercises, etc., and that efforts will be made during the construction period to conserve to the extent practical the contingency reserve as a supplement to the amount budgeted for furnishings and equipment.

The following budget was approved for the project:

**Project Costs**

**Direct construction:**
- General work - Morrow-Contractors, Inc., a joint venture, Salem and Portland $868,200
- Mechanical work - Raco, Inc., dba Valley Plumbing and Heating, Salem 201,950
- Electrical work - RMB, Inc., dba Marion Electric, Salem 92,140

Total direct construction costs $1,162,290

**Professional service fees, including consultants' charges** 69,813

**Furnishings and equipment** 65,000

**Construction supervision and miscellaneous costs** 14,651

**Contingencies (2% of direct construction costs)** 23,246

Total project costs $1,335,000
Sources of funds

General Fund appropriation in Chapter 664, Oregon Laws 1969 and/or bond borrowings under Article XI-G of the Oregon Constitution $1,190,000

Self-liquidating bond borrowings under Article XI-F(1) of the Constitution and/or balances available for auxiliary enterprises 145,000

Total sources of funds $1,335,000

For the gross area of 56,870 square feet, the direct construction costs of $1,116,681 for the building and fixed equipment, excluding approximately $45,609 for outside utilities and site development work, would average about $19.63 per square foot.

A description of the facilities to be provided within this structure was included in the report of the final plans made to the Board on January 26, 1970.

RECAPITULATION UPON RECEIPT OF BIDS AND AWARD OF CONTRACTS

Project - OCE Physical Education Building (Phase I)

Architects - Payne & Settecase, Salem

Legislative authorization - Chapter 664, Oregon Laws 1969

Board's priority - No. 13 (Educational and General Plant) No. 6 (Auxiliary Enterprises)

Approximate gross area - 56,870 square feet

Estimated total project cost - $1,335,000

Estimated direct construction costs:
  Total $1,162,290
  Building and fixed equipment only - Total $1,116,681
  Average (per square foot) - $19.63

Tentative schedule:
  Contract award - July 1970
  Completion - June 1971

Tentative financing plan:
  State funds (General Fund appropriation in Chapter 664, Oregon Laws 1969, and/or Article XI-G bonding) $1,190,000
  Self-liquidating bond borrowings under Article XI-F(1) and/or balances available for auxiliary enterprises 145,000
  Total $1,335,000

The Board accepted the report as presented.
Report of Bids for Classroom Building (Music), SOC

(Considered by Building Committee, August 18, 1970.)

Pursuant to authorization granted to the Board on July 27, 1970, bids were received in Ashland on August 4 for the construction of the proposed new music facilities at Southern Oregon College which had been authorized by the 1969 Legislature. The sum of the lowest basic bids exceeded the direct construction cost allowance by approximately $240,000 or 19.6 percent. After deducting all of the various alternates, the amounts of the bids may be summarized as follows:

<table>
<thead>
<tr>
<th>Class of Work</th>
<th>No. of Bids</th>
<th>Low Bid</th>
<th>High Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>2</td>
<td>$1,019,153</td>
<td>$1,076,118</td>
</tr>
<tr>
<td>Mechanical</td>
<td>3</td>
<td>309,200</td>
<td>328,183</td>
</tr>
<tr>
<td>Electrical</td>
<td>4</td>
<td>95,071</td>
<td>114,355</td>
</tr>
</tbody>
</table>

In consultation with institutional officials, Architects Hamlin, Martin, Schultz & Oredson and their engineering consultants, and the contractors who submitted the lowest bids, consideration has been given to the possibility of effecting change order modifications totaling at least $70,000 which, in combination with the deductive alternates and an increase of about $100,000 in the expenditure limitation, would make it possible to proceed with the construction of the urgently needed facilities. The negotiations of the change order credits have not been completed, but it appears desirable to pursue the matter further in an effort to avoid having to delay construction if satisfactory arrangements can be made and the appropriate clearances obtained from the Board on September 8, 1970, and thereafter from the State Emergency Board.

It should be noted that prior to completing the final plans and going to bid, substantial reductions were made in the program for the project below the level expected when the request had been submitted to the Legislature. Further reductions are difficult to achieve and likely would involve items which constitute deferrals (such as certain site work — exterior stairs, walks, landscape development, etc.), substitutions (such as the modification of the ceiling suspension system, larger-size wall blocks, etc.), and deletions of building features which would have provided better quality and/or appearance (e.g., portions of the acoustical work, interior and exterior finishes, certain millwork, etc.).

The additional funds required for the increase in the expenditure limitation would be financed from the General Fund appropriation in Chapter 664, Oregon Laws 1969 and/or Article XI-G bond borrowings currently available. (The original expenditure limitation established by the 1969 Legislature had recognized an option for the construction of either the classroom building for music or the new education building. When the Board confirmed the higher priority for the music unit, the State Emergency Board reduced the expenditure limitation by $120,000, which was the difference between the estimated cost of the two projects. The proposed increase in the budget is somewhat less than this amount.)
With the concurrence of the Chancellor, President Sours recommended that the appropriate Board officials be authorized to (1) reject the bids received for any or all classes of work on August 4, 1970, instruct the architects to revise the plans and specifications, solicit new bids and award construction contracts; or (2) negotiate change order modifications to the contracts for construction based upon bids received August 4, 1970, net of deductive alternates, and execute construction documents in order to proceed immediately with the Classroom Building (Music). Under either alternative, a request would be presented to the State Emergency Board to increase the expenditure limitation for the project by an amount not to exceed $100,000, financed from the General Fund appropriation in Chapter 664, Oregon Laws 1969 and/or bond borrowings issued pursuant to the provisions of Article XI-G of the Oregon Constitution. As revised, the maximum project budget would be $1,560,000, exclusive of site acquisition ($30,000) and the utility extensions ($125,000) contracted earlier with the College Union Building.

A report of the action taken would be made to the Board at a subsequent meeting.

During the Committee discussion, Mr. Mosser said that if it were necessary to reject the bids that he would be in favor of going back to the legislature for sufficient funds to construct the building as proposed rather than to stay within the funds presently available and construct a building which did not fulfill the needs of the institution as presently proposed.

Mr. Hunderup indicated that the square footage remained the same, that the institution needs the facilities provided in the music building, and that officials of Southern Oregon College had expressed their willingness to accept the modified program for the building in order to proceed with construction.

The Building Committee recommended that the Board approve the recommendation as presented, with the understanding that further information would be available at a later date.

During the Board discussion, Mr. Hunderup said that subsequent to the August 18 meeting of the Building Committee, conferences had been held with the contractors and the architects to resolve the change order modifications to be undertaken simultaneously with the contract award in the amount of $80,090. He said that if no structural problems are encountered in the initial phases of construction, it may be possible to reinstate the alternate for the elevator at a cost of approximately $22,000. This would result in a net saving of about $58,000 and would make it possible to proceed with the project if the Emergency Board approves the recommended increase of $100,000 in the expenditure limitation.

The Board approved the recommendations as presented.
Upon the recommendation of officials of Southern Oregon College, arrangements have been made for the professional services of J. Donald Kroeker & Associates, consulting engineers, Portland, for the design and construction supervision of the proposed South Campus Utility Plant Improvements for which legislative authorization is expected to be requested in 1971. The work includes a second water chilling unit with a capacity of approximately 750 tons, and related work for coordination with the existing central cooling system. As noted in the agenda item concerning the 1971-1973 capital outlay program, the total estimated cost of the project is $185,000 ($150,000 in the listing of Educational and General Plant projects and $35,000 in the listing of Auxiliary Enterprises).

For their services, the engineers are to be compensated on a time and materials basis. On the assumption of a direct construction cost allowance of approximately $150,000, the maximum fee covering all architectural and engineering work would be 10 percent. If the construction cost is larger, the maximum fee rate would be lower; but if the contract amount is smaller, the maximum fee rate would be higher.

Funds required for the preliminary planning are to be advanced from the Board's reserve for architectural/engineering planning.

The Board accepted the report as presented.

Pursuant to authority granted by the Board, the Vice Chancellor for Administration has accepted options for the acquisition of two properties, both located within the approved projected campus boundaries of Southern Oregon College, as follows:

1. **Decker Property, 129 Wightman Street, Ashland:**

   The property consists of a lot containing approximately 8,949 square feet, improved with a frame residence. The purchase price of $7,500 is in line with appraisals obtained by the institution. The property is in an area designated to be used eventually for married student housing and funds to finance the acquisition are to be provided from the proceeds of the sale of Article XI-F(1) bonds authorized by the 1969 Legislature for auxiliary enterprise site acquisitions.

2. **Suemnicht Property, 681 Indiana Street, Ashland:**

   The property consists of a lot containing approximately 9,750 square feet, improved with a two-bedroom frame residence with a daylight basement. The purchase price of $14,750 is in line with appraisals obtained by the institution. The property is in an area required for construction of the south campus perimeter road and funds are to be provided from the General Fund appropriation authorized by the 1969 Legislature, or the equivalent.

The Board accepted the report as presented.
Flooring and Equipment for Women's Physical Education Building Addition, EOC

(Considered by Building Committee, August 18, 1970.)

On July 27, 1970, a report was made to the Board of the inspection and acceptance of the Women's Physical Education Building Addition at Eastern Oregon College. It was noted that because of higher-than-anticipated bids, it was necessary to omit from the construction project certain interior finishes, including the wood floor covering in the largest of the new activity rooms, and to defer some movable equipment items.

In order to increase the effective utilization of the facilities, President Rempel recommended with the concurrence of the Chancellor, that $21,300 be allocated from the Board's reserve for plant rehabilitation and minor capital improvements to cover the requirements for the installation of wood flooring in Activity Room B and to acquire additional items of equipment for the Women's Physical Education Building at Eastern Oregon College.

The Building Committee recommended that the Board approve the recommendation as presented.

The Board approved the recommendation as presented.

Amending Traffic Control Regulations, OTI

The President of Oregon Technical Institute, with the concurrence of the Chancellor, recommended that Section III of the Oregon Technical Institute traffic control regulations be amended to increase the fee for parking permits as follows:

<table>
<thead>
<tr>
<th></th>
<th>New</th>
<th>Old</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reserved space</td>
<td>$21.00</td>
<td>$18.00</td>
</tr>
<tr>
<td>Staff permits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Faculty</td>
<td>15.00</td>
<td>12.00</td>
</tr>
<tr>
<td>Classified</td>
<td>12.00</td>
<td>9.00</td>
</tr>
<tr>
<td>Students</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DCE classes only (per term)</td>
<td>12.00</td>
<td>9.00</td>
</tr>
<tr>
<td>Summer term only</td>
<td>1.50</td>
<td>1.00</td>
</tr>
<tr>
<td></td>
<td>3.00</td>
<td>2.00</td>
</tr>
<tr>
<td>Two-wheeled, power, scooter vehicles</td>
<td>7.00</td>
<td>6.00</td>
</tr>
</tbody>
</table>

Other traffic control regulations will continue in effect during year 1970-71, as approved by the Board on September 8, 1969, pages 736-741 of the 1969 Board minutes. The traffic control regulations for 1970-71 approved by the Board for Oregon Technical Institute appear as Appendix B to these minutes.

Notice that a public hearing on the above regulations will be held by the Board at its meeting on September 8, 1970, in Eugene, was sent to the Office of the Secretary of State to comply with the Administrative Procedure Act.
President Layman indicated that presentations in connection with the hearing on the proposed parking regulations were in order. There being no response to his request, the Board then considered and approved the proposed addition.

Later in the meeting, Mr. Holmer indicated that the charge for the parking fee to students had been inadvertently omitted from the docket report. It was moved that the proposed changes be amended to include on the line following the word "students," the amount of $12 under the new fee and $9 under the old fee. The Board approved the amendment. The Board then adopted the traffic control regulations as amended. The amended schedule is shown above.

Upon the recommendation of institutional officials, arrangements have been made for the professional services of Nortec, Inc., Consulting Engineers, Portland, for a comprehensive engineering-economic study of the long-range primary electrical distribution system on the campus of Oregon State University. The primary purpose of the study is to determine the optimum basic system design and voltage level for serving the campus during the next twenty years or so, through a load level of 40 megawatts (approximately four times the present demand).

For their services, the engineers are to be compensated on a time and materials basis not to exceed a maximum of $15,700. Most of the requirements are to be advanced from the Board's reserve for architectural/engineering planning, to be repaid from subsequent legislative authorizations for capital outlay at Oregon State University, with the remainder to be financed from balances available to the institution from auxiliary enterprise operations.

The Board accepted the report as presented.

Pursuant to authority granted by the Board, the Vice Chancellor for Administration has accepted options for the acquisition of three properties located within the approved projected campus boundaries of Oregon State University, as follows:

1. Bailey Property, 730 S.W. 17th Street, Corvallis:

   The property consists of a lot containing approximately 5,200 square feet, improved with a small one-story frame residence. The purchase price of $13,600 is in line with appraisals obtained by the institution. The property is in an area designated for future residence halls and the funds to finance the acquisition are to be provided from the proceeds of the sale of Article XI-F(1) bonds, as authorized by the 1969 Legislature.
2. Wilde Property, 1911 and 1915-1/2 Stadium Street, Corvallis:

The property consists of a lot containing approximately 5,000 square feet, improved with two rental units. The purchase price of $11,025 is in line with appraisals obtained by the institution. The property is in an area designated for residence halls and funds to finance the acquisition are to be provided from the proceeds of the sale of Article XI-F(1) bonds, as authorized by the 1969 Legislature.

3. Clemens Property, 618 S.W. 15th Street, Corvallis:

The property consists of a lot containing approximately 5,000 square feet, improved with a frame residence converted to two living units. The purchase price of $14,350 is in line with appraisals obtained by the institution. The property is in an area designated for residence halls and funds to finance the acquisition are to be provided from the proceeds of the sale of Article XI-F(1) bonds, as authorized by the 1969 Legislature. Temporary use of the improvements is for Physical Plant office space and appropriate rental payment is to be made to assist in

In response to a question during the Board discussion, Mr. Hunderup indicated it would probably be necessary to inform federal agencies if land under an urban renewal program were needed for a purpose other than that which had been originally designated for it. However, he said that the purpose of the urban renewal program is to help the institution generally, not specifically for any one purpose. He added that if student housing were to be built by private builders, it would probably be necessary to declare land surplus to the institution's needs before it could be sold and that he doubted that the Board could find any of the land within its current campus boundaries as surplus to its needs. The possibility of leasing to private enterprise over a long period of time has been explored, but not in depth.

The Board accepted the report as presented.

Amendments to Administrative Code, Sections L-3 and M

(Considered by the Committee on Academic Affairs, Personnel, and Public Affairs July 20 and August 17, 1970, and by the State Board of Higher Education August 18, 1970.)

Mr. Layman reviewed for the Board the procedure that had been followed in the Board's consideration of the amendments to the Administrative Code before the Board for action. He said an ad hoc committee composed of the members of the Committee on Academic Affairs, Personnel, and Public Affairs and the attorney members of the Board had held two all-day public meetings on the matter (July 20 and August 17, 1970) followed by a hearing of the Board at its August 18, 1970, meeting under the Administrative Procedure Act. The present meeting, he said, was not a continuation of the hearing but a time for the Board to take action on the report of the ad hoc committee.
Mrs. Johnson, chairman of the ad hoc committee, presented the committee's report. She said that in the development of the proposed amendments to be presented to the Board, the committee had benefited greatly by opportunity to exchange views with various groups and individuals, chief among them the Board's Office personnel; other members of the Board; faculty organization representatives from the Interinstitutional Faculty Senate, the American Association of University Professors, the Oregon State Employees Association; the American Civil Liberties Union; and individual faculty representatives, institutional executives, and their staffs.

She commented that it would be an error to assume that the proposed amendments were concurred in in every detail by institutional and faculty organization representatives, but that the committee was hopeful that, although there might not be complete agreement on every detail of the amendments as proposed, the faculties, administrative officers, and others would join the Board in adopting and supporting fully the amendments because they were aimed at protecting the integrity of the colleges and universities and the freedoms of many people—faculty members, staff, students. If the present version of the amendments is found wanting in some particular after they are adopted, she said, they could be amended. In this respect, the committee proposes that at its December meeting there be a further report on these matters by the Board's Office so that the Board can consider what, if any, additional steps are required either by the Board or the institutions.

Mrs. Johnson continued by noting that the amendments to the Administrative Code, which the ad hoc committee proposed concern two kinds of conduct: (1) overt acts that are disruptive of public order on the campuses or which result in the conviction of a felony or of a crime involving moral turpitude; and (2) conduct which reflects failure to meet the professional obligations of a faculty member. She noted that the section identifying overt actions (Section M) disruptive of public order apply to all members of the academic community, not just faculty. She observed that overt acts, cited in (1) above, are more easily defined than professional conduct, and said that the committee, in making its recommendations, urged that faculty organizations and the faculties of the institutions set about in a systematic and orderly fashion to define more clearly the permissible limits of behavior in a professional sense. Specifically, she said, the committee in the preamble statement to be presented for adoption by the Board, asks the institutions and their faculties: (1) to develop and adopt in faculty codes any definitions particularly appropriate to the individual institutions; (2) to develop and present to the Board any more precise and supplemental definitions which they feel should be incorporated in the Administrative Code; and (3) to develop procedures for advisory interpretive rulings by responsible members of the profession as applied to factual situations posed by members of the academic community.
To establish the ground rules as to discussion of the committee's report, Mr. Layman then noted that under Board procedures, once a motion is made, discussion is limited to Board members. In order to give those present opportunity to make statements supplemental to what had been said previously at Committee and Board hearings, he suggested that a motion be delayed. Mr. Layman then called in turn on those present who had asked opportunity to make presentations.

Mr. Robert Ackerman, legal counsel for the Associated Students of the University of Oregon commented in respect to (1) provisions that the Board may initiate filing of charges against the faculty when it appears there is probably cause to impose a sanction or sanctions, and (2) placement of prescribed conduct in a separate section, Section M, thereby making it applicable to students as well as faculty members. In respect to the first matter, Mr. Ackerman said the provisions of the proposed amendments placed the Board in the position of conducting the preliminary investigation, and then serving as prosecutor, judge, and appeal body. In respect to the second matter, Mr. Ackerman contended that to make Section M applicable to students was "putting a new card in the deck." He stated that the August 17 version of the amendments, which was the basis for hearings, made Section M applicable only to faculty; that to now modify the application of Section M to make it applicable to students, too, without an opportunity for a hearing on the matter, was unfair. He asked that the Board postpone action on the committee's recommendation that Section M be made applicable to students.

Mr. Ron Eachus, University of Oregon student body president, said he had thought Section M pertained primarily to faculty and that the amendment now made it applicable to students. He said this "last minute addition" could not be put into effect fall term because there were no procedures prescribed and that it raised numerous questions such as violations of state laws, particularly those concerning drugs, which had no effect on the university. He asked that the Board defer making Section M applicable to students until there was opportunity for students to be heard on the matter.

Dr. Robert Campbell, Professor of Economics at the University of Oregon and representative of the Interinstitutional Faculty Senate, said the senate was composed of 17 representatives, elected by the faculties of the seven institutions of the System. The senate has participated with other faculty groups in the formulation of the various drafts of the proposed amendments to the Code. Until the changes introduced into the August 26 draft, following the second public meeting of the Board's ad hoc committee August 17, the faculty groups were in general agreement with the draft, Dr. Campbell said. However, at the special meeting of the interinstitutional senate on August 28, the senate adopted by unanimous vote resolutions indicating a distinct preference for the approach to the definition of cause embodied in the August 17 draft, and opposing the changes in definition of cause introduced in the August 26 draft. He said other changes in the August 26 draft were
generally welcomed, but that the senate feels strongly that standards for cause should be general ones relating to responsibility arising out of the particular position occupied by the staff member and that specific instances of conduct should be cited in the Code only as evidence to demonstrate cause. He suggested that since the Board may in any case review and/or reverse the action of an institutional executive and faculty committee and may initiate action in spite of a contrary finding by a committee or executive, the proposed draft adequately protects the Board against failure of the faculty to take needed action. He said the senate felt it important to provide the faculty committees with a range within which they could evolve a standard of conduct built around a general statement the faculties could support. In view of this very strong feeling on the part of the senate, Dr. Campbell urged the Board to adopt the definition of cause embodied in the August 17 draft.

Dr. Whitney Bates, Professor of History at Portland State University and president of the Oregon Federation of the American Association of University Professors, commended the Board's committee and officers for their "patience and thoughtfulness" in the course of the hearings on the document before the Board. He said he believed it was clear that the basic purpose of the document was to defend, not attack, academic freedom, and to preserve the university as an open institution. He said this is an aim in which the AAUP shares. However, he continued, the state AAUP would like to urge consideration of two changes in the document before the Board. On page 20, subsection k, he proposed the wording be changed to read: "Personnel Record. No notation shall be made in the personnel record of an academic staff member of any investigation unless sanctions are imposed." He said this wording would better express the purpose of the proposal. In respect to the statement of cause, he said that AAUP strongly supported the Interinstitutional Faculty Senate in urging the Board to return to the August 17 version because the language of the later draft posed a peril both to individual faculty members and to the Board in times of public stress.

Mr. Gil Polanski, speaking on behalf of the academic membership of the Oregon State Employees Association, said his organization urged (1) that Section M be eliminated as a cause for sanction, along the lines proposed by Dr. Campbell, or that, if the Board did not wish to do this, that the word "intentional" be inserted in each of the nine provisions. He said (2) the proscription of conduct of staff members was broad, general, and vague, and that the OSEA would suggest a definition similar to ORS 240.555; that (3) OSEA believes the right of appeal to the Board should be extended to nontenured faculty; and (4) that transcripts of hearings should be supplied to the faculty member concerned on request without cost.
President Clark remarked that the faculty as well as the Board is concerned deeply about interference with the integrity of an institution from either within or without. He said he felt this "rather rare degree of unanimity" could best be protected by reinstatement of the provisions regarding cause suggested to the Board at its last hearing. He said that while last winter the University discovered that under Board regulations it did not have satisfactory power to move under the general rubric of conduct flagrantly unbecoming a faculty member, he believed from discussions with members of the faculty that the provisions of the August 17 version of the statement of cause did give the institution the authority it needed. He also suggested that consideration of Section M be deferred until recommendations are made to the Board on the student conduct codes.

President MacVicar said the August 17 draft presented a statement which was "equally defensible and more to the liking of faculty members" than the August 26 version. He said he would suggest that the Board consider the appropriateness of returning to the August 17 draft, but if this were not considered desirable, the Board might substitute for the words "cause shall mean. . ." the words "Sanctions (including termination) shall be based on. . ." He said he felt this would be a more explicit statement. He said he also believed the right of appeal should not be limited to faculty with indefinite tenure.

Mr. Layman noted that several points had been suggested in the testimony presented to the Board, but the principal point of difference appeared to be the inclusion of conduct proscribed in Section M and conviction of a felony or of a crime involving moral turpitude as cause. Under the August 26 statement, he said, if a faculty member burned or otherwise maliciously damaged a building, that in itself, could be a cause for action. But if the Board goes back to the August 17 draft, the institution would have to translate the violation into irresponsible conduct, conduct related to failure to carry out the responsibilities of a faculty member. He suggested that the Board, by adopting the August 17 version, would be creating a legalistic straight jacket by saying that any kind of conduct, no matter how bad, was not in itself a cause for application of sanctions but only to be considered as possible evidence in deciding whether the faculty member had failed in his obligations as an academic staff member. He asked President MacVicar if this would be more workable or less workable than the situation under the August 26 statement.

President MacVicar responded that no matter how the language was written, in the last analysis the institutions and the Board would be dependent upon the faculties to police themselves. He said the language should be sufficiently clear that there would be no question concerning the meaning of the provision, and that in his opinion the phrase "cause shall mean" was not clear. In response to a question from Mr. Layman, President MacVicar said he did not personally feel the August 26 version placed faculty members in a position of jeopardy but that faculty members did, and this fact made it important to consider a possible change. He said he personally felt the question was an exercise in semantics, but that the institutional executives, who would be in the middle, hoped that a wording upon which the Board and the faculties could agree would be adopted.
Upon conclusion of President MacVicar's comments, Mr. Layman asked if anyone else wished to be heard. There being no response, he said the chair would entertain a motion. Mr. Holmes thereupon moved to adopt the August 17 version of Section L-3-FA. Mr. Stewart said he would oppose the motion on the grounds that the Board should not make hurried changes in something as basic as the wording of Section L-3-FA. He noted that the amendments were to be reviewed again in December, at which time there would be opportunity to make any changes that were considered desirable.

Mr. Joss said he would support the motion because he felt the August 17 version was workable and it was important that the faculty and Board work together as a harmonious team.

Mr. Corey said he felt the August 26 statement was the more workable. He said the Board was attempting to modify what was acknowledged to be an obsolete code with a definition of cause (conduct unbecoming a faculty member) that apparently was not workable. He said he felt the Board would be taking a step backward if it adopted the August 17 draft, which would probably be found to contain the same problem of generalization that made the old code unworkable. Mrs. Johnson said she agreed with Mr. Corey that the Board would probably be faced with the same difficulties it had experienced with the present code if it adopted the August 17 version.

Mr. Holloway noted that the amendments to the Code had been through three hearings. He said he saw imperfections in the document that was considered on August 17 and felt that members of the Board should adopt the August 26 document. Mr. Holmes responded that he felt the Board should adopt wording that would do the job and had the support of administrators and faculty and this would be accomplished by support of his motion.

The motion was defeated by a vote of six to two.

Mr. Holmes then moved that Section M be deleted from further consideration as it applied to students to give opportunity for the students to have the privilege of a hearing.

Mr. Stewart said he would oppose the motion on the grounds that Section M was essential to the whole document and because students had had adequate opportunity to present testimony at the August 17 and 18 hearings.

Mr. Layman asked Mr. Underwood or Dr. Romney to review for the Board the process by which Section M was included as being applicable to students as well as other members of the academic community. Dr. Romney explained that it had become apparent during the first hearing and from other sources that the statement on proscribed conduct should be applicable to the total academic community. In preparing the draft distributed prior to the August 17 and 18 hearings, the statement on proscribe:
conduct was removed from Section L, pertaining to faculty conduct, and placed in Section M and made applicable to the entire academic community including students. He said the version now under consideration, the August 26 draft, was precisely the same in respect to Section M as the version prepared for the August 17 hearing.

He said that moreover, several days prior to the August 17 hearings, he had mailed a letter to each of the institutions, with which he enclosed copies of the August 17 version of the amendments. He said that the letter informed the institutions that Section M was, in the August 17 version, applicable to students and that they (the institutions) would wish to place copies of the document in the hands of student representatives so that they might appear at the hearings on August 17.

Mrs. Johnson remarked that the decision to move the statement on proscribed conduct (Section M) out of the section on faculty conduct and put it into an entirely new section where it would apply to everybody in the academic community was made at the July 20 hearing.

Mr. Mosser said the institutions at this time do not have complete faculty or student codes. He said he saw adoption of the present amendments to the Code as an interim step, which he would move to review at any time that the institutions could come before the Board with complete codes of their own.

The Board then voted on the motion by Mr. Holmes to delete Section M from further consideration as it applied to students in order to give opportunity for the students to have the privilege of a hearing. The motion was defeated seven to one.

Mr. Stewart moved that the Board adopt the preliminary statement to the proposed Code, pages 1 through 6 of the draft document, as a statement of principles and policies. Mrs. Johnson and Mr. Joss emphasized the importance of the statement as an interpretation of professional obligations and roles of faculty members and as part of the legislative history of the Board's action in adoption of amendments to the Code.

The motion was approved by unanimous vote. The statement as adopted appears below:

A STATEMENT BY THE OREGON STATE BOARD OF HIGHER EDUCATION RELATING TO FACULTY CONDUCT

Society has for long recognized the necessity for protecting colleges and universities against undue outside interference in order that an environment of freedom, which is indispensable to their effective service to society, might be ensured.
In recent times, it has become apparent that they must be protected also from coercion from within. It is this need that prompts the Board to adopt the new provisions of the Administrative Code included on pp. 7-22 of the report presented to the Board for consideration. These include specific prohibitions of some overt conduct inimical to the maintenance of public order. They also contain more general language directed at failure to meet professional standards of conduct.

The Board recognizes the difficulty of defining such conduct and the desirability of preciseness to ensure due process. It urges the institutions and their faculties:

1. To develop and adopt in faculty codes any definitions particularly appropriate to the individual institutions.

2. To develop and suggest to the Board any more precise or supplemental definitions which should be incorporated in the Administrative Code.

3. To develop procedures for advisory interpretive rulings by responsible members of the profession as applied to factual situations posed by members of the academic community.

The changes in the Administrative Code are being made by the Board in the interest of protecting the integrity of its institutions and the freedoms of the faculty, staff, and students of its institutions, the great majority of whom have not participated nor would participate in or condone the conduct proscribed in these additions to the Administrative Code.

The following statement is not intended to preclude any of the institutional and faculty development urged above. Rather, it is a starting point reflecting current Board concerns and thinking with respect to the difficult and continuing process of defining professional obligations.

**Faculty Roles**

The faculty member is at one and the same time:

- A citizen
- A member of a learned profession
- An employee of the institution and of the state
- An officer of the institution
To each of these roles there attach certain opportunities, certain responsibilities and obligations.

1. As a *citizen of the broader community* the faculty member is the beneficiary of all of the rights and the bearer of all of the obligations that citizenship offers or imposes upon any other citizen, including the right to express himself freely and openly.

As a matter of policy the Board of Higher Education does not attempt to control the personal opinion of any faculty member, nor the public expression of that opinion.

But the Board does share with the American Association of University Professors the view that the faculty member's special position in the community as a man of learning and an educational officer does impose upon him special responsibilities when he speaks or writes as a citizen. For the public may judge his profession or his institution by his utterances or his actions. It is imperative, therefore:

- That he strive to be accurate at all times, to exercise appropriate restraint, and to show respect for the opinions of others.

- That he strive to make clear that he is not a spokesman for the institution or for the State System of Higher Education.

As the Board would not have individual faculty members presume to present their views publicly as being institutional views when they act in their role as citizens, so the Board would not wish any of its institutions to speak out with a corporate voice on public issues — except in those extremities in which the institution's own health or independence, or the freedom of its scholars is at stake. Our colleges and universities are centers of learning, not agencies of direct political action. A center of learning is, by definition, a place of divergent views, independence of thought, diversity of voices.

This is not to suggest that our institutions can be or ought to be remote from the great issues of our day. An education insulated from these would be sterile. But there is a significant difference between individual members of the academic community — or groups bound together by common beliefs and loyalties — setting out to cure social ills by direct political and social action, and the institution, as a corporate body, speaking with one voice for the diversity of views and judgment that are to be found within the faculty and student body on controversial public issues.
The urgency of society's problems and the interest that youth have in seeking their solution offers institutions a unique impetus for devising more creative and productive ways of providing students and faculty the means of studying the issues of our time. Within the context of a center of learning, with due regard for the requirements of scholarship and intellectual rigor, ideas may be formulated, criticized, tested, and applied. Thus armed, let individuals, or groups of like-minded individuals in our academic communities, move to the correction of society's ills, while society rests secure in the knowledge that whatever the ideas proposed or applied in the attempted amelioration of its problems, they will be subject to the careful scrutiny, honest criticism, and candid judgment that only a free and independent academic community can offer.

It is in this vein that the Board has said, and now reiterates, that the facilities, equipment, supplies, and other resources of its institutions must not be diverted to partisan political use. This affirmation is not intended to interfere with the traditional use of campus facilities as public forums nor with the political rights of faculty members and students. Nor is it intended to modify relationships with any of the duly recognized student organizations on campus, including the Young Republicans and Young Democrats, and any other political groups characteristically functioning on the campuses. What it seeks to avoid is the colleges and universities becoming agents of direct political action contrary to the views expressed in the paragraphs above.

2. As a member of a learned profession that depends upon freedom of opinion, freedom of inquiry, and freedom of expression for its health, vitality, and integrity, the faculty member has a special responsibility to support and defend these freedoms against incursions from within the academic community with the same vigor with which he defends them against such outside incursions which would limit or abridge their free exercise.

Such defense requires continuing adherence to the high standards of scholarly commitment that have generally characterized our institutions, and a vigorous rejection of those attitudes which, though rarely encountered in State System institutions, have elsewhere jeopardized academic freedom and public confidence—such attitudes as:

- The attitude that violence, physical threats, destruction of property or other coercive activities are appropriate forms of behavior within an academic community.

- The attitude that scholarly requirements can be abandoned, transforming classrooms from centers of learning to centers of propaganda.

- The attitude that "academic freedom" means an absence of restraint and an absence of accountability to the institution and to society which has established and supports the institution.
3. As an employee of the institution, the faculty member has a contractual obligation to perform the services he was employed to provide.

If without authority of his department, school, or institution, the faculty member deliberately withholds the services he was employed to provide, he is breaching his contract and jeopardizing the institution's ability to meet its contract with its students - entered into when the students were admitted and their tuition accepted. In such circumstances, the institutions must take appropriate action to protect themselves and the rights of the students with whom they have contracted. Willful withholding of services is grounds for withholding pay for the period involved and may be considered as evidence of cause for termination of employment as determined by due process, as set forth in the Administrative Code.

This is not to question the right of the faculty - and students, too - to criticize and seek revision of institutional policies, rules, or regulations, or to give free and vigorous expression to their views on public affairs, or to engage in protests carried on in a manner consistent with the maintenance of institutional integrity and the protection of the rights of all members of the academic community, including those whose views may not be congruent with those of the protestors. It is, rather, to suggest that faculty members have professional responsibilities that must be fulfilled if they are to honor their contracts; that the Board does not, and the institutions must not, condone the confusion of the faculty member's concern (as a citizen) with public affairs with his obligation to teaching and learning, which forms the basis of his employment agreement with the Board and of his obligation to his students.

Nor is there justification for certain other kinds of actions less obvious than deliberate withholding of services, but which undermine the integrity of the instructional programs. Although not often encountered in State System institutions, such practices are to be condemned when they are, and should be dealt with by appropriate action. Illustrative of such practices are the following:

- The devaluation of the institution's credits by grading practices that have no foundation in institutional standards or in an honest professional evaluation of the student's true merit.

- The abandonment to students of the full instructional responsibility for courses for which the faculty member has been given primary responsibility.
Objection to this action is not to raise question concerning the use of qualified graduate assistants who are under departmental assignment to instruct, nor is it intended to preclude supervised practice teaching by qualified students under controlled conditions concurred in by the department or school in which the faculty member is employed. What it is intended to speak to is the unjustifiable lending of a faculty member's name to a course which is subsequently taught by a student.

- The abandonment, in substantial measure, of the subject matter of the course and the substitution therefor of subject matter unrelated to the discipline in which the course lies.

Objection to the foregoing practice is not intended to preclude those special circumstances in which the institution, school, or department may, for good and sufficient reasons, authorize faculty to use class time for special functions for a limited period. Nor is it intended to inhibit the ingenuity of the faculty member in relating to the content of his course to current problems. The object is, rather, to those circumstances in which a faculty member, without the knowledge and concurrence of his department, school, or institution, makes the unilateral decision to "reconstitute" his course by abandoning the content of the discipline in favor of some unrelated content considered by him to be more "relevant" to the times.

- The habitual or persistent introduction into a course of controversial matter that has no relation to the course content.

Although it is imperative that the teacher have freedom in the classroom in discussing his subject, if he persistently and habitually introduces into his teaching controversial matter which is irrelevant to his subject, the integrity of the course is sacrificed.

When controversial matter appropriate to the subject matter of the course is dealt with, the instructor has the obligation, in the words of AAUP's founding fathers,

... to set forth justly, without suppression or innuendo, the divergent opinions of other investigators... [to] cause his students to become familiar with the best published expressions of the great historic types of doctrine upon the questions at issue; and he should, above all, remember that his business is not to provide his students with ready-made conclusions, but to train them to think for themselves, and to provide them access to those materials which they need if they are to think intelligently.
4. As an officer of the institution by which he is employed, the faculty member shares in the exercise of authority through which the institution is managed and gets its work done. The Board of Higher Education has delegated to the institutional executives responsibility for the operation of their institutions. But in so doing, the Board recognizes that the academic community is of a nature, and its constituency of a character that makes it wise for the executive to share with faculty members the exercise of this grant of authority from the Board.

Thus it is that the faculty has important responsibilities in the realm of faculty status (appointments, reappointments, decision not to reappoint, promotions, granting of indefinite tenure, and dismissal). And they participate actively in the deliberations relating to such crucial areas as curriculum, subject matter, methods of instruction, research, and those aspects of student life which relate to the educational process.

This shared responsibility is matched by the faculty's shared obligation to the institution itself - to colleagues and to students - and to society which created and maintains the institutions - an obligation to ensure that the institutions remain open, both literally and figuratively. They must not be closed by action of faculty or students. And their tradition of free and open inquiry, discourse, and opinion must remain unchallenged. The Board of Higher Education has committed itself to these aims and urges that faculties give voice to their obligation to share in this avowal of resolve to protect our institutions against the challenges to their continued effective operation to which this statement and the accompanying amendments to the Administrative Code speak.

December Report

The Board requests that the Board's Office present to the Board, at its December meeting, a report as to the steps taken by the institutions in accordance with the action suggested by the Board on page 683 of these minutes. The Board will wish at that point to review its present action and to consider what, if any, additional steps by the Board and the institutions may be required.

Mr. Corey moved that the Board amend the Administrative Code by adding Section L-3-FA, as follows:

L-3-FA. Sanctions generally. The appointment of an academic staff member may be terminated, or other sanctions may be imposed, for cause. Sanctions for cause include oral or written warning or reprimand, written censure, removal from an assigned post and reassignment, suspension for a period not to exceed one year, and termination. Sanctions more severe than oral or written warning or reprimand shall be imposed in accordance with the procedure
of paragraph 3 of subsection FB of Section L-3. Sanctions of oral or written warning or reprimand may be imposed in accordance with institutional procedures. "Cause" shall mean: (1) conviction of a felony or of a crime involving moral turpitude during period of employment by the Department of Higher Education (or prior thereto if the conviction was willfully concealed in applying to the Department for employment); (2) conduct proscribed by section M of this code; or (3) failure to perform the responsibilities of an academic staff member, arising out of his particular assignment, toward his students, toward his academic discipline, toward his colleagues, or toward the institution in its primary educational and scholarly functions and secondary administrative functions of maintaining property, disbursing funds, keeping records, providing living accommodations and other services, sponsoring activities, and protecting the health and safety of persons in the institutional community. Evidence to demonstrate cause under the standard set forth in item (3) of the aforesaid definition of "cause" may include, but is not limited to, evidence of incompetence, gross inefficiency, default of academic integrity in teaching, research, or scholarship, and intentional or habitual neglect of duty.

Mrs. Johnson said she was disturbed by Dr. MacVicar's statement that the phrase "cause shall mean" was not clear. Mr. Mosser responded that the language was plain and means "these things are cause." He said the faculties object because the wording does not leave discretion to the hearing committee to weigh whether a particular act is cause or not. He said he could only comment that determination as to whether charges are to be brought in the first place is a matter of some discretion and, secondly, the hearing committee has full discretion to weigh the severity of the violation in recommending sanctions to be imposed.

The motion to adopt Section L-3-FA was approved six to two, Mr. Holmes and Mr. Joss voting no.

Mr. Corey moved that the Administrative Code be amended by redesignating Subsection FF of Section L-3 as Subsection FB and modifying Paragraph 3 of this subsection to read as follows:

3. Termination and the imposition of other sanctions for cause

(a) Initiation of Formal Proceedings. If the institutional executive, after exploring to his satisfaction the possibilities of a mutual settlement, determines that there is probable cause to impose a sanction or sanctions more severe than oral or written warning or reprimand upon an academic staff member, he shall authorize the preparation of formal charges in accordance with institutional procedure. The charges shall specifically state the facts believed to constitute the grounds for the imposition of a sanction or sanctions. Following the authorization of preparation of the charges, no institutional officer responsible for evaluating the charges shall participate in their preparation. Within 10 days after the authorization of preparation of the charges, they shall be
filed with the institutional executive, and a copy personally delivered, or sent by certified mail, to the academic staff member.

(b) Temporary Suspension of Academic Staff Member. If at any time during the pendency of the charges against the academic staff member the institutional executive makes a finding that there is a clear and present danger that the academic staff member's continued performance of his duties will be harmful to the institution, to the academic staff member, or to the public at large, the institutional executive may suspend the academic staff member, without financial penalty, from some or all of his duties.

(c) Academic Staff Member's Request for a Formal Hearing. Within 10 days after the personal delivery or mailing of a copy of the charges to the academic staff member, the academic staff member who is so charged shall state in writing to the institutional executive whether or not he desires a formal hearing on the charges. This 10-day period may be reasonably extended by the institutional executive. If the academic staff member requests in writing that he not have a formal hearing, the institutional executive may impose an appropriate sanction or sanctions upon the academic staff member to be effective as determined by the institutional executive, who shall promptly give written notice thereof to the academic staff member; provided, however, that the appointment of an academic staff member shall not be terminated sooner than one month nor later than one year from the end of the 10-day period (or as it may have been extended), and provided further, however, that an academic staff member having indefinite tenure whose appointment is terminated for cause other than misconduct shall receive his salary for one year from the end of the 10-day period, or as it may have been extended.

(d) Hearing Committee. Unless the academic staff member requests in writing that he not have a formal hearing on the charges, such hearing shall be before a special ad hoc committee of five members. Committee members shall be selected in the following manner: the advisory council, faculty senate, or other proper elective faculty body shall appoint one or more permanent panels each consisting of ten faculty members; from one, or if necessary, two, of the permanent panels, the same elective body will name five to serve as the hearing committee. The academic staff member and the administration are each allowed one peremptory challenge; a committee member so challenged will then be replaced from the same panel or panels of ten each by the elective body initially charged with impaneling. The committee shall be constituted promptly and shall complete the hearing and its report within 30 days of its constitution, if possible. The hearing committee shall elect a chairman from among its members.
(e) Conduct of Hearing. The committee shall set a date for the hearing, giving sufficient time to the academic staff member to prepare his case. The academic staff member and the administration shall have the option of assistance by counsel, both in preparing for and at the hearing. Not less than one week before the hearing date, the academic staff member shall file with the committee any such written statement of his case as he elects to file. The committee shall review the charges and the academic staff member's statement, if any, prior to the hearing. During the period between the filing of the charges and the institutional executive's action on the committee's report, the academic staff member shall enjoy the same academic freedom as other members of the faculty, unless suspended as provided in subsection (b) of this paragraph 3.

If the academic staff member has neither requested in writing that he have a formal hearing nor requested in writing that he not have a formal hearing, the committee shall consider the case on the basis of the obtainable information and decide what, if any, sanction or sanctions it will recommend be imposed upon the academic staff member. The academic staff member shall have the option of a public or private hearing except that the committee, for cause, may require that the hearing be limited to a few observers, including representatives of the press. The conduct of the hearing shall be under the control of the committee chairman, subject to the procedure of the committee.

A verbatim record of the hearing shall be kept. At the hearing, the testimony of witnesses, upon oath or affirmation, and other evidence concerning any disputed facts shall be received by the committee. The administration shall have the burden of proving its formal charges against the academic staff member and the committee findings shall be according to the preponderance of the evidence.

The committee shall not be strictly bound to follow court procedures or rules of evidence. The academic staff member shall have the right to appear, and to participate in the hearing and to present relevant evidence to the committee and he may be represented by counsel with or without the presence of the academic staff member. The academic staff member and the administration shall have the right to confront and cross-examine all witnesses. The administration will, insofar as possible, secure the cooperation, for attendance at the hearing, of witnesses requested by the academic staff member. The academic staff member and the administration shall be given a reasonable opportunity to submit rebuttal testimony or other evidence. At the conclusion of the testimony, the committee may permit each side to make an oral or written summation; if this privilege is extended to one side, it must be extended to both. When the committee is satisfied that all pertinent and available evidence has been received, and that such summations as it deems appropriate have been presented, the hearing will be adjourned. The committee will then go into executive session for the purpose of deliberation.
(f) Committee's Report. The committee, by agreement of at least a majority of the members thereof, shall make explicit findings based upon the hearing record with respect to each specification in the formal charges lodged against the academic staff member, and shall within 10 days following determination by the committee of its findings recommend, by agreement of at least a majority of the members thereof, what, if any, sanction or sanctions be imposed upon the academic staff member. The institutional executive and the academic staff member shall be given copies of the findings and recommendation. The verbatim record of the hearing shall be made available to the institutional executive and to the academic staff member for copying or copies thereof shall be made for them at cost upon their request.

(g) Action by the Institutional Executive. The institutional executive may, if he deems it necessary, refer the matter back to the committee for further findings of fact. The institutional executive shall, promptly after receipt of the committee's report and after having had a reasonable opportunity to consult with the Chancellor and others, give the academic staff member and the Chancellor written notice of his decision and of his reasons therefor if his decision is contrary to the recommendation of the committee, and if the decision is to impose a sanction or sanctions upon an academic staff member, when it is to be effective; provided, however, that the appointment of an academic staff member shall not be terminated sooner than one month nor later than one year from the date of the written notice, and provided further, however, that an academic staff member having indefinite tenure whose appointment is terminated for a cause other than misconduct shall receive his salary for one year from the date of the written notice.

(h) Review. The Board shall review any case of the imposition of a sanction or sanctions upon an academic staff member having indefinite tenure upon written notice of appeal filed with the Board's Secretary within 10 days, or within such extension of time as permitted for cause by the Chancellor, of date of the written notice of the institutional executive's decision, by the academic staff member, stating grounds for the appeal, with a copy to the institutional executive. The Board may on its own initiative review any case involving the question of the imposition of a sanction or sanctions upon an academic staff member. Upon receiving a notice of any written notice of appeal by an academic staff member having indefinite tenure or of the Board's decision to review a case, the institutional executive shall forward to the Board's Secretary the following: a copy of the charges in the case and of the academic staff member's written statement, if any, in answer thereto; the verbatim record of the hearing, and any exhibits; the committee's findings and recommendations; and a copy of the notice of the institutional executive's decision.
The Board may: review the case on the record only; return the case to the institution from which it came for the receipt of further evidence or testimony; conduct such hearings as it deems proper for its review; refer the matter to a committee of Board members for consideration, including possible hearings, and recommendations; or refer the matter to a hearing officer for hearings and recommendation. The Board shall make such determination of the case, pursuant to this code, as it deems just.

If the Board sustains the decision to impose a sanction or sanctions upon the academic staff member, the sanction or sanctions shall be effective at the date originally named by the institutional executive, or such later date as determined by the Board.

(1) Board's Initiative in Bringing Investigation or Charges. On any occasion when it appears to the Board that there is probable cause to impose a sanction or sanctions upon an academic staff member, the Board may direct the institutional executive to determine whether or not he finds there is probable cause to impose a sanction or sanctions upon the academic staff member. If the finding of the institutional executive is that there is probable cause to impose a sanction or sanctions upon the academic staff member, the institutional executive shall have formal charges prepared and proceed with the handling of the case as above provided in this paragraph 3. If the finding of the institutional executive is that there is not probable cause to impose a sanction or sanctions upon the academic staff member, the institutional executive shall transmit such report to the Board, including a full statement of his reasons for such a finding. If the Board, after receipt of the report, deems that the facts of the case warrant the filing of formal charges, the Board shall provide the institutional executive with a statement explaining its exceptions to his findings and it may direct the institutional executive to have formal charges prepared or, upon the request of the institutional executive, the Board may direct some person within the Department of Higher Education to prepare the formal charges. The subsequent procedure shall be the same as if charges were initially authorized to be prepared by the institutional executive.

(j) No Reprisals. No employee of the Department of Higher Education shall be subject to reprimand or other adverse action by the Department for appearing as a witness or for participating as a member of a committee in any of the proceedings provided for in this paragraph 3.

(k) Personnel Record. No notation shall be made in the personnel record of an academic staff member of any investigation which has not resulted in formal charges being brought against him under this paragraph 3 or which has not resulted in the imposition of a sanction of oral or written warning or reprimand in accordance with institutional procedures, as provided in Section L-3FA of this code.
Mr. Joss said he would vote in favor of the motion but would do his best to see that further consideration was given to the suggestion of Mr. Ackerman concerning Paragraph (i) and Dr. Bates concerning Paragraph (k).

The motion was approved by unanimous vote.

Mr. Corey moved to add to the Administrative Code Section M, reading as follows:

M. Proscribed Conduct. Procedures to impose applicable sanctions may be instituted against any person who engages in any of the following conduct, which is proscribed by this code:

1. Obstruction or disruption of teaching, research, administration, disciplinary procedures or other institutional activities, including the institution's public service functions or other authorized activities on institutionally owned or controlled property.

2. Obstruction or disruption which interferes with the freedom of movement, both pedestrian and vehicular, on institutionally owned or controlled property.

3. Possession or use of fire arms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on institutionally owned or controlled property, in contravention of law or institutional regulations.

4. Detention or physical abuse of any person or conduct which is intended to threaten imminent bodily harm or endanger the health of any person on any institutionally owned or controlled property.

5. Malicious damage or misuse or theft of institutional property, or the property of any other person where such property is located on institutionally owned or controlled property, or, regardless of location, is in the care, custody or control of an institution.

6. Refusal by any person while on institutional property, to comply with an order of the institutional executive or appropriate authorized official or officials, to leave such premises because of conduct proscribed by this code when such conduct constitutes a danger to personal safety, property or educational or other appropriate institutional activities on such premises.

7. Unauthorized entry to or use of institutional facilities, including buildings and grounds.

8. Use, possession, or distribution of illegal drugs on institutionally owned or controlled property.
9. Inciting others to engage in any of the conduct or to perform any of the acts prohibited herein. Inciting means that advocacy of proscribed conduct which calls upon the person or persons addressed for imminent action, and is coupled with a reasonable apprehension of imminent danger to the functions and purposes of the institution, including the safety of its students, faculty, and officials, and the protection of its property.

The motion was approved by unanimous vote.

The Board considered the report of its Office of Academic Affairs, titled Review of Institutional Analyses Relating to the Effective Administration of Their Student Conduct Codes. This report is designated an integral part of the minutes of the September 8, 1970, meeting of the Board.

Mrs. Johnson called attention to the recommendation that the Board adopt the following statement, found on pages 9-10 of the document:

The Board recognizes that the members of the academic community are, with rare exceptions, self-governing; that the regulations relating to the maintenance of public order on the campuses, included in the new section M of the Administrative Code, are needed only because of a few.

These new regulations are applicable to all members of the academic community. The Board intends that they shall be enforced. Effective procedures for their enforcement when faculty members are charged with their violation have been provided in new amendments to the Administrative Code adopted by the Board. The Board expects that its institutions will ensure that there are established institutional procedures for the administration of these regulations where students are involved in alleged violations, providing for appropriate sanctions, including, where appropriate, separation from the institution.

The Board recognizes that under unusual conditions regular campus judicial machinery could break down. As a contingency measure, therefore, the Board herewith proposes to adopt, subject to appropriate hearings, a provision that if, after the institution has sought by every reasonable means to administer the student conduct code under its regular provisions, the institutional executive finds the system is inadequate to the task, he is authorized, with the concurrence of the chancellor, temporarily to set aside or to supplement local administrative disciplinary procedures by appointing a hearing officer who shall be empowered and directed to hear individual disciplinary cases in accordance with due process proceedings, and to recommend to the institutional executive appropriate action in each case.
Inasmuch as a number of institutions will be completing formal action on proposed student conduct code amendments early in the fall term 1970-71, the Board requests that the Board's Office make a further report at the Board's December meeting with respect to institutional efforts to strengthen the operation of their student conduct codes.

It was concluded that the matter should be considered by the Academic Affairs Committee at its next regular meeting, scheduled for October 5, in Portland, at which time there would be an opportunity for students and others interested in the administration of student conduct codes to be heard.

Confirmation of Institutional Degree Lists

In accordance with Board regulations, the following members represented the Board at the June 1970 Commencement exercises of the several institutions and acted for the Board in approving candidates for degrees and diplomas:

Oregon State University
University of Oregon
University of Oregon Dental School
University of Oregon Medical School
University of Oregon Nursing School
Portland State University
Oregon College of Education
Southern Oregon College
Eastern Oregon College
Oregon Technical Institute

John W. Snider
Chas. R. Holloway, Jr.
George H. Layman
Elizabeth H. Johnson
Elizabeth H. Johnson
Ancil H. Payne
George H. Layman
John W. Snider
George H. Corey
Loran L. Stewart

The signed copies of the degree lists are on file in the Board's Office.

The Board confirmed the action of the Board members in approving the candidates for degrees and diplomas.

Advance Acquisition of Land Program of the Federal Government

The Department of Housing and Urban Development awarded a grant to the Oregon State Board of Higher Education entitled Advance Acquisition of Land Program, which was accepted by the Board on April 29, 1968. A provision of this grant provided funds for making relocation payments to owners and tenants of properties being acquired who qualified for assistance under the Advance Acquisition of Land Program. The Department of Housing and Urban Development requires that the Oregon State Board of Higher Education approve and adopt by a resolution, the schedules of relocation payments which have been previously forwarded to the Department of Housing and Urban Development for their initial approval.
RESOLUTION

RESOLUTION APPROVING AND ADOPTING SCHEDULES OF RELOCATION PAYMENTS APPROVED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WHICH QUALIFY UNDER THE ADVANCE ACQUISITION OF LAND PROGRAM, CONTRACT NO. AL6-38-0001, A GRANT FOR FINANCIAL ASSISTANCE UNDER SECTION 704 OF THE HOUSING ACT OF 1965, BY AND BETWEEN THE OREGON STATE BOARD OF HIGHER EDUCATION AND THE UNITED STATES OF AMERICA

BE IT RESOLVED by the Oregon State Board of Higher Education:

1. That the schedules of relocation payments, as listed below, of the Advance Acquisition of Land Program, Contract No. AL6-38-0001, a grant for financial assistance under Section 704 of the Housing Act of 1965, are hereby in all respects approved and adopted.

2. That the schedules of relocation payments of the Advance Acquisition of Land Program, which the Department of Housing and Urban Development has initially approved, covering the Eugene and Corvallis areas are as follows:

A. Schedule HUD-6142, Fixed Relocation Payments Schedule

<table>
<thead>
<tr>
<th></th>
<th>1 Room</th>
<th>2 Rooms</th>
<th>3 Rooms</th>
<th>4 Rooms</th>
<th>5 Rooms</th>
<th>6 Rooms</th>
<th>7 Rooms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corvallis</td>
<td>$20.00</td>
<td>$40.00</td>
<td>$60.00</td>
<td>$80.00</td>
<td>$100.00</td>
<td>$121.00</td>
<td>$141.00</td>
</tr>
<tr>
<td>Eugene</td>
<td>21.50</td>
<td>43.00</td>
<td>64.50</td>
<td>86.00</td>
<td>107.50</td>
<td>129.00</td>
<td>150.00</td>
</tr>
</tbody>
</table>

Individuals not owning furniture, $5.00, and families not owning furniture, $10.00 per moving.

B. Schedule HUD-6148, Average Annual Gross Rentals (Yearly Rates)

<table>
<thead>
<tr>
<th></th>
<th>1-Bedroom</th>
<th>2-Bedroom</th>
<th>3-Bedroom</th>
<th>4-Bedroom</th>
<th>5-Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corvallis</td>
<td>$1,248</td>
<td>$1,512</td>
<td>$1,644</td>
<td>$1,860</td>
<td>$1,704</td>
</tr>
<tr>
<td>Eugene</td>
<td>1,236</td>
<td>1,380</td>
<td>1,500</td>
<td>---*</td>
<td>---*</td>
</tr>
</tbody>
</table>

*The Oregon State Board of Higher Education is using the same rates as the Eugene Renewal Agency for this schedule. No rates were developed for 4- and 5-bedroom units by the renewal agency.

C. Schedule HUD-6155, Average Sales Prices for Standard Housing in Locality

<table>
<thead>
<tr>
<th></th>
<th>1-Bedroom</th>
<th>2-Bedroom</th>
<th>3-Bedroom</th>
<th>4-Bedroom</th>
<th>5-Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corvallis</td>
<td>$10,925</td>
<td>$13,864</td>
<td>$17,192</td>
<td>$20,987</td>
<td>$25,431</td>
</tr>
<tr>
<td>Eugene</td>
<td>11,020</td>
<td>13,356</td>
<td>16,923</td>
<td>19,700</td>
<td>23,241</td>
</tr>
</tbody>
</table>
3. That Freeman Holmer, Vice Chancellor for Administration, is authorized to negotiate and agree to modifications to said schedules, and R. L. Collins, Secretary of the Board, is similarly authorized to attest as may be appropriate.

4. That this resolution shall take effect immediately.

Upon motion by Mr. Holloway, the Board approved the recommendation as presented and the above resolution was adopted with the following voting in favor of adoption: Directors Corey, Holloway, Holmes, Johnson, Joss, Mosser, Stewart, and Layman.

Those voting no: None.

The President of the Board thereupon declared said resolution duly adopted by a unanimous vote.

(Considered by Building Committee, August 18, 1970.)

Recommendations for the capital construction program of the Oregon State Board of Higher Education were prepared in accordance with the instructions outlined in "1971-1973 Biennial Budget Preparation Manual, Part 1" issued by the Executive Department under the date of April 1970, and were available for discussion with the Committee on Buildings and Other Physical Facilities, and other Board members, on August 18. The data indicated separately (1) the portions of the capital outlay requests which relate to the educational and general plant, to be financed from state funds and offsets such as gifts or federal grants, and (2) the items which constitute additional facilities for auxiliary enterprises, to be financed from self-liquidating bond borrowings under the authority of Article XI-F(1) of the Oregon Constitution, balances from auxiliary enterprises operations, and commingled student building fees.

It was indicated that these recommendations for capital outlay during 1971-1973 will exclude many projects which have been requested by the institutions and for which there is adequate statistical justification, but which in the judgment of the Board's staff need to be deferred to a later biennium because of the magnitude of the total program.

Detailed space utilization studies for the Fall Term 1969 at each institution have been completed and have been published. Summaries of these studies were included in the booklet "Physical Facilities and Space Use, Oregon State System of Higher Education, Fall Term 1969," prepared by the Office of Facilities Planning. Copies of the booklet have been provided to members of the Board and may be useful as background material in the review of the capital outlay program. It is evident that the state-supported colleges and universities in Oregon are making intensive use of the facilities available and require additional classrooms, laboratories, offices, library
space, etc., in the immediate future to overcome current deficiencies and to accommodate the logical systematic increases in student enrollment which are projected for them. The urgent need to replace or rehabilitate obsolete and substandard facilities now being used by the institutions within the State System is a major factor in determining the priorities of the various capital outlay requests.

Space use objectives and building design standards were approved by the Board on December 10, 1969, following the development thereof by institutional personnel and the Board’s staff. These objectives and standards were made a part of the Board minutes of that date and were included as Chapters 8 and 9 in the "Planning and Procedures Handbook for Campus and Building Development" published recently. They were used in the projection of facility requirements for the next six-year period and were useful as one of the tools in determining priorities for 1971-1973.

In view of the continuing spiral of inflation and the uncertainty of future material and wage increases, it is very difficult to estimate construction costs. Based upon various indices published in professional journals, however, it appears necessary to include a minimum adjustment of ten percent (10%) from July 1, 1970, to June 30, 1971. Thereafter, an annual increase of eight percent (8%) or a semi-annual adjustment of four percent (4%) to the projected bid date is being anticipated. These increases are not being compounded. Very recent publications indicate that escalation factors being used in the development of the 1971-1977 capital outlay program are very conservative.

According to recent actions and recommendations of the President of the United States and of the Congress, it would appear that the extent of federal participation in funding capital construction during 1971-1973 will be very limited. Following appropriate authorizations from the Board and the State Emergency Board, grant applications are being filed for selected projects, such as the Alterations to MacKenzie Hall and the Administration Building at the University of Oregon Medical School and the Nursing Education Building at Southern Oregon College, but it is not likely that there will be much federal support for general purpose classrooms, laboratories, libraries, etc., as there had been previously under the Higher Education Facilities Act of 1963.

Based upon the estimated requirements for auxiliary enterprise projects, it will be necessary to seek legislative authorization in 1971 to increase the self-liquidating bond borrowing ceiling above the present statutory limitation of $75,000,000. The exact amount of the increase will be determined within the next few months when enrollment data for Fall Term 1970 become known and resources other than bond borrowings can be estimated with greater accuracy than is possible at this time.

Final planning is being completed on a few high-priority projects such as the Administrative Services Building at the University of Oregon and the Classroom Building (Education) at Southern Oregon College. For
many other projects, preliminary architectural planning is just getting underway following the approval of institutionally-prepared paper programs and the appointment of professional consultants. These plans are being financed from interest-free advances from the federal government, through allotments from the Board's reserve for architectural/engineering planning, and/or from balances available for auxiliary enterprises.

Although efforts are being made to define the building space requirements and cost estimates for the capital outlay program as carefully and accurately as possible, based upon data currently available, it is probable that some modifications will be required following further architectural and engineering planning, the availability of enrollment data for the Fall Term 1970, the approval of applications for federal grant assistance, etc.

Major emphasis and study by the Board's staff is being given to the requests for the 1971-1973 capital construction program. However, consistent with the statutory requirement that the Executive Department provide the Legislature with projections of capital needs for at least a 6-year period, institutional requests for construction projects during 1973-1975 and 1975-1977 will be presented to the Board, accompanied by estimates of land purchase requirements.

The Chancellor's detailed tentative recommendations for the 1971-1977 capital outlay program, including the priority rankings of projects and land purchases for 1971-1973, were presented to the Committee on Buildings and Other Physical Facilities on August 18, 1970.

These tentative recommendations are included in the booklet, Space Needs for Institutions within the Oregon State System of Higher Education, prepared by the Office of Facilities Planning, under date of August 18, 1970. This booklet, by reference thereto, is considered an integral part of this docket.

During the Committee discussion, Dr. Carl Paetz, Director of Campus and Building Planning, summarized the detailed information contained in the report on space needs. He described briefly the first twenty items or so in the priority listing for the Educational and General Plant requests for 1971-1973.

Dr. Paetz indicated that Portland State University had requested that three disciplines -- education, business administration, and social work -- be housed in the proposed building designated the Professional Schools Center. The institution was asked to present this project in two phases. Phase I is included as Priority No. 15 to accommodate education and social work. The remainder of the project is assigned a lower priority.

Mr. Mosser noted that other projects were also separated into more than one phase and asked if it might be better to construct a complete project on one or more campuses as funds are available rather than to defer phases of several projects and thus disrupt the various campuses several times during the construction of a total project.