

**KENT STATE UNIVERSITY
BOARD OF TRUSTEES MEETING
September 12, 2012
Kent State University Regional Academic Center - Twinsburg**

Board Members Present

Stephen Colecchi
Margot James Copeland
Ralph Della Ratta
Dennis Eckart
Alex Evans
Emilio Ferrara
Chelsea Knowles
Richard Marsh
Lawrence Pollock
Michael Solomon
Jane Murphy Timken
Jacqueline Woods, Chair

KSU President's Cabinet

President Lester A. Lefton
Todd Diacon
Eugene Finn
Gregg Floyd
Iris Harvey
Greg Jarvie
Edward Mahon
Joel Nielsen
Charlene Reed, Board Secretary
Willis Walker

CALL TO ORDER AND ROLL CALL

Board Chair Jacqueline Woods called the meeting to order at 9:02 a.m. in the Executive Education Suite 132 of the Kent State University Regional Academic Center in Twinsburg. Trustee Dennis Eckart called the roll, and a quorum was present.

PROOF OF NOTICE

Chair Woods stated that public notification was given pursuant to state law and university policy.

EXECUTIVE SESSION

In accordance with Chapter 121.22, section G of the *Ohio Revised Code*, Chair Woods announced the Board had a need to meet in Executive Session for the purposes of: (i) considering the employment and compensation of a public employee or official [121.22(G) (1)]; (ii) considering the purchase of property for public purposes [121.22 (G) (2)]; (iii) conference with attorney for the public body concerning disputes involving the public body that are the subject of court action [121.22 (G)(3)]; and (iv) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment [121.22 (G)(4)]. Trustee Eckart moved, seconded by Trustee Jane Timken, that the Board retire into Executive Session.

By virtue of a unanimous roll call vote, the Board adjourned into Executive Session. The session concluded at 10:16 a.m. and Chair Woods declared the meeting in recess.

APPROVAL OF THE AGENDA

The Board reconvened for the business portion of the meeting at 1:40 p.m. in Classroom 113/115 of the Kent State University Regional Academic Center in Twinsburg. Chair Woods welcomed new Undergraduate Student Trustee Alex Evans to his first board meeting. She then asked if there were any changes to the agenda. Trustee Stephen Colecchi moved removal of agenda item 21, Consideration of Property Matters, explaining that there were none for the Board's consideration at this time. Trustee Timken seconded, and the motion was approved unanimously. Hearing no further corrections, the agenda was approved by general consent.

DISPOSITION OF MINUTES

Chair Woods then asked if there were any corrections to the minutes of the meetings of June 6, 2012 and August 8, 2012. Hearing no corrections the minutes were approved by general consent.

REPORT OF THE CHAIRPERSON

Chair Woods began her report by again welcoming two new trustees, Undergraduate Student Trustee Alex Evans and Trustee Ralph Della Ratta. Trustee Evans is a perfect example of Kent State's excellence in action as he is an Honor Student, a junior double major in biology/pre-med and business, and a very active student leader. She further commented on how delighted the Board is to work with Trustee Evans, and looks forward to hearing his unique perspectives.

She then commended Trustee Chelsea Knowles for her initiative, along with former Undergraduate Student Trustee Brady Ruffer, for reaching out to Kent State students through a brand-new Twitter account. Chair Woods called on Trustee Knowles to comment. Trustee Knowles explained that during her summer internship in the marketing department of the Ohio Board of Regents, she began to think of ways the student trustees could better communicate with the student body at Kent State. In doing so she discovered other Ohio university student trustees have utilized Twitter as a vehicle for engagement. Trustee Ruffer aided in the establishment of the account, and now Trustee Evans have been active with her in tweeting, she said. Chair Woods thanked Trustee Knowles for her comments and good work.

On behalf of the Board, Chair Woods commended President Lefton, Provost Diacon, the faculty, staff, and students for a successful start to the school year. It is wonderful to see that there continues to be a very positive energy and momentum about Kent State, she said. She remarked that the university has an excellent strategic plan and the Board is seeing outstanding results. Kent State faculty and staff welcomed the best freshman class in the university's history, academically, and more than 70% of freshman came to Kent State with a 3.0 GPA or higher, she said. Chair Woods further remarked that sophomore retention increased by 2% over last year. Clearly, adding to the excitement is the downtown project, which is literally revitalizing the

connection of campus and community, she stated. She emphasized the Board's delight in seeing the progress that is being made every day as trustees look forward to a series of grand openings this year. Chair Woods stated that later in the meeting the Board will formally approve four major academic building projects that literally will transform the learning experience for thousands of Kent State students, both current and future.

Chair Woods then turned her attention to the newly dedicated Twinsburg Regional Academic Center, remarking how delighted the Board was to meet there and celebrate this wonderful new facility. On behalf of the Board, she congratulated Dean David Mohan, Assistant Dean John Granny, the faculty, staff, students, and external partners who made the new facility a reality. Kent State is excited to expand and enhance the longstanding partnership with the Twinsburg community through this new, state-of-the-art facility, she said. The Twinsburg Regional Academic Center will be able to offer a fuller range of educational options, from continuing professional development through graduate degrees that meet local needs, are easily accessible, and many at the affordable cost of regional campus programs. Chair Woods commented that during lunch, the Board had the opportunity to meet and thank the partners in this public-private collaboration, including the City of Twinsburg, the Development Finance Authority of Summit County, and Fairmount Properties.

She then thanked trustees Colecchi, Eckart, Ferrara, Marsh, Knowles and Evans for attending the concert and reception celebrating the successful conclusion of the Centennial Campaign. Thanks to all who contributed to the campaign, the university raised \$265 million, the most in its history to date, she said. Chair Woods remarked that given private support is absolutely critical to the university's future, there is no rest for the weary. Work is already underway to increase Kent State's fundraising to support our students, faculty, programs and facilities. This fundraising is essential to the achievement of the university's excellence agenda, she said. She then congratulated President Lefton, Vice President Gene Finn, deans, and all faculty, staff and students for the success to date and wished everyone well in maintaining and building upon the momentum that has been achieved.

Chair Woods then asked President Lefton to give his report.

REPORT OF THE PRESIDENT

President Lefton began his report by stating that he had nothing but good news to report to the Board. He first made reference to the Twinsburg Regional Academic Center as a fabulous new addition to the university, encouraging the trustees to fully explore the facility while they are onsite.

Outlining recent achievements, President Lefton noted the university community recently celebrated the conferral of 1,590 degrees at the August 11, 2012 summer commencement ceremonies. He highlighted the commencement address of Kent State's own Herb Page, and remarked on the joy of the graduates and their families. He then congratulated Vice President

Greg Jarvie and others for the successful opening of school, commenting on Welcome Weekend activities and their positive impact on students and families.

Turning his attention to enrollment, President Lefton discussed the Fall 2012 enrollment data emphasizing the increase in quality of the freshman class. Kent State University saw its highest-ever enrollment at 42,513, and 0.8% increase over the previous fall. International student enrollment increased by 19.1% to 2,217, he said. President Lefton also reported that Kent Campus retention was up 1.7% to 77.1%, and with the increases in quality of incoming students, that number should only increase over time. He further discussed the increasing quality of the freshman class remarking on the data, which among other things, shows an average grade point average (GPA) of 3.27, with more than 70% of all incoming freshman having at least a 3.0 or higher.

President Lefton remarked that campuses are looking wonderful and students are happy as Kent State football begins the season with a win. The home opener for the 2012 football season included a celebration of the town-gown partnerships that have transformed the university and Kent, Ohio. Continuing his discussion of athletics, President Lefton commended the 2012 Men's Golf team for its fifth place finish in the nation, and remarked on the recent event that honored the team.

He then commented on the recent Ohio Third Frontier Grant that saw Kent State receiving \$3 million for new concept devices based on polymer-liquid crystal technology. President Lefton then announced Jose Feliciano, a Cleveland civic and business leader, as the new President's Ambassador for the coming year. He commended Vice President Finn, staff and students for the successful concert held to celebrate the closing of the Centennial Campaign. President Lefton commented that it was a terrific show, with an enthusiastic crowd and great music.

President Lefton congratulated Dean David Mohan and his staff, and all the partners involved in turning the Twinsburg Regional Academic Center from vision to reality. He again encouraged the Board to take a tour of the facility after the meeting, to fully experience the state-of-the-art facility. He then commented on the "First Look" exposition that recently took place on the Kent Campus to engage the university community in the Foundations of Excellence program. Some 1,300 people came through the exposition, taking a look at the progress that has been made across the system and future progress to come. All total, the investments made by the university, the university foundation, and through public-private partnerships have been the fulcrum resulting in more than \$700 million of investment across northeast Ohio. He then showed two videos to the Board, one highlighting the recent and current investments being made into the Kent Campus and another detailing the downtown development projects.

At the end of the day, it is about creating the best environment possible for Kent State students, he said, an environment that matches their aspirations and the aspirations of their parents and families. Collectively, the university and Kent community has stepped up like no other community in northeast Ohio to invest in such an environment, he remarked. President Lefton noted that in the worst economic recession since the Great Depression, these developments have

created thousands of jobs and economic vitality in a time of peril. He saluted the Board members for all they have done to contribute to this success.

PERSONNEL ACTIONS

Chair Woods asked President Lefton to present the personnel actions. President Lefton called on Provost Diacon to present the academic personnel actions and Vice President Willis Walker to present the non-academic personnel actions.

ACADEMIC PERSONNEL

Provost Diacon highlighted the appointments of Marcello Fantoni as Associate Provost for Global Education and Simon Song as dean of Applied Engineering, Sustainability and Technology. The remaining academic actions were routine in nature, he said.

NON-ACADEMIC PERSONNEL

Vice President Walker noted that the non-academic actions were routine.

ACTION: There were no objections to placing the personnel actions on the consent agenda.

EXTERNAL RELATIONS AND DEVELOPMENT COMMITTEE

Trustee Larry Pollock began his report noting that the External Relations and Development Committee met this morning to consider three management decision items, and to receive two reports on various topics.

REVISION OF UNIVERSITY POLICY 3342-5-13 REGARDING NAMING FACILITIES AND ENDOWMENTS

Vice President Gene Finn presented a resolution revising University Policy 3342-5-13 regarding the naming of facilities and endowments, he said. Trustee Pollock remarked that the Division of Institutional Advancement conducted a thorough analysis of national best practices in order to ensure the university's policy is current and meets its needs going forward. A review such as this is customary after completion of a major campaign, he stated. He further stated that the proposed revisions are in keeping with suggestions made by trustees at the June 2012 committee meeting discussion, including clarification of procedures as well as the role of the External Relations and Development Committee.

Resolution 2012-49

**REVISION OF UNIVERSITY POLICY 3342-5-13
REGARDING NAMING FACILITIES AND ENDOWMENTS**

WHEREAS, the Constitution of Kent State University requires the university to maintain a register of policies and procedures (University Policy Register); and

WHEREAS, it is customary to review all fundraising policies and procedures at the conclusion of a comprehensive campaign to ensure that all policies are relevant moving forward; and

WHEREAS, with the Centennial Campaign having concluded and a major facilities improvement initiative currently underway, Kent State University anticipates many opportunities to honor donors for major gifts; and

WHEREAS, the aforementioned policy review has been completed and the input of trustees actively sought and received through the Board's External Relations and Development Committee; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees approves the attached revisions to University Policy 3342-5-13 Regarding Naming Facilities and Endowments.

NAMING OF THE JAMES HARRISON STRENGTH AND CONDITIONING CENTER

Trustee Pollock then presented a resolution naming the Strength and Conditioning Center in the Kent State University Field House for NFL Pro Bowl linebacker, and former Kent State football player, James Harrison. Mr. Harrison was a member of the Kent State football team from 1999-2002, and since then has distinguished himself in the NFL playing for the Pittsburgh Steelers. He further stated the proposal is consistent with university policy, and the Committee recommends that it be placed on the consent agenda.

Resolution 2012-50

**NAMING OF THE JAMES HARRISON
STRENGTH AND CONDITIONING CENTER**

WHEREAS, James Harrison, a standout football player at Kent State and the National Football League's Pittsburgh Steelers, has committed \$100,000 to the university's football enhancement fund; and

WHEREAS, Mr. Harrison is noted as one of the best linebackers in NFL history, a four-time Pro Bowl selection and two-time Super Bowl champion, which are among the career highlights that earned for him induction into the Kent State Varsity "K" Hall of Fame in 2010; and

WHEREAS, consistent with Mr. Harrison's desire to assist new generations of Kent State student-athletes, the university and the Department of Intercollegiate Athletics, would like to recognize him through the naming of an athletics facility that positively impacts student-athlete welfare, strength and conditioning; and

WHEREAS the Strength and Conditioning Center in the Field House provides student-athletes in all sports with the appropriate strength training facilities and services to assist them in developing to their fullest potential and to meet the demands of their various athletic pursuits; now, therefore,

BE IT RESOLVED, that the Board of Trustees on behalf of the Department of Intercollegiate Athletics, and the many current and future student-athletes who benefit from this valuable resource, expresses sincere appreciation to James Harrison.

BE IT FURTHER RESOLVED, that the Kent State University Board of Trustees, in accordance with University naming policy, hereby names the Kent State Field House weight room as the James Harrison Strength and Conditioning Center.

*NAMING OF THE GERALD L. SCHWEIGERT OFFICE OF THE MUSEUM
DIRECTOR*

Trustee Pollock then presented a second resolution naming the Office of the Museum Director at Kent State University's Fashion Museum for alumnus and donor, Gerald Schweigert. Mr. Schweigert recently made the largest donation in the museum's history, and has been instrumental in connecting famed fashion designers to the institution, he said. Trustee Pollock further stated that Mr. Schweigert is a former member of the Fashion School's Advisory Board, and has also endowed a scholarship in Fashion Design and Merchandising. The proposal is consistent with university policy, and the Committee recommends that it be placed on the consent agenda, he said.

Resolution 2012-51

**NAMING OF THE GERALD L. SCHWEIGERT
OFFICE OF THE MUSEUM DIRECTOR**

WHEREAS, Gerald L. Schweigert has provided total contributions of \$1,000,000 in the form of irrevocable charity gift annuities, the proceeds of which will create an unrestricted endowment for the Kent State University Museum; and

WHEREAS, the Office of the Museum Director is a significant semi-public space within the Kent State University Museum and a popular location for university social events; and

WHEREAS, the gift level is consistent with the university's guidelines for the naming of the Office of the Museum Director and the donors wishes; now, therefore

BE IT RESOLVED, that the Board of Trustees, on behalf of the Kent State University Museum, expresses sincere appreciation to Gerald L. Schweigert for his generosity and years of dedicated service to Kent State University and to the Kent State University Museum; and

BE IT FURTHER RESOLVED, that the Kent State University Board of Trustees, in accordance with University policy, hereby names the Office of the Museum Director in Rockwell Hall the Gerald L. Schweigert Office of the Museum Director.

Trustee Pollock reported that the Committee received a fundraising update, and he is happy to report that the Centennial Campaign came to a close July 1, 2012 – raising a total of \$265 million. On behalf of the Committee, Trustee Pollock extended sincere congratulations to President Lefton, Vice President Finn, and all the staff who worked tirelessly to make this campaign an overwhelming success. The university is now entering a new phase of fundraising, with the FY 2013 goal set at \$37 million.

Finally, the Committee also received a preview of the 2012-2013 branding and advertising campaign, including four television ads that will begin running soon, he said. As part of the presentation, Vice President Iris Harvey summarized the goals of the current campaign, positive results the university has achieved previously, and contrasted the media habits and preferences of current youth with their parents. Trustee Pollock reported that the data clearly shows how important online and mobile content are in reaching today's student.

With that, Trustee Pollock concluded his report.

Chair Woods commented that trustees began to look at the university naming policy at the June 6, 2012 meeting, and thanked Vice President Finn and others for their work in bringing the review to a successful completion.

ACTION: There were no objections to placing the management decision items on the consent agenda.

Chair Woods then called on Trustee Dennis Eckart to give the report of the Academic Excellence and Student Success Committee.

ACADEMIC EXCELLENCE AND STUDENT SUCCESS COMMITTEE

Committee Chair Eckart stated that the Academic Excellence and Student Success Committee considered two management decision items, six information items, and received two reports on various topics. The recommendations were reviewed and approved through the appropriate faculty and college committees, the Educational

Policies Council and Faculty Senate, and carried the endorsement of the Provost and the President.

CONFERRAL OF DEGREES – SPRING 2012

Trustee Eckart stated the Committee recommends approval of a resolution conferring 3,886 degrees from the Spring 2012 commencement ceremonies.

Resolution 2012-52

CONFERRAL OF DEGREES

May 5, 2012

WHEREAS, Section 3341.05 of The Revised Code of Ohio provides that "...On the recommendation of the (KSU) faculty, the (KSU) Board of Trustees may confer such honorary and academic degrees as are customarily conferred by colleges and universities in the United States..."; and

WHEREAS, the Faculties, Deans and Directors of Kent State University's Colleges and Schools recommend that appropriate degrees be conferred on those Kent State students who completed – during the period December 18, 2011, to May 5, 2012 – the various requirements of the respective programs of study they pursued; and

WHEREAS, the University has recognized completion of said programs of study by awarding diplomas as appropriate at a suitable time, during the period cited, upon such persons listed in the accompanying Summary of Candidates for Degrees; now, therefore,

BE IT RESOLVED that the Kent State University Board of Trustees hereby confirms the conferral of their respective degrees upon those persons who have been officially recorded by the Kent State University Registrar as having completed the requirements during said period December 18, 2011, to May 5, 2012.

*REVISION OF UNIVERSITY POLICY 3342-4-02 REGARDING ADMINISTRATION
OF STUDENT CONDUCT*

The committee recommended approval of a resolution revising University Policy 3342-4-02 Regarding the Administration of Student Conduct, he said. Trustee Eckart remarked the revisions will update terminology, provide consistent application, and reflect national best practices.

Resolution 2012-53

**REVISION OF UNIVERSITY POLICY 3342-4-02
REGARDING ADMINISTRATION OF STUDENT CONDUCT**

WHEREAS, the Constitution of Kent State University requires the university to maintain a register of policies and procedures (University Policy Register); and

WHEREAS, the Division of Enrollment Management and Student Affairs and the Office of University Counsel have reviewed the University Policy 3342-4-02 Regarding Administration of Student Conduct; and

WHEREAS, the proposed policy was revised to update terminology, provide for consistent application, and reflect national best practices; now, therefore,

BE IT RESOLVED that the Kent State University Board of Trustees hereby approves the adoption of revisions to University Policy 3342-4-02 Regarding Administration of Student Conduct, effective August 20, 2012.

Trustee Eckart commented on the enrollment report given to the Committee by Vice President Greg Jarvie stating that in every context and every metric, the university has exceeded projections. To students and parents, Kent State University is promises made and promises fulfilled, he said. Trustee Eckart applauded President Lefton, noting his original request for additional resources to create an infrastructure to increase enrollment has proven successful. On behalf of the Committee, he thanked Vice President Jarvie and his team for their great work.

The Committee also received a report on the progression of student success on the regional campuses. Trustee Eckart noted the fact that Kent State University is second in total enrollment in the state, due in large part to the regional diversity within the institution. It creates a continuum of education across northeast Ohio. He remarked that success of the regional campuses is still subject to improvement, but its current successes are a testament to their brand within the communities they serve.

Additionally, Trustee Eckart noted the Committee applauded President Lefton for his letter to the academic units of the university, stating it is exactly the type of conversation a first-class university should be having with itself.

With that, Trustee Eckart concluded his report.

ACTION: There were no objections to placing the management decision items on the consent agenda.

Chair Woods then called on Trustee Stephen Colecchi to give the Audit Committee and Finance and Administration Committee reports, noting the removal of item 21 from the agenda.

AUDIT COMMITTEE

Trustee Colecchi stated that the Audit Committee met this morning to discuss the activities performed by the Office of Internal Audit for FY 2012. He reported that the office spent approximately 5,400 hours last year providing independent appraisals of the financial and operational controls of the university.

With that, Trustee Colecchi concluded his report of the Audit Committee.

FINANCE AND ADMINISTRATION COMMITTEE

Trustee Colecchi noted that the Finance and Administration Committee considered six management decision items in addition to routine information items that are prepared by the administration for each meeting of the Board of Trustees. The information items were routine in nature, he reported.

FOUNDATIONS OF EXCELLENCE, BUILDING THE FUTURE PROJECT PRIORITIZATION

Trustee Colecchi stated that the university leadership team has developed a comprehensive plan to address a significant portion of deferred maintenance and refurbishments needed to provide structurally sound, state-of-the-art buildings and facilities to support the academic excellence of the university. He presented a resolution describing four major projects within the Foundations of Excellence, Building the Future initiative and recommended Board approval to proceed with these projects in accordance with applicable university policies.

Resolution 2012-54

FOUNDATIONS OF EXCELLENCE, BUILDING THE FUTURE PROJECT PRIORITIZATION

WHEREAS, the Kent State University Board of Trustees and university leadership team have worked vigilantly to identify and measure the deferred maintenance and refurbishments needed to provide structurally sound, state-of-the-art buildings and facilities for the academic mission and other university activities; and

WHEREAS, a comprehensive plan entitled Foundations of Excellence, Building the Future, has been developed to address a significant portion of needed facilities reinvestments, including four recommended projects listed below; and

<u>Building/Project</u>	<u>Target Funding</u>	<u>Funding Limit</u>
Science Facilities Renovation and Expansion	\$72 million*	\$80 million*
Architecture and Environmental Design Building	\$37 million	\$40 million
The Art Programs	\$22 million	\$25 million
Applied Engineering, Sustainability, Technology	\$15 million	\$15 million

**Funding source to include \$16 million capital funding*

WHEREAS, Board approval will allow these projects to proceed to design and development in consultation with faculty, staff, students and other stakeholders; and

WHEREAS, work will continue on other planned academic building improvements, campus accessibility, asset preservation, and energy conservation projects, which will be submitted for Board approval as required by university policy in the coming months, and progress reports will be provided to the Board and the community on a regular basis; and

WHEREAS, it is the commitment of the Board and administration that prudent project management and private fundraising will be undertaken to permit the initiative's scope to address remaining reinvestment needs to the fullest extent possible; now, therefore,

BE IT RESOLVED, that the Board of Trustees of Kent State University approves the four above-recommended projects with associated maximum funding limits.

BE IT FURTHER RESOLVED, that the Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with these projects in accordance with applicable university policies.

AMENDMENTS TO PAY STRUCTURES FOR UNIVERSITY STAFF

He then presented two resolutions seeking approval to provide compensation adjustments to the various non-faculty/non-unionized employees of the university. The recommended changes in pay structures are reasonable and necessary to allow the university to continue to progressively build the compensation structure, he said. The effective date of the proposed adjustments is September 1, 2012.

Resolution 2012-55

**AMENDMENT OF PAY STRUCTURE
FOR UNREPRESENTED CLASSIFIED CIVIL SERVICE STAFF
AND UNCLASSIFIED HOURLY STAFF**

WHEREAS, Section 3345.31 of the Ohio Revised Code authorizes the Board of Trustees of Kent State University to establish compensation plans, including pay structures for all employees not represented in a bargaining unit, and to establish rules or policies for the administration of the compensation plans; and

WHEREAS, the Board of Trustees authorized a compensation plan for classified civil service staff, who are not in a recognized bargaining unit, effective June 30, 1991; and

WHEREAS, the pay structure associated with the plan is reviewed and amended periodically to reflect changes in economic and market conditions; and

WHEREAS, the attached pay structure has been recommended by the Vice President for Human Resources and approved by the President as follows: a 1.5% adjustment to the attached Pay Structures for Unrepresented Classified Civil Service Staff and Unclassified Hourly Staff, effective with the pay period inclusive of September 1, 2012, and the Classified Unrepresented Civil Service Pay Structure Addendum Market Adjusted Hiring Rates, effective the same date; and

WHEREAS, Administrative Policy 3342-6-07.1 Regarding the Compensation Plan for Classified Civil Service Staff who are not in a recognized bargaining unit requires that the Board of Trustees of Kent State University authorize this amendment to the pay structure for Unrepresented Classified Civil Service Staff, on behalf of the university; and

WHEREAS, Administrative Policy 3342-6-07.5 Regarding Unclassified Hourly Employees requires unclassified hourly employees be paid in accordance with the same administrative policies as classified employees; now therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby approves the amendment of pay structure for unrepresented classified civil service staff and unclassified hourly staff.

Resolution 2012-56

**AMENDMENT OF SALARY STRUCTURES
FOR UNCLASSIFIED ADMINISTRATIVE AND PROFESSIONAL EXEMPT STAFF
AND UNCLASSIFIED NONEXEMPT STAFF NOT
REPRESENTED IN A BARGAINING UNIT**

WHEREAS, Section 3345.31 of the Ohio Revised Code authorizes the Board of Trustees of Kent State University to establish compensation plans, including pay structures for all employees not represented in a bargaining unit, and to establish rules or policies for the administration of the compensation plans; and

WHEREAS, the Board of Trustees authorized the establishment of an administrative and professional pay structure for unclassified exempt administrative and professional staff with continuing appointments, effective August 1, 1999; and

WHEREAS, the pay structures associated with the plan are reviewed and amended periodically to reflect changes in economic and market conditions; and

WHEREAS, the attached pay structures have been recommended by the Vice President for Human Resources and approved by the President as follows: a 1.5% adjustment to the 12-Month Salary Structure for Unclassified Administrative and Professional Exempt Staff, to the Salary Structure for Unclassified Nonexempt Staff, and to the structure for Intercollegiate Athletics (Band A - Athletics Professional Support) and (Band B – Athletics Leadership). This adjustment will be effective September 1, 2012 for Unclassified Administrative and Professional Exempt Staff and for Intercollegiate Athletics. The structure adjustment for Unclassified Nonexempt Staff will be effective August 26, 2012 (the last payroll date in August that includes September 1, 2012); now therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby approves the amendment of salary structures for unclassified administrative and professional exempt staff and unclassified nonexempt staff not represented in a bargaining unit effective on the dates outlined above.

AUTHORITY TO ENTER INTO MUTUAL AID AGREEMENT WITH CITY OF KENT

He then presented materials seeking approval for the university to enter into an amended mutual aid agreement with the City of Kent. In conjunction with the University Esplanade, properties have been acquired in the transition zone between the west edge of campus and the City of Kent. Historically, this area was under the exclusive protection of the City of Kent police department, he said. However, given the new significant presence of the university in this area, it is the

collective opinion of both city and university leadership teams that a shared primary responsibility model is the most effective method of providing police services in this region. Trustee Colecchi noted that all other provisions of the mutual aid agreement remain unchanged from the model previously approved by the Board.

Resolution 2012-57

**AUTHORITY TO ENTER INTO AMENDED MUTUAL AID
AGREEMENT WITH THE CITY OF KENT**

WHEREAS, the Ohio Revised Code Section 3345.041 authorizes state university law enforcement officers to perform any police function, exercise any police power, or render any police service on behalf of a contracting political subdivision, or state university or college, that it may perform, exercise, or render; and

WHEREAS, the Board of Trustees of a university may enter into an agreement with one or more townships, municipal corporations, counties, park districts created under section 1545.04 of the Revised Code, township park districts created under section 511.18 of the Revised Code, or other state universities or colleges; and

WHEREAS, the City of Kent and Kent State University desire to provide for an amendment of the current mutual assistance agreement and interchange and use of their police personnel and equipment in situations where one department needs and requests the assistance of the other to include joint police patrol authority between the two entities; and

WHEREAS, the law enforcement officers of the university shall have full authority to enforce both state laws and municipal ordinances while outside the jurisdiction of the university and in the jurisdiction of the city subject to conditions provided for in the agreement; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to execute on its behalf this amended mutual assistance agreement with the City of Kent as presented to the university, recommended by the Kent State University Director of Public Safety, and approved by the President.

*APPROVAL OF FINANCING FOR ENERGY CONSERVATION PROJECTS ON
THE KENT CAMPUS*

At the June 6, 2012 meeting, trustees approved an energy conservation project to make improvements to Kent Campus classrooms, select laboratory and auxiliary buildings, and utility assets, he said. Trustee Colecchi remarked that these projects are required in order to comply with House Bill 251's 20% energy reduction targets for FY 2014. He then presented a resolution seeking approval to finance the first phase of the project, using Air Quality Development Revenue Bonds of the Ohio Air Quality Development Authority.

Resolution 2012-58

**APPROVAL OF FINANCING FOR ENERGY CONSERVATION
PROJECT FOR KENT CAMPUS CLASSROOM, SELECT LABORATORY
AND AUXILIARY BUILDINGS AND UTILITY ASSETS**

WHEREAS, this Board previously authorized the Senior Vice President for Finance and Administration to proceed with the implementation of various energy conservation measures for the Kent Campus Classroom, Select Laboratory, Auxiliary Buildings and Utility Assets (the "**Project**"), to be carried out in accordance with University Policy 3342-7-04 and the University's Energy Conservation Master Plan, containing the 20% reduction goal set forth in House Bill 251 to reduce energy consumption and greenhouse gas emission by FY 2014, which Project was estimated to cost between \$35 million and \$50 million; and

WHEREAS, the Senior Vice President for Finance and Administration has determined to finance and implement a portion of the Project in a first phase (the "**Phase I Project**"); and

WHEREAS, the Senior Vice President for Finance and Administration is requesting the Ohio Air Quality Development Authority (the "**Authority**") to issue its bonds to finance the costs of the Phase I Project, and the Authority has determined to issue and sell one or more series of air quality development revenue bonds of the State of Ohio in the aggregate principal amount not to exceed Twenty Five Million (\$25,000,000) to be dated their delivery date, such date to be the same date as a Loan Agreement to be entered into between the University and the Authority (the "**Agreement**"), and such bonds to be known as the "State of Ohio Air Quality Development Tax Exempt Revenue Bond (Kent State University, Kent Campus Classroom, Select Laboratory, Auxiliary Buildings and Utility Assets Energy Efficiency and Conservation Project), 2012 Series A" (the "**Tax Exempt Bond**"), and "State of Ohio Air Quality Development Tax Credit Revenue Bond (Kent State University, Kent Campus Classroom, Select Laboratory, Auxiliary Buildings and Utility Assets Energy Efficiency and Conservation Project) 2012 Series B (Qualified Energy Conservation Bond-Direct Payment)" (the "**Tax Credit Bond**" and together with the Tax Exempt Bond, the "**Bonds**"); and

WHEREAS, pending approval of the project by the Authority, the Authority will sell and award the Bonds to one or more purchasers (the “**Purchaser**”) in accordance with the terms of the Agreement; now, therefore,

BE IT RESOLVED BY THE KENT STATE UNIVERSITY BOARD OF TRUSTEES, as follows:

Section 1. Authority to Select Purchaser. The President, Senior Vice President for Finance and Administration, the Chair of the Board, or the Vice Chair of the Board (the “**Authorized Officers**”), are each, acting alone, hereby authorized to select a purchaser of the Bonds (the “**Purchaser**”), based on competitive bids submitted by various vendors to the Senior Vice President for Finance and Administration and based on the advice of the University’s financial advisor that such bid is in the best interest of the University. Such selection shall be set forth in a certificate of award (the “**Certificate of Award**”) executed by an Authorized Officer.

Section 2. Loan Agreement and Promissory Notes. Each Authorized Officer, acting alone, is hereby authorized to negotiate, execute, approve and certify, as appropriate, and deliver on behalf of the University, the Agreement and counterparts thereof and the Promissory Notes, in such forms approved by such officer and not inconsistent with this Resolution, which approval shall be evidenced conclusively by execution thereof.

Section 3. Security. The Bonds will be secured by (i) the Agreement as assigned to the Purchaser, which includes the Authority’s obligation to pay principal and interest on the Bonds, and (ii) the University’s obligation to make loan payments, as evidenced by the Promissory Notes. The University will make loan payments from its Available Receipts (as hereinafter defined). The University’s obligation to make loan payments will not be secured by a pledge of the University’s “**General Receipts**”, as defined in the Trust Agreement dated as of November 1, 1971, as amended and supplemented, between the University and The Huntington National Bank, Columbus, Ohio, as Trustee. “**Available Receipts**” are defined in Section 3345.12 of the Ohio Revised Code, and means all moneys received by the institution of higher education, including income, revenues, and receipts from the operation, ownership, or control of facilities, grants, gifts, donations, and pledges and receipts therefrom, receipts from fees and charges, and the proceeds of the sale of obligations, including proceeds of obligations issued to refund obligations issued, but excluding any special fee, and receipts therefrom, charged pursuant to division (D) of section 154.21 of the Revised Code.

Section 4. General Terms and Provisions Applicable to the Promissory Notes.

(a) **Principal and Interest.** The Promissory Notes will be in the amounts set forth for the corresponding series of bonds in the Certificate of Award, not to exceed \$25,000,000 in the aggregate. The Promissory Notes shall bear interest from their respective dates payable on the dates set forth for the corresponding series of bonds in the Certificate of Award at the respective rates per year to be determined by the Senior Vice President of Finance and Administration, such that the interest payments, when combined with the principal payments, shall equal the debt service due on the applicable Bonds, provided that, in any event the interest rate on each Promissory Note shall not exceed seven percent (7%) per annum.

(b) **Maturities.** The Promissory Notes shall mature on the dates and in the amounts as the Senior Vice President of Finance and Administration determines, provides and states in the Certificate of Award, provided that each Promissory Note shall have a maximum maturity of no greater than sixteen (16) years.

Section 5. Other Documents. Each Authorized Officer is authorized to furnish, sign and deliver such other documents, certificates and instruments as may be necessary or appropriate to consummate the transactions contemplated in this Resolution and the Agreement, each as applicable to the related Promissory Notes.

Section 6. Open Meeting. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

*RENOVATION OF THE TRUMBULL CAMPUS MAIN CLASSROOM BUILDING
LECTURE HALL*

Finally, Trustee Colecchi presented a resolution seeking approval to renovate the main classroom building lecture hall at the Trumbull Campus. The proposed renovation will extend the space in length and width, as well as expand seating to approximately 300, he said.

Resolution 2012-59

**RENOVATION OF THE TRUMBULL CAMPUS
MAIN CLASSROOM BUILDING LECTURE HALL**

WHEREAS, the demand for a large assembly/classroom on the Kent State University at Trumbull Campus is increasing; and

WHEREAS, the existing Lecture Hall cannot meet current building standards without significant renovation; and

WHEREAS, the proposed renovation will extend the space in length and width as well as expand the seating to approximately 300; and

WHEREAS, this project will include audio and visual systems enhancements, an instructor's lectern and teaching system control center; and

WHEREAS, the design, bidding, and construction of this project will follow all state laws and regulations; and

WHEREAS, project funding in the amount of \$3.7 million is available from the Trumbull Campus fund balance; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with this project in accordance with University Policy 3342-7-04.

With that, Trustee Colecchi concluded his report of the Finance and Administration Committee.

ACTION: There were no objections to placing the management decision items on the consent agenda.

ACTION: Trustee Pollock moved, seconded by Trustee Marsh, that the consent agenda be approved. There were no objections. The motion passed.

NEW BUSINESS

Chair Woods then asked Trustee Pollock to give the report of the Nominating Committee.

ELECTION OF OFFICERS

Trustee Pollock reported that the Committee met, and presented the following slate of the officers:

Trustee Jane Murphy Timken, Chair
Trustee Dennis Eckart, Vice Chair
Trustee Stephen Colecchi, Secretary

ACTION: Trustee Pollock moved, seconded by Trustee Ferrara, that the slate of officers be approved. There were no objections. The motion passed.

ADJOURNMENT

Chair Woods announced that the next regular business meeting of the Board of Trustees would occur December 12, 2012, at the Kent Campus in Kent, Ohio. On motion duly made and approved, the meeting was adjourned at 2:24 p.m.