

**KENT STATE UNIVERSITY  
BOARD OF TRUSTEES MEETING  
September 16, 2009  
Urban Conference Room**

**Board Members Present**

Andrew Banks  
Stephen Colecchi  
Dennis Eckart  
Patrick Mullin, Chair  
Katherine O'Brien  
Lawrence Pollock  
Jane Murphy Timken  
Brian Tucker  
Jacqueline Woods  
Erin West

**KSU President's Cabinet Present**

Lester A. Lefton, President  
Eugene Finn  
Gregg Floyd  
Robert Frank  
Iris Harvey  
Greg Jarvie  
Edward Mahon  
Charlene Reed, Board Secretary  
Willis Walker  
John West

**CALL TO ORDER AND ROLL CALL**

Board Chair Patrick Mullin called the meeting to order at 11:00 a.m. Secretary Jacqueline Woods called the roll, and a quorum was present.

**EXECUTIVE SESSION**

Chairperson Mullin announced the Board had a need to meet in Executive Session for the purposes of discussing personnel matters and real estate matters involving the university, in accordance with Chapter 121.22, Section G of the *Ohio Revised Code*. Trustee Timken moved, seconded by Trustee Eckart, that the Board retire into Executive Session. By virtue of a unanimous roll call vote, the Board adjourned into Executive Session. At 12:05 p.m., the executive session concluded and Chair Mullin declared the meeting in recess for lunch. The Board of Trustees reconvened at 2:30 p.m. for its public business meeting.

**PROOF OF NOTICE**

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

**APPROVAL OF THE AGENDA**

Hearing no changes, the agenda was approved by general consent.

**REPORT OF THE CHAIRPERSON**

Chair Mullin welcomed Katherine O'Brien, who attended her first meeting as the board's new graduate student trustee. She is a doctoral student in curriculum and instruction, and a resident

of the Canton area. On behalf of the Board, he also expressed best wishes to Trustee Emilio Ferrara, who is recuperating in MetroHealth Hospital at this time. Trustees' thoughts are with Dr. Ferrara and his family, said Chair Mullin, and the Board looks forward to his speedy return to good health.

Chair Mullin thanked trustees who accepted leadership roles this year and announced his 2009-2010 appointments for the record: Trustee Dennis Eckart, Chair, Academic Excellence and Student Success Committee; Trustee Andrew Banks, Chair, Audit Committee and Finance and Administration Committee; Trustee Brian Tucker, Chair, External Relations and Development Committee; and Trustee Jacqueline Woods, Board representative to the Kent State University Foundation Board. He also thanked Trustee Woods for serving as the Board's representative the following day at the Chancellor's Statewide Trustees Conference in Newark.

On behalf of the Board, Chair Mullin commended President Lefton, the faculty, staff, and students for a record-setting start to the school year—Kent State's Centennial year. The record enrollments, he observed, are evidence that the university's Excellence Agenda is working. Kent State is making great progress in attracting and graduating students who will set the mark for the university's second century. He said there definitely is excitement in the air across the university's eight campuses. As an alumnus, he is very pleased with the way in which the university is marking this milestone, and he is proud to be a Golden Flash.

He remarked that two of the issues that are always on the minds of trustees are college access and affordability. He applauded President Lefton for delivering a superb presentation Sept. 4 to the Cleveland City Club. In his speech, which was distributed to trustees, Dr. Lefton sought to dispel some of the myths and misconceptions that often keep people, and especially Ohioans, from pursuing their college degrees. He thanked trustees Colecchi and Woods for attending the luncheon.

Chair Mullin also thanked members of the President's Cabinet for donating their raises to the university's Last-Dollar Scholarship Fund. He noted that deans—moved by the Cabinet's action and the needs of students—have also agreed to give to this fund, and many faculty and staff also have responded.

On Sept. 24, President Lefton will deliver his annual State of the University address at 4 p.m. President Lefton will discuss key progress and priorities for the year, and Chair Mullin encouraged trustees to attend if they could.

Under new business, the Board will bring forward two recommendations that resulted from the Committee of the Whole session earlier in the afternoon. Chair Mullin commented that as a trustee and also as a student who was here on May 4, 1970, he was delighted to see the development of a first-rate visitors center to tell the story of those events, the context of the times, and the meaning of May 4, 1970 for our democratic society. The university has engaged Gallagher and Associates, a DC-based firm with extensive experience in this arena, to help develop the center concept. Today trustees met Gallagher project director Cybelle Jones and

heard more about the developing concepts. The project has been very collaborative, involving campus and community volunteers in the design process, he said.

Chair Mullin also thanked four faculty members, who spent the past three years studying the history of May 4, 1970 and documenting it in the form of a very thorough application for the site to be recognized on the National Register of Historic Places. He noted for the record the Board's appreciation to Dr. Mark Seeman, Dr. Carol Barbato, Dr. Laura Davis, and Dr. Jerry Lewis for their dedicated work.

He also thanked the university leadership, deans and faculty members who have been working to flesh out Kent State's response to Chancellor Fingerhut's request for identification of university centers of excellence. This was the second topic covered by the Committee of the Whole. In the strategic plan for the University System of Ohio, each university was asked to identify distinctive academic and research strengths, which have the potential to be world class and to contribute to Ohio's economic future. The Chancellor has described this process as an iterative one, and so the list the board is approving today will continue to evolve, as university leaders and faculty work through the academic planning process and the state continues to refine its programs, he said.

Finally, Chair Mullin thanked the 17 student leaders who joined members of the Board and the President's Cabinet for lunch. The students hailed from a wide variety of organizations and colleges, he said, adding that this year, the Board is focusing especially on students and will have opportunities to meet students throughout the year.

## **REPORT OF THE PRESIDENT**

Trustee Mullin then asked President Lefton to give his report. Dr. Lefton announced that Kent State shattered records this fall in regard to enrollment, retention, fundraising, and research. A new high of 38,457 students are enrolled across the eight Kent State campuses, up 11.76 percent from a year ago. Enrollment is up more than 8.8 percent at the Kent Campus to a new high of 24,569 and up 14.7 percent at the regional campuses to a total of 13,888 students. Fall 2009 applications were the highest in university history, at 14,532, representing a 13 percent increase over the previous year.

At the Kent Campus, the freshman class is the largest and most qualified ever with 4,030 students, nearly two-thirds of whom earned high school grade-point averages of 3.0 or higher. Even more encouraging and satisfying is a remarkable 6 percent increase in the freshmen retention rate, said Dr. Lefton, as 78.6 percent of Fall 2008 freshmen have returned for their sophomore year. This gain is tremendous, as the administration would have considered an increase of 1-2 percent as a stretch goal, he noted. External giving to Kent State also reached a new high of \$37.5 million and external funding for research and sponsored programs stood at \$46 million, an all-time high.

President Lefton announced that Dr. Alfreda Brown, most recently interim chief diversity officer of Rochester Institute of Technology, will join Kent State Oct. 1 as the university's first vice

president for diversity, equity and inclusion. She brings more than 17 years of diversity-related experience on the president's senior staff, he noted.

He also shared several recent examples of excellence in action, including:

- Kent State recently was named among the top 150 national universities by *U.S. News and World Report* magazine, the only public university in northeast Ohio to be so recognized;
- Kent State Ashtabula recently dedicated its Robert L. Morrison Health and Science Building, a 55,000 square-foot, state-of-art facility, which he called one of the best, if not the best science facility across all Kent State campuses;
- Dr. Katherine Rawson, assistant professor of psychology, was named as a winner of the Presidential Early Career Award for Scientists and Engineers, which she will receive from President Barack Obama in a Rose Garden ceremony next spring;
- Freshman Stephanie Mehle, justice studies and political science major, was chosen to serve on the National Leadership Council of the National Society of Collegiate Scholars;
- KSU graduate, coaching legend and commentator Lou Holtz delivered the Starnes Lecture to a standing-room crowd of student-athletes, supporters, faculty, and staff;
- Kent State again has been honored as one of the region's best workplaces, named for the fourth time and the third year in a row among the North Coast 99;
- AlphaMicron recently marked its grand opening in the Kent State Centennial Research Park with a crowd of luminaries including Ohio Gov. Ted Strickland, Congressman Tim Ryan and other state and local officials;
- Hillel dedicated its first-rate new facility on the Kent Campus as the Cohn Jewish Student Center, which also drew a large crowd of well-wishers and supporters; and
- On Sept. 24-25, Kent State will host the fifth annual International Liquid Crystal Elastomers Conference, bringing together physicists, chemists, mathematicians, materials scientists and engineers from across the globe.

Finally, President Lefton shared with trustees a strategy map he is developing to reflect the university's mission, vision, strategic goals, key themes/projects/tasks, and key performance metrics. The strategy map is an organic document, in that it will change as projects are completed and new ones are initiated, he said. In addition, each of the university's major divisions and units will be preparing its own version of the strategy map, aligning unit projects, objectives and metrics within the institutional framework. Ultimately, the contents of the strategy maps at the university and unit levels will be integrated and posted online as an interactive resource and tool.

Dr. Lefton reminded trustees of the end game he cited in his inaugural speech, noting that significant progress already has been made in changing Kent State's destiny through the excellence agenda. He commented that no magic Bullet Train will take Kent State where it is going; it will take 10 years and multiple strategies to reach KSU's potential as a nationally prominent research university and a university of choice.

Trustee Timken suggested that this presentation be taken on the road to various campuses and stakeholders, observing that it was time to share this good news with key constituencies. Discussion ensued. President Lefton agreed, and declared his plan to do so.

In response to a question from Trustee Colecchi, Dr. Lefton explained that the mission statement, vision and first five strategic goals were formally approved by the Board of Trustees in November 2007 (the sixth goal, developing and recognizing our people, recently was added). He explained that the strategy map is an internal working document and he welcomes any and all Board input into its development. Trustee Mullin commented that while many Ohio universities have seen increased enrollments this fall, Kent State has done far better than most due to the collective work over the past few years.

## **PERSONNEL ACTIONS**

President Lefton asked Provost Frank to present the academic personnel actions and Vice President Walker to present the non-academic personnel actions.

### *ACADEMIC PERSONNEL*

Provost Frank reported that the academic actions were routine in nature.

### *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.**

## **REPORT OF THE EXTERNAL RELATIONS AND DEVELOPMENT COMMITTEE**

Trustee Jacqueline Woods delivered the report of the External Relations and Development Committee, on behalf of Committee Chair Tucker. No action items were presented, but the group discussed several important information items, she reported. The committee spent considerable time discussing the university's Centennial celebration plans, particularly the Centennial Campaign kick-off scheduled for Oct. 8, 2009. She reviewed both the planned speakers and the general purpose of the event. Vice President Finn also briefed the board on fundraising progress, she noted. To date more than \$165 million has been committed to the campaign.

She noted that another significant component of the Centennial plans focus on the 40<sup>th</sup> annual commemoration of the events of May 4, 1970. She spoke about plans for a May 4<sup>th</sup> Visitors Center and walking tour, as well as goals for the university's 2010 symposium on democracy.

A follow-up report was given regarding the All-Boards Leadership Retreat, which occurred June 4-5, 2009, according to Trustee Woods. Retreat participants provided excellent input regarding university priorities that will be used in planning and decision-making by the administration and the board, she noted.

Trustee Woods also noted that Vice President Iris Harvey and her team are ramping up the university's government relations strategy, starting with a face-to-face survey of state and congressional leaders to find out their impressions and knowledge of Kent State. The survey produced encouraging results and useful information, she said. Trustee Woods also reported that Kent State faculty members have been extremely active in submitting grant proposals under the American Recovery and Reinvestment Act (ARRA). Since May 2009 nearly \$4.5 million in ARRA awards have been received, she said.

She closed with a few remarks about a major redesign of the university's website, which will launch Sept. 30, 2009. During the committee meeting, Associate Vice President Tom Neumann presented a preview of the website.

### **REPORT OF THE ACADEMIC EXCELLENCE AND STUDENT SUCCESS COMMITTEE**

Committee Chair Dennis Eckart presented the report of the Academic Excellence and Student Success Committee, noting that the group had two recommendations for Board action to be placed on the consent agenda.

#### *CONFERRAL OF DEGREES AWARDED MAY 16, 2009*

First, Trustee Eckart recommended formal approval of the conferral of 3,171 degrees awarded at the May 2009 Commencement exercises.

#### **Resolution 2009-49**

#### **CONFERRAL OF DEGREES May 16, 2009**

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 14, 2008 to May 16, 2009 -- 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 14, 2008 to May 16, 2009.

*APPROVAL OF UNIVERSITY POLICY 3342-6-25 EMPLOYMENT OF STUDENTS*

Trustee Eckart presented the second action item—recommendation of a new university policy regarding the employment of students. This is the first major revision of university policies on student employment since 2000 and reflects not only changes in employment laws and university practices, but also automation of processes due to the Banner implementation, he said.

**Resolution 2009-50**

**APPROVAL OF UNIVERSITY POLICY 3342-6-25  
REGARDING THE EMPLOYMENT OF STUDENTS**

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 University Legal Counsel have reviewed the University policy regarding the employment of students (3342-6-25); and

WHEREAS, the university's student employment programs are subject to and administered in accordance with applicable federal and state law and statutes governing employment practices; and

WHEREAS, the proposed policy and updates will reflect the University's current practices and employment policies for student employees; now, therefore,

BE IT RESOLVED that the Board of Trustees of Kent State University hereby approves the adoption of University Policy 3342-6-25.

Trustee Eckart then reported that the committee discussed three information items, the first of which was Kent State's planning and preparation for the H1N1 pandemic. Trustee Eckart applauded the efforts of the staff and remarked that while he hoped the university would never have to fully implement the H1N1 plan, the institution appears to have taken all possible measures to be prepared for this developing situation.

Second, the committee was informed of changes in administrative policies that will accompany the university policy regarding student employment as recommended for Board action. Since

this is an administrative policy it does not require board action and thus was presented for information only.

Finally, committee members discussed the implementation of the Graduation Planning System (GPS), which was launched online in late August. The project has huge potential in helping students graduate on time and maybe even on budget, he observed. The GPS is amazing and backed up by research, and so there is really no reason why students won't be able to figure out what they need to do to keep or get back on track.

**ACTION: There were no objections to placing the Academic Excellence and Student Success decision items on the consent agenda.**

### **REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Board Chair Mullin asked Trustee Jane Murphy Timken to report on behalf of Committee Chair Andrew Banks. Trustee Timken reported that the committee considered and recommended 10 management decision items for placement on the consent agenda. The group also discussed five regular reports, which were routine in nature. In addition, trustees heard a report on substantial deferred maintenance and facility improvements necessary on the Kent Campus, she noted.

#### ***APPROVAL OF EASEMENT TO THE CITY OF KENT***

Trustee Timken presented the first item for Board approval—the proposed granting of an easement to the City of Kent for the purpose of traffic signal improvements on East Main Street. She noted that East Main Street is one of the most heavily trafficked streets in Kent and the signal upgrades should result in improved traffic flow and reduced vehicle emissions. The improvement project is funded with 80 percent federal funding, with the balance in local funds.

#### **Resolution 2009-51**

#### **CITY OF KENT EASEMENT TRAFFIC SIGNAL IMPROVEMENTS**

WHEREAS, East Main Street along the Kent State University historic front campus, has one of the highest traffic volumes in the City of Kent as established by the Akron Metropolitan Area Transportation Study (AMATS); and

WHEREAS, the City of Kent has secured federal funding (\$1,606,000) to improve traffic flow and achieve reduction in vehicle emission by upgrading 11 signalized intersections, signal interconnects and centralized controls with traffic control and also to make Americans with Disabilities Act (ADA) ramp improvements; and

WHEREAS, two intersections require a right of way easement from Kent State University to the City of Kent to allow for the signal upgrades and ADA improvements; and



WHEREAS, the City of Kent is requesting a non-exclusive easement to be used solely to install, construct, reconstruct, use, operate, maintain, repair, replace, remove, service and improve in, on, over, under, across, through and upon the requested easement area as utility improvement; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Vice President for Finance and Administration to enter into a right-of-way easement agreement with the City of Kent regarding the intersection of Main Street and Terrace Drive and the intersection of Main Street and Midway Drive for signalization upgrades and ADA improvements.

*APPROVAL OF PURCHASE OF ADAMS PROPERTY*

Next, Trustee Timken presented the committee's recommendation of the purchase of property at 122 South Willow Street in Kent, from David M. and Amy L. Adams, at the appraised value of \$141,000. Acquisition of this parcel is consistent with university plans to extend the esplanade into the downtown area. Funds for the purchase will be from the Kent State University Board of Trustees Real Estate Investment Fund.

**Resolution 2009-52**

**PURCHASE OF THE ADAMS PROPERTY**

WHEREAS, additional property in the area of South Willow Street is needed for future expansion of the university; and

WHEREAS, Parcel No. 17-024-40-00-015-000 is a .130-acre site owned by David M. and Amy L. Adams located at 122 South Willow Street, Kent, Ohio; and

WHEREAS, the owners have agreed to sell this parcel to Kent State University for the appraised value of \$141,000; and

WHEREAS, the acquisition of this site is consistent with the funds held by the university for investment in real estate near the Kent Campus; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Vice President for Finance and Administration to proceed with and conclude the purchase of this parcel of land owned by David M. and Amy L. Adams, located in the City of Kent, 122 South Willow Street, for the sum of \$141,000.

*APPROVAL OF CENTENNIAL RESEARCH PARK ROOF REPLACEMENT*

Like many of the buildings on the Kent Campus, the Centennial Research Park structure has a roof system in failing condition that must be replaced to safeguard specialized

research equipment and ongoing research at the facility, according to Trustee Timken. Thus, the committee recommended Board approval of the roof replacement, at an estimated cost of \$600,000.

### **Resolution 2009-53**

#### **CENTENNIAL RESEARCH PARK ROOF REPLACEMENT**

WHEREAS, the Centennial Research Park structure and roofing systems are approaching 20 years old; and

WHEREAS, the roof systems are in failing conditions and must be replaced in order to safeguard the tenant's specialized equipment and ongoing research; and

WHEREAS, \$600,000 will be utilized for the removal and replacement of the existing 42,000 square-foot roof with a new, 15-year warranty roof; and

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

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

#### ***APPROVAL OF MASTER PLAN UPDATE FOR EXTENSION OF ESPLANADE***

Trustee Timken asked trustees to consider a resolution authorizing changes to the university master plan, extending the Esplanade to Haymaker Parkway and creating linkages to planned downtown development. The Campus Master Plan was approved by the board in 1996. At that time, the plan included as a primary planning principle the idea of jointly creating campus linkages to the Central Business District and adjacent campus neighborhoods. In light of recent developments, the university engaged the KSU Cleveland Urban Design Collaborative (CUDC) in the project. The CUDC prepared plans and solicited input through public and private meetings with university and city leaders, community members, business leaders, faculty, staff and students.

### **Resolution 2009-54**

#### **MASTER PLAN UPDATE FOR EXTENSION OF ESPLANADE TO HAYMAKER PARKWAY**

WHEREAS, Kent State completed and the Board of Trustees approved a university master plan in 1996; and

WHEREAS, as part of this master plan, the university committed to “jointly identify campus and City of Kent initiatives that reinforce campus linkages to the Central Business District and adjacent campus neighborhoods;” and

WHEREAS, the university commissioned its Cleveland Urban Design Collaborative to prepare a supplement to the 1996 Master Plan that outlines the proposed extension of the University Esplanade to Haymaker Parkway and to create linkages to downtown development; and

WHEREAS, it is important to establish planning guidelines for the city and university linkage; and

WHEREAS, the commitment shown with the acceptance of this master plan supplement will create opportunities for grant submissions by the City of Kent; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby accepts the supplement as an official amendment to the 1996 Master Plan

*APPROVAL OF UNIVERSITY POLICY 3342-7-11 IDENTITY THEFT PREVENTION*

Trustee Timken recommended approval of the proposed University Policy 3342-7-11 Regarding Identity Theft Prevention to ensure Kent State University compliance with federal law requiring organizations to implement identity theft prevention programs.

**Resolution 2009-55**

**ESTABLISHMENT OF UNIVERSITY POLICY 3342-7-11  
REGARDING IDENTITY THEFT PREVENTION**

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

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, requires rules regarding identity theft protection to be promulgated and adopted by the university; and

WHEREAS, the risk to the university, its students, faculty, staff, and other constituents from data loss and identity theft is of significant concern to the university and the Board of Trustees has determined that the university should make reasonable efforts to detect, prevent, and mitigate identity theft; and

WHEREAS, the proposed University Policy 3342-7-11 outlines an identity theft prevention program for Kent State University; now, therefore,

BE IT RESOLVED that the Board of Trustees of Kent State University hereby approves the establishment of University Policy 3342-7-11, Regarding Identity Theft Prevention.

*APPROVAL OF REVISIONS TO UNIVERSITY POLICY 3342-7-04 REGARDING AUTHORIZATION AND AWARD OF CAPITAL CONSTRUCTION PROJECTS*

Trustee Timken recommended Board approval of a resolution approving University Policy 3342-7-04 – Regarding the Authorization and Award of Capital Construction Projects. She explained that the proposed changes will extend Board oversight to repair and maintenance projects, in addition to new construction and major renovations. As a result of research into similar policies at other institutions, it was recommended that the current \$250,000 threshold be raised to \$1 million for Board of Trustees review and approval of individual projects. The committee discussed the proposal and concurs that the recommended policy achieves a proper balance of Board oversight, authority and administrative accountability.

**Resolution 2009-56**

**REVISION TO UNIVERSITY POLICY 3342-7-04 REGARDING THE AUTHORIZATION AND AWARD OF CAPITAL CONSTRUCTION PROJECTS**

WHEREAS, it is important that the physical environment of Kent State University be developed and maintained in a manner that supports the mission of the university both today and in the future; and

WHEREAS, it is important that new construction and major rehabilitation or renovation projects be effectively planned and only undertaken after the appropriate guidance and approval has been provided within the university and by the university Board of Trustees; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees modifies University Policy 3342-7-04 Regarding the Authorization and Award of Capital Construction Projects, which shall govern the authorization and contracting for all capital construction projects that fall within the proposed approval guidelines as of September 16, 2009.

*APPROVAL OF AMENDMENTS TO BOARD OF TRUSTEES RESOLUTION 2008-56*

She presented for Board action a resolution amending Board of Trustees Resolution 2008-56, which was adopted in November 2008. This move will enable the administration, with oversight of the Board chair, vice chair and/or chair of the Finance and Administration Committee, to complete the restructuring/refinancing of outstanding variable rate bonds. When all of these transactions are completed, the university should experience significant savings in interest costs as well as substantially reduce risk in its debt portfolio, she said.

**Resolution 2009-57**

**AMENDMENT TO RESOLUTION NO. 2008-56 (AUTHORITY TO  
RESTRUCTURE OR REFINANCE OUTSTANDING VARIABLE RATE  
BONDS, INCLUDING TO RESTRUCTURE OR TERMINATE RELATED  
INTEREST RATE HEDGE AGREEMENTS)**

WHEREAS, Kent State University has three series of outstanding variable rate General Receipts Bonds hedged to fixed rates under interest rate hedge agreements, and over the past two years the university has had to replace the financial institutions that initially provided credit and liquidity support for these Bonds as a result of the credit rating downgrades of those institutions and the adverse effect those downgraded institutions had on the variable interest rates borne by the Bonds; and

WHEREAS, the administration, with the assistance of Public Financial Management, Inc., as financial advisor, has been monitoring the capital markets for opportunities to terminate the interest rate hedges at reasonable cost and convert the outstanding variable rate Bonds to natural fixed rate Bonds, thereby eliminating the need for credit and liquidity support from financial institutions, eliminating risks associated with interest rate hedge arrangements and stabilizing the interest expenses incurred by the university with respect to these Bonds; and

WHEREAS, the administration seeks to proceed with a transaction in which the university will issue a series of fixed rate General Receipts Bonds that will refund the outstanding Series 2008A Bonds and Series 2009 Bonds and will fund any payments owed to the counterparty under the interest rate hedge agreements associated with those variable rate Bonds upon early termination of those hedges, and the administration also seeks to make provision for refunding the outstanding Series 2000 Bonds bearing interest at fixed rates if debt service savings can be obtained; and

WHEREAS, by Resolution No. 2008-56 adopted November 13, 2008, the Board of Trustees authorized the university to undertake transactions to restructure or refinance the then outstanding variable rate Bonds, and the administration has requested that this Board amend Resolution No. 2008-56 in order to (i) include in the definition of "Outstanding Bonds" for which refunding authorization is conferred, the outstanding fixed rate Series 2000 Bonds and the outstanding Series 2009 Bonds (the series of variable rate Bonds issued on April 9, 2009 to refund the then outstanding variable rate Series 2001 Bonds for the purpose of replacing MBIA Insurance Corporation and Dexia Credit Local, the initial credit and liquidity providers, with JPMorgan Chase Bank, N.A.), and (ii) authorize the delivery of an Amended and Restated Trust Agreement, to modernize the terms of the master agreement under which the university issues its General Receipts Bonds (the existing Trust Agreement dates back to 1971).

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

Section 1. The definition of Outstanding Bonds in Section 1 of Resolution No. 2008-56 is amended and restated as follows:

“Outstanding Bonds” as used in this Resolution means any General Receipts Bonds of the university outstanding under the Trust Agreement, including the following Bonds presently outstanding: the Series 2000 Bonds issued in the original principal amount of \$10,005,000 pursuant to the Seventh Supplemental Trust Agreement dated as of January 1, 2000; the Series 2008A Bonds issued in the original principal amount of \$43,170,000 pursuant to the Twelfth Supplemental Trust Agreement dated April 30, 2008; the Series 2008B Bonds issued in the original principal amount of \$60,000,000 pursuant to the Thirteenth Supplemental Trust Agreement dated as of August 1, 2008; and the Series 2009 Bonds issued in the original principal amount of \$157,635,000 pursuant to the Fourteenth Supplemental Trust Agreement dated April 9, 2009.”

Section 2. Section 14 of Resolution No. 2008-56 is amended and restated as follows:

“The Authorized Officers are authorized to sign and deliver to the Trustee a Supplemental Trust Agreement with respect to each Series of Refunding Bonds containing provisions required by the Trust Agreement to be specified with respect to the Refunding Bonds and such other provisions as may be permitted by the Act and approved by the officers signing the Supplemental Trust Agreement on behalf of the university. Any Supplemental Trust Agreement may contain amendments to the Trust Agreement, as theretofore amended, to permit the University increased flexibility for use of financial or credit structures or to provide other terms determined by the Authorized Officers to be in the best interests of the University. Such amendments of the Trust Agreement may include amendments to be made subject to the consent of bondholders and may be made in the form of an Amended and Restated Trust Agreement. All references in this Resolution to the Trust Agreement shall mean the Trust Agreement as amended.”

Section 3. It is found 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.

*APPROVAL OF TUITION RATE FOR ONLINE MASTER OF MUSIC EDUCATION  
DEGREE PROGRAM*

Trustee Timken presented the next management decision item—approval of a special tuition rate for a newly developed, fully online Master of Music in Music Education degree program. This program, due to launch in the Spring 2010 semester, is being developed in partnership with EMBAnet, the distance learning company with which Kent State launched the online BSN for RNs program. The rate has been recommended at \$571 per credit for Ohio residents, plus a modest out-of-state surcharge assessed to non-Ohio residents. The program rate will be subject to future tuition increases approved by the Board of Trustees.

**Resolution 2009-58**

**TUITION RATE FOR ONLINE MASTER OF MUSIC  
IN MUSIC EDUCATION DEGREE PROGRAM**

WHEREAS, boards of trustees at public colleges and universities in Ohio may establish special purpose fees and charges for services and benefits provided to individual students; and

WHEREAS, effective Spring semester 2010, Kent State University is launching a fully online Master of Music in Music Education degree; and

WHEREAS, a special tuition rate of \$571 per credit hour is recommended to cover the program's instructional and associated service costs; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby approves the special tuition rate of \$571 per credit hour for this online program, effective for Spring semester 2010.

*APPROVAL OF AMENDED PAY STRUCTURE FOR UNREPRESENTED CLASSIFIED  
AND UNCLASSIFIED HOURLY STAFF*

Trustee Timken recommended Board approval of a resolution amending the Pay Structure for Unrepresented Classified and Unclassified Hourly Staff. She explained that the university periodically adjusts pay structures to provide the potential for individual pay growth. The proposed changes, while modest, allow the institution to continue to progressively build the compensation structure.

**Resolution 2009-59**

**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; and

WHEREAS, Policy 3342-6-07.1 Administrative policy 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, Policy 3342-6-07.5 Administrative policy 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 attached Pay Structures for Unrepresented Classified Civil Service Staff and Unclassified Hourly Staff, effective with the pay period inclusive of September 1, 2009, and the Classified Unrepresented Civil Service Pay Structure Addendum Market Adjusted Hiring Rates, effective the same date.

*AMENDMENT OF SALARY STRUCTURES FOR UNCLASSIFIED ADMINISTRATIVE  
AND PROFESSIONAL EXEMPT STAFF AND UNREPRESENTED NONEXEMPT  
STAFF*

The committee also supported the amendment of salary structures for an additional group of university staff—unclassified administrative and professional staff and unclassified nonexempt staff not represented in a bargaining unit. Like the previous action, it is proposed that the salary structure be adjusted by 2 percent for fiscal year 2010, effective Sept. 1, 2009.

**Resolution 2009-60**

**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; now therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby approves a 2.0% 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, 2009 for Unclassified Administrative and Professional Exempt Staff and for Intercollegiate Athletics. The structure adjustment for Unclassified Nonexempt Staff will be effective August 31, 2009 (the last payroll date in August that includes September 1, 2009).

Trustee Timken reported on the committee's information items. First, the committee was informed of three administrative policy changes; Compensation of Administrative and Professional Employees, Hourly Paid Unclassified Civil Service Staff, and the Provision of Cellular Devices to University Employees.

In addition to administrative policy reports, the committee reviewed standard reports reflecting financial performance and investment yields, which showed better than expected returns.

Finally, the committee heard a report on the initiative underway concerning deferred maintenance and facility improvements needed on the Kent Campus. A timetable was established for next steps in the project, which will include trustee representation on a Project Oversight Committee. The Project Oversight Committee should expect a report from the administration in the first part of October.

That concluded Trustee Timken's report.

**ACTION: There were no objections to placing the Finance and Administration Committee decision items on the consent agenda.**

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

## **NEW BUSINESS**

Trustee Eckart introduced a resolution regarding planning for the 40<sup>th</sup> commemoration of the events of May 4, 1970. He commented on the national significance of the events of May 4, and its significance not only in Kent State history, but also that of the nation and the world.

### **Resolution 2009-61**

#### **REGARDING PLANNING FOR THE 40<sup>TH</sup> COMMEMORATION OF THE EVENTS OF MAY 4, 1970**

WHEREAS, the year 2010 marks not only the Centennial of Kent State University but also the 40<sup>th</sup> commemoration of the events of May 4, 1970; and

WHEREAS, to both preserve the memory of that day within historical and personal contexts and to encourage inquiry, learning and reflection, the university has established a number of resources including the May Fourth Memorial; Kent B’Nai B’Rith Hillel Marker; individual Student Markers and scholarships in memory of Allison Krause, Jeffrey Miller, Sandra Scheuer and William Schroeder; May 4 collections maintained by University Libraries, the Department of Art and the Kent State Museum; the Center for Peaceful Change, now rededicated as the Center for Applied Conflict Management; an Experimental College course entitled May 4, 1970 and Its Aftermath; an annual Symposium on Democracy; annual commemorations sponsored by the May 4<sup>th</sup> Task Force; and recognition of the site with a State of Ohio Historical Marker; and

WHEREAS, from the perspective of 40 years and to assist the many visitors who come to see the site annually, the university has engaged the internationally renowned firm Gallagher and Associates to assist in the development of a May 4 visitors center, as a central place where people can explore and better understand the events that took place at Kent State University on May 4, 1970, the context and impact of those events, and their meaning for today; and

WHEREAS, to complement the visitors center initiative, the university is developing a multimedia, self-guided tour of the May 4 site, featuring permanent location markers that will be installed by May 4, 2010; and

WHEREAS, in the same spirit of remembrance, a dedicated group of current and emeriti faculty members studied the history of May 4, 1970, and documented it in the form of an application for recognition of the site on the National Register of Historic Places; and

WHEREAS, the group shared its proposal with President Lester A. Lefton, who

brought the matter to the Board of Trustees for its review and comment, given the board's fiduciary responsibility and long-term stewardship of the institution; and

WHEREAS, members of the Board of Trustees have reviewed the application and most

have participated in a narrated walking tour of the proposed site in order to better understand the history as well as view first-hand the implications for the campus and for future students of Kent State; and

WHEREAS, following significant thought, dialogue and due diligence; now, therefore

BE IT RESOLVED, that the Kent State University Board of Trustees recognizes that the events of May 4, 1970, had significant implications not only upon the institution and the community, but also the nation and the world; and

BE IT FURTHER RESOLVED, that the Board endorses the development of the May 4 visitors center and self-guided walking tour as additional, primary resources to preserve and communicate the history of May 4, 1970, its larger ethical and societal context and impact, and its enduring meaning for our democratic society; and

BE IT FURTHER RESOLVED, given these initiatives and past actions of the university leadership with regard to the physical property, the Board supports in principle the listing of the May 4 site on the National Register of Historic Places; and

BE IT FURTHER RESOLVED, that the Chair of the Board of Trustees hereby is authorized to write a letter on the body's behalf to the National Park Service, expressing the board's general support for the National Historic Register listing and its intent in regard to future development of the affected university property.

**ACTION: Trustee Eckart moved, seconded by Trustee Colecchi. There were no objections. The motion passed unanimously.**

#### *REGARDING CENTERS OF EXCELLENCE*

Board Chair Mullin called on President Lefton to discuss the proposed resolution regarding Centers of Excellence. Dr. Lefton noted that a detailed description and rationale for each of the six transdisciplinary areas were discussed during the Committee of the Whole session. The proposed resolution endorses six university Centers of Excellence, and memorializes them in the form of Board action. The university will then submit these six university Centers of Excellence to the Chancellor of the Ohio Board of Regents, he said.

Trustee Eckart spoke in support of the resolution, observing that it provides an excellent representation of key academic and research strengths of Kent State that hold particular promise for the state.

## **Resolution 2009-62**

### **REGARDING CENTERS OF EXCELLENCE**

WHEREAS, the Chancellor of the Ohio Board of Regents issued a Strategic Plan for the University System of Ohio in March 2008; and

WHEREAS, the plan calls upon each of Ohio's public universities to identify its distinctive academic and research strengths, referred to by the Chancellor as Centers of Excellence; and

WHEREAS, each institutional report must be approved by the institution's Board of Trustees; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees endorses the following programs of distinction at Kent State to be known as Centers of Excellence, in accordance with the Strategic Plan for Higher Education:

- Liquid Crystals/Bio-Science/Nanotechnology
- Information and Knowledge Management
- Fashion Design & Merchandising
- Public Health & Nursing: New Models of Care for Communities and Individuals
- Science Education: Training Educators in Science and Mathematics
- Environmental and Natural Resource Sustainability/Urban Design

**ACTION: Trustee Eckart moved, seconded by Trustee Pollock. The motion passed unanimously.**

### *REGARDING DOWNTOWN KENT HOTEL/CONFERENCE FACILITY*

Chair Mullin asked President Lefton to present a resolution authorizing continuing talks and the potential for university involvement in development of a downtown hotel and conference facility. Dr. Lefton explained that two private developers are working closely with the City of Kent and Kent State to develop a downtown hotel and conference center. This is a continuing negotiation, he said, adding that the resolution will be helpful to him in speaking on behalf of the university in this process. No action is recommended at this time, as the developers are still preparing business plans and pro-formas for the project, he said. Trustee Mullin observed that a downtown Kent hotel and conference facility has been a goal since he was a student at Kent State University, and added that such a facility would be transformational to both the City of Kent and the university.

**Resolution 2009-63**

**REGARDING DOWNTOWN KENT HOTEL/CONFERENCE FACILITY**

WHEREAS, Kent State University maintains a commitment to community outreach and continuing education; and

WHEREAS, continuing education often requires convenient and accessible lodging and conferencing facilities; and

WHEREAS, Kent State University has maintained a long-standing interest in having hotel and conference facilities adjacent to or on the Kent Campus for continuing education/conferencing activities; and

WHEREAS, Kent State University has an interest in providing convenient lodging and conference facilities for prospective students and invited guests of the university; and

WHEREAS, the City of Kent has acquired significant land holdings adjacent to the campus area for the purpose of developing a hotel/conference facility; and

WHEREAS, the Kent State University Foundation has acquired property adjacent to the Kent Campus for the purpose of participating in the development of a hotel/conference facility; and

WHEREAS, an adjacent hotel/conference facility will greatly assist the university in the provision of continuing education and professional development coursework; and

WHEREAS, it may become economically necessary for Kent State University to maintain a financial interest in the project; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the President to continue development activities and discussions with prospective developers, investors, and City of Kent officials, and is hereby authorized to commit, subject to final approval of the Board of Trustees, current university invested funds, financial resources up to but not exceeding \$3 million for a preferred equity partnership interest in a hotel/conference facility.

**ACTION: Trustee Pollock moved, seconded by Trustee Colecchi. There were no objections. The motion passed unanimously.**

*RESOLUTION OF APPRECIATION TO HAROLD GOLDSMITH*

Trustee West introduced a resolution of appreciation for Harold “Pete” Goldsmith.

**Resolution 2009-64**

**RESOLUTION OF APPRECIATION TO HAROLD “PETE”  
GOLDSMITH**

WHEREAS, Dr. Harold “Pete” Goldsmith joined Kent State University on September 1, 2003, as vice president for enrollment management and student affairs after holding a similar leadership role at Indiana University of Pennsylvania; and

WHEREAS, his distinguished administrative and academic career also has included increasingly progressive responsibilities in student life and student affairs at Michigan State University, Old Dominion University, Western Illinois University, and St. Mary’s College of Maryland; and

WHEREAS, Dr. Goldsmith has advanced the practice of higher education both through his administrative roles as well as graduate teaching at Michigan State, Old Dominion, Western Illinois, and Kent State; and

WHEREAS, as a member of the President’s Cabinet he has made significant and lasting contributions to Kent State University, including the successful completion of the university’s \$400-million residence hall renewal project, development of a strategic enrollment plan that spun off the mantra of *enrollment is life*; his capable leadership of university, regional and statewide pandemic preparedness planning; and successful implementation of the student services component of the enterprise resource planning (ERP) project, to name a few; and

WHEREAS, all Kent State campuses have benefitted greatly from Dr. Goldsmith’s expertise, collaborative spirit, compassion for students, his steady hand, and keen sense of humor; and

WHEREAS, his legacy of service to Kent State is also shared by his wife, Dr. Evelyn Goldsmith, who made significant contributions here including her leadership as interim dean of the Graduate School and assistant provost; and

WHEREAS, Dr. Goldsmith joined Indiana University, his alma mater, as dean of students on August 1, 2009; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees expresses deep gratitude to Dr. Harold “Pete” Goldsmith for his far-reaching contributions to Kent State University, and wishes Pete and Evelyn Goldsmith continuing success in their future endeavors.

**ACTION: Trustee Woods moved, seconded by Trustee Timken. There were no objections. The motion passed.**

*RESOLUTION OF APPRECIATION FOR PATRICIA A. MYERS*

Trustee Eckart introduced a resolution of appreciation for Patricia A. Myers, who will retire at the end of the year after nearly two decades as Kent State's director of governmental relations. He commented that he felt somewhat like a father of the bride, in that the university is not losing a daughter but gaining a chancellor, as Ms. Myers is working primarily as an executive on loan to the Ohio Board of Regents during the fall.

**Resolution 2009-65**

**RESOLUTION OF APPRECIATION TO PATRICIA A. MYERS**

WHEREAS, Patricia A. Myers joined Kent State University in 1990 as director of corporate and foundation relations and soon advanced to the position of director of government relations, a role she has held and relished since 1991; and

WHEREAS, prior to returning to Kent State, where she earned her bachelor of arts degree in social work, Ms. Myers was executive director of the Palm Beach Community College Foundation and the college's director of development and government affairs, assistant to the administrator and grants specialist for the Florida Department of Health and Rehabilitative Services, and director of evaluation and training for the Palm Beach Habilitation Center; and

WHEREAS, as the university's chief advocate in Columbus for nearly two decades, she has come to personify Kent State, extending its reach substantially and championing personal and financial support for wide-ranging programs and physical facilities across its eight campuses; and

WHEREAS, she has been very active in professional, community and campus organizations, including the Executive Committee of the Council of Government Affairs; National Association of State Universities and Land-Grant Colleges, Council of Government Relations Officers; Inter-University Council of Ohio Legislative Representatives; Ohio Council of Fund Raising Executives; National Society of Fund Raising Executives; Greater Cleveland Growth Association, Public and Government Relations committees; Executive Committee of Vision 2000; Greater Akron Chamber Policy and Government Relations committees; Cleveland City Club; Hudson Rotary Club and the Kent State University Honors College Alumni Chapter, which she leads as board president; and

WHEREAS, throughout her career she has earned great respect as a tireless advocate for students, citizens and especially the less fortunate, a consensus builder and valued sounding board for policy makers, and a loyal alumna so devoted to Kent State that it is widely believed that she bleeds blue and gold; and

WHEREAS, at the request of Chancellor Eric Fingerhut, Ms. Myers will spend most of her time this fall advancing the University System of Ohio as a consultant and executive on loan until her retirement on December 31, 2009; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees expresses deep gratitude to Patricia A. Myers for her significant and lifelong contributions to Kent State University and wishes her great contentment and joy as she soon will begin a new chapter in her life.

**ACTION: Trustee Eckart moved, seconded by Trustee Woods. There were no objections. The motion passed.**

Board Chair Mullin called upon Ms. Patricia A. Myers for comment. Ms. Myers expressed her sincerest appreciate to the Board.

#### *ELECTION OF 2009-2010 OFFICERS*

Chair Mullin presented the Nominating Committee's report on behalf of Trustee Ferrara. The Nominating Committee recommended the following nominations for 2009-2010 officers of the Board of Trustees:

Trustee Patrick S. Mullin, Chairperson  
Trustee Brian D. Tucker, Vice-Chair  
Trustee Jacqueline F. Woods, Vice-Chair  
Trustee Jane Murphy Timken, Secretary

**ACTION: Trustee Colecchi moved, seconded by Trustee Pollock. There were no objections. The motion passed.**

#### **ADJOURNMENT**

Chair Mullin announced that the next regular business meeting of the Board of Trustees will be Nov. 17, 2009, at the Kent Campus. On motion duly made and approved, the meeting was adjourned at 4:10 p.m.