

MINUTES OF REGULAR MEETING
OF
BOARD OF TRUSTEES
OF
YOUNGSTOWN STATE UNIVERSITY

Tod Hall
Wednesday, December 14, 2011

Pursuant to notice duly given, a regular meeting (the three hundred sixth) of the Board of Trustees of Youngstown State University convened at 3:00 p.m., on Wednesday, December 14, 2011, in the Board Room in Tod Hall.

All eleven trustees were present at the meeting, to-wit: Dr. Sudershan K. Garg, chairperson of the board, who presided, Ms. Millicent S. Counts, Mr. Scott R. Schulick, Dr. John R. Jakubek, Mr. Harry Meshel, Mrs. Carole S. Weimer, Mr. Leonard D. Schiavone, Ms. Delores E. Crawford, Mr. David C. Deibel, Mr. Ryan A. Meditz and Mr. Joshua M. Prest.

Also present were: Dr. Cynthia E. Anderson, President; Dr. Ikram Khawaja, Provost and Vice President for Academic Affairs; Mr. Eugene P. Grilli, Vice President for Finance and Administration; Ms. Holly A. Jacobs, University General Counsel; Mr. John Fahey, Vice President for Student Affairs and Mr. Franklin S. Bennett, Jr., Secretary to the Board of Trustees. Also present were approximately 20 persons, including deans, members of the faculty, students, administrators, and members of the news media.

ITEM I – PROOF OF NOTICE OF MEETING.

Evidence was available to establish that pursuant to Article II, Section 1, of the board's *Bylaws*; written notice of today's regular meeting was timely provided to each of the trustees, the student trustees, and to the president.

ITEM II – DISPOSITION OF MINUTES FOR MEETINGS HELD SEPTEMBER 27, 2011 AND OCTOBER 26, 2011.

Prior to the meeting, the secretary had provided draft copies of the minutes of the board's regular meeting held September 27, 2011 (#304) and special meeting held October 26, 2011 (#305) to each trustee, the student trustees and the president. There being no additions, corrections, or revisions thereto, the minutes of the said meeting were approved as provided.

ITEM III – REPORT OF THE PRESIDENT OF THE UNIVERSITY.

Dr. Anderson stated that as 2011 comes to a close it is appropriate to thank the students, faculty, staff and board of trustees for their consistent support of Youngstown State University through times of challenge and success. Dr. Anderson stated that she is looking forward to 2012 and its achievements.

ITEM IV – REPORTS OF THE COMMITTEES OF THE BOARD.

The chairperson asked whether any trustee had an objection to the approval by unanimous consent of the resolutions recommended for adoption by the committees of the board. There being no objection, the chairperson stated that the recommended resolutions would be considered for adoption by consent. The board considered the following committee reports and recommendations:

1. Academic Quality and Student Success Committee

Mr. Fahey provided an update on marketing initiatives. Mr. Fahey stated that YSU's students are wonderful people that work hard to develop their God-given talents and who appreciate the quality and successes of our faculty. Mr. Fahey said that what differentiates the YSU experience is the quality of the teaching-learning relationships that our faculty are able to create and nurture with our students. YSU's faculty love to teach and they are really good at it. As a result, YSU's students learn and develop more during their time at YSU than they would or could at another institution. Mr. Fahey said that the folks in Institutional Research can provide data that proves that fact, but it is much easier to understand in the stories of our students.

Mr. Fahey reported that the university is initiating a marketing campaign that will enlist a dozen different television commercials, a dozen radio spots, billboards, newsprint, banners on campus and in downtown Youngstown, reworked university publications, and social media. Each marketing spot will highlight the success of a student or faculty member. Mr. Fahey stated that he is very encouraged by the broad, positive response we are getting thus far.

The chairperson noted that the Academic Quality and Student Success Committee was recommending five resolutions for adoption by the board. There being no objection thereto, the chairperson declared the following resolution adopted by general consent:

Resolution to Revise
The Code of Student Rights, Responsibilities, and Conduct

YR 2012-14

WHEREAS, *The Code of Student Rights, Responsibilities, and Conduct (The Code)* outlines student rights, responsibilities, and conduct as well as the due process and disciplinary procedures utilized, details of the academic grievance procedure, the students records policy, etc.; and

WHEREAS, several sections of *The Code* have been updated and revised;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby revise *The Code* shown as Exhibit A attached hereto.

Resolution to Modify
Student Rights, Responsibilities, and Conduct (*The Code*) Policy

YR 2012-15

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Student Rights, Responsibilities, and Conduct (*The Code*), policy number 8001.01 of the *University Guidebook*, shown as Exhibit B attached hereto. A copy of the policy indicating changes to be made is also attached.

A copy of the policy indicating changes to be made is also attached.

Resolution to Modify
Adjunct Faculty Policy

YR 2012-16

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Adjunct Faculty, policy number 1009.01 of the *University Guidebook*, shown as Exhibit C attached hereto. A copy of the policy indicating changes to be made is also attached.

Resolution to Modify
Intellectual Property Rights Policy

YR 2012-17

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Intellectual Property Rights, policy number 1018.01 of the *University Guidebook*, shown as Exhibit D attached hereto. A copy of the policy indicating changes to be made is also attached.

Resolution to Modify
Supplementary Pay for
Faculty Teaching at Distant Off-Campus Sites Policy

YR 2012-18

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Supplementary Pay for Faculty Teaching at Distant Off-Campus Sites, policy number 1019.01 of the *University Guidebook*, shown as Exhibit E attached hereto. A copy of the policy indicating changes to be made is also attached.

2. Institutional Engagement Committee.

The chairperson noted that the Institutional Engagement Committee was recommending two resolutions for adoption by the board. There being no objection thereto, the chairperson declared the following resolution adopted by general consent:

Resolution to Accept Development Gifts

YR 2012-19

WHEREAS, Board policy provides that the President shall compile a list of gifts to the University for each meeting of the Board of Trustees and present the list accompanied by her recommendation for action by the Board; and

WHEREAS, the President has reported that the gifts as listed in Exhibit F attached hereto are being held pending acceptance and she recommends their acceptance;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby accept these gifts on behalf of Youngstown State University and requests that the President acknowledge the acceptance of these gifts and express our gratitude to the donors for their generosity in support of the University.

Resolution to Name

The Lawrence R. Anderson Journalism Program
In the College of Liberal Arts and Social Sciences

YR 2012-20

WHEREAS, the Youngstown State University journalism program is housed in the Department of English in the College of Liberal Arts and Social Sciences; and

WHEREAS, the mission of the journalism program is to prepare students to serve in the profession so critical to preserving and perpetuating our society and our democracy; and

WHEREAS, the Youngstown State University journalism program has a rich history of successful graduates in the region, state and across the nation; and

WHEREAS, Lawrence R. Anderson served *The Vindicator* with distinction for many years and, to this day, is recognized as a beloved staff member; and

WHEREAS, Lawrence's daughter, Dr. Cynthia E. Anderson has had a career of distinction serving Youngstown State University for over 30 years as a member of the faculty and as an administrator; and

WHEREAS, in 2010, Dr. Cynthia E. Anderson was named YSU's seventh President, becoming the first alumnus, the first woman, and the first locally born President in the institution's history; and

WHEREAS, Dr. Cynthia E. Anderson has made a significant leadership gift to the YSU journalism program in honor of her father's career; and

WHEREAS, Lawrence's brother, Windsor T. Anderson has made a \$100,000 leadership gift to the journalism program in memory of his late wife Helen, and in honor of Lawrence; and

WHEREAS, the University and the Board of Trustees wish to provide appropriate recognition to Windsor T. Anderson for his generosity, and Dr. Cynthia E. Anderson for her service and generosity to YSU;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University designates the journalism program, in the College of Liberal Arts and Social Sciences, The Lawrence R. Anderson Journalism Program; and

BE IT FURTHER RESOLVED, that copies of this Resolution be presented to his daughter Dr. Cynthia E. Anderson and his brother Windsor T. Anderson.

3. Finance and Facilities Committee.

Mr. Grilli provided a report focused upon the University's budget, and particularly the FY 2012 operating budget. Mr. Grilli stated that the combination of a precipitous reduction in state funding support, and an unexpected drop in enrolled students this fall semester, has resulted in significant budgetary challenges. Mr. Grilli stated that the trustees' retreat on November 18th was extremely productive and helped solidify the budgetary action plan necessary to ensure the University's near-term and long-range financial viability. The retreat provided some basic and fundamental background and historical information and an opportunity for the Board and the Administration to share ideas. With this foundation, the group was able to coalesce around key objectives (namely planning for a balanced budget), while preserving and strengthening the University's financial solvency.

Mr. Grilli said that some of the very challenges facing the University today actually represent important opportunities for the University to strategically re-position institutional resources. Mr. Grilli said that the current early retirement incentive program has been costly, both in terms of the financial cost of the buyout, and also in terms of the significant loss of many experienced and productive employees who have been invaluable to the University over the years. However, the ERIP, and the extraordinary number of vacant staff positions on campus

today that is a consequence of the ERIP, have helped position the University to reallocate precious personnel resources in a manner that will improve operational efficiencies, enhance service to students, and ultimately make YSU stronger and better. The University's budget action plan calls for a leaner and more productive workforce, underscored by the fact that in this fiscal year alone, approximately 80 staff positions will go unfilled and remain vacant. Not only does this provide obvious financial savings, it also requires that each area of the University evaluate its operations, and take meaningful steps to improve productivity across campus. Mr. Grilli stated that these types of actions, combined with the deep reductions that have already been made to campus-wide operating budgets, limited and controlled use of institutional reserves, and very serious efforts to restore enrollment levels, will ensure a viable and fiscally-strong YSU for generations to come.

Mr. Grilli provided a brief update on the economic outlook for the state of Ohio. Mr. Grilli reported that, according to the most recent economic report released by Governor Kasich's Office of Budget & Management in November, the state of Ohio's economy is showing signs of having stabilized. Mr. Grilli stated that relative to last fiscal year, the current year's performance is significantly improved. Mr. Grilli noted that year-to-date tax receipts are so far \$96 million above budgeted estimates, representing a 10% increase above actual tax revenue this time last year. Mr. Grilli stated that much of this growth can be attributed to the growth in personal income and corporate franchise tax receipts, as well as sales tax revenue, which also grew by 5% compared to last year. Additionally, the most recent unemployment figures show that Ohio's jobless rate fell in September by more than 21,000 jobs. Mr. Grilli stated that while all of this hardly represents a full-scale economic recovery, it is nonetheless positive news. It also reinforces the notion that in spite of more than a decade of declining state funding support for higher education, there is reason to be somewhat optimistic.

The chairperson noted that the Finance and Facilities Committee was recommending four resolutions for adoption by the board. There being no objection thereto, the chairperson declared the following recommended by the Finance and Facilities Committee adopted by general consent:

Resolution to Modify
Purchasing Policy

YR 2012-21

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Purchasing, policy number 3001.01 of the *University Guidebook*, shown as Exhibit G attached hereto. A copy of the policy indicating changes to be made is also attached.

Resolution to Modify
Acceptance of Loaned Property/Courtesy Car Program Policy

YR 2012-22

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Acceptance of Loaned Property/Courtesy Car Program, policy number 3008.01 of the *University Guidebook*, shown as Exhibit H attached hereto. A copy of the policy indicating changes to be made is also attached.

Resolution to Modify
Smoke-Free Environment Policy

YR 2012-23

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Smoke-Free Environment, policy number 4001.01

of the *University Guidebook*, shown as Exhibit I attached hereto. A copy of the policy indicating changes to be made is also attached.

Resolution to Approve Interfund Transfers

YR 2012-24

WHEREAS, Policy Number 3010.01, Budget Transfers, of the *University Guidebook*, requires Board of Trustees approval for interfund transfers of \$100,000 or more; and

WHEREAS, certain accounting adjustments and transfers outside the operating budget are necessary;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve transfers outside the operating budget, as detailed in Exhibit J.

Mr. Schulick reported that the Audit Subcommittee met on December 6, 2011, and received reports from the Crowe Horwath, the university's external auditors, and Packer Thomas firm, the university's internal auditors. Mr. Schulick noted that the university's external audit resulted in an unconditional "clean" auditor's letter

Dr. Jakubek reported that the Investment Subcommittee met on December 6, 2011, and received reports from Hartland & Co., the university's investment advisors. Dr. Jakubek reported that the Investment Subcommittee acted to transfer \$700,000 of university investments from fixed income to equities and to approve changes in certain bond funds.

4. University Affairs Committee.

The chairperson stated that the University Affairs Committee was recommending three resolutions for adoption by the board. There being no objection thereto, the chairperson declared the following resolutions recommended by the University Affairs Committee adopted by general consent:

Resolution to Approve
Budget-Deficit Options Applicable to Excluded Employees Policy

YR 2012-25

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the creation of an Institutional Policy governing Budget-Deficit Options Applicable to Excluded Employees Policy, policy number 3014.00 of the *University Guidebook*, shown as Exhibit K attached hereto.

Resolution to Modify
Employee Health Insurance Programs Policy

YR 2012-26

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Employee Health Insurance Programs, policy number 7008.01 of the *University Guidebook*, shown as Exhibit L attached hereto. A copy of the policy indicating changes to be made is also attached.

Resolution to Ratify
Faculty/Staff Appointments

YR 2012-27

WHEREAS, the *Policies of the Board of Trustees* direct the President to appoint such employees as are necessary to effectively carry out the operation of the University; and

WHEREAS, new appointments have been made subsequent to the September 27, 2011, meeting of the Board of Trustees; and

WHEREAS, such appointments are in accordance with the 2011-2012 Budget and with the University policy on Equal Employment Opportunity;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby ratify and confirm the appointments as listed in Exhibit M attached hereto.

Mr. Meshel reported that the Collective Bargaining and Negotiations Subcommittee met on December 1, 2011, and reviewed 2011 collective bargaining negotiations.

Mr. Schiavone reported that the Intercollegiate Athletics Subcommittee met on December 1, 2011, and received reports on the status of an outside audit of YSU Intercollegiate Athletics NCAA rules compliance.

ITEM V – COMMUNICATIONS AND MEMORIALS

The board considered no communications or memorials.

ITEM VI – UNFINISHED BUSINESS

The board considered no unfinished business.

ITEM VII – NEW BUSINESS

The board considered no new business.

ITEM VIII – CHAIRPERSON'S REMARKS

Dr. Garg stated that today's winter meeting of the Board of Trustees is the last meeting of 2012 and he thanked and congratulated the trustees for their hard work and accomplishments of the last six months. Dr. Garg said that the completion of negotiations with YSU-ACE and YSU-OEA will help the university weather current financial challenges. Dr. Garg stated that the board's retreat on November 18 resulted in a 2½-year real plan with no gimmicks to balance the budget by 2014, adding that it appears that we have been able to fill a budget gap of \$14 million. Dr. Garg thanked those nonunion administrative employees who have made voluntary contributions totaling \$367,418 (and still counting) toward deficit reduction. Dr. Garg noted that the university's 2020 Strategic Plan will stay intact despite budgetary constraints. Dr. Garg thanked Dr. Anderson for staying super-focused and continuing to move the university forward. Dr. Garg wished those of all faiths happy and blessed holidays.

ITEM IX – TIME AND PLACE OF UPCOMING REGULAR MEETINGS

Upon motion duly made and seconded, which received the affirmative vote of all trustees present, the trustees resolved to set the following dates and times for the next regular meetings of the board to be held in the Board Room in Tod Hall:

3:00 p.m., Wednesday, March 14, 2012
3:00 p.m., Wednesday, June 13, 2012
3:00 p.m., Friday, September 28, 2012

ITEM X – ADJOURNMENT

There being no further business to before the board of trustees, and upon motion duly made and seconded, the meeting was duly adjourned by unanimous vote of the trustees at 3:40 p.m.

Chairperson

ATTEST:

Secretary to the Board of Trustees