A meeting of the Committee on Finance and Physical Plant was held in the Chinese Room of Renaissance Mayflower Hotel, Washington, D.C., at 2:33 p.m. on March 21, 2008.

The following Committee members were present: Broadhurst and Spanier (ex officio), Strumpf (chair), Henning (vice chair), Chaiken, Hintz, Metzgar, Poprik, and Surma. Also present were Trustees Alexander, Arnelle, Baldwin, DiBerardinis, Foulke, Hetherington, Huber, Jones, Junker, Myers, Peechatka, Riley, Shaffer, Suhey, and Wolff; and Trustee Emeriti Huck, Robinson, Springer, and Wolff.

Present by invitation were faculty representatives Blasko, Blood, and Hufnagel; student representative Casiano; staff members Ammerman, DiEugenio, Erickson, Hanes, Kirsch, Mahon, Pangborn, Paz, Pell, Poole, Romano, Schultz, Stryker, and Weidemann; presenter Nelson, and Mr. Courtney of McQuaide Blasko.

The Committee on Finance and Physical Plant voted to recommend to the Board of Trustees approval of the following resolutions which were included in the Meeting Agenda:

1. RESOLVED, That the conditions governing certain existing scholarships, fellowships, awards, and similar funds previously established at the University be revoked and that the Officers of the University are authorized to put into effect the revised regulations as summarized below and the same are approved:

   (See Appendix I)

   A. P.A. Frost/R.L. Fletcher Academic Scholarship in Insurance

   Date Originally Established: December 16, 1987

   Source and Nature of Revisions: The scholarship name was changed to the "Rodney L. and Casey C. Fletcher Academic Scholarship." The eligibility for this scholarship has been broadened so that the recipient does not need to be studying insurance.

   B. Reuben and Gladys Golumbic Scholarship Award Fund

   Date Originally Established: June 5, 1979

   Source and Nature of Revisions: The eligibility of this scholarship was enhanced so that the recipient must be a rising junior or senior with at least one more academic year needed to complete her/his degree.

   C. Doris N. McKinstry Scholarship

   Date Originally Established: July 25, 1990

   Source and Nature of Revisions: The eligibility for this scholarship has been enhanced so that the recipient must have achieved a minimum high school grade point average of 3.0 (on a 4.0 scale). In addition, the eligibility was restricted to students who are permanent residents of Pennsylvania and who are majoring in Premedicine or considering a career in Veterinary Medicine.
D. Robert J. Miklos Memorial Award

Date Originally Established: November 16, 2001

Source and Nature of Revisions: The eligibility for this award has been enhanced by removing the requirements that the student must have completed their sophomore year and must be a member of the Penn State Beaver Men's Basketball team.

E. Reed B. Riker Women's Basketball Scholarship

Date Originally Established: December 10, 1991

Source and Nature of Revisions: The eligibility of this scholarship has been changed from student-athletes proficient in golf to student-athletes proficient in women's basketball.

F. William F. Roberge Trustee Scholarship

Date Originally Established: May 22, 2007

Source and Nature of Revisions: The scholarship name was changed to the "William F. Roberge and Shirley Roberge Trustee Scholarship."

G. Division of Science Equipment Endowment

Date Originally Established: April 7, 1989

Source and Nature of Revisions: The endowment name was changed to the "School of Science Equipment Endowment," at Penn State Erie, The Behrend College.

H. Division of Science Grant-in-Aid

Date Originally Established: December 10, 1981

Source and Nature of Revisions: The endowment name was changed to the "School of Science Scholarship Fund," at Penn State Erie, The Behrend College.

2. RESOLVED, That the Board of Trustees gratefully acknowledges the generous contributions of the many friends of the University in support of endowments, funds, and other major commitments as reported to the Committee on Finance and Physical Plant at its meeting of March 21, 2008.

   FURTHER BE IT RESOLVED, That the Officers of the University are authorized to convey the Board's appreciation to these generous benefactors who provide opportunities for many students to receive a quality education.

3. RESOLVED, That the road that runs east of the Snider Agricultural Arena, between Park Avenue and Orchard Road is named "Arena Road," University Park.

4. RESOLVED, That the proposal whereby the University, through Penn State Hospitality Services, will contract with The Barash Group for a half-page advertisement in each monthly publication of the Town & Gown Magazine, for advertising in the Town & Gown Gift Guide and the Town & Gown Dining Guide, as well as advertising in the Football and Basketball Annuals at an annual cost not to exceed $17,500 is approved.
FURTHER RESOLVED, That the proposal whereby the University, through The Center for the Performing Arts, will contract with The Barash Group to purchase various advertisements in the *Town & Gown Magazine* and the *Arts Festival Guide*, as well as various visitor guides, maps and other publications produced by The Barash Group at an annual cost not to exceed $20,000 is approved.

5. RESOLVED, that the recommendation of the Penn State Investment Council to commit $10 million in the Long-Term Investment Pool to Lubert Adler Real Estate Fund VI, L.P. is approved.

FURTHER RESOLVED, that the recommendation of the Penn State Investment Council to commit $20 million in the Long-Term Investment Pool to LLR Equity Partners III, L.P. is approved.

6. RESOLVED, That the Board of Trustees approves the sale of 75 acres in Ferguson Township, Centre County, Pennsylvania, to the Centre Region Council of Governments and Ferguson Township in the amount of $230,775, subject to a deed restriction defining its public use.

BE IT FURTHER RESOLVED, That the Board of Trustees approves granting Ferguson Township a 10-year, option to buy agreement for 25 acres in Ferguson Township, Centre County, Pennsylvania, subject to a deed restriction defining its public use and providing for the Board of Trustees having approval of the sales transaction.

BE IT FURTHER RESOLVED, That the Board of Trustees approves the sale of 59 acres in Ferguson Township, Centre County, Pennsylvania, to State College Borough Water Authority in the amount of $383,500, subject to a deed restriction that the property will be used as a water recharge area and remain in an undeveloped state.

BE IT FURTHER RESOLVED, That the Officers of the University are authorized and directed to take such steps as are necessary to make effective these resolutions.

7. RESOLVED, That the Board of Trustees approves the acquisition of the property containing 1.93 acres located at 4397 Station Road, Harborcreek Township, Erie County, from Matthew M. Gallagher and Thomas P. Gallagher for $176,000.

BE IT FURTHER RESOLVED, That the Officers of the University are authorized and directed to take such steps as are necessary to make effective this resolution.

8. RESOLVED, That the Board of Trustees approves the acquisition of the property containing .22 acres located at 308 East Second Avenue, DuBois, Clearfield County from Joyce A. Higgins for $115,000.

BE IT FURTHER RESOLVED, That the Officers of the University are authorized and directed to take such steps as are necessary to make effective this resolution.

9. RESOLVED, That the Board of Trustees approves the acquisition of the property containing approximately 4 acres located at 568 Middletown Road, Middletown Township, Delaware County, from the estate of Elaine A. Evans for $775,000.

BE IT FURTHER RESOLVED, That the Officers of the University are authorized and directed to take such steps as are necessary to make effective this resolution.
10. Revision to Policy and Procedure for Naming University Facilities

**POLICY AD05 - NAMING UNIVERSITY FACILITIES AND ACADEMIC UNITS**

**PURPOSE:**

To state the University's policy on naming University facilities and academic units.

**GENERAL:**

It is the policy of the University to name certain of its facilities (buildings, parts of buildings, roads, and plazas) and academic units (campuses, colleges, schools, departments, centers and institutes), in honor of benefactors (individuals, corporations, and private foundations), and persons other parties who have made substantial contributions to the University or to education in general.

**GUIDELINES:**

The following guidelines apply:

1. Ordinarily, University facilities and academic units buildings, roads, and plazas will not be named for persons who are actively involved in or related to University operations. This includes members of the faculty and staff, board of trustees, advisory boards, legislators, and governmental officials. University facilities buildings, roads, and plazas may be named for persons who have retired from active employment with the University after a sufficient time has elapsed from the date of the individual's retirement. This date should be determined by the Facilities Naming Committee.

2. When naming University facilities buildings, parts of buildings, roads and plazas for corporations, the appropriateness of the corporate name in a public context should be taken into consideration. If the name of a corporation changes after a University facility is named for the corporation, the name of the University facility would remain the same unless a change is recommended by the Facilities Naming Committee in accordance with this policy. Corporate names may not be used for academic units such as colleges, schools, and departments.

3. **When possible,** building names should include a designation of their primary function:
   - Student living and dining quarters are designated as "halls" or "commons."
   - Buildings occupied by laboratories are designated as "laboratory."
   - Buildings primarily occupied by offices and classrooms are to be designated "building."
   - Special-use buildings may bear the name of that use separately or in combination with a person's name; for example, McCoy Natatorium or Pattee Library.

4. Parts of a building or area may be named separately to recognize benefactors who wish to underwrite the cost of the sub-unit or portion thereof, or persons who have made substantial contributions to the University or to education in general. In such cases, an appropriate plaque may be installed to acknowledge the naming. In such cases where the actual naming of the sub-unit may not be appropriate (individual faculty or staff office), an appropriate plaque may be installed outside of the office to acknowledge the contribution by the benefactor.

5. A uniform system of external marking of buildings is to be used University wide. These external markings should be approved by the Office of Physical Plant. In instances where buildings are named for benefactors or others, a plaque may be located in the lobby or other appropriate area of the building giving the full name and brief identification of those honored.
6. It is the general University policy to name buildings for benefactors (or parties benefactors are seeking to honor) only with the required minimum gift commitment of 50 percent of the cost of the funding needed for new construction or major renovations. Such a gift commitment must be payable over a five-year pledge term. The amount will vary with each individual situation and this requirement should be viewed as a guideline. The University President has authority to make exceptions and recommend the naming action to the Board of Trustees for approval.

7. Gifts made through an irrevocable deferred gift technique--including, but not limited to a charitable remainder trust, pooled income fund, charitable gift annuity, deferred pledge agreement (estate note), or contract to make a will--have special considerations as follows:
   a. Such gifts generally will not be accepted for the purpose of naming new University buildings or parts of new buildings for which contributions from private sources are needed for construction costs.
   b. Ordinarily, such gifts may be accepted for the purpose of naming existing University buildings, or parts of buildings, provided there is no current need of funds for building renovations or expansion and that the face value of the gift is at least 75 percent of the replacement value of the building.
   c. Such gifts shall be accepted for the purpose of naming existing buildings, or parts of buildings, only if they are unrestricted. When received, the gift may be used by the then current college/campus dean or chief executive chancellor for worthy priorities of the college/campus.

8. It is the general policy of the University that roads, plazas, parts of buildings, and other appropriate areas named after benefactors will require the benefactor to contribute a predominant portion of the cost of the road, plaza, or sub-unit. The amount required for such naming will be determined by the President of the University upon the recommendation of the Facilities Naming Committee.

9. The duration of the benefactor’s name association with any building, or part of a building, be that benefactor an individual or an organization, shall remain in place for the useful life of that building, or part thereof so designated, subject to conditions set forth in the Authority to Name section of this Policy. In the event that a building, or any part thereof, named for a benefactor is removed or replaced at the expiration of its useful life, the University shall not be obligated to continue the name, nor shall it be obligated to name any new construction intended to replace the building, or any part thereof, after the benefactor. The University may seek other means to recognize the benefactor after the useful life of the building.

10. For substantial contributions, the University may, following internal consultation and with the prior approval of the Board of Trustees, name a University academic unit in honor of an individual.

POLICY IMPLEMENTATION:

The leadership of academic units may forward recommendations for naming of such units to the University President for consideration and subsequent recommendation to the Board of Trustees.

The administrative committee on naming University facilities advises and makes recommendations to the President of the University on appropriate names for specific buildings, parts of buildings, roads, and plazas at all University locations. The committee is composed of the following members:

1. Associate to the President for Administration, Chair of the Committee.
2. Senior Vice President for Development and Alumni Relations.
3. Vice President for Commonwealth Campuses
5. Chair of the University Faculty Senate.
6. Associate Vice President for Physical Plant.

Communications with the committee should be through the Office of the Senior Associate Vice President for Physical Plant, Secretary of the Committee Development and Alumni Relations. Recommendations for naming a facility assigned to a specific academic or administrative unit will normally originate from the administrative officer of that particular unit. The committee will work closely with the dean or administrative officer to ensure that recommendations reflect University policy. In the case of facilities not assigned to specific units, the committee may generate the initial recommendations, based on available information.

Committee recommendations to the President should conform to the objectives outlined above. The committee shall keep a current list of all existing buildings that are appropriate for naming, if accompanied by a gift, deferred gift, or pledge commitment. This list should be reviewed annually by the Senior Vice President for Development and Alumni Relations and other appropriate University officials.

AUTHORITY TO NAME:

After receiving the committee recommendation for naming parts of buildings and plazas, the President of the University has the authority to make the final decision on the naming opportunity and apprise the Board of Trustees of his/her action.

In situations where parts of buildings and plazas may be funded by gifts, final negotiation with potential benefactors should not take place without first seeking the approval of the Facilities Naming Committee and the President of the University. The President, through the committee, will charge the appropriate administrative officer to negotiate with potential benefactors.

After receiving the committee's recommendations for naming buildings and roads, the President makes final recommendations to the Board of Trustees for consideration and action.

In situations where buildings are funded by gifts, and donor relations are of a sensitive nature, the President may seek concurrence from the President and Vice President of the Board of Trustees and make the final decision on naming the building or road. These cases will then be presented for information at the next meeting of the Board of Trustees.

Under no circumstances should final negotiations take place between an administrative officer of the University and a potential donor in naming a building or road without first seeking the approval of the Facilities Naming Committee and the President of the University.

If a building name is not forthcoming at the time the building has been completed, and a name is needed for identification purposes, only a generic name should be used, thus reserving the prerogative to bring forward a name that meets the established criteria at a later date. Examples of such generic names are: Oak Hall, Electrical Engineering East, Research West Building, North Hall, University Library, Music Building, etc.

In situations where a naming opportunity exists for an academic unit, the President has the authority to make final recommendations to the Board of Trustees for consideration and action.

The Board of Trustees shall have the authority to revoke the name of a University facility or academic unit in the event that the benefactor for whom the facility or academic unit was named: (i) is later convicted of a felony; or (ii) engages in conduct which, in the sole discretion of the Board of Trustees, is significantly detrimental to the reputation of the benefactor, such that continued name association between such individual and a University facility or academic unit would be contrary to the best interests of the University. If the benefactor is a corporation, the authority to revoke the name of a University facility bearing such corporation’s name shall be exercisable by the Board of Trustees, upon recommendation of the President, in the event that any of the officers or directors of such corporation are later
convicted of a felony or incur civil sanctions in their capacity as officers or directors of such corporation, which crimes or sanctions, in the sole discretion of the Board of Trustees, are significantly detrimental to the reputation of the corporation, such that continued name association between such corporation and a University facility would be contrary to the best interests of the University. Prior to the approval of a name revocation by the Board of Trustees as provided in this paragraph, the University shall provide benefactor, or a representative of the benefactor, the opportunity to voluntarily relinquish the name from the University facility or academic unit, as the case may be.

abc - indicates deletion
abc - indicates addition

11. RESOLVED, That the Officers of the University are authorized to appoint the firm of SMP Architects, of Philadelphia, Pennsylvania, as architect for the Residence Hall at Penn State Harrisburg.

The following items were presented for the information of the trustees:

1. Construction of Frear Building Addition, University Park
2. Construction of the Arboretum Overlook Pavilion, University Park
3. Naming of Rooms, Portions of Buildings and Plazas
   A. Room 231 in the Forest Resources Building the “Rex E. Melton Meeting Room” for a gift from Rex E. Melton. The plaque should read: "Rex E. Melton Meeting Room, A gift from Rex E. Melton, Professor of Forestry 1947-88, and children, Dawn, Kay, Karen, and Rex Jr. In memory of Margie M. Melton."
   B. A larger space in the lower level of Central Pattee Library the "Donald W. Hamer Maps Library" in honor of a pledge, combined with a previous gift to name the original smaller Hamer room.
   C. Four spaces in the Varsity Golf Clubhouse as follows:
      1) "Westerlund Lounge/Event Room" for a gift from Richard and Sharon Westerlund.
      2) "Jordan Team Practice Room" for a gift from Andrew Jordan.
      3) "Wiebe Terrace" for a gift from Timothy Wiebe.
      4) "Geiger Family Porch" for a gift from the Geiger Family.

4. Status of Major Construction Programs and Borrowing


6. Summary and Designation of Gifts Received by the University during the period July 1, 2007 through January 31, 2008.

7. Summary of New Funds, including scholarships, fellowships, etc., accepted by the University during the period December 17, 2007 through February 22, 2008. All of these items conform to established University policies and regulations.

(a) Harry Alcock Graduate Student Endowment in Chemistry
(b) Louis W. and Evelyn H. Balmer Trustee Scholarship
(c) Hu and Mary Barnes Director’s Endowment for the Earth and Mineral Sciences Museum
(d) Henry G. Beamer, III Men’s Basketball Scholarship
(e) Stephen and Maribeth Bogush Endowed Scholarship for a Female Scholar Athlete
(f) Jake Boyle Memorial Award Fund
(g) Barry and Renee Brandeis Business Program Endowment for Penn State Abington
(h) Gene and Roz Chaiken Trustee Scholarship in the College of the Liberal Arts
(i) Department of Chemical Engineering Fund for Student Travel Experiences
(j) Department of Civil and Environmental Engineering Fund for Academic Excellence
(k) Dora Colver Innovation and Excellence Endowment in the Department of Nutritional Sciences
(l) Donald G. and Mona S. Cotner Family Men's Basketball Scholarship
(m) Forrest Crawford Trustee Scholarship in the College of the Liberal Arts
(n) John R. Croteau Family Trustee Scholarship in the Schreyer Honors College
(o) Christine and Joseph Evanchick MBA Scholarship in the Smeal College of Business
(p) Harvey A. Feldman Distinguished Faculty Scholar Award
(q) Paul and Evelyn Ferrero Athletic Scholarship
(r) Michael A. Fiaschetti Student Award of Excellence in Accounting at Penn State Harrisburg
(s) Ronald L. Filippelli and Sandra K. Stelts Education Abroad Fund in Labor and Employment Relations
(t) Ronald L. Filippelli and Sandra K. Stelts Education Abroad Fund in the Department of History
(u) Lois Weninger Forney Nursing Excellence Award
(v) Nancy S. and Glenn W. Gamble Trustee Scholarship in the College of Arts and Architecture
(w) Nancy S. and Glenn W. Gamble Trustee Scholarship in the College of Education
(x) Hanks Family Endowed Athletic Scholarship
(y) Nancy Meyer Horne and Howard F. Horne Men's Cross Country Track Scholarship
(z) Cliff Jones Program Fund for Good Government
(aa) Keith R. and Beverly G. Karako Program Fund in East Asian Studies in the College of the Liberal Arts
(bb) James and Carol Kauffman Endowed Athletic Scholarship
(cc) Gerald P. Kessler Endowment for Undergraduate Research at Penn State Abington College
(dd) David and Christina Kunko Endowed Athletic Scholarship
(ee) Richard H. and Helen C. Kustin Trustee Scholarship in the College of Engineering
(ff) Elwood W. and Ruth Lewis Trustee Scholarship in the College of Health and Human Development
(gg) Thomas H. and Felicia R. Lindquist Trustee Scholarship in the Schreyer Honors College
(hh) Malloy/Paterno Head Football Coach Endowment
(ii) Warren L. and Carole L. Maurer Trustee Scholarship in the College of Communications
(jj) Dennis L. and Joyce E. Mays Trustee Scholarship at Penn State Berks
(kk) Lawrence J. and Gretchen McCabe Graduate Scholarship in the Richards Civil War Era Center
(ll) McCain Family Foundation Trustee Scholarship
(mm) Professor Barnes W. McCormick Academic Excellence Fund in Aerospace Engineering
(nn) Jack and Ruby McNeese Trustee Scholarship in the College of Information Sciences and Technology
(oo) Meacci Family Scholarship
(pp) Daniel S. and Wendy J. Mead Trustee Scholarship
(qq) Mitrovic Family Endowed Fund for Sports Medicine
(rr) The Monroe County Cooperative Extension Endowment for Family Living
(ss) Navasky Family Endowed Fund for Women's Volleyball
(tt) Dorothy B. O'Connor Undergraduate Scholarship in the School of Music
(uu) Boris M. and Margaret L. Osojnak Scholarship in Engineering
(vv) Eric R. and Maria K. Polsins Study Abroad Award in the College of Communications
(ww) Political Science Board of Visitors Early Career Professorship
(xx) Dr. Richard and Patricia Progelhof Scholarship
(yy) Eric N. and Bonnie S. Prystowsky Trustee Scholarship in the Eberly College of Science
(zz) Quigley Family Endowed Fund for Sports Medicine
(aaa) Elizabeth Schiebel Ramsdass Trustee Scholarship in the College of the Liberal Arts
(bbb) James P. Rarick Renaissance Fund Scholarship
(ccc) Kimberly Anne and Julie Ann Reesele Memorial Scholarship
(ddd) Melvin D. Rex Endowed Athletic Scholarship
(eee) Andy Santacroce Horsham Community Alumni Scholarship
(fff) George and Terry Selembo Trustee Scholarship in the Schreyer Honors College
(ggg) Pauline Brader Shattuck Trustee Scholarship in the College of the Liberal Arts
(hhh) Steinman Foundations Trustee Scholarship in the College of Communications
(iii) Erland and Ellen Stevens Trustee Scholarship in the Eberly College of Science
(jjj) Mark and Lucy M. Stitzer Graduate Program Fund in American History
(kkk) Lowell T. and Lois B. Underhill Trustee Scholarship in the College of Agricultural Sciences
(l) WFWB Trustee Scholarship at Penn State Worthington Scranton
(mmm) Christopher C. Wheeler Trustee Scholarship in the College of Communications
(nnn) Helen Wright Trustee Scholarship
(ooo) The Zoffinger Family Trustee Scholarship at Penn State Harrisburg

8. Summary of major commitments accepted by the University during the period September 1, 2007 through October 31, 2007.

(a) Robert Adler
(b) Alfred P. Sloan Foundation
(c) American Cancer Society
(d) American Chemical Society
(e) American Heart Association
(f) Edward and Jeanne Arnold
(g) John and Barbara Ball
(h) Paul and Maryann Bell
(i) Broad Medical Research Program
(j) Paul and Eleanor Chadderton
(k) Eugene B. Chaiken
(l) Carolyn Coldren
(m) Corporation for Public Broadcasting
(n) John and Ann Curley
(o) Eugene and Frances Curry
(p) Peter and Angela Dal Pezzo
(q) Estate of William Diefenderfer
(r) Nancy Eaton
(s) Foundation for Enhancing Communities
(t) Frontier Science and Technology Research Foundation
(u) Lawrence Gent
(v) Anthony and Lisa Gerrato
(w) Ralph Gilbert
(x) Glenn Foundation for Medical Research
(y) Governor's Cup Charities
(z) John and Pamela Grieco
(aa) Kenneth Halt
(bb) Highmark Foundation
(cc) Lloyd and Dorothy Huck
(dd) John A. Hartford Foundation
(ee) Eric and Tara Keiter
(ff) Dallas and Diane Krapf
(gg) David and Anita Lipson
(hh) Randolph and Ellen Lytton
(ii) Patrick and Candace Malloy
(jj) Robert and Cathy McKeon
(kk) Daniel and Wendy Mead
(ll) Micros Systems, Incorporated
(mm) David and Melanie Miles
(nn) Elizabeth Mills
 OO Milton and Lois Morgan
(pp) Richard Nau
(qq) Barbara Palmer
(rr) Passan Foundation Incorporated
(ss) Estate of Herman Paul
(tt) Elizabeth Ramadass
(uu) RM Associates
(vv) Robert Wood Johnson Foundation
(ww) George and Priscilla Selembo
(xx) David and Barbara Shirley
(yy) Richard Simmons
.zz) Charles Snapp
The following reports were presented at the meeting:

9. John Nelson, of Moody's Public Finance Group, is Managing Director of Moody's Health Care, Higher Education, and Infrastructure rating teams. Mr. Nelson presented information on the changing economic and financial position of public universities; the implications of these changes for governance and management; top indicators of good management and governance and how governance and management affects a public university's credit position and access to capital markets. (A visual presentation was made.)

10. A photo report on the progress of selected construction projects was presented: the Business Classroom Building at Penn State Worthington Scranton; the Cancer Institute at The Milton S. Hershey Medical Center; the renovation of Trickett Hall and the new Lewis Katz Hall of the Dickinson School of Law; the Student Health Center and Lewis Katz Building of the Dickinson School of Law at University Park; and final report on the Abram Nesbitt III Academic Commons building at Penn State Wilkes Barre. (A visual presentation was made.)

Counsel Courtney reported that in regards to the Schengrund case, which is the salary discrimination case at the College of Medicine, the University's motion for partial dismissal remains pending. Just recently, the University also filed a motion for partial summary judgement based on the statutes of limitations applicable to plaintiffs' claims. Both motions remain pending before the court.

In the Centre County tax case, which involves the former Centre County Commissioner's allegation that Penn State has breached its obligations under the tax settlement agreement, by order issued on December 11, 2007, the Centre County Court of Common Pleas ruled in Penn State's favor on the motion to dismiss for failure to join indispensable parties. In this regard, the Court ruled that the Centre County Commissioners have sixty days in which to solicit and secure the agreement of the other parties to the tax settlement agreement to join the County in its litigation against the University. On February 5, 2008, the Court extended that deadline by 60 days.

The meeting adjourned at 4:05 p.m.