

MINUTES OF MEETING

of

BOARD OF TRUSTEES

of

YOUNGSTOWN STATE UNIVERSITY

Tod Administration Building  
Saturday, June 21, 1980

Pursuant to Resolution YR 1980-55 and to Notices mailed on the 5th day of June, 1980, by the Secretary to the Board to each Trustee, copies of which precede these Minutes (with copies to the President of the University, the Presidents of the YSU Chapter of the OEA and the YSU Chapter of OCSEA, to Edward A. Flask, Special Counsel to the Attorney General of Ohio, and to the Director of Legal Services of the University) a regular meeting (seventy-third) of the Board of Trustees of Youngstown State University convened on Saturday, June 21, 1980 in the Board Room in the Tod Administration Building at noon, following commencement and a luncheon meeting with the commencement speaker, Dr. Edward Q. Moulton, Chancellor of the Ohio Board of Regents.

All Trustees were present at the meeting, to-wit: Paul M. Dutton, Dr. Thomas D. Y. Fok, Dr. John F. Geletka, Edgar Giddens, William J. Lyden, Mrs. Ann L. Isroff, William G. Mittler, Fred C. Shutrump, Jr. and Frank C. Watson.

Also present were Dr. John J. Coffelt, President, Dr. Leon Rand, Acting Academic Vice President, Dr. Neil D. Humphrey, Executive Vice President, Dr. Taylor Alderman, Vice President Personnel Services, Edmund J. Salata, Dean Administrative Services, Dr. Lawrence E. Looby, Associate Vice President Public Services, Dr. Charles McBriarty, Associate Vice President Student Services, Philip A. Snyder, Director University Relations, Hugh W. Manchester, Secretary to the Board of Trustees, John N. McNally, representing Edward A. Flask, Special Counsel, and Patricia D. Martin, Secretary to the President. Also present were approximately 20 Deans, members of the faculty and members of the news media.

Mr. Giddens, Chairman of the Board, presided.

ITEM I - Proof of Notice of Meeting

Evidence was available to establish that due notice of the meeting had been mailed on June 5, 1980 by the Secretary to each of the nine Trustees and to the President, and that copies had also been mailed to the Presidents

of the YSU Chapters of OEA and OCSEA, to Edward A. Flask, Legal Counsel and to Theodore Cubbison, Director of Legal Services. Such evidence precedes these Minutes.

ITEM II - Minutes of Meeting Held April 26, 1980.

Copies of the draft of the Minutes of the Meeting of the Board of Trustees held on April 26, 1980, had been mailed to each Trustee, to the President, the three Vice Presidents, the Dean of Administrative Services, the State Examiner, the Special Counsel to the Attorney General and the Director of Legal Services. There being no corrections or changes suggested, the Minutes were approved on Motion by Mrs. Isroff, seconded by Mr. Shutrump and duly carried, and were signed by the Chairman and attested by the Secretary.

ITEM III - Recommendations of the President of the University.

Dr. Coffelt recommended that two (2) Resolutions be adopted by the Trustees:

1. Resolution to Ratify Faculty/Staff Appointments.

Ten (10) Faculty/Staff appointments and promotions made since the April 26, 1980 meeting of the Board were reported.

After a Motion which was made by Mr. Watson and seconded by Dr. Geletka had received the affirmative vote of each Trustee present, the Chairman declared the following resolution adopted:

"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 YR 1980-56

"WHEREAS, new appointments have been made subsequent to the April 26, 1980 regular meeting of the Board of Trustees; and

"WHEREAS, such appointments are in accordance with the 1979-80 budget and with the University policy on Equal Employment Opportunity.

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby ratify and confirm the appointments as listed in Exhibit A attached hereto."

2. Resolution Accepting Gifts.

Gifts to the University since April 26, 1980 were reported and described.

After a Motion, which was made by Mrs. Isroff and seconded by Mr. Mittler had received the affirmative vote of each Trustee present, the Chairman declared the following resolution duly adopted:

"WHEREAS, Resolution YR 1980-34 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 his recommendation or action by the Board; and

YR 1980-57

"WHEREAS, the President has reported that the gifts as listed in Exhibit B attached hereto are being held pending acceptance and he 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 instructs the President to acknowledge such acceptance to the donors and to express our gratitude for their generosity to the University."

ITEM IV - Report of the President of the University.

Dr. Coffelt reported concerning five matters, as follows:

1. Budget Cuts Expected.

Although not yet official, it is now almost certain that across-the-board budget cuts, effective July 1, 1980, will be ordered. The State faces a projected budget deficit of \$266 million, of which higher education is expected to absorb \$24 million (9%). Each 1% of the cut will mean \$230,000 to Youngstown State University - 3% would be \$690,000 - 6% would be \$1,380,000. Until the precise amount of reduction in state subsidy is known, recommendations for balancing the budget cannot be developed. The need for increasing student fees for the fall term is not presently expected.

2. State Formula Revision.

The Ohio Board of Regents, during the past year, has been making a comprehensive restudy of the method by which the state funds for higher education in Ohio should be determined. Committees representing public colleges and universities in Ohio have been assisting, and future enrollment projections indicate a probable enrollment decline. There is concern that the present formula for apportioning funds may become unrealistic as respects the needs to maintain quality and to meet fixed costs which may not be responsive to enrollment declines.

The Ohio Board of Regents has reached preliminary conclusions and tentatively plans to share its responsibilities with operating Boards of Trustees or their representatives at a meeting in Columbus to be held on July 14, 1980. The administration expects to keep in close touch with further refinement of plans to change the present formula, and to keep the Trustees advised as changes may develop.

3. Summer Enrollment.

As of June 20, 1980 the summer enrollment was 5,663 headcount (384 or 1.3% over June 20, 1979 count) or 3,040 FTE (192 or 6.7% above the previous year).

4. Accreditation Team Visit - NEOUCOM.

In March a team representing the Liaison Council on Medical Education visited Youngstown to evaluate plans and programs of NEOUCOM with respect to Year VI curriculum. They: (1) continued provisional accreditation; (2) authorized increase in the entering class from 72 to 93 (in fall 1980). The first entering class will be graduating BS/MD in May of 1981. Planning such first commencement is already in process.

5. Search for an Academic Vice President.

Of 82 candidates for the office the screening committee has approved 11, (now narrowed to 9) for interviewing. It is expected that the interviewing will be concluded by August 1980.

On motion by Dr. Geletka, seconded by Mr. Watson, and duly carried, the Report of the President was accepted.

ITEM V - Report of the Acting Academic Vice President.

Dr. Rand reported concerning the following seven matters:

1. Promotions.

Since the Board meeting on April 26, 1980, of the two proposed promotions then under review, one requested promotion has been denied; and the other is being withheld pending the earning of an approved doctorate degree.

2. Accreditations.

A 2 year Technician Program in Respiratory Therapy has been given continuing accreditation for a four year period by the Committee on Allied Health Education and Accreditation of the Department of Allied Health Evaluation.

3. Weekend, Evening, Re-Entry and Off-Campus Courses - Phase Two.

Efforts continue to prepare for and offer such courses to encourage members of the community to know more of the University and the opportunities it offers. Plans for offering courses at the Lordstown plant of General Motors Corporation in the fall have been postponed because of current economic conditions.

4. Integrated General Education Courses.

An integrated group of mini-courses in the sciences and humanities has been developed by a faculty group, led by Dr. Thomas McCracken, with Academic Senate approval. Such mini-courses, with discussion groups and research projects, can constitute between 10 and 30 q.h. toward a student's major and general requirements. Such courses offered as "Perspectives in Human Values: Humanities, Society, and Sciences," will be scheduled for weekends, twice within a three-year period, with evaluation after each time. Further implementation of "Perspectives in Human Values" requires approval through the regular Senate Process. Administration of such courses during the trial period will be a responsibility of the Dean of the College of Arts and Sciences.

5. Long-Range Academic Planning.

The Academic Senate has created an ad hoc Academic Program goals committee (chaired by Dean McGraw) and an ad hoc Planning Committee (chaired by Dean Yozwiak). After a series of University-wide hearings, the goals committee, prepared Academic Program goal statements, which were accepted by the Senate and forwarded to the Planning Committee which will establish academic program priorities. Chancellor Moulton met with the ad hoc planning committee on June 20th and indicated some of the Regents' thinking and plans with respect to academic planning.

6. The Continuing Education Unit.

The Academic Senate gave its approval for the awarding by Youngstown State University of the Continuing Education Unit (CEU) for certain courses, workshops, seminars and conferences conducted through the office of Continuing Education. One CEU is awarded for ten contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction and qualified instruction.

Specific objectives for the use of the CEU are:

1. To systematize the recording and reporting system for participation in non-credit continuing education programs.
2. To provide a uniform system for accumulating quantitative data on participation in continuing education activities.
3. To permit the accumulation and updating of the continuing education record of an individual participant.
4. To encourage long-range educational goals and lifelong learning as a process of continuing education, while maintaining a professional career in a chosen field.

5. To make the pursuit of knowledge more attractive as a way of personal and professional development.

Included in the approved proposal for the CEU are procedures, conditions, and exceptions that pertain to courses for which the CEU may be awarded.

The administration is generally supportive of awarding of the CEU as presented by the Senate, and a resolution will be advanced to the Board at the next meeting, incorporating the proposal from the Senate.

7. Cooperation With The University of Akron.

To assist students from the Youngstown area who wish to pursue the Doctor of Education degree in Education Administration, an Agreement of Cooperation has been reached with the University of Akron. A copy of such agreement was distributed to each Trustee.

Through this Agreement, specific details of which will be developed, students who are accepted into such degree program at the University of Akron may fulfill a portion of their residency requirement on the Youngstown State University campus. Provision is included for participation of some of our faculty in the doctoral program as adjunct faculty at the University of Akron, and certain courses that are part of the doctoral program may be taught on this campus.

It is hoped that this Agreement, in the spirit of inter-institutional cooperation, will, through its development, become a basis for further such cooperative ventures in advanced graduate programs.

President Coffelt pointed out that this was another cooperative effort with a University in northeastern Ohio for the benefit of students who may be involved.

On motion made by Mr. Shutrump, seconded by Dr. Geletka, and duly carried, the Report of Dr. Rand was accepted.

ITEM VI - Report of the Executive Vice President.

Dr. Humphrey reported concerning the following matters:

1. Budget Director.

Dr. G.L. Mears, of the University of Arkansas, is to replace William J. Sullivan who is retiring as Director of the Budget and Institutional Studies.

2. Average Annual Costs to Students.

A table comparing student fees charged for full-time students at each of the twelve state subsidized universities in Ohio indicates that

YSU, for fiscal year 1981, with total instruction and general fees of \$915 per year (for both undergraduate and graduate students) will continue to make the second lowest charge in Ohio. This compares with \$1,087 as the mean and \$1,094 as the median charges for undergraduate students, state-wide. Only Central State University has lower charges.

On Motion, made by Mrs. Isroff, seconded by Mr. Shutrump, and duly carried, Dr. Humphrey's report was accepted.

ITEM VII - Report of the Vice President for Personnel Services.

Dr. Alderman had no report.

ITEM VIII - Report of the Dean of Administrative Services.

Dean Salata reported concerning the following matters:

1. Kilcawley Center Expansion Phase III.

On June 17, 1980 bids were received for Kilcawley Center Expansion Phase III project. Low bidders were:

General Construction:

Chas. Shutrump & Sons Company	Base Bid	\$ 968,000
	G-2	20,000
	G-3	20,000
		<u>\$1,008,000</u>

Plumbing Construction:

Prout Boiler, Heating & Weld, Inc.	Base Bid	\$ 47,400
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HVAC Construction:

Prout Boiler, Heating & Weld, Inc.	Base Bid	\$ 211,400
	H-1	10,600
	H-2	14,400
		<u>\$ 236,400</u>

Electrical Construction:

Franklin Wiring Company	Base Bid	\$ 124,800
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Food Service Construction:

Kitcheneering, Inc.	Base Bid	<u>\$ 62,670</u>
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Total Contracts		\$1,479,270
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On June 18, 1980, the Building and Property Committee authorized notice to the Ohio Department of Administrative Services that the University concurs with the award of contracts to the low bidders and proceeding with the project. The low bids were 1.5% under the Associate Architect's estimate. The expected completion date is September 1981 and the total project budget is \$1.8 million.

2. Kilcawley Residence Hall Lock Replacement.

The number of repairs and/or replacements of locks in the Residence Hall have become frequent, and the defective locks present a security concern for the room occupants. With the exception of the seventh floor, there has been no major replacement of locks since the original installation in 1965. On May 12, 1980 bids were received for the replacement of the locks. The total project budget is \$11,000. On June 18, 1980, the Building and Property Committee authorized release and encumbrance of funds for awarding bids to complete the project, previously approved by the Board.

3. Removal of Handicapped Barriers - Section 504 of Rehabilitation Act of 1973.

Bids will be received in the Office of the State Architect on June 25, 1980. The total project budget is \$107,972.

4. Parking.

To date for the Summer Quarter 48 Faculty-Staff permits, 2,077 student parking permits, and 7 free "D" permits for parking have been issued. This is 17 parking permits less than the number issued for the summer of 1979.

5. Health and Physical Education/All-Sports Complex.

On June 17, 1980 bids were received in the office of the State Architect for stadium seating and lockers and benches. The following low bids were received:

Stadium Seating:

Stadiums Unlimited, Inc.	\$185,000
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Lockers and Benches:

Republic Steel Corporation	\$ 63,414
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The bids were under the Associate Architect's estimate and at the Building and Property Committee meeting on June 18, 1980 they authorized release and encumbrance of funds to permit the state to award the above contracts to the low bidders. The project is moving well and the contractors are to be commended for their progress. The overall project is approximately 10% completed. The General Contractors made the first pour on the first floor on June 18, 1980. The superstructure will be started in August and the plan is to complete the enclosure so that interior work can be done during the coming winter.



On motion by Dr. Geletka, seconded by Mr. Shutrump and duly carried, Dean Salata's report was accepted.

Executive Session

At 1:27 p.m. the Trustees retired into an executive session for the purpose of reviewing negotiations and bargaining sessions with representatives of its employees who are members of the YSU Chapter of the Ohio Civil Service Employees Association. At 2:00 p.m. the Trustees reconvened into the open meeting in the Board Room to continue their regular meeting.

ITEM IX - Reports of the Committees of the Board.

1. Personnel Relations Committee.

Mrs. Isroff, chairman of the committee, stated that the last Agreement between Youngstown State University and the Youngstown State University Chapter of the Ohio Civil Service Employees Association had by its terms terminated at 12:01 a.m. on May 31, 1980; and that because the University was in negotiations with employees at such time of termination and had been in negotiations since May 13, 1980, the President of the University - with the awareness of the Personnel Relations Committee - had continued to permit the application of the terms and conditions of such last agreement. She stated that the Personnel Relations Committee recommended that a special meeting of the Board of Trustees be called to consider the matter at 4:00 p.m. on Tuesday, July 1, 1980 in this room.

Mrs. Isroff then moved for adoption the following resolution:

"Resolved that a special meeting of the Board of Trustees of Youngstown State University be held in the Board Room in Tod Administration Building at 4:00 p.m. on Tuesday July 1, 1980 for the purpose of considering and acting upon the following matters: YR 1980-58

1. Negotiations with the Youngstown State University Chapter of the Ohio Civil Service Employees Association.
2. Such other business as may properly come before the meeting."

The motion was seconded by Mr. Dutton, and after all Trustees had voted in favor of the motion, the Chairman declared the resolution adopted.

2. Building and Property Committee.

Dr. Geletka reported that on June 6, 1980, the Building and Property Committee met to consider Youngstown Thermal Corporation's proposal to

sell steam to the University. The Building and Property Committee, following a long and careful study made by the University Administration and a thorough review, concluded that the Youngstown Thermal Corporation proposal is economically and operationally feasible provided certain conditions can be met.

On June 9, 1980, President Coffelt advised Mr. Winfield H. Scott, Jr. President of Youngstown Thermal Corporation, by letter, that the Building and Property Committee of the Board of Trustees of Youngstown State University tentatively approved a resolution authorizing the President to negotiate a contract for purchased steam, and that they would advance it to the full Board of Trustees, for their consideration at the Board meeting on June 21, 1980, providing Youngstown Thermal Corporation could meet eleven conditions established by the University. On June 11, 1980, Mr. Winfield H. Scott, Jr., President of Youngstown Thermal Corporation, favorably responded to President Coffelt's letter of June 9, 1980.

On June 18, 1980, the Building and Property Committee met with officials of Youngstown Thermal Corporation to review the reply of Youngstown Thermal Corporation. Many of the conditions were discussed and interpretations more clearly identified and clarified by both parties. Several questions concerning the technology to be used, EPA approvals, schedules, rates, community impacts and benefits, and others were raised and answered.

Mr. McMillen, Executive Vice President of Youngstown Thermal Corporation, and Mr. Avers, Engineering Consultant to Youngstown Thermal Corporation, outlined their development and the factors leading to the decision that it was a viable acquisition, providing Youngstown State University would become a steam customer, their plans for the next five years, and the firm's management plans for staffing and operation.

Throughout its deliberations, the Committee has been sensitive to the importance of its decision to the Youngstown community. However, it also had to keep paramount the Board of Trustees' obligations and responsibilities as Trustees of a State University.

The major areas of concern to the Committee were:

1. Is the proposal economically feasible?
2. Does it support the University's primary goal of providing comprehensive educational opportunities at the lowest possible cost to students, thus assuring continued wide access to members of the community?
3. Will it support YSU's aim to aid the Youngstown community in its efforts to build a strong economic base?

University studies confirm that an agreement between Youngstown Thermal Corporation and Youngstown State University, if approved, could lead to a substantial savings in current energy related costs, which would benefit all.

The Committee believes that if Youngstown Thermal Corporation can meet the conditions which it has identified as essential, a contract can be developed which will be mutually beneficial to the University, the Youngstown community, and the corporation.

In addition to Youngstown State University being a high volume consumer of steam, using approximately 50% of the load, the University will also provide for a continuous year-round use of steam from the district heating system, which will help to offset summer operational costs. Currently, most customers of the heating system purchase steam in the winter months only; therefore, their rate must provide sufficient revenue to operate the plant year-round.

Youngstown Thermal Corporation estimates that if Youngstown State University does not become a steam customer there would be an increase in costs and the existing steam customers would have to pay an additional \$1,650,000 per year for steam.

The Building and Property Committee, being satisfied with the response of Youngstown Thermal Corporation to the University's concerns and conditions, recommends adoption of the following resolution.

Dr. Geletka then read, and moved for adoption the following resolution.

Resolution to Purchase Steam from Youngstown Thermal Corporation

"WHEREAS, Youngstown Thermal Corporation (Y.T.C.) proposes to acquire the Ohio Edison North Avenue Steam Plant and Distribution System; and YR 1980-59

"WHEREAS, Y.T.C. has offered to sell steam to Youngstown State University (Y.S.U.) at the rate of \$3.60 per 1,000 lbs. of steam based on January 1980 rates for natural gas; and

"WHEREAS, the cost of natural gas to produce 1,000 lbs. of steam, based on January 1980 fuel costs is \$3.75; and

"WHEREAS, in addition to a reduction of the basic fuel charge the University may also realize a reduction in operating costs; and

"WHEREAS, a staff review has determined the Y.T.C. proposal to be operationally feasible and economically beneficial to the University; and

"WHEREAS, by purchasing steam the University could reduce energy and operating costs by a minimum of \$98,500 the first year and a minimum of \$582,600 over a period of five years; and

"WHEREAS, the University's participation in the Y.T.C. proposal could greatly benefit the downtown Youngstown business community.

"NOW, THEREFORE, BE IT RESOLVED, that the President of Youngstown State University is authorized to negotiate a contract with officials of the Y.T.C. for the purchase of steam, providing the minimum conditions set forth below are met and that the resulting contract, recommended by the President and approved by the Building Committee, be submitted to the Board of Trustees for its final approval.

1. That the rate agreed to will be in force for the term of the contract entered into.
2. That the length of the contract be for a period not to exceed five years, at which time the University will reevaluate the merits of continuing purchased steam.
3. That the University's energy cost reductions (estimated by Y.T.C. at \$130,000 per year) be guaranteed by Y.T.C.
4. That Y.T.C. be approved by PUCO as a public utility prior to the Board's approval of a contract.
5. That rates as contracted not be alterable by third parties without the contract becoming voidable at the option of the University.
6. That no additional Capital investment be required of the University in converting its system to receive Y.T.C. steam, or in operating its system during the term of the contract. Obsolescence of existing University equipment is excluded.
7. That Y.T.C. furnish assurance that the quantity, quality, and pressure of steam needed by the University be furnished, and that Y.S.U. be compensated for any and all costs incurred as a result of Y.T.C.'s failure to perform.
8. That evidence acceptable to the University be provided that the solid waste energy recovery system proposed by Y.T.C. is economically and operationally feasible.
9. That Ohio Edison, within one year from the date of the agreement with Y.T.C., construct (at no cost to the University), an alternate source of power to the University.

10. That Ohio Edison, within six months from the date of the agreement with Y.T.C. perform the necessary work to the University's electrical substation and distribution system which will result in an improved power factor of approximately 0.98.
11. That Y.T.C. shall construct within twelve months from the date of this agreement, at no cost to the University a condensate return line from Y.S U. to the North Avenue Plant, and that in the interim Y.T.C. shall provide evidence of approval by the City of Youngstown and the Environmental Protection Agency of authority to discharge condensate into the existing city sewerage system."

The motion was seconded by Mr. Lyden. After each Trustee had voted in favor of the motion, the Chairman declared the motion carried, and the resolution adopted.

3. Budget and Finance Committee.

Mr. Lyden stated that the Committee had determined to recommend the adoption of nine resolutions by the Board of Trustees.

A. Resolution to Amend Investment Policy.

Mr. Lyden read, and moved for adoption the following resolution:

"WHEREAS, the wire transfer of State monies from Columbus is to the advantage of Youngstown State University; and YR 1980-60

"WHEREAS, this process would be facilitated upon occasion by the purchase of a short-term repurchase agreement through a Columbus bank;

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby adopt the amendment to Article IX, Section 10, of The Policies of the Board of Trustees of Youngstown State University, as contained in Exhibit C, to allow the purchase of short-term repurchase agreements (usually three days or less) from a Columbus bank and to change the reporting requirements concerning University investments."

The motion was seconded by Mrs. Isroff and after receiving the affirmative vote of each Trustee present, the Chairman declared the motion and the resolution adopted.

B. Resolution Concerning Policies of The Board of Trustees.

Mr. Lyden next read, and moved for adoption the following resolution:

"WHEREAS, the Board of Trustees adopts travel regulations by Resolution and such regulations are published, along with necessary interpretation in the Administrative Manual of the Executive Vice President; and

YR 1980-61

"WHEREAS, Section 14, Article III, of the Policies of the Board of Trustees is not consistent with the adopted regulations;

"NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees that Section 14 is hereby amended as follows:

Travel regulations shall be applicable to all University ~~personnel~~ EMPLOYEES and shall be ~~followed regardless of the source of the travel funds, i.e. from funds budgeted to departments from general operating monies, from federal or state funds for research, or from private gifts (given to the University) (See Appendix C.)~~ ADOPTED BY RESOLUTION AND PUBLISHED IN THE ADMINISTRATIVE MANUAL OF THE EXECUTIVE VICE PRESIDENT."

The motion was seconded by Mrs. Isroff, and after receiving the affirmative vote of each Trustee present, the Chairman declared the motion carried and the resolution adopted.

C. Resolution Concerning Utilization of Credit Cards by Students.

Mr. Lyden read and moved for adoption the following resolution:

"WHEREAS, Resolution YR 1978-51 authorized the award to The Peoples Bank of Youngstown for the provision of credit card services for the two-year period July 1, 1978 through June 30, 1980; and

YR 1980-62

"WHEREAS, this service has been bid for the two-year period July 1, 1980 through June 30, 1982, and The Peoples Bank of Youngstown again has the lowest bid.

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby award the contract to The Peoples Bank of Youngstown at rates and conditions as specified in the bid document."

Such motion was seconded by Dr. Geletka and after each Trustee present had voted in favor of the motion, the Chairman declared the resolution adopted.

D. Resolution Concerning Non-Mandatory Transfers.

Mr. Lyden read and moved for adoption the following resolution:

"WHEREAS, the Special Projects have been managed during fiscal year 1979-80 in conformity with Resolution YR 1980-63  
YR 1980-3; and

"WHEREAS, the review of activity in those projects during FY 1980 has been completed and monies available for allocation have been identified, subject only to final closing adjustments of FY 1980 accounts; and

"WHEREAS, the Budget and Finance Committee of the Board of Trustees has reviewed the administration's report and recommends approval;

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby:

1. Approve the fiscal year 1980 year-end transfers and allocations identified in the document entitled 'Non-Mandatory Transfers as of June 30, 1980, and Special Projects and Contingency Reserves for 1980-81'; and,
2. Approves the expenditure authority noted in that report; and,
3. Recognizes that the report is based on preliminary information prior to final closing entries in the FY 1980 books and, therefore, authorizes any adjustments, plus or minus, necessary at closing to occur in the University Operation Contingency Reserve Fund."

Mr. Mittler seconded the motion. After each Trustee had voted in favor of the motion, the Chairman declared the motion carried and the resolution adopted.

E. Resolution Concerning 1979-80 Teacher Institutes.

Mr. Lyden read and moved for adoption the following resolution:

"WHEREAS, Amended Substitute House Bill 155, Appropriation 207-518 (1979), supports collaboration in designing and delivering in-service activities for elementary and secondary education; and YR 1980-64

"WHEREAS grants of \$43,876 have been received from the Ohio Department of Education for 1979-80 for Teacher Institutes at Youngstown State University; and

"WHEREAS, under the 'tuition/course credit' alternative approach used for the past several years to secure and account for these grants, these monies were utilized for the payment of tuition and stipends for participants, instructional materials, and contractual services; and

"WHEREAS, the assumed income to the University during 1979-80 as a result of these Institutes can be calculated at \$7,647 in Instructional Fee and \$20,146 in State subsidy, or a total of \$27,793; and

"WHEREAS, the instructional costs and additional Instructional Fees yet to be paid for 1979-80 total \$15,696.60 for these Institutes;

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby authorize the transfer of \$5,070 from SOC 190, Non-wage payment, Secondary Education Department, and \$10,626.60 from the Unallocated Reserve, Fund One, to Teacher Institutes, a new functional account in the School of Education within Fund One, to cover these costs; and

"BE IT FURTHER RESOLVED, that the administration is directed to establish future Teacher Institute grants in such manner that all potential charges to Fund One are identified and appropriate budgets authorized prior to any expenditure being committed."

The motion was seconded by Mrs. Isroff, and after each Trustee present, voted affirmatively the Chairman declared the motion carried and the resolution adopted.

F. Resolution Concerning 1980-81 Teacher Institutes.

Mr. Lyden read and moved for adoption the following resolution:

"WHEREAS, grants from the State of Ohio Department of Education in the total amount of \$59,477 are available to Youngstown State University, School of Education, for partial payment of the 1980-81 expenses of in-service activities for elementary and secondary education teachers, such activities to be known as Teacher Institutes; and

YR 1980-65

"WHEREAS, an additional \$13,872 of expenses for these Institutes can be identified within the 1980-81 budgets of the various departments of the School of Education; and



"WHEREAS, an additional \$23,652 of University money is required for the 1980-81 institutes (see Exhibit D for budgets) in order for the 'tuition/course credit' alternative approach to be followed;

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby authorize the transfer of \$23,652 from the 1980-81 Un-allocated Reserve in Fund One, University Operation (which has an opening credit of \$402,254) to a functional account titled 'Teacher Institutes' in the School of Education, in the following accounts:

Directors (SOC 191, Supplementary Salary)	\$ 3,500
Faculty (SOC 191, Supplementary Salary)	14,166
Fringe Benefits (SOC 200 group)	3,886
Consultants (SOC 170, Independent Contractors)	2,100."

The motion was seconded by Mr. Watson. After each Trustee present voted in favor of the motion the Chairman declared the motion carried and the resolution adopted.

G. Resolution Concerning Transfer From Unallocated Reserve For Faculty Overload Payments.

Mr. Lyden read and moved for adoption the following resolution:

"WHEREAS, the 1979-80 budget for Faculty Overload Reserve was originally set at \$50,000 and an additional \$15,000 has been made available by Board of Trustees Resolution; and

YR 1980-66

"WHEREAS, it has been determined that this total of \$65,000 is still inadequate to meet the current 1979-80 payments for overload assignments;

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby approve the transfer of an additional \$10,000 from the Unallocated Reserve, Fund One, to the Faculty Overload Reserve account under the control of the Academic Vice President."

The motion was seconded by Dr. Geletka. Each Trustee present voted in favor of the motion and the Chairman declared the motion carried and the resolution adopted.

The President commented briefly on expenditures in excess of budget and advised that it would be necessary to implement many careful budgetary controls in the ensuing fiscal year.

H. Resolution Concerning Transfers From Unallocated Reserve.

Mr. Lyden read and moved for adoption the following resolution:

"WHEREAS, the 'Instructions Concerning Budget Administration in 1979-80', adopted by the Board of Trustees as a part of the 1979-80 Operating Budget, provide that transfers out of the Unallocated Reserve require approval of the Board of Trustees; and

YR 1980-67

"WHEREAS, vacancies or leaves-without-pay in Classified Civil Service positions have resulted in a transfer of \$86,965 to the Unallocated Reserve from 15 different functional accounts; and

"WHEREAS, because of these vacancies it has been necessary to employ temporary or part-time classified people to do the work of the absent regular positions;

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby approve the transfer of the following amounts from the Unallocated Reserve, Fund One, to the appropriate accounts (SOC 131) in the designated functional accounts (Tr. No. BT 548) to provide monies through May 31, 1980:

Allied Health	\$ 1,091
Home Economics	746
Health & Physical Education	2,445
Chemistry	1,917
Black Studies	2,876
Secondary Education	5,071
Dean, School of Education	150
Dean, Graduate School	4,037
Library	1,902
Controller	2,625
Computer Center	3,227
Campus Security	21,219
University Relations	6,448
Central Services	95
TOTAL	<u>\$53,849</u>

"AND BE IT FURTHER RESOLVED, that the President shall exercise his delegated ability to transfer such sums as may be required for these or other temporary or part-time Classified Civil Service accounts for the month of June, 1980."

The motion was seconded by Mr. Watson. Each Trustee present voted in favor of the motion and the Chairman declared the same carried and the resolution adopted.

I. Resolution to Amend 1980-81 Budget Position Control in Computer Center.

Mr. Lyden moved for adoption the following resolution:

"WHEREAS, the 1980-81 Annual Budget includes position control as to number and type of positions as well as total salaries; and

YR 1980-68

"WHEREAS, the Computer Center budget provides for 24 Classified Civil Service positions at a total salary of \$458,451; and

"WHEREAS, a Programmer-Analyst 5 in the Systems Development staff has resigned and the resulting analysis of current staffing and programming backlog leads the administration to conclude that the needs of the Computer Center would be better served at this time by converting the available budgeted monies to fund two Programmer/Analyst 2 positions and discontinue the Programmer/Analyst 5 position;

"NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby authorize the Computer Center to have 25 classified Civil Service positions for 1980-81 provided the total expenditure does not exceed the \$458,451 already budgeted."

After such motion was seconded by Dr. Fok and after each Trustee present voted in favor, the Chairman declared the motion carried and the resolution adopted.

4. Student Affairs.

Mr. Dutton reported that the Student Affairs Committee met six times during the 1979-80 academic year. Students representing various segments of the University joined the Committee for informal discussion during noontime luncheons. Approximately four students attended each session. The following student groups were represented at these sessions:

WEDNESDAY, OCTOBER 10, 1979

Student Government &  
Student Council

WEDNESDAY, FEBRUARY 27, 1980

Honorary (scholastic)  
Organizations

WEDNESDAY, NOVEMBER 28, 1979

Greek letter social organiza-  
tions  
Residence Hall Association  
Engineering Dean's Council

WEDNESDAY, APRIL 23, 1980

Valedictorian scholarship  
recipients

THURSDAY, JANUARY 24, 1980

Minority student groups:  
Black student organizations  
Women's organization  
Handicapped students

TUESDAY, MAY 20, 1980

Intercollegiate athletic  
captains  
Intramural participants

Throughout these six meetings a wide range of topics were presented; most of which were discussed at only one or two sessions. Many of the topics reviewed during the Committee's meetings centered on positive aspects of the University. There were some concerns expressed which were satisfactorily responded to immediately by members of the Committee or the administrators in attendance, in other instances post meeting follow-up

was required. Some of the issues discussed were very broad and complex and no immediate resolution was possible. In some sessions issues raised by one student were debated by others.

The Topics Discussed Included:

Quality of Instruction - Most students, with isolated exceptions, felt they were being challenged by the faculty and their University experience was rewarding. There was no consensus regarding the introduction of more ridged General Education Requirements.

Athletic Programs - The vast majority of students expressed support of athletic programs and activities. Some student athletes expressed concerns about unequitable financial support of athletic teams.

Adequacy of Campus Facilities & Services:

Housing - Some concern about quality and cost of off-campus housing was expressed.

Parking - Those students discussing parking were concerned about convenience rather than availability.

Day Care Services - There was a concensus throughout the six sessions that day care services would be valuable. There was some disagreement over the funding of this service.

Lockers - There was an isolated complaint about the lack of student lockers in Bliss Hall. (Subsequent administrative action has alleviated this problem.)

Student Lounge - The lack of adequate student lounge space in the Business Administration Building was expressed. (Such space has been incorporated into that building's remodeling plans.)

Health Care - Current facilities and services appear to be adequate.

Legal Aid - The recently enacted legislation which enables Boards of Trustees to provide student legal assistance generated an expression of interest among some students.

Orientation - Most comments about orientation were positive.

Handicapped/Minority Students - There were some concerns expressed regarding accessibility of parking and problems resulting from student misuse of designated parking areas.

There was no new expression of black student concerns and there was recognition of some University efforts focused on past problems.

Faculty/Student Relationships - Some students expressed eagerness in becoming more involved in the process of collective bargaining. This was especially focused on Faculty Evaluation. There was a nearly universal belief expressed that the current Faculty Evaluation process is inadequate.

There was some student support of greater faculty participation in University programs.

Alcoholic Beverages - There was little student interest in modifying current University regulations regarding alcoholic beverages.

General Fee - The use of the General Fee was directly or indirectly related to most of the topics discussed. Most students expressed a lack of understanding of how the General Fee is allocated. There was a concern over the apparent inadequacy of students to directly control the expenditure of General Fee monies. There were, however, no complaints registered over the amount of General Fee paid by students.

There were two student concerns that require action by the Student Affairs Committee. These issues were (1) day care services for student dependents and (2) student evaluation of faculty. The Committee recommends the following steps to be taken to address these issues:

1. The Administration should appoint a representative Task Force to restudy the need for and cost of day care center services for students.
2. It should be called to the attention of the Personnel Committee of the Board that some students have expressed negative feelings about the effectiveness of the current faculty evaluation process.

In sum, there appears to be a general satisfaction among students with regard to their experiences at the University. The Student Affairs Committee members agree that these meetings were beneficial. The Committee members were afforded an opportunity to learn first-hand, about student issues and concerns. The meetings provided student participants with an informal opportunity to discuss their satisfactions and concerns directly with members of the Board.

It is recommended that the Student Affairs Committee continue to solicit direct student input.

After a motion which was made by Mr. Dutton, and seconded by Mr. Watson had received the affirmative vote of each Trustee present, the Chairman declared the following resolution adopted:

"RESOLVED that the report of the Student Affairs Committee be accepted and its recommendations adopted." YR 1980-69

ITEM X - Communications

Copies of the following seventeen communications had been furnished to each Trustee prior to the meeting:

Oath of Office, YSU Board of Trustees, Mr. William J. Lyden.....	1
Secretary's Report regarding Attendance at Board Meetings.....	2
Pending Litigation Report.....	3
Letter of Attorney Ingram, dated April 30, 1980, regarding M. J. Kelley Company, Notice of Appeal.....	4
Letter of Attorney Cubbison, dated May 7, 1980, regarding Daniel N. Terlecki suit.....	5
Statement for legal services rendered by Board's legal counsel.....	6
Memorandum regarding College of Medicine accreditation.....	7
Phase 1 - B. S./M.D. Program, Summer 1980, Finalists.....	8
Minutes of Academic Program Goals Committee Meeting, May 29, 1980.....	9
Letter regarding respiratory therapist program accreditation.....	10
Letter of President Coffelt, dated May 22, 1980, to Mr. James A. Conser regarding promotion.....	11
Memorandum of President Coffelt, dated May 1, 1980, to Mr. Robert Stanko regarding promotion.....	12
Letter of Ohio Department of Administrative Services, dated May 16, 1980, regarding YSU's compliance review.....	13
Letter of President Coffelt, dated June 9, 1980, to Mr. Winfield H. Scott, Jr., Youngstown Thermal Corporation, regarding purchase of steam.....	14
Memorandum of Chairman Giddens, dated May 28, 1980, appointing an <u>Ad hoc</u> Committee on Bylaw Review.....	15
Minutes, April 14, 1980 Trustee Representatives to the Inter-University Council.....	16
Annual Cost, Average Full-Time Student.....	17

The Secretary reported that he had received a communication from the

University Council of Ohio dated June 18, 1980, urging that all Trustees make an effort to attend a meeting in Fawcett Center in Columbus, at 10:00 a.m. on July 14, 1980, with State University Presidents at which Chancellor Moulton will present the proposed subsidy formula revision.

ITEM XI - Unfinished Business.

Mrs. Isroff then read a letter, dated May 28, 1980 to the Board of Trustees from herself as Chairman of the Ad Hoc Audit Committee, and a report of such Ad Hoc Audit Committee to the Board of Trustees, dated May 28, 1980 (5 Pages exclusive of Exhibits attached thereto). Copies of such letter and report, (including Exhibits) had been furnished to each Trustee prior to the meeting, and a copy of each (including Exhibits) is attached to these Minutes marked Exhibits E and F respectively.

Mrs. Isroff then moved for adoption the following Resolution:

Resolution on Report of the Ad Hoc Audit Committee

"BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby accept the report of the Ad Hoc Audit Committee on the Report of Examination for 1976-77 filed by the department of Auditor of State. YR 1980-70

"BE IT FURTHER RESOLVED, that the Secretary of the Board be and is hereby directed to file a copy of its report with the Auditor of State and the Attorney General."

The Motion was seconded by Mr. Lyden. Each Trustee present voted in favor of the Motion and the Chairman declared the Motion carried and the Resolution adopted.

ITEM XII - Election of Officers.

Mr. Lyden reported for the Nominating Committee (which included Mrs. Isroff and Mr. Lyden) that the Committee wished to nominate the present officers of the Board to serve for the next year, to-wit:

EDGAR GIDDENS	as Chairman
DR. THOMAS FOK	as Vice Chairman
HUGH W. MANCHESTER	as Secretary

There were no other nominations, and after a Motion by Mr. Lyden, seconded by Mrs. Isroff and carried by affirmative vote of all Trustees, the Chairman declared the following Resolution adopted:

"RESOLVED that the nominations be closed and that Edgar Giddens be elected as Chairman of the Board YR 1980-71

that Dr. Thomas Fok be elected as Vice-Chairman of the Board and that Hugh W. Manchester be elected as Secretary of the Board of Trustees to serve for the ensuing year and until their successors are elected and qualified."

ITEM XIII - Suggested Dates for Regular Meetings, 1980-81.

Dr. Coffelt suggested the following dates for regular meetings in the next fiscal year.

Saturday August 23, 1980  
Saturday November 8, 1980  
Saturday February 14, 1981  
Saturday April 25, 1981  
Saturday June 20, 1981

ITEM XIV - Time and Place of Next Regular Meeting.

There being no further business, on Motion made by Mr. Lyden, seconded by Dr. Fok, which was carried by the affirmative vote of each Trustee present, the Chairman declared the following resolution adopted:

"RESOLVED that the next regular meeting of the Board of Trustees of Youngstown State University be held in the Board Room in Tod Administration Building on Saturday, August 23, 1980, at noon, following commencement."

YR 1980-72

The meeting was duly adjourned at 3:00 p.m.

  
\_\_\_\_\_  
CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
Secretary to the Board of Trustees



YOUNGSTOWN STATE UNIVERSITY  
 RESOLUTION FOR NEW APPOINTMENTS AND PROMOTIONS  
 AS OF June 21, 1980

<u>NAME</u>	<u>TITLE</u>	<u>DEPARTMENT</u>	<u>DATE OF EMPL.</u>	<u>ANNUAL SALARY</u>	<u>CONTRACT MONTHS</u>	<u>COMMENTS</u>
Russo, John B.	Assistant Professor	Business Education & Technology	September 15, 1980	\$18,573	9	
DeFranga, James V.	Instructor	Mathematical & Computer Sciences	September 15, 1980	\$15,000	9	
Stroud, Cynthia K.	Coordinator/ Writing Center	English	September 15, 1980	\$13,263	9	Temporary Appt.
Pusker, Henri C.	Professor	Accounting & Finance	September 15, 1980	\$34,000	9	
Genaway, David C.	University Librarian	Maag Library	July 1, 1980	\$30,986	12	
Kent, Nancy	Bibliographic Searcher	Maag Library	July 1, 1980 - December 31, 1980	\$6,600		Temporary Appt.
Krygowski, Francis R.	Instructor	Engineering Technology	September 15, 1980	\$15,790	9	
Mosley, Sherry	Government Documents Librarian	Maag Library	July 1, 1980	\$16,000	12	
Marchionda, Louisa	Data Collector	Home Economics	May 12, 1980	1,000	1	Ohio Division of Mental Health Grant: 1 mo. Temporary
Peterson, John C.	Assistant Professor	Electrical Engineering	September 15, 1980	\$22,000	9	

YOUNGSTOWN STATE UNIVERSITY

RESOLUTION ACCEPTING GIFTS

as of April 26, 1980

<u>DONOR</u>	<u>AMOUNT (AND/OR DESCRIPTION)</u>	<u>RESTRICTIONS OR PURPOSE OF GIFT</u>
Youngstown <sup>Vindicator</sup> Printing Company	\$ 500.00	Vindicator Honor Award
Koppers Company (Matching Gift)	400.00	Unrestricted
Koppers Company	7,500.00	Scholarships to Engineering Students, 1980-81
Youngstown Educational Foundation	225,000.00	Undergraduate Scholarships and Grants-in-Aid
George B. Woodman	15.00	Unrestricted
Nick Pitinii	10.00	General Scholarship Fund
Niles Laundry	90.00	General Scholarship Fund
Republic Steel Corporation (Matching Gift)	25.00	Unrestricted
Penguin Club	363.40 (Phone Answering Unit)	Primary Use--Athletic Dept.
Penguin Club	1,567.00 (Xerox Telecopier)	Primary Use--Athletic Dept.
Penguin Club	1,800.00 (4 Olympic weight-lifting sets)	Primary Use--Athletic Dept.
Penguin Club	585.00 (Leg Machine)	Primary Use--Athletic Dept.
Penguin Club	154.00 (Mav-Rik weight-lifting equip.)	Primary Use--Athletic Dept.
Penguin Club	377.00 (Tennessee Exercise equipment)	Primary Use--Athletic Dept.
Penguin Club	313.80 (Nissen width-adjustment conversion kit for uneven bars)	Primary Use--Athletic Dept.
Penguin Club	3,900.00 (Van)	Primary Use--Athletic Dept.
See attached for list of contributors and amounts to WYSU-FM		WYSU-FM  Agenda Item D.2. Exhibit B

WYSU FUNDFEST

William G. Abell, Jr.  
460 Washington Ave., N.W.  
Warren, Ohio 44483  
15.00

Mrs. Lena M. Adovasio  
3131 Firnley Ave.  
Youngstown, Ohio 44511  
5.00

Esther M. Alexandrowicz  
170 North Franklin St.  
Cochran, Pa. 16314  
10.00

Mr. & Mrs. C. J. Amstutz  
125 Wolcott Dr.  
Youngstown, Ohio 44512  
15.00

J. A. Anderson  
500 Spring Run  
Warren, Ohio 44484  
100.00

Dr. John Andrews  
5238 Powdermill Rd.  
Kent, Ohio 44240  
25.00

Grace Andrin  
31 Meadowbrook Ave.  
Youngstown, Ohio 44512  
5.00

Suzanne Anzellotti  
4265 Stratford Rd.  
Youngstown, Ohio 44512  
10.00

Jean H. Baird  
103 Nesbitt St.  
Poland, Ohio 44514  
10.00

Mr. & Mrs. William C. Baker  
559 Euclid  
Salem, Ohio 44460  
50.00

Peter A. Baldino, Jr.  
6647 Lockwood Blvd - Apt 203  
Youngstown, Ohio 44512  
100.00

Sue Ann Bartchy  
11636 Salem- Warren Rd.  
Salem, Ohio 44460  
40.00

Mr. & Mrs. William Bartolo  
88 Woodview Ave.  
Youngstown, Ohio 44512  
5.00

Dr. & Mrs. G. J. Baumblatt  
2108 Arms Dr.  
Girard, Ohio 44420  
15.00

Daniel Belden, Jr.  
138 34th St., N.W.  
Canton, Ohio 44709  
25.00

Chandler W. Berliner  
8420 Gibson Rd.  
Canfield, Ohio 44406  
35.00

Rocco Bernard  
2966 Tamarack Dr.  
Sharpsville, Pa. 16150  
10.00

Mr. & Mrs. James Berry  
13984 Jane St.  
Columbiana, Ohio 44408  
50.00

Miriam Bishop  
412 S. Main St. Apt 105  
Poland, Ohio 44514  
25.00

Mrs. Olive H. Blough  
1635 Highland Rd.  
Sharon, Pa. 16146  
25.00

Jerome Bollotin  
650 Courtview  
Cortland, Ohio 44410  
10.00

Bernard R. Bonnot  
225 Elm St.  
Youngstown, Ohio 44503  
25.00

Matthew G. Brown  
32 Jefferson Ave.  
Sharon, Pa. 16146  
50.00

Mr. & Mrs. Ben Bullock  
R.D. 2 Box 75  
Cambridge Springs, Pa. 16403  
20.00

Dr. & Mrs. C. K. Brandeberry  
Orwell, Ohio 44076  
25.00

Mr. & Mrs. William F. Brosend  
54 N. Cadillac Dr.  
Youngstown, Ohio 44512  
25.00

Dr. & Mrs. William Bunn  
4025 Whippoorwill Way  
Youngstown, Ohio 44505  
100.00

Mr. & Mrs. Charles Bursey  
1282 Hall Ave.  
Sharon, Pa. 16146  
5.00

Mr. & Mrs. E. L. Caldwell  
527 Sunset Dr.  
Meadville, Pa. 16335  
50.00

Mr. & Mrs. George Call  
1119 Gary Ave.  
Girard, Ohio 44420  
15.00

Mr. & Mrs. Paul L. Carsone  
419 East Park Ave.  
Hubbard, Ohio 44425  
5.00

James R. Case  
Box 443  
Hiram, Ohio 44234  
25.00

Karen Chikosky  
335 Sterling Ave. Apt 304  
Sharon, Pa. 16146  
30.00

Judith R. Collens  
9637 S. R. 534  
Middlefield, Ohio 44062  
20.00

Constance R. Conger  
3048 Oak Hill Rd.  
Peninsula, Ohio 44264  
25.00

Rev. William Connell  
St. Columba Cathedral  
Youngstown, Ohio 44503  
25.00

William P. Cooke  
8758 Cable Line Rd.  
Ravenna, Ohio 44266  
10.00

Mrs. Frederick S. Coombs, Jr.  
279 Redondo Rd.  
Youngstown, Ohio 44504  
25.00

Herschel Cooper  
461 Arbor Circle  
Youngstown, Ohio 44505  
50.00

Mr. & Mrs. Richard Cornelison  
6587 State Rt. 82  
Hiram, Ohio 44234  
15.00

Mr. & Mrs. Robert Crispin  
555 Cullum St.  
Meadville, Pa. 16335  
10.00

Robert W. Cubick  
361 Poland Ave.  
Struthers, Ohio 44471  
10.00

Anne M. Darling  
7411 Yellow Creek Dr.  
Poland, Ohio 44514  
10.00

Charles W. Darling  
7411 Yellow Creek Dr.  
Poland, Ohio 44514  
20.00

Margaret Dennison Trust  
25.00

Mr. & Mrs. David Dietzel  
1265 Highland Rd.  
Sharon, Pa. 16146  
25.00

Joyce Dobbert  
P.O. Box 2295  
Youngstown, Ohio 44504  
35.00

James F. Driscoll  
City Centre One, Suite 800  
Youngstown, Ohio 44501  
10.00

James M. Dugan  
50 N. Crescent Dr. Apt 5  
Sharon, Pa. 16146  
6.00

Mr. & Mrs. Norman Duncan  
665 Youngstown-Kingsville Rd.  
Vienna, Ohio 44473  
15.00

Anna Dziadzka  
3847 Sampson Rd.  
Youngstown, Ohio 44505  
25.00

Mr. & Mrs. Robert Edeburn  
343 Carley Ave.  
Sharon, Pa. 16146  
15.00

Mrs. Earl Edgar  
231 N. Cadillac Dr.  
Youngstown, Ohio 44512  
50.00

Louis R. Epstein  
1754 McDowell St.  
Sharon, Pa. 16146  
25.00

Mr. & Mrs. William Foster  
524 Tod Lane  
Youngstown, Ohio 44504  
100.00

Alfonso L. Garcia  
431 Gypsy Lane  
Youngstown, Ohio 44504  
50.00

Mr. & Mrs William Gorman  
179 Hilltop Blvd.  
Canfield, Ohio 44406  
10.00

Judith Graziano  
270 Sexton St.  
Struthers, Ohio 44471  
52.00

Dr. & Mrs. Milton Greenberg  
2477 Barth Dr.  
Youngstown, Ohio 44505  
25.00

Betty O. Harlan  
416 Driftwood Dr.  
North Benton, Ohio 44449  
5.00

Wendy Ann Hawk  
3650 Oakview Dr.  
Girard, Ohio 44420  
20.00

Norma J. Hazelbaker, M.D.  
510 Gypsy Lane, Suite 11  
Youngstown, Ohio 44504  
50.00

Robert Hendrikson  
2324 Fifth Ave.  
Youngstown, Ohio 44504  
50.00

Anna Higgins  
630 Shady Ave.  
Sharon, Pa. 16146  
15.00

Mr. & Mrs. Joseph Holliday  
25 E. Ravenwood Ave.  
Youngstown, Ohio 44507  
10.00

Mr. & Mrs. Richard Holz  
449 Holly St.  
Canfield, Ohio 44406  
25.00

Robert E. Hopkins  
21 Audubon Lane  
Poland, Ohio 44514  
20.00

Geraldine Houk  
4485 Norquest Blvd  
Youngstown, Ohio 44515  
10.00

Mr. & Mrs. William Hrusovsky  
1435 Atlantic, N.E.  
Warren, Ohio 44483  
25.00

Ann C. Hudak  
3400 White Beech Lane  
Youngstown, Ohio 44511  
10.00

Anthony Infante  
1745 N. Main St.  
Niles, Ohio 44446  
125.00

Mr. & Mrs. Arthur L. Jensen  
439 Rae St.  
New Wilmington, Pa. 16142  
25.00

Mr. & Mrs. Ben M. Johnson, Jr.  
517 East Liberty St.  
Hubbard, Ohio 44425  
100.00

Mrs. Jane Strausbaugh Johnson  
4116 Monticello Blvd. Apt 202  
Youngstown, Ohio 44505  
25.00

Raymond Johnson  
1229 Elm St.  
Youngstown, Ohio 44505  
30.00

Mr. & Mrs. Richard Jones  
15058 Palmyra Rd.  
Diamond, Ohio 44412  
50.00

Roger D. Jones  
2344 Coronado Ave.  
Youngstown, Ohio 44504  
25.00

Dr. & Mrs. J. P. Kalfas  
550 Parmalee Ave.  
Youngstown, Ohio 44510  
75.00

Jean Jaques Kays  
P.O. Box 1  
Masury, Ohio 44438  
5.00

Paul C. Kistler  
4130 W. Market Rd.  
Leavittsburg, Ohio 44430  
10.00

Steve E. Keister  
Box 97  
Paris, Ohio 44669  
50.00

John Kolar, Jr.  
3905 Timber Lane  
Youngstown, Ohio 44511  
25.00

Veronica A Kopec  
352 Morgan Ct.  
Salem, Ohio 44460  
12.00

Dr. Arlington G. Kuklinca  
1350 Market St.  
Warren, Ohio 44482  
100.00

Mr. & Mrs. Mark Kutsko  
1328 Cedarwood Rd.  
Mineral Ridge, Ohio 44440  
20.00

Glorianne M. Leck  
1330 Wick Ave.  
Youngstown, Ohio 44503  
25.00

Mrs. Shirley Leiter  
5935 Parkland Ave.  
Youngstown, Ohio 44512  
10.00

J. Hunter Le Sueur  
487 Chestnut St.  
Meadville, Pa. 16335  
15.00

William N. Letson  
430 Roselawn N.E.  
Warren, Ohio 44483  
50.00

Mr. & Mrs. Marvin Levy  
24 Norwick Dr.  
Youngstown, Ohio 44505  
25.00

Dorothy E. Lewis  
4102 Helena Ave.  
Youngstown, Ohio 44512  
10.00

Mrs. W. J. Lightbody  
4168 Arden Blvd.  
Youngstown, Ohio 44511  
10.00

L. Looby  
134 Danbury Dr.  
Youngstown, Ohio  
10.00

Mr. & Mrs. George Loser, Jr.  
26 Thornton  
Youngstown, Ohio 44505  
20.00

Jean W. McAfee  
7321 Forest Hill  
Poland, Ohio 44514  
20.00

Mr. & Mrs. Thomas B. McCoy  
408 E. Main St.  
Grove City, Pa. 16127  
20.00

Mr. & Mrs. Delber L. McKee  
R.D. 3, Box 418  
New Wilmington, Pa. 16142  
5.00

P. Breen Malone  
2532 Burton St., S.E.  
Warren, Ohio 44484  
15.00

Edward G. Manning  
1440 Kensington Ave.  
Youngstown, Ohio 44505  
5.00

Frank M. Magyar  
7805 Spring Lake Lane  
Canfield, Ohio 44406  
25.00

Patricia E. Markley  
1435 Robinwood Rd.  
Alliance, Ohio 44601  
15.00

Isadore Mendel, M.D.  
2470 Barth Dr.  
Youngstown, Ohio 44505  
100.00

Mr. Martin L. Metzger  
2085 South Hubbard Rd.  
Lowellville, Ohio 44436  
50.00

Mr. & Mrs. John S. Meyers Jr.  
822 Bonzo St.  
New Castle, Pa. 16101  
10.00

Mr. & Mrs. William R. Middendorf  
4029 Northwood Dr., S.E.  
Warren, Ohio 44484  
100.00

Fern E. Miller  
115 East Mill St.  
Alliance, Ohio 44601  
10.00

Sandy Monaco  
145 Youngstown-Hubbard Rd.  
Hubbard, Ohio 44425  
10.00

Mr. & Mrs. Robert Morris  
P.O. Box 5308  
New Castle, Pa. 16105  
25.00

Rev. Fred C. Nachtigal  
430 Williamson Ave.  
Youngstown, Ohio 44507  
10.00

Rolf Nissen, M.D.  
920 Perkinswood S.E.  
Warren, Ohio 44481  
25.00

Mrs. Frank Offutt  
134 N. Mercer St.  
New Castle, Pa. 16101  
35.00

Mr. & Mrs. Fred Opperman  
2448 S. Seneca  
Alliance, Ohio 44601  
20.00

Maxine W. Owen  
2260 Fifth Ave.  
Youngstown, Ohio 44504  
25.00

C. H. Owsley  
1085 Colonail Dr.  
Youngstown, Ohio 44505  
25.00

Mrs. Shela Ozeroff  
318 Wainwood  
Warren, Ohio 44484  
10.00

Louis Paskoff  
236 Columbus St. #3  
Kent, Ohio 44240  
50.00

James Pitinii  
117 Washington Ave.  
Niles, Ohio 44446  
10.00

Mrs. E. W. Polley  
28 Scott St.  
Canfield, Ohio 44406  
25.00

Mr. & Mrs Leo Poulakos  
3706 Barber Dr.  
Canfield, Ohio 44406  
50.00

Mrs. William H. Powell  
1072 Warner Rd. S.E.  
Brookfield, Ohio 44403  
25.00

Mr. & Mrs. George B. Pugh  
61 Oriole Dr.  
Youngstown, Ohio 44505  
50.00

Rev. Reuben Rader  
749 E. Prospect  
Girard, Ohio 44420  
15.00

Mr. & Mrs. Leroy B. Raffel  
3511 Fifth Ave.  
Youngstown, Ohio 44505  
25.00

George J. Random  
R.D. #1  
Jackson Center, Pa. 16133  
5.00

Mr. & Mrs. James Rinehart  
P.O. Box 282  
Hiram, Ohio 44234  
100.00

Frederick R. Robsel  
20 Churchill Rd.  
Girard, Ohio 44420  
30.00

Mr. & Mrs. Harold Rosenblum  
1700 Hannah Ct.  
Sharon, Pa. 16146  
50.00

Carol M. Ross  
355 Ben Avon St.  
Meadville, Pa. 16335  
10.00

Dr. & Mrs. Willaim Rousseau  
1388 Highland West  
Salem, Ohio 44460  
100.00

Dr. & Mrs. Robert Sacherman  
237 Lincoln Ave.  
Youngstown, Ohio 44503  
100.00

Lowell Satre  
1872 Goleta Ave.  
Youngstown, Ohio 44504  
25.00

Mr. & Mrs. Charles Schaff  
105 Newport Dr.  
Youngstown, Ohio 44512  
100.00



Tom Schroth  
20 Neil St.  
Niles, Ohio 44446  
100.00

Mr. & Mrs. Werner Schultz  
1059 Scoville North Rd.  
Vienna, Ohio 44473  
25.00

Mr. & Mrs. H. J. Shoemaker  
800 South Fifteenth St. 8-318  
Sebring, Ohio 44672  
25.00

Robert Slaughter  
6117 Huntly Rd.  
Windsor, Ohio 44099  
5.00

Dr. & Mrs. Morris Slaven  
262 Outlook Ave.  
Youngstown, Ohio 44504  
25.00

Dr. Bernard Smith  
548 Gypsy Lane Keyfen Bldg.  
Youngstown, Ohio 44505  
25.00

Mrs. D. W. Smith  
7409 Tallmadge Rd. R.D.1  
Rootstown, Ohio 44272  
15.00

Lawrence J, Soges  
2032 Felicia Ave.  
Youngstown, Ohio 44504  
25.00

Mr. & Mrs. Albert Solomon  
4901 Fifth Ave.  
Youngstown, Ohio 44505  
5.00

Mr. & Mrs. Richard Speicher  
253 Maplecroft Rd.  
North Lima, Ohio 44452  
10.00

Georgia M. Sprinkle  
1184 Sunset Dr.  
Alliance, Ohio 44601  
15.00

Dr. & Mrs, George Sprogis  
Hiram, Ohio 44234  
25.00

Harold M. State  
795 Erie St.  
Saegertown, Pa. 16433  
25.00

Elizabeth Sterenberg  
1855 Selma  
Youngstown, Ohio 44504  
25.00

Elizabeth H. Stewart  
1613 Weston Ave.  
Youngstown, Ohio 44514  
5.00

Mr. & Mrs. Adam Stey  
1120 Roemer Blvd.  
Farrell, Pa. 16121  
10.00

James. W. Stone  
608 Almyra Ave.  
Youngstown, Ohio 44511  
15.00

Mr. & Mrs. Clarence Strouss  
62 Warner Rd.  
Youngstown, Ohio 44505  
100.00

John Suddes  
228 E. Florida Ave.  
Youngstown, Ohio 44507  
10.00

Anne I. Suliot  
36284 Butcher Rd.  
Salem, Ohio 44460  
15.00

Mr. & Mrs. Herbert Thompson  
530 S. Belle Vista Ave.  
Youngstown, Ohio 44509  
25.00

Maris Thompson  
157 N. Hartford Ave.  
Youngstown, Ohio 44509  
20.00

Mr. & Mrs. Myron Tuta  
119 Callahan  
Canfield, Ohio 44406  
15.00

James E. Vincent  
279 Maplewood Dr.  
Alliance, Ohio 44601  
25.00

Grace Hill Walker  
1414 Fifth Ave.  
Youngstown, Ohio 44504  
25.00

Dr. Kurt Wegner  
2473 Barth Dr.  
Youngstown, Ohio 44505  
25.00

Walter Weickenand  
466 E. Liberty St.  
Girard, Ohio 44420  
25.00

Elmer W. Weitz  
224 Grace St.  
Grove City, Pa. 16127  
20.00

Lowell Wellman  
44876 St. Rt. 517  
Columbiana, Ohio 44408  
20.00

Natalie J. Wilson  
221 Mill Creek Dr.  
Youngstown, Ohio 44512  
10.00

Helen L. Wolfcale  
6460 Leffingwell Rd.  
Canfield, Ohio 44406  
50.00

Dr. & Mrs. Milton Yarmy  
2039 Guadalupe  
Youngstown, Ohio 44504  
10.00

M. A. Young Foundation  
3999 Belmont Ave.  
Youngstown, Ohio 44505  
100.00

Dr. & Mrs. Christopher W. Thomas  
764 Kennedy St.  
Meadville, Pa. 16335  
100.00

Mr. & Mrs. Daniel Scudier  
246 Outlook  
Youngstown, Ohio 44504  
100.00

Mrs. Kay Swan  
R.D. #1  
Pulaski, Pa.  
16143  
20.00

Mrs. Earl Adams  
311 Meadow St.  
Meadvillw, Pa. 16335  
15.00

Alexander Morrison  
1503 Ohio  
Youngstwon, Ohio 44504  
100.00

Mr. & Mrs, Roger B. Lamson  
315 Normal Ave.  
Slippery Rock, Pa. 16057  
20.00

PROPOSED AMENDMENT TO ARTICLE IX, SECTION 10, OF  
THE POLICIES OF THE BOARD OF TRUSTEES OF  
YOUNGSTOWN STATE UNIVERSITY

10.3 Investment of University Funds

The policy of the University shall be to purchase; ~~through-designated local-banking-institutions;~~ investments which yield the highest rate of return within specified time limits. INVESTMENTS SHALL BE PURCHASED THROUGH DESIGNATED LOCAL BANKING INSTITUTIONS EXCEPT THAT REPURCHASE AGREEMENTS MAY BE SECURED THROUGH A COLUMBUS BANK FOR THE SPECIFIC PURPOSE OF FACILITATING MONTHLY WIRE TRANSFERS OF STATE APPROPRIATIONS. Types of investments to be purchased shall be restricted to United States Government Securities, Federal Agencies Securities, and Time Certificates of Deposit.

The local banking institution that has been designated as the University's official depository shall select a representative to act as a financial advisor to the University. He will recommend which of the three types of investments would probably give the highest rate of return. If a Time Certificate of Deposit shall yield a higher return than a Federal Agency or United States Government Security, bids shall be obtained on an informal basis from local banking institutions. The bank offering the highest interest rate shall be awarded the purchase. This bank must pledge securities equal to the amount of the Time Certificate of Deposit over and above the amount insured by the Federal Deposit Insurance Corporation.

~~Effective-September-30;-1975;-a-quarterly~~ A MONTHLY report shall be prepared by the EXECUTIVE Vice President ~~for-Financial-Affairs~~ for the President and the BUDGET AND Finance Committee of the Board to include information on cash balances and investments of the University by type and bank, and at other times as may be directed by the President.

Schema: TEACHER INSTITUTES 1980-81

YOUNGSTOWN STATE UNIVERSITY

NO. INSTITUTE	OHIO DEPT OF EDUCATION GRANT	TEACHER INSTITUTES SOE FUND ONE	SOE BUDGET FUND ONE	TOTAL
<b>1-81 ELEMENTARY EDUCATION (MAHONING)</b>				
Director (Snozek)		500		500
Faculty (Snozek)		2,464	2,464	4,928
Fringe Benefits		652	542	1,194
Consultants	1,500			1,500
Tuition:				
Gen. Fee: Su. 35 @ \$25	875			875
Fall 35 @ \$15	525			525
Ins. Fee: Su. 35 X 4 X \$20	2,800			2,800
Fall 35 X 4 X \$22	3,080			3,080
Instructional Materials 35 X \$47	1,645			1,645
Mileage	50			50
<b>TOTAL</b>	<b>\$10,475</b>	<b>\$3,616</b>	<b>\$3,006</b>	<b>\$17,097</b>
<b>2-81 ELEMENTARY EDUCATION (WEST BRANCH)</b>				
Director (Snozek)		500		500
Faculty (Snozek)		2,464	2,464	4,928
Fringe Benefits		652	542	1,194
Secretarial Service	300			300
Tuition:				
Gen. Fee: Su. 23 @ \$25	575			575
Fall 23 @ \$15	345			345
Ins. Fee: Su. 23 X 4 X \$20	1,840			1,840
Fall 23 X 4 X \$22	2,024			2,024
Instructional Materials 23 X \$45	1,035			1,035
Mileage	115			115
Reproduction Costs 23 X \$9	207			207
<b>TOTAL</b>	<b>\$6,441</b>	<b>\$3,616</b>	<b>\$3,006</b>	<b>\$13,063</b>
<b>3-81 SECONDARY EDUCATION (MAHONING)</b>				
Director (Feitler)		1,000		1,000
Faculty (Feitler)		2,476	2,476	4,952
Fringe Benefits		765	545	1,310
Consultants	1,800			1,800
Tuition:				
Gen. Fee: Su. 35 @ \$25	875			875
Fall 29 @ \$15	435			435
Ins. Fee: Su. 35 X 4 X \$20	2,800			2,800
Fall 29 X 4 X \$22	2,552			2,552
Instructional Materials 35 X \$50	1,750			1,750
Duplicating Services	500			500
<b>TOTAL</b>	<b>\$10,712</b>	<b>\$4,241</b>	<b>\$3,021</b>	<b>\$17,974</b>

TEACHER INSTITUTES 1980-81  
 YOUNGSTOWN STATE UNIVERSITY  
 (Continued)

NO.	INSTITUTE	OHIO DEPT OF EDUCATION GRANT	TEACHER INSTITUTES SOE FUND ONE	SOE BUDGET FUND ONE	TOTAL
4-81	GUIDANCE & COUNSELING (MAHONING)				
	Director (Di Guilio)		500		500
	Faculty (Di Guilio)		2,568	2,568	5,136
	Fringe Benefits		675	565	1,240
	Consultants		500		500
	Tuition:				
	Gen. Fee: Su. 35 @ \$25	875			875
	Fall 35 @ \$15	525			525
	Ins. Fee: Su. 35 X 4 X \$20	2,800			2,800
	Fall 35 X 4 X \$22	3,080			3,080
	Instructional Materials 35 X \$47	1,645			1,645
	Mileage	114			114
	Stipends 35 X 10 X \$12	4,200			4,200
	TOTAL	\$13,239	\$4,243	\$3,133	\$20,615
5-81	SPECIAL EDUCATION (TRUMBULL)				
	Director (Dunsing)		500		500
	Faculty (Roderick)		2,097	699	2,796
	Fringe Benefits		571	154	725
	Contractual Services		1,000		1,000
	Tuition:				
	Gen. Fee: Su. 35 @ \$25	875			875
	Fall 35 @ \$10	350			350
	Ins. Fee: Su. 35 X 3 X \$20	2,100			2,100
	Fall 35 X 1 X \$22	770			770
	Instructional Materials 35 X \$46	1,610			1,610
	Mileage	95			95
	Stipends 35 X 10 X \$12	4,200			4,200
	TOTAL	\$10,000	\$4,168	\$ 853	\$15,021
6-81	SPECIAL EDUCATION (YOUNGSTOWN)				
	Director (Dunsing)		500		500
	Faculty (Roderick)		2,097	699	2,796
	Fringe Benefits		571	154	725
	Consultants		600		600
	Tuition:				
	Gen. Fee: Su. 30 @ \$25	750			750
	Fall 30 @ \$10	300			300
	Ins. Fee: Su. 30 X 3 X \$20	1,800			1,800
	Fall 30 X 1 X \$22	660			660
	Instructional Materials 30 X \$49	1,470			1,470
	Mileage	30			30
	Stipend 30 X 10 X \$12	3,600			3,600
	TOTAL	\$8,610	\$3,768	\$ 853	\$13,231

YOUNGSTOWN STATE UNIVERSITY

SUMMARY OF 1980-81 TEACHER INSTITUTE BUDGETS

NO.	INSTITUTE	OHIO DEPT. OF EDUCATION GRANT	TEACHER INSTITUTES SOE FUND ONE	SOE BUDGET FUND ONE	TOTAL
1-81	Elementary Education (Mahoning)	\$10,475	\$ 3,616	\$ 3,006	\$17,097
2-81	Elementary Education (West Branch)	6,441	3,616	3,006	13,063
3-81	Secondary Education (Mahoning)	10,712	4,241	3,021	17,974
4-81	Guidance & Counseling (Mahoning)	13,239	4,243	3,133	20,615
5-81	Special Education (Trumbull)	10,000	4,168	853	15,021
6-81	Special Education (Youngstown)	8,610	3,768	853	13,231
	TOTAL	\$59,477	\$23,652	\$13,872	\$97,001



# YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

May 28, 1980

To: Board of Trustees

From: Ann L. Isroff, Chairman  
Ad hoc Audit Committee

At the Board's meeting on November 3, 1979, an Ad hoc Audit Committee was appointed by Chairman Giddens to review Findings for Recovery as set forth in the Report of Examination for 1976-77, filed by the Department of Auditor of State, and to advise the Board whether said Findings advanced by the State Auditor warranted changes in existing Board policies or adoption of new policies with respect to both past and future expenditures.

The Audit Committee met on several occasions to review the Report of Examination. It thoroughly reviewed all elements questioned by the Auditor of State and discussed these with legal counsel. I respectfully submit herewith the Report of the Ad hoc Audit Committee, with the request that it be accepted by the Board and that the Committee be discharged.

Ann L. Isroff

pdm

EXHIBIT E



REPORT OF THE AD HOC AUDIT COMMITTEE

TO THE

BOARD OF TRUSTEES

YOUNGSTOWN STATE UNIVERSITY

MAY 28, 1980

EXHIBIT F



# YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

## M E M O R A N D U M

TO: Board of Trustees, Youngstown State University

FROM: Ad Hoc Audit Committee

DATE: May 28, 1980

SUBJECT: Report of Examination for 1976-77 filed by Department of Auditor of State

The referenced report was given to the University at 9:00 a.m., October 16, 1979. It was released to the press the previous day with a 10/16/79, 9:00 a.m. release date. At the Board's next regular meeting on November 3, 1979, the Chairman appointed an ad hoc committee to review the State Auditor's report and report on its findings, conclusions and recommendations at its earliest convenience. Its specific charge was:

1. To review the administrative staff's response to the State Auditor's recommendations for procedural and other administrative improvements in financial administration.
2. To review "findings for recovery" set forth in the referenced report and advance recommendations for disposition.
3. To ascertain if recommendations or findings advanced by the State Auditor warranted changes in existing Board policies, or the adoption of new policy, with respect to future expenditures.

### Findings

1. All expenditures questioned by the Auditor of State have been properly receipted, properly accounted for, and expended for purposes authorized by the Board from funds budgeted for said purposes. There is no evidence of dishonesty, misfeasance, malfeasance or nonfeasance with respect to the expenditure or management of University funds.
2. At issue is the question of from which funds expenditures should have been made for purposes or functions deemed by the Auditor of State not to have been "in the public interest." It is your Committee's understanding that the Auditor's position is that said expenditures should have been made from "unrestricted funds," whereas it has been the Board's position that such expenditures are for a public purpose and therefore may lawfully be made from the Educational and General Fund which the Auditor of State's manual classifies as "unrestricted."

3. The Staff Report on "Recommendations" adequately responds to concerns raised by the State Auditor, and reflects a responsible effort to modify fiscal practices as deemed appropriate.
4. Reasons set forth in the Audit do not warrant "Findings." Indeed, Findings One, Four and Five were previously found to be proper in the Mahoning County Court of Common Pleas, in its Declaratory Judgment, Case No. 78 CV 1046.

### Conclusions

The fundamental issue is whether the expenditure of the public monies in question were made for public purposes or were for private purposes or benefits. To have an improper expenditure it becomes necessary to define "public purpose." This is difficult unless it can be determined that an expenditure violates a specific statute. In those expenditures deemed by the State Auditor to be improper, Ohio statutes cited do not prohibit the expenditures in question:

3345.05 provides, "All. . .fees. . .receipts and income received by each. . .university. . .shall be held and administered by the respective boards of trustees. . .provided that such fees. . .receipts and income, to the extent required by resolutions. . .shall be held, administered, transferred and applied in accordance therewith. . . ." When expenditures are within items covered by University budgets and such budgets have received Board approval, that appears to be all that is necessary under 3345.05 to authorize the application and expenditures of fees, receipts and income in accordance with the approved budget.

141.15 permits payment for actual and necessary travel expenses to officers and employees of any State institution, but provides such reimbursements must be at rates and regulations adopted by the Office of Budget and Management under Chapter 119 of the Revised Code (which covers Administrative Procedure). In R.C. 119.01 state supported colleges and universities are specifically excluded from that department as a rule-making agency..

Such exception in Chapter 119, when coupled with the sweeping powers expressly conferred upon the YSU Board of Trustees by Chapter 3356, makes it arguable that the Legislature intended that University boards of trustees, rather than some other State agency, shall have the full power to determine what travel expenses should be paid from fees and state appropriations and what should not be so paid.

The Auditor's 5th finding was for the recovery of \$674.34 expended for off-campus excursions by students. The Auditor-in-Residence concluded that such trips were not for a public purpose.

It is important to note that expenditures for student travel, with the exception of class field trips, are supported by the General Fee. This fee is a special charge paid by all students, under authority of statute, which may be used for "noninstructional" student services and programs, including such things as dormitory construction and maintenance, student centers, parking facilities, health care, intercollegiate athletics, and other similar programs. In each instance, it can be argued that the student receives personal benefits. Nevertheless, the basic purpose of such expenditures is to enrich the total educational experience of students by providing an environment in which students are given an opportunity to learn such matters as social behavior, sportsmanship, loyalty, and other important human attributes, which are best taught outside the classroom.

The Auditor-in-Residence selected ten vouchers from several thousand such expenditures which, based on a statement on the voucher as to destination, he concluded had no educational value, and hence were not for public purpose. The administration was given no opportunity to explain the intent of each trip with respect to the educational objectives to be obtained. If these expenditures are determined to be illegal, it would be difficult to understand how similar expenditures for intercollegiate athletic trips, for providing dormitories, for constructing parking facilities, or for providing food services could subsequently be held to be for public purpose, for in each instance the individual participant receives some personal benefit. It should be pointed out that not only do all institutions make such expenditures, but historically the State Auditor has issued previous reports of examination which did not hold identical expenditures to be improper.

In general the courts have held that there is not a universal test for distinguishing between a purpose which is public and therefore proper, and one which is private and therefore improper, in the expenditure of public funds. Each individual expenditure must be decided in the light of existing conditions with respect to the educational purpose to be accomplished, the degree and manner in which that purpose affects the public welfare, and the nature and character of the thing to be done. In general, the courts have not assumed to substitute their judgment unless there has unquestionably been an abuse of discretion or judgment. The Committee has not been directed to any court opinion that has held the specific types of expenditures in question to be improper.

The Auditor of State is expressly empowered to inspect all receipts and expenditures, and to call to the Attorney General's attention those expenditures which are in conflict with Ohio statutes or not consistent with board policy.

He is not empowered to interpret the Board's intent, nor to substitute his opinion for that of the Board. Indeed, the Board would be remiss in its duties if it were to allow itself to be intimidated from using its collective judgment in determining fiscal policies.

Inasmuch as the Auditor of State is an unaffected party, he is only empowered to refer his findings to third parties for Civil Action for recovery. Previously, when the State Auditor ruled certain expenditures to be improper and the Board of Trustees disagreed, it directed the President to file a Complaint for Declaratory Judgment thus permitting the Court to determine whether the expenditures in question were proper. The Court found:

" . . . that the expenditure of public funds for the purposes recited in the Complaint was for public purposes within the meaning of applicable statutes and therefore proper. . . ."

The continued determination of "findings" by the Auditor of State on identical expenditures held by the Court to be lawful and release of such findings to the press in advance of notification of the Board, can only be interpreted to mean that he perceives his role not to be essentially mechanical, but indeed includes the right to substitute his judgment for that of the Board of Trustees. Your Committee respectfully disagrees.

Your Committee has reviewed individual expenditures and reaffirmed its opinion that each expenditure was for a public purpose. It has found no evidence of fraud, bad faith, gross abuse of discretion, or violation of statute. Further, it concludes that said expenditures were for public purpose and not for personal benefit.

#### Recommendations

1. Your Committee recommends that the responses as contained in the Executive Vice President's memorandum of December 4, 1979, be made part of this report and recommended for acceptance.
2. Your Committee, cognizant of the informal advice of the Attorney General that Judge Bannon's August 4, 1978 decision in Coffelt v. Youngstown State University, et. al. (which ruled that the expenditures complained of in the Auditor's Findings, 1, 3, and 4 are legal) is binding upon the Auditor of State, recommends that no further action be taken concerning those three Findings.
3. Your Committee also notes the informal advice of the Attorney General concerning the expenditures complained of in the Auditor's Findings 2 and 5 to the effect that the expenditures, in his judgment, served no public purpose. We respectfully disagree with the Attorney General's conclusion; we believe that

a public purpose was served and that expenditures were appropriate and legal. We do not believe, however, that a public purpose would be served by the expenditure of thousands of dollars of State money to finally resolve this disagreement in court.

Your Committee recommends, therefore, that Youngstown State University's Fund One, General University Operation, be paid \$2,374.37 (i.e. \$1,700.03 set forth in Finding No. 2 and \$674.34 set forth in Finding No. 5) from the Unrestricted Gift Account (which is found in Current Funds in the University chart of accounts, in conformity with the Uniform Manual of Accounts and Financial Reports for State-Assisted Colleges and Universities, State of Ohio, Thomas E. Ferguson, State Auditor, 1976). It is our belief in making this recommendation that no further legal action would be necessary and the question concerning Findings 2 and 5 would be moot.

4. Your Committee directs the Board's attention to the last paragraph of page six of the Attorney General's informal opinion. Your Committee recommends that expenditures in fiscal years 1978, 1979, and 1980 be reviewed as audited and, if there are any sufficiently similar to those complained of in Findings in the FY 1977 audit, they be handled in the same way as recommended in "3" above. The Committee believes that by the beginning of fiscal year 1981 (i.e. July 1, 1980) sufficient modifications of practice will have been made that any future problems should be minor indeed.
5. In closing, your Committee wishes to emphasize, both in response to this audit of fiscal 1977 and for the benefit of the public whom we strive to serve, that we believe Youngstown State University to be well managed and its funds expended for a public purpose. It believes that the Board of Trustees has appropriate authority under Ohio law to manage the University for the public good and that it has legally and ethically discharged its duties. The Committee does not, however, believe that the real interests of either the students or the public will be served by insistence on which fund is to be charged to the point that another court battle is necessary.

This concludes the report. Your Committee respectfully requests its acceptance and implementation and that the Committee be discharged.

SUBMITTED BY: Ann L. Isroff, Chairman  
William G. Mittler  
John M. Newman  
Fred C. Shutrump

STAFF RESPONSE TO RECOMMENDATIONS OF THE STATE AUDITOR  
CONCERNING CERTAIN FINANCIAL PRACTICES AND PROCEDURES  
SUBMITTED BY THE AUDITOR OF STATE IN THE  
REPORT OF EXAMINATION FOR 1976-77

PREPARED BY: DR. NEIL D. HUMPHREY  
EXECUTIVE VICE PRESIDENT



# YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

December 4, 1979

TO: Audit Committee of the Board of Trustees, Youngstown State University  
Through President John J. Coffelt

FROM: Neil D. Humphrey  
Executive Vice President

SUBJECT: "Report of Examination" for 1976-77 filed by Bureau of Inspection and  
Supervision of Public Offices, Auditor of State.

The referenced report was given to the University at 9:00 A.M. October 16, 1979. It was released to the press the previous day with a 10-16-79, 9:00 A.M. release date.

Under the heading of "Audit Scope" on page 12, the following appears:

The examination was conducted in accordance with generally accepted standards, and accordingly included such tests as considered necessary under the various circumstances to ascertain the compliance to applicable laws, regulations and various university resolutions. Also, other procedures (test checks) were used that were considered necessary in accordance with the type of records presented for examination.

This examination does not present either the financial position or results of operations in conformity with generally accepted accounting principles. (emphasis added.) Also many of the financial figures were only test checked for accuracy. This report was compiled to State of Ohio requirements. Although all statements on findings for recovery and amounts involved were reviewed and examined to the requirements of the State of Ohio laws. (sic)

The disclaimer in the first sentence of the second paragraph is important since no opinion is expressed by the auditor concerning the University's financial statements. A standard reference source [A Dictionary for Accountants, Eric L. Kohler (Englewood Cliffs: Prentice Hall, Inc., 1975), p. 335] defines an auditing opinion as:

The written finding of an auditor, following an audit, as to the fairness of the representation of financial position and operating results reflected in financial statements, and as to the following of generally accepted accounting principles in the recording of the underlying transactions and in the preparation of the statements; and the consistency of these principles with those followed in the previous year.



Based on the statement in the "Report of Examination" at page 12, as quoted above, and the lack of any affirmative statement, it is evident that the auditor issues an opinion (in the context as quoted above) nor does he express a qualification concerning the "fairness of the representations of financial position and operating results...." For this reason it is evident that the examination was not "conducted in accordance with generally accepted standards" if the standards adopted by the American Institute of Certified Public Accountants are the referenced source. The "Report of Examination" must, therefore, be considered a voucher audit, i.e. the post audit of individual disbursements.

Since the Bureau of Inspection and Supervision of Public Offices, Auditor of State, has substantial authority to review expenditures and to present remarks, recommendations and "findings" this review of the "Report of Examination" will proceed by: (1) identification of statements in the report which are either clearly labeled as "findings" (and could, therefore, result in legal action against the individuals identified) or, by their content, considered remarks or recommendations; and (2) staff response as coordinated by the writer.

1. "When reviewing the approved budget, it was noted that the encumbrance by line items in this examination year ran over the approved amount budgeted. Approved transfer from one line item to another was not executed in many cases." (Unnumbered page, third from front cover.)

Staff Response

*First, it should be noted that the University's total budget was not exceeded and the comment relates to specific "line items", i.e. an object of expenditure such as supplies within a functional account or the functional account itself (e.g. a department of instruction). It is agreed that this did occur and that it is not desirable. Efforts have been made to preclude this from happening in the future and considerable improvement should be observed by the 1978-79 audit. Expenditure control is exercised for all standard object codes for all functional accounts. A full encumbrance system is used. Unfortunately, this system is not yet computerized and the manual system falls behind in making the necessary authorized transfers.*

2. "The official minutes appeared to fall short in various conditions, as attaching complete communications, reports, and various other items (Ibid.)

Staff Response

*Attorney Hugh W. Manchester, Secretary to the Board, responded to this comment. His response is Attachment A to this report.*

3. "The analyzing of the inventory system of personal property owned and controlled by the university: it was apparent that the inventory control system had discrepancies. The discrepancies were between the physical count and the control sheets. Also, in the inventory review, it was noted that material stolen was only reported to University Campus Security. There was no official police theft report filed with the Youngstown Police Department." (Ibid.)

Staff Response

*This statement is elaborated upon in several places in the*

*See Attachment B for report by James D. Miller, Director of Accounting, who is responsible for inventoried property control. Mr. Miller's report notes the comments in the "Report of Examination" under the heading "Examiner" and Mr. Miller's comments are headed "Response."*

*See Attachment C for response by G.W. Mills, Acting Director of YSU Security.*

*Staff agree that the inventory and property control system is not perfect; however, it is believed to be better than the average system found in an institution this size. A task force will be organized to examine possible improvements and tightening of control.*

4. "It was noted that the university did not comply with Section 117.01 of the Ohio Revised Code, during the examination year of July 1, 1977, through June 30, 1977. The annual financial report was not published in a newspaper of general circulation." (Ibid.)

Staff Response

*The comment is correct. This was corrected in 1978-79.*

5. "In the review of the various President's expense vouchers, there were many expenditures that did not comply to university travel regulations, Sections 3345.05 and 141.15, of Ohio Revised Code, also the requirements of Ohio Office of Budget and Management." (Ibid.)

Staff Response

*See Attachment D for President Coffelt's comments.*

6. "The account records, files and reports of the university were found to be adequate and funds on deposit were confirmed by the depositor." (Page 7.)

Staff Response

*This is as close to an "opinion" (see explanation above) as can be expressed in the report.*

7. "It was noted that due to a predetermined allocation of interim interest (certificates of deposit) to select funds, it appears that the distribution of interest earnings is not in complete accordance with Sections 135.01 through 135.21, inclusive, of the Ohio Revised Code." (Page 9.)

Staff Response

*The following response was prepared by Controller R.L. Glavin. Further effort to respond to ORC 135.01 - 135.21 will be made.*

*This is the first time we have been referred to the O.R.C. for accounting procedures. We usually follow the auditor's accounting manual in these matters. The procedure we have been following for the past 10 years has been:*

*The investments purchased during the month, as well as the interest earned on them would be assigned at month-end to the funds with available cash according to the following priority:*

- 1. Separately Invested Endowment Funds*
- 2. Plant Funds*
- 3. Pooled Endowment Funds*
- 4. Current General Funds (purchases all the remaining investments whether it has available cash or not). Repurchase agreements which are purchased and matured within the same month as assigned to Current General Fund.*

*The method stated in the Report of Examination for distributing earned interest on interim investments to the source providing the interim funds does seem logical and appropriate as applied to the State of Ohio accounting. However, under our current manual Accounts Payable and investment system, it would be a recordkeeping nightmare to implement this method.*

8. "It was noted that at the close of the 1976 fiscal year ended June 30, 1977, (sic) although the following payroll checks had been processed and cancelled by the Dollar Savings and Trust Company (the designated depository), the payroll account ledger balance did not reflect the disbursement of these monies. (Check Number 323932, \$212.26; #324666, \$270.74; #325516, \$319.25; totals, \$802.25." (Page 10.)

Staff Response

*The following response was prepared by Controller Glunt.*

*The three checks totaling \$802.25 were deducted from the payroll ledger on July 1, 1977. They should have been deducted on June 30, 1977. The checks were added back to the bank balance and balanced to the ledger balance. They should have been deducted from the ledger balance and the reconciliation.*

- 8A. "It was further noted that payroll check numbers 324666 and 325516 were disbursed, for the check cashing convenience of the employees, prior to the designated payday. Furthermore, the payroll bank reconciliation presented for audit erroneously reflected these cancelled checks as additions to the bank balance rather than properly reflected them as reductions in the payroll ledger balance. Consequently, this combined error (sic) and omission of the above noted cancelled checks resulted in an overstatement of the current funds unrestricted balance shown on the June 30, 1977 Youngstown State University Financial Report in the amount of...\$802.25." (Page 10.)

Staff Response

The following response was prepared by Controller Glunt.

The comment, "check cashing convenience" is not correct. It has been the practice of the Payroll Office to give out checks the day before payday to employees who were working the afternoon shift (Security, Custodial, Steam Plant, etc.) and the instruction to the supervisors were that these checks were to be cashed the next day. Two checks were cashed one day early and cleared our account. The error of overstatement on June 30, 1977 could have been corrected if we had more timely audits. We could have made a footnote on our 1978 report, but, that still has not been audited by the S.R.E. The account was correct as of July 1, 1977.

- 8B. "In lieu (sic) of the above facts, it was recommended that the disbursement of payroll checks prior to the designated paydates be discontinued. Additionally, to avert the possible future occurrence of improper bank reconciliations, it was recommended to the vice-president of financial affairs to inform the personnel involved with bank reconciliations of the generally accepted procedures." (Page 10.)

Staff Response

The following response was prepared by Controller Glunt.

The authority to give out paychecks early rests with the V.P. for Personnel not the Financial V.P. Checks are still given out the afternoon before payday but only after 4:00 p.m. or if approval is given by the V.P. for Personnel. The reconciliation system for the payroll checking account is currently being revised due to the change from the Dollar Savings and Trust Company to the Union National Bank. Included in the revised system will be a three-way check of the ledger balance, monthly transactions and the bank statement which should greatly reduce the chances of a similar error.

9. "After the annual operating budget for the ensuing year has been approved by the board of trustees, the accounting department then encumbers the approved funds per line items in all the university departments." (Page 12.)

Staff Response

The following response was prepared by Controller Glunt.

The Accounting Office does not encumber the approved budget by line item in the University departments. Once the budget is approved, the Accounting Office establishes individual control accounts by line item for each department. No encumbrance exists until an order is issued establishing a commitment against a particular line item. Until such time, any of the unencumbered funds may be redesignated by the Board of Trustees or transferred to other line items in accordance with transfer policies.

10. "The following listed vouchers and expenditures were considered not in compliance with the Ohio Revised Code, the Ohio Constitution, and various Attorney General Opinions.... Therefore, notice of findings were issued...." (Page 15-28 inclusive.) On page 29 a "Finding For Recovery" for \$7,005 is noted against members of the Board of Trustees as of 1976-77, President Coffelt, Vice President (Retired) Rook, and the two bonding companies.

Staff Response

*This is a "Finding for Recovery" and is being handled separately.*

11. To paraphrase: some purchase orders were issued after the service or goods were received. These were identified by asterisk on Finding No. 1. (Page 29.)

Staff Response

*See Attachment B.*

12. To paraphrase: travel vouchers of President Coffelt are found to be contrary to law and regulation and a "Finding for Recovery" for \$1,700.00 is made against the Board of Trustees as of 1976-77, President Coffelt, Vice President (Retired) Rook, and the two bonding companies. (Pages 30-45 inclusive.)

Staff Response

*This is a "Finding for Recovery" and is being handled separately.*

13. To paraphrase: vouchers for payment of dues and food bills for President Coffelt and guests at the Youngstown Club are found contrary to law and a "Finding for Recovery" for \$1,285.29 is made against the Board of Trustees as of 1976-77, President Coffelt, Vice President (Retired) Rook, and the two bonding companies. (Pages 46-52 inclusive.)

Staff Response

*This is a "Finding for Recovery" and is being handled separately.*

14. To paraphrase: vouchers for payment of dues and food bills for President Coffelt and guests at the Youngstown Country Club are found contrary to law and a "Finding for Recovery" for \$2,423.97 is made against the Board of Trustees as of 1976-77, President Coffelt, Vice President (Retired) Rook, and the two bonding companies. (Pages 53-58 inclusive.)

Staff Response

*This is a "Finding for Recovery" and is being handled separately.*

15. To paraphrase: vouchers for payment of student excursions sponsored by Kilcawley Center and funded in part by the General Fee are contrary to law and a "Finding for Recovery" for \$674.34 is made against the Board of Trustees as of 1976-77, President Coffelt, Vice President (Retired) Rook, and the two bonding companies. (Pages 59-61 inclusive.)

Staff Response

*This is a "Finding for Recovery" and is being handled separately.*

16. To paraphrase: the purchase of a "9-stop organ" for \$32,240.05 and a "15-stop organ" for \$61,100.00 from the Flentrop-Orgelbouw Company of Zaandams, The Netherlands, was found to "...not follow accepted accounting principles" and that "the university did not have proper control or audit trails for the accounting of these monies." (Pages 66 and 67.)

Staff Response

*See Attachment B.*

rb

Attachments

MEMO: RE: Auditor's Recommendations as to Minutes

RECEIVED

NOV 15 1979

TO: Dr. John J. Coffelt, President  
Dr. Neil D. Humphrey, Executive Vice President  
Mr. Edgar Giddens, Chairman of the Board  
Arn L. Isroff, Chairman of Ad Hoc Committee re Audit  
Attorney Edward A. Flask, Counsel to the Board

EXECUTIVE

FROM: Hugh W. Manchester, Secretary to the Board

DATED: November 14, 1979

The summary of the Audit report for the year 1976-1977 indicates in part:

"The official minutes appeared to fall short in various conditions, such as attaching complete communications, reports and various other items."

I know of no statutory requirements as to what should be included in the Minutes of a Board. R. C. 3356.02 provides that the Board "may also appoint a secretary to the board", and 3356.03 and .04 proceed to give the Board broad powers and duties in guiding operations of the University.

The Board's By-Laws include a Secretary among the Officers of the Board (Article III Section 2). Section 3 covers their qualifications and Term of Office. Section 6 of Article III spells out the duties of the Secretary--one of which is to "keep minutes of all meetings and proceedings of the Board."

Article II of the Board's By-Laws covers Meetings of the Board, Section 5 covers Organization of Meetings and Section 6 covers the Order of Business (Agenda). Section 8 on Procedures requires that proposed action to be introduced at meetings be submitted to Board members prior to the meeting.

The subject of "Communications" comes after various Reports in the order of business. There is no requirement with respect to attachment or non-attachment of any documents to the minutes.

"Minutes" as defined in Webster's Third New International Dictionary

(1966 Ed.), at Page 1440,

"a series of brief notes taken to provide a record of proceedings (as of an assembly or conference) or of transactions (as of the directors of a corporation)xxxx "

Black's Law Dictionary (4th Ed.), at Page 1149 defines the word minutes as follows:

"Minutes. Business law. Memoranda or notes of a transaction or proceeding. Thus, the record of the proceedings at a meeting of directors or shareholders of a company is called the 'minutes'"

Section 8947 of Fletcher's Corporation Practice (at Page 127ff in Volume 19) discussed the nature, purpose and function of Corporation Minutes. A copy is attached. Note the first sentence on Page 128:

"A minute, as the name implies, is a brief statement of what occurred at a meeting xxx"

and the last sentence on Page 128 points out that:

"no two secretaries or attorneys altogether agree as to the manner in which the minutes of a corporation should be kept, xxx"

To keep the minutes as brief as feasible, and to accurately record and report the attendance, subjects discussed and formal actions of the Trustees at each meeting has been my purpose in drafting the Minutes. Copies of drafts are regularly sent to all Trustees, some Officers of the University and to the Resident State Examiner as soon as written after each meeting for their review and suggestions, and are regularly corrected or approved at the next following regular meeting before they become official.

There appears to be no statutory or regulatory requirement as respects any attachments. Exhibits which are made a part of formal resolutions are regularly and always attached and made a part of the official resolutions adopted. Other documents, such as reports, letters, opinions and summaries are



frequently referred to in the minutes, to reflect some of the matters which may be background for actions formally taken in the form of resolutions. Such extraneous materials are always available for examination by anyone for any proper purpose, but there seems to be no requirement of any kind that they be made a formal part of the minutes.

business in a more logical order, giving each item a number and leaving space for additional items of business as they come to mind. As the meeting is held and the different items of business are transacted they are crossed off, one by one, from the agenda until, when all have been crossed off, the attorney will know that all necessary business has been transacted and that a motion for adjournment is in order.

**§ 8946. Calling of directors' meeting.**

The statutes may provide a method of calling the first meeting of the board of directors. If not and the bylaws have already been adopted by the incorporators' meeting, which is usually the case, the meeting will be called in accordance with the bylaws. If bylaws have not yet been adopted and there is no statutory provision for the calling of the meeting it would seem that it would be proper to have it called on notice signed by any two or more directors a reasonable time, say three or four days, if all the directors are in the immediate vicinity, in advance of the meeting. As this is a special meeting the place of the meeting should be fixed by the call.<sup>1</sup> In most cases, however, instead of going through the formalities of a call, the meeting will be convened on written waiver signed by all of the directors. As to the particularity with which the notice of the first directors' meeting or the waiver thereof should refer to the business to be transacted at the meeting attorneys are not in agreement. One group take the position, which seems logical, that as it is to be an organization meeting, all directors are on notice that there will be a large and varied program of business to be considered and the notice or waiver will be sufficient if it state in general terms "for the transaction of any and all business that may come before said meeting." Other attorneys consider it safer to refer specifically to such items of business as the election of officers, issuance of stock, and purchase of property.<sup>2</sup>

<sup>1</sup> For general discussion of directors' meetings and how called, see § § 391-433. For form of notice of first meeting of directors, see Fletcher Corp Forms (3rd Ed) § 1444.

<sup>2</sup> For form of waiver of notice of first meeting of board of directors, see Fletcher Corp Forms (3rd Ed) § 1445.

**§ 8947. Corporation minutes.**

Before discussing the form of minutes for this important meeting, it might be well to discuss briefly the subject of corporation minutes, their nature, purpose, and function.

A minute, as its name implies, is a brief statement of what occurred at a meeting, usually of stockholders or directors, but also, in many cases, at meetings of committees, particularly of executive committees. The minutes are taken and kept by someone delegated for that purpose, usually named as secretary of the meeting, although, in some cases, the chairman may take the minutes or they may be taken by counsel for the company. The secretary who takes the minutes is usually the secretary of the company but he may be and often is a person selected for that particular meeting and, unless the statute, the charter or the bylaws otherwise prescribe, each meeting may provide its own method of keeping a record of the business transacted at such meeting. The minutes are usually kept in a book specially designed and used for that purpose but may be kept in the form of memoranda or any other manner in which they can be identified as minutes of a meeting.

In considering the effect of action taken at a corporate meeting the question what was done is the important thing and not what the records of the secretary may undertake to show as to what was done. While the minutes are prima facie evidence of what they purport to show as to the corporate business transacted at a meeting they are by no means conclusive<sup>1</sup> and the memorandum of the secretary which may have been negligently or carelessly or even fraudulently made, cannot stand against convincing proof that the action taken was different from that shown in such memorandum.<sup>2</sup> Also, the failure of the minutes to show that any action was taken on a particular subject will not make the action ineffective if such action was actually taken by the meeting and the meeting was properly called and held. All action there taken is effective even though no record of the meeting whatsoever be kept.

Inasmuch, however, as the minutes of a meeting, kept by an official especially appointed for that purpose, are logically and rightfully held to be the most accurate and complete and the best evidence of what occurred at such meeting, so much so that the courts accept them as prima facie evidence of the truth of the matters therein contained, it is important that they be kept in a careful and efficient manner so that they will present an accurate, understandable, and fairly complete record of the transactions of the meeting.<sup>3</sup>

Although no two secretaries or attorneys altogether agree as to the manner in which the minutes of a corporation should be kept, there are certain established forms and practices that are generally followed in making up the minute book and in assembling the minutes of each meeting.

Whether there shall be one minute book or several will depend upon the ideas of the secretary. While, in some ways, it is simpler to have the minutes in separate books, so that an attorney wishing to look for stockholders' action will not need to look for it among a mess of minutes of directors' meetings, yet, on the other hand, stockholders' action is so often connected with directors' action that one will wish to see both and the writer believes that the attorney who is examining the records of not too large a corporation would prefer to have all the minutes in one book.

The minutes of any meeting, whether of stockholders, directors, or committee, will recite, first, the character of the meeting, whether of stockholders, directors, or committee and whether regular or special, the place of meeting, and the day and hour when held. The next recitation will be of the method of call, whether a regular meeting, no notice of which, under the bylaws, is necessary, or by notice, or by waiver of notice. It will then recite the names of those present, except in the case of stockholders' meetings where there are a large number of stockholders.<sup>4</sup> Then will follow a statement of the officers of the meeting. For example, the minutes of a directors' meeting would start out as follows:

"A regular (special) meeting of the board of directors of \_\_\_\_\_ corporation was held at the principal office of the company (or at the office of \_\_\_\_\_ in the \_\_\_\_\_ building in the city of \_\_\_\_\_) on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ m., in accordance with the bylaws (or pursuant to call by the president or pursuant to written waiver of notice signed by all of the directors).

"The following directors were present: Messrs. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. (Also Mr. \_\_\_\_\_, counsel for the company, and Mr. \_\_\_\_\_, chief accountant.)

"The meeting was presided over by the president (or vice-president) and the secretary (or Mr. \_\_\_\_\_, assistant secretary) was present and kept the minutes."

The meeting is now ready for the transaction of business. If the order of business is set out in the bylaws such order will be followed. If not, the order of business will ordinarily lie in the discretion of the presiding officer who will probably take up the business of the meeting in somewhat the following order:

- I. Reading and correction of minutes of the preceding meeting.
- II. Reports of officers.
- III. Report of executive committee.
- IV. Reports of other standing committees.

V. Reports of special committees.

VI. Unfinished business.

VII. New business.

As each item of business is taken up the meeting may or may not be called upon to take action on the same.

For example, No. I, reading of minutes of preceding meeting. There are several ways in which this business is disposed of:

(a) The previous minutes will be read by the secretary and some director will say, "I move that the minutes be approved as read," whereupon, the motion being seconded, it is put to a vote and carried, the minutes so reciting.

(b) The minutes having been read the presiding officer will announce, "Are there any objections to the minutes as read? If not, they will stand approved." And the secretary will report that the minutes were approved.

(c) It may be that the corporation pursues the policy of having the secretary mail to each director a copy of the minutes of the meeting as soon as they are written up. If so, when that item of business is reached a director may say, "I move that the reading of the minutes be dispensed with," which motion is put and carried and so recorded.

(d) In the last named case the presiding officer may say, "In view of the fact that each director has received a copy of the minutes of the last meeting their reading will be dispensed with, unless objection is made. Is there any objection? There being none the minutes will stand approved." And the secretary will record that the minutes were approved without reading.

The method of action as to suggested changes or corrections in the minutes will vary with the importance of the changes suggested. In most cases they will be merely slight changes as to form or the secretary may have reported one person as making or seconding a motion whereas it was made or seconded by another. In such cases the presiding officer will generally announce, "Is there any objection to the change suggested? The chair hearing none the change is allowed and the secretary is instructed to correct the minutes accordingly." Where, however, the change suggested is substantial, it will probably lead to argument and will have to be put to a vote of the meeting.

A certain amount of business will come before the meeting on which no action will be required, mainly reports of officers and of committees. It is generally best, however, to have the minutes show

that such matters came before the meeting. If the report is verbal the substance of it can be stated in the minutes or, if it is not of great importance, the minutes can merely show that so and so reported on a certain matter. If the report is in writing the minutes can either (a) contain a verbatim copy of the report, or (b) state that such a report was made and filed with the secretary, or (c) state the general nature or substance of the report and add that the report was filed with the secretary; in any of which cases any director interested in the report will be able to obtain it from the secretary.

When items of business come up for action they may appear in the minutes merely in the form of a motion or a resolution without any introductory matter. It makes the minutes more informative, however, if the recital of the action taken is preceded by some kind of a statement of how the matter came before the meeting. Examples of such preliminary statement would be: "The president stated that the financial condition of the company is such that—"; or "The president stated that a proposition had been received from Mr. Blank"; or "Mr. Blank thereupon addressed the meeting, stating that—."

<sup>1</sup> Idaho. *Silver Bowl, Inc. v. Equity Metals, Inc.*, 93 Idaho 487, 464 P2d 926. See further on this matter in § 2196.

<sup>2</sup> See § § 2190, 2196, 2198.

<sup>3</sup> Evidence besides the minutes is admissible to show what actually transpired, especially where the minutes are silent concerning the business intended to be proved. *Knutsen v. Frushour*, 92 Idaho 37, 436 P2d 521; *In re Eastern Erectors, Inc.*, 346 F Supp 293; *National Labor Relations Board v. Crosby Chemicals, Inc.*, 274 F2d 72.

See also *Brewer and Solberg, Corpo-*

*rate minutes: What should they include?* 20 Bus Law 745.

See also § 2198.

For general discussion of minutes, see § § 418, 2190. As to evidentiary value of minutes, see § § 2012, 2196, 4633. On admissibility, see § § 2199, 4625, and 7363. For form of minutes of meeting of directors, see *Fletcher Corp Forms* (3rd Ed) § § 1446, 1447, 3060, 3061; of stockholders' meeting, *Fletcher Corp Forms* (3rd Ed) § § 1886-1888.

<sup>4</sup> For discussion of the procedure in such a case, see § 9017.

### § 8948. Motions and resolutions.

The action of the meeting on any matter will be either by motion or by resolution and, although they are fairly distinct in their general nature, the line of demarcation where one will abandon a contemplated form of action by motion and change to a form of action by resolution is by no means clear or definable. A well-known writer has commented on this subject as follows:

"Most matters of business that come before a meeting are introduced by a motion recommending that the body assembled express

PART OF RESPONSE TO REPORT OF EXAMINATION FROM THE STATE AUDITOR  
(Audit Year of July 1, 1976 through June 30, 1977)

INVENTORY OF UNIVERSITY - OWNED PROPERTY

EXAMINER: The inventory system which was in operation at the university appeared to be sufficient. The problems developed in the way the system was being handled. The inventory count was generally taken on a yearly basis, by the employees in the different departments. These employees did not always record all items that were in the department. Many times the personal property was moved from building to building or room to room. These moves were not reported to the inventory control department.

RESPONSE: The physical inventory is taken on an annual basis, as pointed out by the Auditor. The responsibility for the actual inventory count, which is a verification of Property Control records, rests with the department head who may assign the physical count to employees within his department. While it is assumed that these employees take this responsibility seriously and perform the task of verifying each item, there may be some employees who do a superficial job.

It is agreed that property was moved and these moves were not reported to the Inventory Control Department. It is Property Control's practice to be primarily concerned with inventory within a department and, as long as the department maintains control of the inventory, transfers are not required. The practice allows the department head to efficiently utilize the inventory assigned to his area and it appears to be in keeping with Section II.2. Locating Equipment, PROPERTY MANAGEMENT - UNIVERSITIES -, Auditor of State, State of Ohio, Bureau of Inspection and Supervision of Public Offices, March 3, 1976. This section states: "For locating equipment physically, a college or department number may be sufficient in some instances, but building and room data are also desirable. Some institutions record relocations of equipment between buildings; few attempt to keep up with changes between rooms within the same building."

EXAMINER: A sample check of the various inventory printout sheets were test checked. Numerous printout sheets for various rooms and buildings were physically checked to the inventories in different rooms and buildings. The two greatest problems were the moving of property to different locations and the employees taking the inventories did not note these changes on the printout sheets. Also, there were items stolen and at times were not reported to the inventory control.

RESPONSE: The problems encountered by the Auditor in his sample check of various inventory printout sheets are probably due, for the most part, to departments temporarily moving items within their departments as their needs require. Again, it is assumed that the inventory sheet is accurate when it is verified by the department. Equipment locations change in the normal course of University business and, therefore, an audit of inventory may show items in different locations several days after an inventory is taken.

It may be true, as the Auditor states, that "there were items stolen and at times were not reported to Inventory Control." However, in some cases, items are considered stolen when, in fact, they have been relocated within a department without the knowledge of a particular instructor. When items have not been located through the Annual Inventory verification, a follow-up is done by Property Control as part of its normal procedure to determine the locations of various items. When the location cannot be determined and there is reason to believe that this item may have been stolen, the Youngstown State University Security Department is notified.

The following recommendations were made by the Examiner:

- EXAMINER: (1) The inventory count should be reviewed more than once a year.
- RESPONSE: (2) Initiating this suggestion would seem to serve little purpose. Most companies and governmental institutions conduct annual inventories. This procedure complies with the O.R.C. Section 9.50.
- EXAMINER: (2) Differences should be reviewed with responsible officials and, if necessary, adjustments be authorized and made, only when differences are accounted for.
- RESPONSE: (2) This recommendation seems vague. If the Auditor is referring to specific responsibility for missing inventory, then I would agree that improvements are needed, which would fix responsibility and accountability to the individual users and the department heads of University-owned equipment.
- EXAMINER: (3) All department heads and employees should be notified that when state-owned property is moved from building to building, or room to room, that an authorized transfer form be instituted and sent to inventory control promptly. Also, there should be a property chargeout form for when property is taken out by employees.



RESPONSE: (3) I do not agree that Inventory Control should be involved in the day-to-day movement of property from one location to another within a department. However, the department head should be aware of the locations of his departmental inventory and a property chargeout from within a department may be advisable. Any transfers of equipment between departments are recorded on a University transfer form as part of normal procedure.

EXAMINER: (4) University state-owned property which is stolen should have an official police report filed with the Youngstown Police Department. At present, generally, the stolen property reports are only filed with the University Campus Security.

RESPONSE: (4) Acting Director of Campus Security, Gale W. Mills, has submitted a response to this recommendation (response attached).

EXAMINER: Official Theft Report - In reviewing the inventories owned by Youngstown State University, the examiners found, at times, there was state owned property missing. When the inventory supervisor was asked what had happened to the missing items, we were informed that the material was stolen. The examiners checked to see if an official police report was filed with the Youngstown Police Department. The acting director of campus security was contacted and he informed the examiners that the general procedure was only to file a theft report with the University Campus Security office.

A recommendation was made to the acting director of campus security, that a theft report should be filed not only with the campus security but also with the Youngstown Police Department.

By filing a theft report with the Youngstown Police Department, there would be a greater chance for recovery of the goods stolen, plus a complete coverage for insurance purposes.

The university should keep a copy of all reports filed with any official police department, along with any other type of security reports.

RESPONSE: Acting Security Director's attached response also addresses the Official Theft Report.

APPROVAL OF PURCHASE ORDERS

The Auditor's specific concern in this section is in regard to specific purchase orders issued after services were rendered to Gladieux Food Service.

EXAMINER: While the procedure of requisitions and having the funds encumbered prior to committing the university to a purchase has not always been followed, this procedure should be stopped.

One of the purposes of the university accounting system is to control purchasing and assure that money is spent properly and is available for various approved purchases.

For the accounting system to work properly in the area of proper expenditures, the purchasing department director should refuse to accept purchase orders that have not followed the accepted accounting system.

It was recommended to the university officials that tighter controls should be developed.

RESPONSE: The Auditor's findings in this section are correct and procedures have been initiated within the last two (2) years which have eliminated this problem.

VOUCHERS - ORGANS PURCHASED FROM  
FLENTROP-ORGELBOWW COMPANY

EXAMINER: The records did not reveal any type of inspection on these organs while they were being manufactured. All work progress depended on the manufacturer's word.

RESPONSE: It was determined that Flentrop-Orgelbouw had an unblemished record of performance and the expense involved in traveling to the Netherlands for inspections was unwarranted.

EXAMINER: The records revealed that from the time the two-thirds down payments were put in the Algemene Bank, the money was not balanced or considered in the university accounting system. The university bank account was lowered by \$49,640.85 on February 27, 1975, and by \$26,326.95 on March 4, 1975. These totals were never used to balance the accounts at the university. The records indicated that the total amount of these organs were shown on the records as received and capitalized.

The certificates indicated that the money was put into the care of James D. Miller, Purchase Director, or Richard L. Glunt, Comptroller, to issue the money when either were

notified by the manufacturer to forward money per the contracts. The examination of the organ contracts and various records at the university indicated there was no sound type of control over the use or the issuing of this money to Flentrop-Orgelbow Organ Company.

It must be concluded from the records presented for examination and audit of these two organs the university was purchasing, that the university did not follow accepted accounting principles. The university did not have proper control or audit trails for the accounting of these monies. It should be noted that lack of control allowed the university to lower their bank account and consider the organs as received, which was indeed not the fact. The monies at the Algemene Bank were not considered in the university accounting years of 1974-75, 1975-76, or 1976-77.

RESPONSE: The audit appears to reconstruct the transaction involving the purchase of two (2) organs correctly. It is agreed that if a transaction of this type should take place in the future, accounting records should be adjusted to properly indicate the deposit of money and the fact that money was being expended as partial payment.

XAMINER: It was recommended to the proper officials at Youngstown State University that stricter controls were needed on these purchases; also, that the accounting department and accounting system should be reviewed so that this type of purchase without controls would not occur in the future. Also, in the future, any type of purchase should not be paid until goods are received and acceptable work progress reports are submitted.

RESPONSE: Improved control and audit trail are both possible and desired for any future transactions of this type. I disagree with the Auditor's statement that "any type of purchase should not be paid until goods are received and acceptable work progress reports are submitted." Partial payments are an acceptable practice. However, the Auditor is correct in asserting that progress reports should be submitted. In the case in point, progress reports were submitted by Flentrop-Orgelbow.

Official Theft Report  
Youngstown State University  
Security Department

Present policy of the Security Department as it pertains to stolen property is as follows:

Upon receipt of a person or department contacting Security regarding property being stolen, the information is taken over the telephone or through the mails if it is not a current event. Newly stolen items are responded to by an officer being sent to the scene. At that location and such others as is necessary, information is gathered and a report is made out and filed in the Security Department files.

Routinely, but informally, those items that can be readily identified by serial number, YSU tag number or Media Center number, are brought to the attention of Youngstown Police Department detectives. (It should be noted that we have several that work part-time in Security.) We get, in this manner, excellent coverage from two (2) sources: Youngstown Police Department and the LEADS terminal of which Security and Youngstown Police Department are members. Unusual equipment or items stolen, or large numbers stolen would be handled by a report being sent directly to Youngstown Police.

An area that has not been fully explored is with storage of stolen items that are identifiable in the LEADS' computer banks. This is partially nullified by our department checking serial numbers of items recovered by other departments as they appear on the LEADS terminal.

It is not until we address ourselves to the department reports of missing or stolen property that we get a clear picture of what is occurring.

Departments report missing property mainly during the month of Physical Inventory. At that time, large lists are turned in with the comment that it is not known if the items are stolen, are in the innocent possession of some faculty or student, or are misplaced. They continue, because the items are missing at inventory time, they wish to remove them from their inventory list. With only the rarest of occasion, the reporting person doesn't have any idea as to when the item was first missing (some items have been "missing" for two (2) or more years), whether it was checked out by some member, or even from what location. In other instances, items have been checked out by students and when they fail to return them, they are reported as stolen when this is factually not the case at all.

Filing a report with Youngstown Police Department will not by itself give the University better coverage or recovery rate of missing property. If this reasoning were sound, it would follow that we should also file with Boardman Police Department, Struthers, Campbell, et al; Mahoning County, etc.

Official Theft Report  
YSU Security Department  
(Attachment to Response  
to Report of Examination)

A more practical expedient would be to observe the following procedures:

1. maintain the present system with Youngstown Police Department
2. maintain, by department, a simple contractual sign-out slip holding the member responsible for the item being checked out
3. employ a full-time Security officer as an investigator to pursue such items as they are reported as over-due, lost, missing, misappropriated, stolen property.
4. prosecute the holder of such property regardless of who that person may be in relation to the University

The Security Department is a fully organized police department as defined by State statute. By filing a theft report with this department requirements of insurance companies are met. By following this procedure plus those outlined above, there would be no need to confuse the lines procedure or create a strained relationship with fellow departments.

*Gale W. Mills*  
G. W. Mills  
Acting Director  
YSU Security

President's Response

I believe that it is inappropriate to respond separately to this statement at this time due to the fact that some items have been ruled on within the past year by a court of competent jurisdiction and in view of the fact that separate "Findings for Recovery" have been filed and these are being handled separately.

MEMO TO: Dr. Neil D. Humphrey  
Acting Librarian

FROM: Hugh W. Manchester, Secretary  
to the Board of Trustees

DATE: June 21, 1980

SUBJECT: Minutes of Meeting of Board of  
Trustees of Youngstown State  
University held on April 26, 1980

I am enclosing a xerox copy of the official Minutes  
of the Board meeting referred to above. The original Minutes were approved,  
signed and attested at today's meeting of the Board of Trustees.

  
H. W. M.

HWM:EVT

xc: President Coffelt  
Acting Academic Vice President Rand  
Vice President Alderman  
Edgar Giddens, Chairman of the Board



# YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

June 21, 1980

Dr. David J. Robinson, President  
YSU Chapter of OEA  
Youngstown State University  
410 Wick Avenue  
Youngstown, Ohio 44555

Dear Dr. Robinson:

Enclosed for your records find a copy of the Minutes of the meeting of the Board of Trustees of Youngstown State University which was held on April 26, 1980.

The Minutes were approved at today's meeting of the Board and have now been signed by the Chairman and attested.

Yours very truly,

HUGH W. MANCHESTER  
Secretary to the Board of Trustees

HWM:EVT

Enc.

xc: Dr. John J. Coffelt





# YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

June 21, 1980

Mr. Ray McElroy, President  
YSU Chapter of OCSEA  
Youngstown State University  
410 Wick Avenue  
Youngstown, Ohio 44555

Dear Mr. McElroy:

Enclosed for your records find a copy of the Minutes of the meeting of the Board of Trustees of Youngstown State University which was held on April 26, 1980.

The Minutes were approved at today's meeting of the Board and have now been signed by the Chairman and attested.

Yours very truly,

HUGH W. MANCHESTER  
Secretary to the Board of Trustees

HWM:EVT  
Enclosure  
xc: Dr. John J. Coffelt



# YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

June 23, 1980

Mr. Thomas E. Ferguson  
Auditor of State of Ohio  
State Office Tower  
Columbus, Ohio 43215

RE: Report of Examination of Youngstown State University  
from July 1, 1976 to June 30, 1977  
71150-77-3450-00

Dear Sir:

Since public announcement of the above report on October 16, 1979 (which included five findings for recovery) an Ad Hoc Committee of the Board of Trustees has had the Audit Report under study and review.

The formal Report of such Ad Hoc Committee dated May 28, 1980, was made to the Board of Trustees at its regular meeting held on June 21, 1980 and the Board resolved to accept the Report and to direct that a copy thereof be filed with the Auditor of State and with the Attorney General.

Your copy of such report is herewith enclosed for filing pursuant to such action by the Board of Trustees.

Very truly yours,

*Hugh W. Manchester*

Secretary to the Board of Trustees

HWM:EVT  
Enc.



# YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

June 23, 1980

Mr. William J. Brown  
Attorney General of Ohio  
State Office Tower  
Columbus, Ohio 43215

RE: Report of Examination of Youngstown State University  
from July 1, 1976 to June 30, 1977  
71150-77-3450-00

Dear Sir:

Since public announcement of the above report on October 16, 1979 (which included five findings for recovery) an Ad Hoc Committee of the Board of Trustees has had the Audit Report under study and review.

The formal Report of such Ad Hoc Committee dated May 28, 1980, was made to the Board of Trustees at its regular meeting held on June 21, 1980 and the Board resolved to accept the Report and to direct that a copy thereof be filed with the Auditor of State and with the Attorney General.

Your copy of such report is herewith enclosed for filing pursuant to such action by the Board of Trustees.

Very truly yours,

*Hugh W. Manchester*

Secretary to the Board of Trustees

HWM:EVT  
Enc.

A F F I D A V I T

STATE OF OHIO                    )  
                                      ) SS  
COUNTY OF MAHONING            )

HUGH W. MANCHESTER, being first duly sworn, deposes and says that on June 26, 1980, he deposited in the United States Mail with \$1.40 U. S. postage attached, ten envelopes each marked "Certified Mail - Return Receipt Requested" and addressed to the following ten persons, each with P. S. Form 3811 attached thereto, bearing Certified Numbers and addressed as listed on the following list:

<u>Name and Address</u>	<u>Certified Mail Number</u>
Attorney Paul M. Dutton Mitchell, Mitchell & Reed 709 Union Bank Building Youngstown, Ohio       44503	807195
Dr. Thomas D. Y. Fok Thomas Fok & Associates, Ltd. 3896 Mahoning Avenue Youngstown, Ohio       44515	807196
Dr. John F. Geletka, D.D.S. 5600 Mahoning Avenue Youngstown, Ohio       44515	807197
Mr. Edgar Giddens 448 Cleveland Street Youngstown, Ohio       44511	807198
Mrs. Ann Isroff 11 Wildfern Drive Youngstown, Ohio       44505	807199
Mr. William J. Lyden, Business Manager International Brother- hood of Electrical Workers Local 64 291 McClurg Road Youngstown, Ohio       44512	807200

<u>Name and Address</u>	<u>Certified Mail Number</u>
Mr. William G. Mittler, Advertising Manager Youngstown Vindicator Vindicator Square & W. Boardman Youngstown, Ohio 44503	807201
Mr. Fred C. Shutrump, Jr., President Shutrump and Associates 3749 Mahoning Avenue Youngstown, Ohio 44515	807202
Mr. Frank C. Watson, President Youngstown Welding and Engineering Co. 3700 Oakwood Avenue Youngstown, Ohio 44515	807203
Dr. John J. Coffelt, President Youngstown State University 410 Wick Avenue Youngstown, Ohio 44555	807204

and that he mailed envelopes, with 15 cents U. S. postage attached to each, addressed to the following four persons at the following addresses:

Dr. David J. Robinson President YSU-OEA Youngstown State University 410 Wick Avenue Youngstown, Ohio 44555	Edward A. Flask, Legal Counsel 424 City Centre One Youngstown, Ohio 44503
Theodore R. Cubbison, Esq. Director Legal Services Youngstown State University 410 Wick Avenue Youngstown, Ohio 44555	Mr. Ray McElroy, President YSU Chapter of OCSEA Youngstown State University 410 Wick Avenue Youngstown, Ohio 44555

Says further that in each envelope there was a copy of a Notice dated June 26, 1980 addressed to the Board of Trustees of Youngstown State University signed by Hugh W. Manchester, Secretary to the Board of Trustees, a copy of which is attached hereto marked "Exhibit A"; says further that attached hereto marked "Exhibit B" are sheets to which are attached the Return Receipts of the ten persons listed above as being addressees of Certified Mail, such receipts indicating

the dates of delivery of said envelopes and the names and signatures of the persons signing the receipts therefor as well as the dates of delivery of such Certified Mail, and that attached hereto marked "Exhibit C" are the separate receipts (PS Form 3800) for Certified Mail Nos. 807195 through 807204 inclusive, for the ten items of certified mail which were deposited in the United States Mail by Affiant on June 26, 1980.

Hugh W. Manchester

SWORN to before me and subscribed in my presence this 1st day of July, 1980.

EVELYN V. THOMAS, Notary Public  
State of Ohio  
My Commission Expires April 8, 1984

Evelyn V. Thomas  
Notary Public



**YOUNGSTOWN STATE UNIVERSITY**  
YOUNGSTOWN, OHIO 44555

June 26, 1980

To the Trustees of Youngstown State University:

This Notice is to advise that in accordance with the action of the Board at its meeting held on June 21, 1980, a Special Meeting of the Board of Trustees of Youngstown State University will be held in the Board Room in Tod Administration Building at 4:00 P.M. on Tuesday, July 1, 1980, for the purpose of considering and acting upon the following matters:

1. Negotiations with the Youngstown State University Chapter of the Ohio Civil Service Employees Association.
2. Such other business as may properly come before the meeting.

Very truly yours,

*Hugh W. Manchester*

Secretary to the Board of Trustees

HWM:EVT

**EXHIBIT A**

**RECEIVED:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....¢
- Show to whom, date and address of delivery.....¢
- RESTRICTED DELIVERY  
Show to whom and date delivered.....¢
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.\$\_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Attorney Paul M. Dutton  
Mitchell, Mitchell & Reed  
709 Union Bank Bldg., Youngstown  
Ohio 44503

3. ARTICLE DESCRIPTION:  
REGISTERED NO. CERTIFIED NO. INSURED NO.

	807195	
--	--------	--

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

*Paul M. Dutton*

DATE OF DELIVERY  
**JUN 27 1980**

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

★GPO : 1978-288-848

**RECEIVED:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....¢
- Show to whom, date and address of delivery.....¢
- RESTRICTED DELIVERY  
Show to whom and date delivered.....¢
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.\$\_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Dr. Thomas Fok  
Thomas Fok & Associates, Let.  
3896 Mahoning Ave.  
Youngstown, Ohio 44515

3. ARTICLE DESCRIPTION:  
REGISTERED NO. CERTIFIED NO. INSURED NO.

	807196	
--	--------	--

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

*Beverly A. Grafton*

DATE OF DELIVERY  
*6/27/80*

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

★GPO : 1978-288-848

**RECEIVED:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....¢
- Show to whom, date and address of delivery.....¢
- RESTRICTED DELIVERY  
Show to whom and date delivered.....¢
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.\$\_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Dr. John F. Geletka  
5600 Mahoning Avenue  
Youngstown, (Austintown) O.

3. ARTICLE DESCRIPTION:  
REGISTERED NO. CERTIFIED NO. INSURED NO.

	807197	
--	--------	--

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

*Sam Dr. Michelangelo*

DATE OF DELIVERY  
*6-27-80*

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

★GPO : 1978-288-848

**RECEIVED:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....¢
- Show to whom, date and address of delivery.....¢
- RESTRICTED DELIVERY  
Show to whom and date delivered.....¢
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.\$\_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Mr. Edgar Giddens  
448 Cleveland Street  
Youngstown, Ohio 44511

3. ARTICLE DESCRIPTION:  
REGISTERED NO. CERTIFIED NO. INSURED NO.

	807198	
--	--------	--

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

*E. Giddens*

DATE OF DELIVERY  
*6-27-80*

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

★GPO : 1978-288-848

Exhibit B



**SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)  
 Show to whom and date delivered.....  
 Show to whom, date and address of delivery.....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered.....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Mrs. Ann Isroff  
 11 Wildfern Drive  
 Youngstown, Ohio 44505

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | 807199 | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*Ann Isroff*

4. DATE OF DELIVERY  
 6-28-80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_

CLERK'S INITIALS

★GPO : 1978-288-848

**SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)  
 Show to whom and date delivered.....  
 Show to whom, date and address of delivery.....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered.....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Mr. William J. Lyden, Bus. Mgr.  
 Int. Brotherhood of Electrical Workers  
 Local 64-291 McClurg Road  
 Youngstown, Ohio 44512

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | 807200 | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*Mary Eyre*

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_

CLERK'S INITIALS

★GPO : 1978-288-848

RESTRICTED DELIVERY  
 Show to whom and date delivered.....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Mr. William G. Mittler, Advertising  
 Manager, Youngstown Vindicator  
 Indicator Square & West Boardman  
 Youngstown, Ohio 44503

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | 807201 | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*P. Simble*

4. DATE OF DELIVERY  
 JUN 28 1980

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_

CLERK'S INITIALS

★GPO : 1978-288-848

RESTRICTED DELIVERY  
 Show to whom and date delivered.....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Mr. Fred C. Shutrump, Jr., President  
 Shutrump & Associates  
 3749 Mahoning Avenue  
 Youngstown, Ohio 44515

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | 807202 | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*Wendy Morgan*

4. DATE OF DELIVERY  
 6/27/80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_

CLERK'S INITIALS

★GPO : 1978-288-848

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....
- Show to whom, date and address of delivery.....
- RESTRICTED DELIVERY  
Show to whom and date delivered.....
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery \$.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Mr. Frank C. Watson, President  
Youngstown Welding and Engineering Co.  
3700 Oakwood Ave., Youngstown, Ohio 44515

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	807203	

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent

*Sue Alexander*

4. DATE OF DELIVERY  
JUN 30 1980

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Form 3811, Jan. 1978

★ 490 - 1978-200-008

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....
- Show to whom, date and address of delivery.....
- RESTRICTED DELIVERY  
Show to whom and date delivered.....
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery \$.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Dr. John J. Coffelt, President  
Youngstown State University  
410 Wick Ave., Youngstown, Ohio 44555

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	807204	

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent

*Jenny Moran*

4. DATE OF DELIVERY  
6-27-80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Form 3811, Jan. 1978

★ 490 - 1978-200-008

Exhibit B

**No. 807195**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Attorney Paul M. Dutton
STREET AND NO.	Mitchell, Mitchell & Reed
P.O., STATE AND ZIP CODE	709 Union Bank Bldg. Youngstown, Ohio

**No. 807198**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Mr. Edgar Giddens
STREET AND NO.	448 Cleveland Street
P.O., STATE AND ZIP CODE	Youngstown, Ohio 44511

**No. 807201**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Mr. Wm. G. Mittler, Adv. Mgr.		
STREET AND NO.	Youngstown Vindicator		
P.O., STATE AND ZIP CODE	Vindicator Sq. & W. Boardman Youngstown, Ohio		
POSTAGE	\$ 44503		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	€	
	OPTIONAL SERVICES	SPECIAL DELIVERY	€
		RESTRICTED DELIVERY	€
		RETURN RECEIPT SERVICE	€
	SHOW TO WHOM AND DATE DELIVERED	€	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	€	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	€	
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	€		
TOTAL POSTAGE AND FEES	\$		

**No. 807196**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Dr. Thomas Fok
STREET AND NO.	Thomas Fok & Assoc.
P.O., STATE AND ZIP CODE	3896 Mahoning Avenue Youngstown, Ohio 44515

**No. 807199**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Mrs. Ann Isroff
STREET AND NO.	11 Wildfern Drive
P.O., STATE AND ZIP CODE	Youngstown, Ohio 44505

**No. 807202**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Mr. Fred C. Shutrump, Jr.		
STREET AND NO.	President Shutrump & Assoc		
P.O., STATE AND ZIP CODE	3749 Mahoning Avenue Youngstown, Ohio 44515		
POSTAGE	\$ 44515		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	€	
	OPTIONAL SERVICES	SPECIAL DELIVERY	€
		RESTRICTED DELIVERY	€
		RETURN RECEIPT SERVICE	€
	SHOW TO WHOM AND DATE DELIVERED	€	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	€	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	€	
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	€		
TOTAL POSTAGE AND FEES	\$		

**No. 807197**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Dr. John F. Geletka
STREET AND NO.	5600 Mahoning Avenue
P.O., STATE AND ZIP CODE	Youngstown, Ohio 44515

**No. 807200**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Mr. William J. Lyden
STREET AND NO.	Bus Mgr Int. Brotherhood of Elec. Workers
P.O., STATE AND ZIP CODE	Local 64-291 McClurg Road Youngstown, Ohio 44512

**No. 807203**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Mr. Frank C. Watson, Pres.		
STREET AND NO.	Youngstown Welding and Engineering Co		
P.O., STATE AND ZIP CODE	3700 Oakwood Ave. Youngstown Ohio 44515		
POSTAGE	\$		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	€	
	OPTIONAL SERVICES	SPECIAL DELIVERY	€
		RESTRICTED DELIVERY	€
		RETURN RECEIPT SERVICE	€
	SHOW TO WHOM AND DATE DELIVERED	€	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	€	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	€	
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	€		
TOTAL POSTAGE AND FEES	\$		

**No. 807204**  
**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

SENT TO	Dr. John J. Coffelt, Pres.		
STREET AND NO.	Identical Youngstown State Univ.		
P.O., STATE AND ZIP CODE	410 S. Wiebe Avenue Youngstown, Ohio 44555		
POSTAGE	\$		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	€	
	OPTIONAL SERVICES	SPECIAL DELIVERY	€
		RESTRICTED DELIVERY	€
		RETURN RECEIPT SERVICE	€
	SHOW TO WHOM AND DATE DELIVERED	€	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	€	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	€	
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	€		
TOTAL POSTAGE AND FEES	\$		
POSTMARK OR DATE	JUN 26 1980		

PS Form 3800, Apr. 1976

PS Form 3800, Apr. 1976

EXHIBIT C



**YOUNGSTOWN STATE UNIVERSITY**

**YOUNGSTOWN, OHIO 44555**

July 1, 1980

TO THE TRUSTEES OF  
YOUNGSTOWN STATE UNIVERSITY

Enclosed is copy of draft of Minutes of the Meeting of  
Trustees held on June 21, 1980.

Yours very truly,

HUGH W. MANCHESTER

Secretary to the Board of Trustees

HWM:EVT  
Enc.

Copies to:

Each of Nine Trustees

Dr. John J. Coffelt, President

Dr. Leon Rand, Acting Academic Vice President

Dr. Neil D. Humphrey, Executive Vice President

Dr. Taylor Alderman, Vice President Personnel

Services

Edmund J. Salata, Dean Administrative Services

Attorney Edward A. Flask, Legal Counsel

Attorney Theodore R. Cubbison, Director of Legal

Services

Mr. Fred W. Rich, State Examiner