



OHIO
UNIVERSITY

Board of Trustees

O h i o U n i v e r s i t y

Board Meeting Minutes

October 7, 8, 2021

TABLE OF CONTENTS

| | |
|--|----|
| Roll Call..... | 4 |
| Report from Chair..... | 4 |
| Approval of Agenda..... | 4 |
| Approval of Minutes..... | 4 |
| Executive Session..... | 4 |
| Audit and Risk Management Committee Meeting..... | 6 |
| Audit and Risk Management Committee, October 12, 2021..... | 8 |
| Interoffice Communication..... | 8 |
| Governance and Compensation Committee Meeting..... | 10 |
| Academics and Student Success Committee..... | 12 |
| Resources, Facilities and Affordability Committee Meeting..... | 15 |
| Resources, Finances, and Affordability Resolutions..... | 19 |
| RESOLUTION 2021 - 3947..... | 20 |
| RESOLUTION 2021 – 3948..... | 22 |
| RESOLUTION 2021 – 3949..... | 23 |
| RESOLUTION 2021 – 3950..... | 24 |
| RESOLUTION 2021 - 3951..... | 25 |
| RESOLUTION 2021 - 3952..... | 27 |
| Governance and Compensation Committee Resolutions..... | 28 |
| RESOLUTION 2021 – 3953..... | 29 |
| RESOLUTION 2021 - 3954..... | 31 |
| RESOLUTION 2021 – 3955..... | 38 |
| Consent Agenda Resolutions..... | 39 |
| RESOLUTION 2021 – 3956..... | 40 |
| RESOLUTION 2021-3957..... | 41 |
| RESOLUTION 2021-3958..... | 42 |
| RESOLUTION 2021-3959..... | 43 |
| RESOLUTION 2021-3960..... | 44 |
| RESOLUTION 2021-3961..... | 45 |
| RESOLUTION 2021-3962..... | 46 |
| RESOLUTION 2021-3963..... | 47 |

| | |
|----------------------------|----|
| RESOLUTION 2021-3964 | 48 |
| RESOLUTION 2021-3965 | 49 |
| RESOLUTION 2021-3966 | 50 |
| RESOLUTION 2021-3967 | 51 |
| RESOLUTION 2021-3968 | 52 |
| RESOLUTION 2021-3969 | 53 |
| Adjournment | 54 |



OHIO
UNIVERSITY

**Ohio University Board of Trustees
Meeting of the Board of Trustees
Thursday, October 7, 2021
Athens OH**

Chair Cary Cooper called the October Meeting of the Ohio University Board of Trustees to order at 8:21 am.

Roll Call

Board Secretary David Moore called roll.

Present: Chair Vice Cary Cooper; Vice Chair Peggy Viehweger; Trustees Scott Borgemenke, Janelle Coleman, Matthew Evans, Lorrie Platt, Diane Smullen; National Trustee Sheil; Student Trustees Ellen Gill and Sarah Ladipo; President Hugh Sherman, and Board Secretary David Moore.

Report from Chair

Chair Cooper welcomed everyone to the October 2021, Ohio University Board of Trustees' meeting.

Approval of Agenda

Chair Cooper asked to approve the agenda for the October 2021 Meeting of the Board of Trustees; Trustee Platt moved the Board; Trustee Borgemenke seconded; Chair Cooper called for a vote; with all in favor, the agenda was approved.

Approval of Minutes

Chair Cooper asked to approve the minutes of the August 2021 meeting of the Board of Trustees; Chair Viehweger moved the Board; Vice Chair Coleman seconded; Chair Cooper called for a vote; the minutes were approved.

Chair Cooper reviewed the agenda for the day.

Executive Session

Chair Cooper stated that the Board needed to move into Executive Session to discuss with our legal counsel pending or imminent court action; to discuss trade secrets required to be kept confidential under federal and state law, to discuss real estate matters, and for the purpose of discussing the hiring, firing, or compensation of public employees.

Vice Chair Evans moved the committee; Trustee Viehweger seconded the motion; Chair Cooper asked for a roll call vote; Secretary Moore called the roll; The motion passed unanimously at 8:22 am. Chair Cooper announced that the Board moved into Executive Session and that the Trustees would adjourn to Walter Hall 125. Chair Cooper further stated that upon completion of the Executive Session, the Audit Committee will meet in Walter Hall Room 125 and the Governance committee will meet in Walter Hall, Room 104.

At 10:38 am Chair Cooper called for a motion to exit Executive Session. Trustee Platt moved the board; Trustee Smullen seconded the motion; Chair Cooper asked for a roll call vote; Secretary Moore called the roll; the motion passed unanimously.

Ohio University Board of Trustees

Audit and Risk Management Committee Meeting

October 7, 2021

Walter Hall 125

Present: Audit and Risk Management Committee Chair Matthew Evans; Board Vice Chair Peggy Viehweger; Trustees Scott Borgemenke, Lorrie Platt, and Diane Smullen; National Trustee Eileen Sheil; Alumni Representative Jeff Laturell; and Student Trustees Ellen Gill Franks.

Audit and Risk Management Committee Chair Matthew Evans called the meeting to order at 10:42 a.m.

CAE Update on Enterprise Risk Management

Ms. Marion Candrea, Chief Audit Executive provided an update on Enterprise Risk Management (ERM). She provided some background information about ERM, noting that the University Risk Management group revamped ERM in 2018 with several goals including: enhancing the University/Board's focus on strategic risks, addressing lower-level risks, distributing risk management ownership to functional areas, integrating compliance into the ERM process, and linking risk related activities to OHIO strategic pathways and priorities. Ms. Candrea highlighted that ERM transitioned to Internal Audit in August 2021. She discussed the difference between traditional risk management and ERM and discussed the various roles and responsibilities. Ms. Candrea concluded by sharing an updated ERM timeline.

Trustee Sheil asked about an ERM heat map. Ms. Candrea responded that the ERM heat map has changed since the last presentation the committee received. Ms. Candrea stated she would share the updated heat map with the committee when it was finalized.

Trustee Smullen asked if the current staffing was adequate to manage ERM. Ms. Candrea responded that the ERM consultant was still under contract. Ms. Candrea continued that she would inform the committee if different staffing or resources were needed to maintain the ERM program.

FY21 External Audit Update

Crowe LLP is the University's external auditor and was not at the Audit and Risk Management Committee meeting on October 7, 2021. Committee Chair Matthew Evans noted that Crowe would provide select members of the Committee with a preview of the draft FY21 financial statement audit and footnotes on October 12, 2021, for provisional acceptance by the Chair. Crowe will attend the January 2022 Audit and Risk Management Committee meeting to present the FY21 audit to the full committee.

Committee Chair Evans discussed the financial statement audit resolution provisionally accepting the financial statements and footnotes for year ended June 30, 2021. Trustee Borgemenke made a motion to approve a resolution provisionally accepting the financial statements and footnotes as presented by management of the University, Foundation, and subsidiaries as of and for the year ended June 30, 2021. Board Vice Chair Viehweger seconded the motion. The vote was unanimous.

Board Vice Chair Viehweger asked about the meeting with Crowe on October 12, 2021. Ms. Candrea said the information about the meeting would be shared with the committee.

Annual Clery Act Compliance Reports Update

The Board materials provided a general overview of Ohio University's 2021 Annual Security Report (ASR) and 2021 Annual Fire Safety Report (AFSR). Ms. Candrea noted that the ASR and AFSR reports are required as part of the Annual Clery Act Compliance. Ms. Kerri Griffin, Director of Equity and Civil Rights Compliance and Title IX Coordinator, was available to address any questions from Trustees regarding the University's 2021 annual ASR and AFSR reports. She noted that the ASR and AFSR reports were compiled by the Office of Equity and Civil Rights Compliance, in close coordination with the Ohio University Police Department, Ohio University Facilities Management and Safety, the Office of Community Standards and Student Responsibility, and each of OHIO's regional and extension campuses.

Committee Chair Evans asked what the campus safety trend line was compared to other Universities. Ms. Griffin said she did not have a trend line but could provide some comparable data. She continued with three examples: the Athens campus had nine reported rapes in 2020, but five of those occurred in prior years; another public university in a metropolitan city reported 147 rapes in 2020; and another university in a comparable city to Athens reported 23 rapes in 2020. Chair Evans commented that data that demonstrated OHIO is a safe campus should be shared. Ms. Griffin replied that she would work with University Marketing and Communications to see how best to share campus safety data.

There was no unfinished business.

Audit and Risk Management Committee Chair Evans adjourned the meeting at 11:04 a.m.



Interoffice Communication

Date: 12/13/21

To: The President and Board of Trustees, Audit Committee

From: Julie Allison, Associate Vice President of Finance and Controller

Re: Financial Statement Review

A draft of the Ohio University financial statements for fiscal year ended June 30, 2021 were reviewed by the audit committee during a call on October 12, 2021. Below is a summary of additional information added and changes made after that review:

- Independent Auditor's Report, pages 1-2 were added;
- There were no changes to any financial statement amounts for Ohio University;
- Changes to The Ohio University Foundation column include and were related to the adjustments required for the Ohio University Inn:
 - I. Statements of Net Position:
 - a. Deposits and other liabilities, decrease of \$68,814 (\$7,232,512 to \$7,163,698)
 - b. Total net position, increase of \$68,814 (\$717,871,697 to \$717,940,511)
 - II. Statements of Revenues, Expenses, and Changes in Net Position:
 - a. Operating expenses-related entities, decrease of \$68,814 (\$4,418,689 to \$4,349,875)
 - b. Increase (Decrease) in Net Position, increase of \$68,814 (\$157,293,115 to \$157,361,929)
 - c. Net Position, End of year, increase of \$68,814 (\$717,871,697 to \$717,940,511)
- The Ohio University Foundation notes, pages 69-99 were added;
- Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards, pages 107-108 were added;
- Report on Compliance for Each Major Federal Program; Report on Internal Control over Compliance, pages 109-110 were added;

- Schedule of Findings and Questioned Costs, page 122 was added. However, there were no questioned costs or findings noted for the year ended June 30, 2021.

Ohio University Board of Trustees

Governance and Compensation Committee Meeting

October 7, 2021

Walter Hall 104

Committee Chair Platt called the meeting to order.

Committee Chair Platt asked Provost Sayrs to introduce the VSRP resolution. Provost Sayrs stated that Tenure-track faculty members and administrators with academic rank of tenured professor or tenured associate professor were eligible. Provost Sayrs stated that the incentive for participation was 100% of fiscal year 2022 base salary and an additional \$20,000 payment if enrolled in the university health plan to help defray the cost of purchasing health coverage externally. The plan closed on March 21st, 2022 and that they projected 45 participants.

Committee Chair Platt asked for a motion for sending the Faculty VSRP Resolution to the full board with a recommendation for approval; Trustee Coleman moved the committee; Committee Chair Platt provided a second; Committee Chair asked for discussion; Committee Chair Platt called the vote; The motion passed unanimously

Committee Chair Platt stated that at the August meeting we discussed the idea of changing our bylaws to add a regional Trustee to the Board. We have before us a Resolution that would do that.

Committee Chair Platt asked for a motion for sending the Bylaws Modification Resolution to the full board with a recommendation for approval; Trustee Coleman moved the committee; Committee Chair Platt provided a second; Committee Chair asked for discussion; Committee Chair Platt called the vote; The motion passed unanimously

Committee Chair Platt stated, that at the August meeting they asked President Sherman to reach out to the regional community to identify a potential Regional Trustee and asked him if he had a nomination. President Sherman stated that he had extensive conversations and, as a result, nominated Ms. Misty Crosby for the role.

Committee Chair Platt asked Secretary Moore to read the resolution appointing Ms. Crosby as Regional Trustee.

Committee Chair Platt asked for a motion for sending the Regional Trustee Resolution to the full board with a recommendation for approval; Trustee Coleman moved the committee; Committee Chair Platt provided a second; Committee Chair asked for discussion; Committee Chair Platt called the vote; The motion passed unanimously.

Finally, Committee Chair Platt stated that the state has passed a provision for allowing Boards of Trustees to enact a policy that would allow, on occasion, board members to participate in a board meeting at a distance. Committee Chair Platt asked General Counsel Bennett to provide an overview of this provision so we can discuss if it something we would like to pursue. General Counsel Bennett lead the discussion.

Committee Chair Platt adjourned the meeting.

Chair Cooper thanked the committee.

Chair Cooper asked Committee Chair Smullen to proceed with the Academics and Student Success Committee

Ohio University Board of Trustees
Academics and Student Success Committee

Thursday, October 7, 2021

Attendees: Trustees Cooper, Viehweger, Coleman, Evans, Sheil, Laturell, Smullen, Platt, Borgemenke, Gill-Franks, Ladipo, Faculty Senate Representative Bates, and Secretary David Moore

Other attendees: President Hugh Sherman, Executive Vice President and Provost Elizabeth Sayers and Interim Vice President for Finance and Administration Joe Trubacz

Guest attendees: Joe Shields, Loralyn Taylor, Robin Muhammad, and Candace Boeninger

Committee attendees: Trustees Smullen, Coleman, Harvey, Ladipo, Laturell and Platt.

Committee Chair Smullen called the committee to order at 12:29 p.m. and recited the list of voting committee members.

Academic Quality and Student Experience

Research Strategy (Tab 15; pg 58)

Vice President for Research and Dean of the Graduate College Joe Shields provided a presentation outlining the university research strategy. The overview included Carnegie classification, research and education integration, planned future directions, and extramural funding.

Trustee Viehweger inquired about external funding and steps that can be taken to increase funding applications and opportunities. Dr. Shields responded that the hiring of research-intensive faculty is important. He emphasized tying research to educational opportunities for students and university investments in infrastructure. Trustee Viehweger asked for additional information on contemporary history. Dr. Shields replied with a history and plans for the program. Committee Chair Smullen asked if there is potential for continued growth as an R2 institution. Dr. Shields explained the growth over the past 11 years and his expectations for the future. Trustee Sheil inquired about colleges programs that are not as successful as others at receiving research funding and Dr. Shields provided additional information on research and PhD programs.

Enrollment

Fall 2021 Enrollment Update (Tab 16; pg 73)

Vice President for Enrollment Management Candace Boeninger provided an enrollment overview. The presentation included university total enrollment, freshman class updates, undergraduate detail for Athens campus, regional campuses and online education, graduate enrollment updates and a total enrollment change analysis. The overview concluded with a chart of fiscal year 2022 enrollment priorities.

Trustee Viehweger asked for comparison data on OHIO enrollment in relation to other Ohio universities. Vice President Boeninger responded with available information but stated reported data is not available at this time. Trustee Viehweger asked for the percent of increase for this year and Vice President Boeninger responded that it was about nine percent. Trustee Viehweger inquired about the historically best percent of growth and Vice President Boeninger responded it was a little more than ten percent. Committee Chair Smullen asked if test optional admissions would remain in the future and Vice President Boeninger confirmed the continuation. President Sherman thanked the enrollment group and drew attention to the FY22 priorities list provided. Trustee Borgemenke asked when we would know why enrollment rates have increased. Vice President Boeninger replied that some data is available now and more data will be released prior to the next board meeting. Trustee Evans suggested marketing campus safety as an effort to increase enrollment and Vice President Boeninger agreed.

Standing Reports and Updates

Accreditation Update: Institutional & AY20-21 Program (Tab 17; pg 91)

EVPP Sayrs reminded the board members that an accreditation review is required for the fall of 2024 and that Board of Trustees interviews are part of that review process. Associate Provost for Institutional Effectiveness & Analytics Lorilyn Taylor presented an OHIO accreditation update. Detail was included on new criteria for accreditation, a comparison of reporting to HLC versus AQIP, a reaffirmation timeline, board and institutional leadership quality assurance guidance and an update on annual year 2020-2021 program accreditations.

Chair Cooper asked if the interviews will be the same as prior reviews since accreditation is based on evidence. Dr. Taylor responded that the process will be similar. Executive Vice President & Provost Sayrs asked when findings would be reported, and Dr. Taylor provided a timeline for different levels of response with the final ruling within six months. Committee Chair Smullen asked about

responding to a finding of a core component with concerns and Dr. Taylor responded with the steps required to correct the finding. Committee Chair Smullen asked about likelihood of a finding of not meeting a core requirement and Dr. Taylor replied that it is difficult to determine but findings in the past have been very positive.

Community Standard and Student Responsibility Update: (Tab 18; pg 105)

Trustee Cooper asked about the increase to student violations reported for this year and Executive Vice President & Provost Sayrs responded that she would inquire with Interim Vice President of Student Affairs Hall-Jones but believes violations are related to non-compliance to COVID policy.

Faculty Senate Report: (Tab 19; pg 108)

Faculty Senate President Robin Muhammad provided the Faculty Senate report. Dr. Muhammad presented a report outlining faculty status, trends, shared governance, faculty-student connections, work culture, impact of increased faculty workload, professional development, and the professional growth and student retention relationship.

Chair Cooper asked if there are patterns or alternative means to accomplish curricular development. Dr. Muhammad responded that evaluating the reward system or incentives for curricular development is important. Trustee Evans inquired if faculty and faculty senate understand the faculty and student imbalance with relation to the budget structural deficit. Dr. Muhammad replied that faculty understand there is a structural deficit but communication and transparent information on resolving the deficit is needed.

Consent Agenda and Program Items

Consent: Review of Centers & Institutes (Tab 20; pg 109)

Committee Chair Smullen reminded the board of the Academics and Student Success Committee voting membership. Committee Chair Smullen asked for a motion to approve the consent resolutions. Trustee Platt moved, and Trustee Coleman seconded; all the trustees approved the motion. The consent resolutions were carried forward to the Board of Trustees main meeting for consideration.

There being no further business, Committee Chair Smullen adjourned the meeting at 4:26 PM.

Chair Cooper thanked the Committee and stated that the Consent Resolutions would be voted on at the end of the meeting. Chair Cooper handled the gavel to Acting Committee Chair Evans to conduct the Resources, Facilities, and Affordability Committee.



Ohio University Board of Trustees

Resources, Facilities and Affordability Committee Meeting

October 7, 2021

Acting Committee Chair Matt Evans called the meeting to order at 2:15 pm. Committee members present included Trustee Borgemenke, National Trustee Sheil, Student Trustee Gill Frank, and Faculty Representative to the Committee Clowe. Other board members present included Chair Cooper, Vice Chair Viehweger, Trustee Coleman, Trustee Platt, Trustee Smullen, Alumni Association Representative Laturell, Student Trustee Ladipo, Secretary Moore, and President Sherman.

● Financial Update

Interim Vice President for Finance and Administration Joe Trubacz shared a brief update on the impacts of COVID and Fall enrollments on the FY22 forecast.

COVID Update: As was reported in the August financial update, \$27.2M in HEERF funding was deferred as of June 30, 2021. That funding, to reimburse the University for operational costs of COVID, will be recognized in FY22 as the matching HEERF funds are distributed for direct student payments by the office of Student Financial Aid. FY22 costs for COVID operations have been forecast \$3.1M less than budget primarily due to the higher vaccination rates on campus expected to result in lower compliance testing.

The Athens undergraduate (UG) Fall enrollment census resulted in higher than budgeted enrollments, with Fall tuition revenue \$925K higher than budget. Favorable FY22 tuition forecasts are offset by the lower tuition realized from Summer enrollments and Other UG Fees which were severely impacted by restrictions on Study Abroad programs, resulting in the FY22 Athens UG net tuition forecast of \$1.9M below budget. Scholarship spend is forecast \$804K higher than budget due to the additional enrollments.

The projected recognition of the \$27.2M in deferred HEERF recovery is responsible for the FY22 near break-even forecast. Although good news was reported for Fall 2021 enrollments, addressing the issues leading to the projected annual \$30M-\$40M operating deficits for FY23 -

FY26 and remedies to achieve balance will be driving the multi-year budget planning with units. Progress will be reported to the Board at the January meeting.

● **Resolution, Graduate Fees**

Budget Director John Day requested approval of a resolution to correct two fees approved at the April 2021 meeting. The table included in the April approval reflected off-campus rates for the general and non-resident fees instead of the appropriate on-campus rates. These program fees will be effective for Spring semester.

Trustee Borgemenke made a motion to recommend approval of the Graduate Fees resolution to the full board; Trustee Evans provided a second; the motion was unanimously approved.

● **Resolution, College of Arts & Sciences Quasi-Endowment Repurpose**

EVPP Sayrs discussed the request to repurpose and rename an existing University quasi-endowment. The existing quasi-endowment supports research in the field of Humanities. Approval of the resolution will broaden the purpose to support a wider range of scholarly and creative activities in support of research projects by faculty and graduate students across the college and result in increased requests for use of these funds.

Trustee Borgemenke made a motion to recommend approval of the College of Arts & Sciences Quasi-endowment Repurpose resolution to the full board; Trustee Evans provided a second; the motion was unanimously approved.

● **Resolution, Patton College of Education Building Renaming**

Vice President for University Advancement Nico Karagosian introduced Executive Director of Gift Planning Kelli Kotowski to speak about Dr. Violet Patton and her generous gifts to the University in excess of \$63M. Dr. Patton desires that the facility housing the Patton College of Education be renamed as the Gladys W. and David H. Patton Hall. Known as McCracken Hall since 1963, the building was named in honor of Ohio University's first Provost and a suitable interior space will be named in honor of Dr. Thomas Cooke McCracken at a future date.

Trustee Borgemenke made a motion to recommend approval of the Patton College of Education Building Renaming resolution to the full board; Trustee Evans provided a second; the motion was unanimously approved.

● **Resolution, Land Gift Acceptance**

Ms. Kotowski discussed the 289-acre land gift from the daughters of past University president John C. Baker. The daughters would like to gift the land for educational and research purposes and for use by the community. Although 269 acres are currently under a conservancy easement, the remaining acreage will also be put under a conservancy easement before transfer of the property. Board approval to accept the gift will allow additional due

diligence environmental and land transfer activities to occur. Trustee Evans asked about the upkeep for this parcel and Ms. Kotowski indicated that there were no buildings on the property and the Athens Conservancy is responsible for the upkeep, repair and maintenance to the boat ramps, trails, and parking areas. The next step is to complete an environmental site assessment to assure no contamination issues are present.

Trustee Borgemenke made a motion to recommend approval of the Land Gift Acceptance resolution to the full board; Trustee Evans provided a second; the motion was unanimously approved.

● **Portfolio Reduction Strategy**

Director of Real Estate Dominick Brook and Associate VP University Planning Shawna Wolfe presented an update on the Portfolio Reduction Strategy first introduced to the trustees in April 2021. The team reviewing assets for divestment include University Planning, Facilities, Real Estate and Finance as well as other stakeholders. OHIO has divested of several properties in past years including the sales of Pilcher House in Athens and the Child Development Center at the Southern Campus and demolition of aging residence halls.

The timing of divestment actions to be discussed today coincides with an upcoming State land conveyance bill. For properties included in the bill, the opportunity to divest extends over a 3-year period. Mr. Brook described the 13 properties for which action to declare each property as ‘surplus’ is being requested today. Disposition options differ and are dictated by the location, facility/property condition, and characteristics of each property. The primary options for divestment such as sale or lease, demolition, partnership opportunities, etc. were discussed for each of the 13 properties. Deed restrictions will be put in place for properties contiguous to campuses or as deemed appropriate. Several properties were discussed in more detail:

- The Ridges: AVP Wolfe discussed viable options and assured that partners are being sought for exploration and development opportunities. Wolfe shared a process to incentivize partner interest. Reports and recommendations from The Ridges development advisors are expected in early 2022. If attracting a developer/external funder is not successful, the University will be forced to cease further salvage attempts and will limit further investments outside of safety/risk related requirements. Total University spending-to-date at the Ridges will be provided to the Board.
- Dysart Woods: This property has current deed restrictions overseen by the Nature Conservancy that would remain in place with any disposition.
- Scott Quad: This facility was built in 1937 and has recently been vacated due to serious maintenance and infrastructure issues. The building is no longer desirable as a residence hall. Programmatic options were researched, and the facility’s current configuration and high deferred maintenance costs preclude it being prioritized for

renovation. Demolition of the facility is the recommended option and \$3.6M for Scott Quad Demolition is included in this meeting's Capital Projects request.

Trustee Borgemenke asked about the tracking of deferred maintenance. SAVP Wood noted that disposition of property and facilities results in future cost avoidance to the University and that each University property has an estimate of deferred maintenance. Trustee Viehweger congratulated the effort in identifying this list of assets for possible disposition and recognized that this effort has resulted in some very difficult recommendations.

● **Consent Resolutions, 13 Portfolio Reduction Strategy actions**

Trustee Borgemenke made a motion to recommend approval of the thirteen Consent Resolutions to the full board; Trustee Evans provided a second; the motion was unanimously approved.

● **Resolution, Capital Projects**

SAVP Wood discussed the 6 projects with budgets of \$500K and above presented for Board approval:

- Convocation Center Electrical, HVAC, and Fire Systems Improvements - \$15.3M project; addresses multiple building systems, many original to the 1966 building;
- Gamertsfelder Hall Restroom & HVAC Renovation - \$10.75M project; delayed from FY21 project list; will address plumbing and HVAC systems and result in aesthetic restroom improvements;
- Scott Quad Demolition - \$3.6M project; demolition to occur next summer;
- Ridges Building 33 Voltage Transition - \$1.65M project; Ridges power plant switch replacement to transfer old 2400-system with a new 12470-volt system that is safer and more reliable;
- Bromley Hall Building Based Heating System - \$600K project; replace steam system with building-based boilers; project is in alignment with Utilities Master Plan;
- Ridges Building 33 Deaerator Replacement - \$530K project; replaces existing 40-year old unit and will enable current steam return lines to remain viable .

Trustee Borgemenke made a motion to recommend approval of the Capital Projects resolution to the full board; Trustee Evans provided a second; the motion was unanimously approved.

Information Items

- Facility Project Updates – information reports for Facility Projects; shared as part of each Board agenda.

Acting Committee Chair Evans ended the meeting at 3:08 pm.

Resources, Finances, and Affordability Resolutions

Chair Cooper thanked the Committee. Chair Cooper stated that there were five resolutions that the Resources, Facilities, and Affordability recommended for the Board to approve. The Board approved the resolutions as follows:

FISCAL YEAR 2021-22
OHIO UNIVERSITY
ACADEMIC YEAR 2021-22 TUITION, FEE AND RATE INCREASES

RESOLUTION 2021 - 3947

WHEREAS, the appropriate planning and consultations within the University have been completed, resulting in the recommendations for establishing tuition, fee, and rate increases for purposes of investing in strategic priorities and to support quality off-campus, graduate programs detailed in Exhibits A; and

WHEREAS, these tuition, fees, and rate changes must be authorized and consistent with legislation enacted by the General Assembly.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees adopts the fee schedule attached hereto as Exhibits A, pending approval of the Chancellor of the Ohio Department of Higher Education as noted above.

Chair Cooper called for a motion; Trustee Viehweger moved the committee; Trustee Smullen seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

EXHIBIT A

OHIO UNIVERSITY
GRADUATE PROGRAMS
Correction to 2021-22 STUDENT TUITION & FEE SCHEDULE
 (PER CREDIT HOUR)

| College | Schedule Presented in April | Instructional Fee | General Fee | Program Fee | Special Svcs / Materials Fee | Ohio Resident Total | Non-Resident Fee | Out-of-State Resident Total | Effective |
|-----------------|--|-------------------|-------------|-------------|------------------------------|---------------------|------------------|-----------------------------|-----------|
| Business | One Year MBA (FTMBA) | 505 | 78 | 202 | - | 785 | 496 | 1,281 | Fall 2021 |
| Health Sciences | Speech Language Pathology (MA5326) | 505 | 78 | 63 | - | 646 | 496 | 1,142 | Fall 2021 |
| Health Sciences | Post-Professional Master of Athletic Training (MS8130) | 505 | 3 | 10 | - | 518 | 19 | 537 | Fall 2021 |
| Health Sciences | Physiology of Exercise - Clinical Masters (MS8147) | 505 | 3 | 20 | - | 528 | 19 | 547 | Fall 2021 |

| College | Corrected Schedule | Instructional Fee | General Fee | Program Fee | Special Svcs / Materials Fee | Ohio Resident Total | Non-Resident Fee | Out-of-State Resident Total | Effective |
|-----------------|--|-------------------|-------------|-------------|------------------------------|---------------------|------------------|-----------------------------|-------------|
| Business | One Year MBA (FTMBA) | 505 | 78 | 202 | - | 785 | 496 | 1,281 | Fall 2021 |
| Health Sciences | Speech Language Pathology (MA5326) | 505 | 78 | 63 | - | 646 | 496 | 1,142 | Fall 2021 |
| Health Sciences | Post-Professional Master of Athletic Training (MS8130) | 505 | 78 | 10 | - | 593 | 496 | 1,089 | Spring 2022 |
| Health Sciences | Physiology of Exercise - Clinical Masters (MS8147) | 505 | 78 | 20 | - | 603 | 496 | 1,099 | Spring 2022 |

**REPURPOSING OF EXISTING UNIVERSITY QUASI-ENDOWMENT AS
THE COLLEGE OF ARTS & SCIENCES
FACULTY AND GRADUATE STUDENT RESEARCH SUPPORT FUND**

RESOLUTION 2021 – 3948

WHEREAS, The Board of Trustees of Ohio University is responsible for oversight of the financial condition of the institution, and

WHEREAS, the Board of Trustees has the ability to establish quasi-endowments, or funds functioning as endowments, to be utilized at the discretion of the University, and

WHEREAS, The Ohio University Foundation Board of Trustees and, specifically, the Investment Committee is entrusted by The Board of Trustees of Ohio University with the oversight to invest funds established as University quasi-endowments, and

WHEREAS, University quasi-endowments are invested alongside endowments of the University and The Ohio University Foundation and managed in accordance with The Ohio University Foundation’s investment policy and spending policy, and

WHEREAS, an existing quasi-endowment is requested to be re-named and the purpose broadened as described below:

Current: The College of Arts & Sciences Humanities Research Quasi-Endowment supports research in the field of Humanities.

Revised: The College of Arts & Sciences Faculty and Graduate Student Research Support Fund will provide funding for research projects by faculty and graduate students across the College of Arts & Sciences.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University hereby approves the revised name and purpose of the above listed fund.

BE IT FURTHER RESOLVED that the Treasurer of Ohio University, be and hereby is, directed and authorized to administer policies and procedures to manage this quasi-endowment.

Chair Cooper called for a motion; Trustee Borgemenke moved the committee; Trustee Evans seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

**THE GLADYS W. AND DAVID H. PATTON COLLEGE OF EDUCATION
BUILDING NAMING
RESOLUTION 2021 – 3949**

WHEREAS, Dr. Violet L. Patton has provided generous and ongoing support to the Ohio University Gladys W. and David H. Patton College of Education (Patton College) through her historic \$63.3 million in commitments, which named the Patton College and has secured the promise of the Violet L. Patton Center for Arts Education; and

WHEREAS, Dr. Patton recognizes and appreciates the prestige that comes from Ohio University's having the first named College of Education in the state of Ohio; and

WHEREAS, Dr. Patton's charitable commitments and contributions have made possible the transformational renovation of the building that houses the Patton College, which were completed in 2017; and

WHEREAS, the building was named in honor of Thomas Cooke McCracken in 1963 in recognition of his service as dean of the College of Education and Ohio University's first provost, and suitable interior space will be identified and named in honor of Dr. McCracken at a future date; and

WHEREAS, in consultation with Dr. Patton and in recognition of her extraordinary generosity and the impact of her continued commitment to advancing the Patton College and arts education at Ohio University, the Patton College, the Division of University Advancement, and The Ohio University Foundation, recommend that the building that houses the Patton College be renamed Gladys W. and David H. Patton Hall.

NOW, THEREFORE BE IT RESOLVED that the building at 100 East Union Street, Athens, Ohio, which houses the Patton College, will be renamed **Gladys W. and David H. Patton Hall**.

Chair Cooper called for a motion; Trustee Coleman moved the committee; Trustee Platt seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

ACCEPTANCE OF GIFT OF REAL PROPERTY

THE BAKER PRESERVE, OHIO

RESOLUTION 2021 – 3950

WHEREAS, Anne and Elizabeth Baker, daughters of President Emeritus John C. Baker, propose to gift to the University a property that consists of 289 forested acres, commonly known as The Baker Preserve (“Property”); and

WHEREAS, approximately 269-acres of the Property are currently under a conservation easement and the remaining acreage will also be put under a conservation easement before the transfer of the Property; and

WHEREAS, the transfer of the Property is subject to the written approval by the Director of the Ohio Public Works Commission, and any transfer of the Property would be contingent upon this approval; and

WHEREAS, the Office of Real Estate has ordered a Phase 1 Environmental Site Assessment, and any transfer of the Property would be contingent upon the opinion that there is no actual or potential environmental contamination of the Property; and

WHEREAS, the departments of Biological Sciences, Environmental and Plant Biology, Geography, and others have identified the property’s unique characteristics that provide students and faculty with field research opportunities.

NOW THEREFORE, BE IT RESOLVED that after being duly advised and briefed on this gift of real estate, the Ohio University Board of Trustees does hereby authorize the acceptance of the Property known as the Baker Preserve.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize and empower the President of Ohio University or his designee to accept said gift property in a manner consistent with state law and regulations through the appropriate method and means of accepting Ohio University real property, in a manner that is consistent with the intentions of the donor’s gift.

Chair Cooper called for a motion; Trustee Coleman moved the committee; Trustee Evans seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

CAPITAL PROJECTS

APPROVAL TO PROCEED WITH DESIGN AND CONSTRUCTION

RESOLUTION 2021 - 3951

WHEREAS, construction and renovation projects with a total project budget of \$500,000 or more require Board approval; and

WHEREAS, projects presented and recommended for Board approval have been subject to a multi-step planning process culminating in executive leadership review and approval by the Capital Funding and Priorities Committee (CF&PC); and

WHEREAS, the following projects are presented for Board approval:

Design & Construction Requests:

| Capital Project Budget & Authorized Expenditures | |
|---|----------------|
| Project | Current |
| Convocation Center Electrical, HVAC and Fire Systems Improvements | \$15,298,818 |
| Gamertsfelder Hall Restroom & HVAC Renovation | \$10,750,000 |
| Scott Quad Demolition | \$3,622,000 |
| Ridges Building 33 Voltage Transition | \$1,650,000 |
| Bromley Hall Building Based Heating System | \$600,000 |
| Ridges Building 33 Deaerator Replacement | \$530,000 |

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees approves the requests described above; authorizes the receipt of appropriate bids or proposals; and authorizes the President, the Vice President for Finance and Administration, or either’s authorized designee to accept and award contracts and execute all necessary agreements, easements and documents to effectuate the transaction and related transactions within the total project budgets identified.

Chair Cooper called for a motion; Trustee Coleman moved the committee; Trustee Smullen seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

Chair Cooper stated that the Board held the Audit and Risk Management Committee and the Governance and Risk Management Committees simultaneously this morning. Chair Cooper asked Trustee Evans to give a brief review of the Audit and Risk Management Committee meeting for those who couldn't attend.

Committee Chair Evans stated that the Audit and Risk Management Committee began with an update from Marion Candrea, Chief Audit Officer. Committee Chair Evans also stated there was a resolution to authorize himself and Chair Cooper to approve the resolution on the FY21 Audited Financial Statements after the Audit Committee the following week. The Audit and Risk Management Committee recommend this resolution for approval. Committee Chair Evans stated that the Committee also received the annual Clery Act Report. Committee Chair Evans stated that the committee had no further business.

Chair Cooper thanked Committee Chair Evans and asked for a motion to approve the FY21 Audited Financial Statements Resolution as follows:

APPROVAL OF JUNE 30, 2021, FINANCIAL STATEMENT AUDIT

RESOLUTION 2021 - 3952

WHEREAS the Audit and Risk Management Committee is scheduled to meet with the University's external auditors to review the University's audit results and the University's financial statements on October 12, 2021.

NOW THEREFORE, BE IT RESOLVED that the recommendation of the Audit and Risk Management Committee on October 7, 2021, to provisionally accept the financial statements and footnotes as presented by management of the University, Foundation, and subsidiaries as of and for the year ended June 30, 2021, be approved.

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Audit and Risk Management Committee Chair and Chair of the University Board of Trustees to accept the above referenced financial statements and footnotes on the Board of Trustees' behalf. The Audit and Risk Management Committee Chair and the Chair of the University Board of Trustees are directed to report their decision to the Secretary of the University Board of Trustees on or before the October 15, 2021 Auditor of State's mandated filing date.

Chair Cooper called for a motion; Trustee Coleman moved the committee; Trustee Borgemenke seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

Chair Cooper asked Committee Chair Platt to provide a brief review of the Governance and Compensation Committee's proceedings.

Committee Chair Platt stated that the Governance and Compensation Committee recommended the approval of the Faculty VSRP Resolution. Committee Chair Platt stated that the committee recommended the change in our bylaws be approved to allow the addition of a regional trustee. Additionally, along with the bylaws change, Committee Chair Platt stated that President Sherman introduced a resolution to the Committee nominating Misty Crosby as the Board's Regional Trustee; the committee recommends that resolution be approved as well.

Finally, Committee Chair Platt stated that the committee discussed a new provision from the state that would allow trustees to attend and participate in board meetings at a distance.

Governance and Compensation Committee Resolutions

Chair Cooper thanked Committee Chair Platt and asked for a motion on the following Resolutions:

**VOLUNTARY SEPARATION OR RETIREMENT PLAN(S)
FOR
ELIGIBLE TENURE-TRACK FACULTY MEMBERS AND
ADMINISTRATIVE STAFF WITH ACADEMIC RANK OF TENURED
PROFESSOR OR TENURED ASSOCIATE PROFESSOR**

RESOLUTION 2021 – 3953

WHEREAS, due to ongoing budgetary concerns, Ohio University (the “University”) has determined that it needs to seek structural efficiencies in personnel costs within strategically identified academic programs based on a comprehensive examination of changing enrollment patterns and financial positions, as conducted at the direction of the President, or his designee(s); and

WHEREAS, the best interests of the University will be served by offering tenure-track faculty members and administrative staff with academic rank of tenured professor or tenured associate professor, in strategically identified academic programs, as determined by the President or his designee(s), voluntary separation or retirement opportunities to effectuate structural efficiencies and to minimize the need for other budgetary actions; and

WHEREAS, the University desires to offer the Ohio University 2022 Voluntary Separation or Retirement Plan (the “Plan”), a one-time program under which, in consideration for voluntary separation from service under the terms provided in said programs, an eligible employee may receive cash payments or other incentives to reduce spending and to enable the implementation of workforce changes; and

WHEREAS, the voluntary separation or retirement opportunities will be offered on or about January 17, 2022, to provide eligible employees sufficient time to decide whether to participate.

NOW THEREFORE BE IT RESOLVED that the President, or his designee(s), in consultation with the Chair of the Board of Trustees, is authorized to develop and implement a Voluntary Separation or Retirement Plan (“VSRP”), in accordance with the rules of the Internal Revenue Service, as the President deems appropriate, with the objective of reducing personnel in the Planning Unit.

BE IT FURTHER RESOLVED that the President, or his designee(s), is authorized to offer eligible employees incentives for separation or retirement in accordance with the Plan that may include severance on such terms as the President, in consultation with the Chair of the Board of Trustees, deems appropriate.

BE IT FURTHER RESOLVED that the President, or his designee(s), in consultation with the Chair of the Board of Trustees, may impose conditions for participating in the Plan, in accordance with the plan to attract the optimum number of participants and thereby achieve the appropriate level of benefit to the University.

BE IT FURTHER RESOLVED that the Chief Human Resource Officer is authorized to execute the plan document between Ohio University and the Plan participants and any other instruments, documents, or conveyances necessary to effectuate and implement the Plan.

Chair Cooper called for a motion; Trustee Viehweger moved the committee; Trustee Platt seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

AMENDMENT TO BOARD BYLAWS

RESOLUTION 2021 - 3954

WHEREAS, the Board recognizes and appreciates the valuable contributions and insights to be gained by adding a non-voting position of Regional Trustee to its membership;

WHEREAS, Article I, Section 2 of the Bylaws of the Ohio University Board of Trustees provides that the Bylaws shall not be amended except by a vote of the majority of the members of the Board authorized to vote, and then only after thirty days' notice of a proposed change has been given to all members;

WHEREAS, notice of this proposed change was delivered to the Trustees on September 3, 2021, exceeding the 30 day notice requirement in the Bylaws; and

WHEREAS, the Governance and Compensation Committee has reviewed the Bylaws and has recommended that they be amended as indicated in Exhibit A.

NOW THEREFORE, BE IT RESOLVED that the Board hereby approves an amendment to its Bylaws in the form attached hereto as Exhibit A.

Chair Cooper called for a motion; Trustee Platt moved the committee; Trustee Coleman seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

Exhibit A

Bylaws of the Ohio University Board of Trustees

Revised March 17, 2017

Revised August 27, 2015

Revised August 28, 2014

Revised April 19, 2013

Revised September 6, 2012

Revised April 24, 2011

Revised February 10, 2010

Revised January 23, 2009

Revised February 8, 2008

Revised December 17, 2004

Revised September 20, 2002

Revised June 23, 1990

Revised July 14, 1989

Article I. Corporate Authority and Bylaws

Section 1. The Board of Trustees of the Ohio University, a body corporate and politic, hereby adopts these Bylaws for the purpose of governing its activities in accordance with Chapter 3337 of the Ohio Revised Code.

Section 2. No Bylaws shall be enacted, amended, or repealed, except by a vote of a majority of the members (5 votes) of the Board authorized to vote, and then only after thirty (30) days notice of a proposed change has been given to all members.

Section 3. The Board shall comprise nine trustees and two student trustees, all appointed by the governor of the State of Ohio in accordance with Section 3337.01 of the Ohio Revised Code. The Board shall also include two national trustees, one regional trustee, and the chair of

the Ohio University Alumni Association Board of Directors or his or her designee. One national trustee shall be appointed by the Board for a term of one year beginning on July 1, 2010. One national trustee shall be appointed by the Board for a term of three years beginning on July 1, 2010. Thereafter, both national trustees shall serve terms of three years. The regional trustee shall be appointed by the Board for an initial term beginning in October, 2021 and ending on June 30, 2024. Thereafter, the regional trustee shall serve a term of three years.

Section 4. The nine trustees appointed by the Governor shall hold voting privileges. The two student trustees, the two national trustees, the regional trustee, and the chair of the Ohio University Alumni Association Board of Directors may not vote on Board matters, but their opinions and advice will be actively solicited and welcomed in Board deliberations.

Article II. Officers of the Board

Section 1. Officers of the Board shall be as follows:

- (a) Chair
- (b) Vice-Chair
- (c) Secretary
- (d) Treasurer
- (e)

Section 2. The Chair shall preside at all meetings of the Board, and unless otherwise directed by the Board, shall have the authority to appoint members of and to fill vacancies on all standing and special committees. He or she shall serve as Chair of the Executive Committee. Subject to these Bylaws, he or she shall fix the date and time of all regular, special, and emergency meetings, and perform such other duties as may be pertinent to the office of the Chair.

Section 3. The Vice-Chair, in the absence or incapacity of the Chair, shall assume the duties and obligations of the Chair.

Section 4. The Secretary shall keep minutes of all Board meetings and shall promptly distribute copies to all Board members. He or she shall be responsible for the orderly preservation of all records pertaining to Board business, and shall perform all other duties customary to the office or assigned by the Chair or by Board action.

Section 5. The Treasurer shall be responsible for the fiscal management of the University, including supporting budget preparation, the preparation of all officially required financial reports, management of investments, coordination of audits with auditors, including federal

and state auditors, overseeing relationships with financial reporting agencies, and all other financial responsibilities generally or specifically assigned by the Board or the President.

Article III. Election of Officers

Section 1. The Chair, Vice-Chair, Secretary, and Treasurer shall be elected annually by the Board.

Section 2. The Chair and Vice-Chair shall each serve for one year and shall be eligible for re-election to their respective offices. The Secretary and the Treasurer shall be eligible for annual election to these offices without a yearly limitation.

Section 3. In the event of a vacancy in an Officer position, the Board shall elect a successor from among its members to serve the remainder of the vacant term.

Article IV. The President and Presidential Duties

Section 1. On the basis of mutual good faith and any contractual relationship pointing to continuous service, the President of the University shall be elected from year to year subject to the terms of his or her employment agreement.

Section 2. The President shall attend all meetings of the Board and shall, in an advisory capacity, have a voice in its deliberations. He or she shall have the authority to initiate any subject at Board meetings.

Section 3. The President shall be responsible to the Board for the administration and discipline of the University.

Article V. Meetings

Section 1. Regular Meetings. The Board shall hold no fewer than five (5) regular meetings a year, with the date and time fixed in accordance with the provisions of Article II. Section 2.

Section 2. Special and Emergency Meetings. Special and emergency meetings may be held upon the call of the Chair or upon the written request of three (3) Board members to the Secretary.

Section 3. Notice of Meetings. The Secretary shall notify all Board members and the President at least five days in advance of all regular and special meetings and at least one day in advance of all emergency meetings. Public notice of all meetings shall be given in

accordance with the requirements of Revised Code Section 121.22. Any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings by contacting University Communications and Marketing or on the internet at <http://www.ohio.edu/trustees/>.

Section 4. Attendance. It shall be the policy of the Board to require full attendance at all meetings of the Board and committees in accordance with Revised Code Section 3.17. Excuses for absence from meetings shall be communicated to the Secretary at least two (2) days before meetings. Persistent unreasonable absences in violation of Ohio law shall be cause, at the pleasure of the Chair, for reporting such delinquency to the appropriate authority of the State of Ohio.

Section 5. Quorum and Voting. Five Trustees appointed by the Governor, (the “Voting Trustees”) shall constitute a quorum for the conduct of the ordinary business of the Board. An affirmative vote of six Voting Trustees shall be necessary to elect or remove a President and an affirmative vote of five Voting Trustees shall be necessary to adopt any other resolution or action of the Board.

Section 6. Agenda. The Secretary shall consult with the chairs of the Standing Committees and then prepare a proposed agenda for each Regular Meeting. The proposed agenda shall be delivered to the President for his or her review and then to the Chair of the Board for final approval.

Article VI. Standing and Special Committees

Section 1. Standing Committees of the Board, consisting of no fewer than three (3) members each, shall be appointed annually or for longer terms by the Chair of the Board, and each Standing Committee shall consider and make recommendations for action by the Board on the various policy matters enumerated below as follows:

- 1) Academics and Student Success
 - a. Responsibilities will include the academic plan; enrollment management; student affairs and life; intercollegiate athletics; diversity; research and technology transfer policies and activities; information technology; communications and marketing; academic appointments; promotion and tenure policies and procedures; academic program reviews; and awarding of degrees. Responsibilities also include providing oversight for educational quality and engagement, student success by reviewing programs, accreditation, and efforts to create a culture of continuous improvement in student

outcomes. The Committee will also review metrics for and evidence of quality, success, and affordability to inform Board decisions regarding governance, policy and strategy.

2) Audit and Risk Management

- a. Responsibilities will include the oversight of the internal audit functions, annual or other periodic audits of financial operations, the recommendation of the appointment of an external audit firm to the Board of Trustees, the receipt of the reports of the internal auditor and the external audit firm, and the university's accountability and compliance procedures. Responsibilities also include assessing and reporting to the Board of Trustees respecting enterprise risks relating to the long-term fulfillment of the University's teaching, research, and service mission, including but not limited to risks regarding safety, preservation of property, University and Board policies, fiscal integrity, strategic plans, and the necessary and proper conduct of the University's business and affairs.

3) Governance and Compensation

- a. Responsibilities will include the recommendation of general governance policies and procedures, the nomination of Board officers and recommendation of candidates for future trustees and national trustees. At the last meeting in each fiscal year, the Committee shall review these Bylaws to determine whether any changes are appropriate and shall recommend any such changes to the Board of Trustees. Responsibilities also include assisting and making recommendations to the Board of Trustees respecting human resources and executive compensation programs and strategy for senior leadership positions. The Committee will also report to the Board respecting the effectiveness of executive compensation, benefits, performance management; and the Committee may further report to the Board on these issues as they relate to other University compensation and human resources plans. The Committee is also responsible for the oversight of Affiliated Entities.

4) Resources, Facilities and Affordability

- a. Responsibilities will include financial operations; business, organization and practices; university advancement; relations with local, state, and federal legislative and administrative agencies; recommending of the schedule of tuition and fees; borrowing of funds (internal and external); naming, location, planning, construction, and maintenance and renovation of University facilities and grounds; the purchase, sale and lease of lands and buildings; reviewing and

monitoring of all investments including the endowment; contract oversight on public utilities and other large contracts; and recommending of investment policy, advising the Board on investments and appointment of investment advisors to ensure compliance with Revised Code Section 3345.05. Responsibilities also include monitoring tuition, state appropriations, endowments, and annual giving; and overseeing efforts to maintain the University's fiscal strength in order to improve student affordability and the quality of education.

Section 2. The Executive Committee shall be made up of the Chair and Vice Chair of the Board of Trustees and the Chairs of University Academics and Student Success, and the University Resources, Facilities, and Affordability Committees and have broad powers to act in all matters not deemed by the Chair of the Board and the President of the University as of importance to command the immediate attention of the entire Board. All actions of the Executive Committee shall be subject to approval by the Board, except those wherein the Board has delegated to the Executive Committee or the President full power to act for the Board.

Section 3. Special committees may be appointed by the Chair of the Board as the Board may deem necessary.

Section 4. The Chair of the Board and the President shall be ex-officio non-voting members of all Standing Committees and Special Committees.

Article VII. Parliamentary Authority

Section 1. When not in conflict with any of the provisions of these Bylaws, the Robert's Rules of Order Newly Revised shall govern the proceedings of the Board.

APPOINTMENT OF REGIONAL TRUSTEE

RESOLUTION 2021 – 3955

WHEREAS, in accordance with Article I, Section 3 of its Bylaws, the Board desires to appoint a Regional Trustee for a term that begins October 8, 2021, and expires on June 30, 2024;

WHEREAS, the Board has determined that the Regional Trustee shall: (a) reside in the “greater regional territory” served by Ohio University, which shall be defined as (i) one of the Ohio counties (Belmont, Fairfield, Lawrence, Muskingum, and Ross) in which one of Ohio University’s five regional campuses currently sits, or (ii) one of the following Ohio counties, which are located in Southeast Ohio and/or are contiguous to those counties in which the main or regional campuses sit: Guernsey, Hocking, Jackson, Meigs, Monroe, Morgan, Noble, Perry, Pickaway, Pike, Vinton, and Washington; (b) not currently hold or be seeking to hold elected office; (c) not reside in Athens County, Ohio; and (d) have demonstrated community involvement and leadership in the region; and

WHEREAS, Ms. Misty Crosby meets all of the above criteria, and possesses the appropriate knowledge, experience, and perspective to represent the unique concerns and interests of the region in service to the Board.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees hereby appoints Ms. Misty Crosby to serve as a Regional Trustee for a term that begins October 8, 2021 and expires on June 30, 2024.

Chair Cooper called for a motion; Trustee Platt moved the committee; Trustee Coleman seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

Consent Agenda Resolutions

Chair Cooper asked for a motion to approve the Consent Agenda including the Resolutions below:

Chair Cooper called for a motion on the Consent Agenda Resolutions; Trustee Viehweger moved the committee; Trustee Coleman seconded the motion; Chair Cooper called for a vote; the motion passed unanimously.

REVIEW OF CENTERS AND INSTITUTES

RESOLUTION 2021 – 3956

WHEREAS, the continued review of academic programs is essential to the maintenance of quality within an educational institution; and

WHEREAS, Ohio University has had for many years a rigorous program of internal review; and

WHEREAS, the reviews are conducted in accordance with the provisions of University Policy 01.015 Establishment and Review of Centers and Institutes.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University accepts the 2020-2021 Review of Centers and Institutes, which recommends continuation of four (4) centers/institutes, a one-year extension for one (1) institute, and the shifting of two (2) institutes to the Academic Review as follows:

| Unit | Center/Institute | Recommendation |
|------|--|-------------------------|
| A&S | Center for Law, Justice and Culture | Continue |
| A&S | Ohio Center for Ecology and Evolutionary Studies | Continue |
| A&S | Quantitative Biology Institute | Continue |
| COMM | Institute for Storytelling and Social Impact | Continue |
| | | |
| COMM | Institute for International Journalism | 1-Year Extension |
| | | |
| UC | Academic Achievement Center | Move to Academic Review |
| EDU | Child Development Center | Move to Academic Review |

DECLARATION OF SURPLUS PROPERTY

LASHER HALL, 43 W. UNION STREET, ATHENS OHIO

RESOLUTION 2021-3957

WHEREAS, Ohio University holds title to Lasher Hall, located at 43 W. Union Street, Athens, Ohio (“Property”); and

WHEREAS, in April 2021, the Board of Trustees was presented the University’s Portfolio Reduction Strategy, with recommendations of near-term divestments, including the Property; and

WHEREAS, it was recommended that the Property first be leased to a non-University entity, and failing that be sold with deed restrictions; and

WHEREAS, the University will either market the property for lease or issue a Request for Proposals (“RFP”) to identify an entity to lease, renovate and reuse the property prior to any sale; and

WHEREAS, should the University not identify a lessee through either marketing efforts or an RFP, it is in the best interest of the University to sell or otherwise dispose of the property in a timely manner to minimize any additional deferred maintenance; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

BE IT FURTHER RESOLVED, if determined necessary by the President or his designee, that any disposition of the Property should include deed restrictions to ensure its use is limited to those that are compatible with the mission and strategy of the University.

DECLARATION OF SURPLUS PROPERTY

CENTRAL CLASSROOMS, 67 W. UNION STREET, ATHENS OHIO

RESOLUTION 2021-3958

WHEREAS, Ohio University holds title to Central Classrooms, located at 67 W. Union Street, Athens, Ohio (“Property”); and

WHEREAS, in April 2021, the Board of Trustees was presented the University’s Portfolio Reduction Strategy, with recommendations of near-term divestments, including the Property; and

WHEREAS, it was recommended that the Property first be leased to a non-University entity, and failing that be sold with deed restrictions; and

WHEREAS, the University will either market the property for lease or issue a Request for Proposals (“RFP”) to identify an entity to lease, renovate and reuse the property prior to any sale; and

WHEREAS, should the University not identify a lessee through either marketing efforts or an RFP, it is in the best interest of the University to sell or otherwise dispose of the property in a timely manner to minimize any additional deferred maintenance; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

BE IT FURTHER RESOLVED if determined necessary by the President or his designee, that any disposition of the Property should include deed restrictions to ensure its use is limited to those that are compatible with the mission and strategy of the University.

DECLARATION OF SURPLUS PROPERTY

HANING HALL, 35 W. UNION STREET, ATHENS OHIO

RESOLUTION 2021-3959

WHEREAS, Ohio University holds title to Haning Hall, located at 35 W. Union Street, Athens, Ohio (“Property”); and

WHEREAS, in April 2021, the Board of Trustees was presented the University’s Portfolio Reduction Strategy, with recommendations of near-term divestments, including the Property; and

WHEREAS, it was recommended that the Property first be leased to a non-University entity, and failing that be sold with deed restrictions; and

WHEREAS, the University will either market the property for lease or issue a Request for Proposals (“RFP”) to identify an entity to lease, renovate and reuse the property prior to any sale; and

WHEREAS, should the University not identify a lessee through either marketing efforts or an RFP, it is in the best interest of the University to sell or otherwise dispose of the property in a timely manner to minimize any additional deferred maintenance; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

BE IT FURTHER RESOLVED if determined necessary by the President or his designee, that any disposition of the Property should include deed restrictions to ensure its use is limited to those that are compatible with the mission and strategy of the University.

DECLARATION OF SURPLUS PROPERTY

CREWSON HOUSE, 115 S. COURT STREET, ATHENS OHIO

RESOLUTION 2021-3960

WHEREAS, Ohio University holds title to Crewson House, located at 115 S. Court Street, Athens, Ohio (“Property”); and

WHEREAS, in April 2021, the Board of Trustees was presented the University’s Portfolio Reduction Strategy, with recommendations of near-term divestments, including the Property; and

WHEREAS, it was recommended that the Property first be leased to a non-University entity, and failing that be sold with deed restrictions; and

WHEREAS, the University will either market the property for lease or issue a Request for Proposals (“RFP”) to identify an entity to lease, renovate and reuse the property prior to any sale; and

WHEREAS, should the University not identify a lessee through either marketing efforts or an RFP, it is in the best interest of the University to sell or otherwise dispose of the property in a timely manner to minimize any additional deferred maintenance; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

BE IT FURTHER RESOLVED if determined necessary by the President or his designee, that any disposition of the Property should include deed restrictions to ensure its use is limited to those that are compatible with the mission and strategy of the University.

DECLARATION OF SURPLUS PROPERTY

31 S. COURT STREET, ATHENS OHIO

RESOLUTION 2021-3961

WHEREAS, Ohio University holds title to 31 S. Court Street, Athens, Ohio (“Property”); and

WHEREAS, in April 2021, the Board of Trustees was presented the University’s Portfolio Reduction Strategy, with recommendations of near-term divestments, including the Property; and

WHEREAS, it was recommended that the Property first be leased to a non-University entity, and failing that be sold with deed restrictions; and

WHEREAS, the University will either market the property for lease or issue a Request for Proposals (“RFP”) to identify an entity to lease, renovate and reuse the property prior to any sale; and

WHEREAS, should the University not identify a lessee through either marketing efforts or an RFP, it is in the best interest of the University to sell or otherwise dispose of the property in a timely manner to minimize any additional deferred maintenance; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

DECLARATION OF SURPLUS PROPERTY

HEBBARDVILLE FARM, HEBBARDSVILLE OHIO

RESOLUTION 2021-3962

WHEREAS, Ohio University holds title to Hebbardsville Farm, consisting of approximately 444.61 acres over nine tax parcels located in Hebbardsville, Ohio (“Property”). For the purposes of this resolution the Property does not include the Animal and Comparative Biomechanics Research Facility; and

WHEREAS, the Property is vacant and in disrepair; and

WHEREAS, the Property is currently not serving any University purpose; and

WHEREAS, the University is currently exploring lease or sale options with strategic partners; and

WHEREAS, should the University not be able to lease to a strategic partner, it is in the best interest of the University to sell or otherwise dispose of the property in a timely manner to minimize any additional deferred maintenance; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of the Property.

DECLARATION OF SURPLUS PROPERTY

THE RIDGES, ATHENS OHIO

RESOLUTION 2021-3963

WHEREAS, Ohio University holds title to The Ridges, consisting of approximately 125.7 acres and 269,515 square feet of building in Athens, Ohio (“Property”). For the purposes of this resolution the Property only includes land identified by the University for external use.

WHEREAS, the Property is vacant and in disrepair; and

WHEREAS, the Property is currently not serving any University purpose; and

WHEREAS, the University has solicited developers for the rehabilitation and reuse of the vacant buildings multiple times over the past ten years; and

WHEREAS, the University is currently engaged with a Development Advisor conducting an economic feasibility study and development plan that may result in the identification of a developer for the rehabilitation and reuse of certain vacant buildings on the Property; and

WHEREAS, should the University not identify a lessee through the engagement with the Development Advisors, it is in the best interest of the University to sell or otherwise dispose of the property in a timely manner to minimize any additional deferred maintenance; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED, provided the University is unable to lease the property through the current Development Advisors engagement, that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

BE IT FURTHER RESOLVED that any disposition of the Property should include deed restrictions to ensure its use is limited to those that are compatible with the mission and strategy of the University.

DECLARATION OF SURPLUS PROPERTY

BLACK FARM HORSE PARK, 32505 US ROUTE 50, CHILlicoTHE, OHIO

RESOLUTION 2021-3964

WHEREAS, Ohio University holds title to Black Farm Horse Park, located at 32505 US Route 50, Chillicothe, Ohio (“Property”); and

WHEREAS, Ohio University has never used the property for academic programming or for strategic purposes; and

WHEREAS, the Property is subject to deed restrictions that limit the Property to be used for Equine Studies, Outdoor Education, or related activities; and

WHEREAS, sale or other disposition of the property would generate revenues, reduce operating and maintenance costs, and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

DECLARATION OF SURPLUS PROPERTY

OHIO HORSE PARK, 400 BOBCAT LANE, FRANKLIN FURNACE, OHIO

RESOLUTION 2021-3965

WHEREAS, Ohio University holds title to Ohio Horse Park, located at 400 Bobcat Lane, Franklin Furnace, Ohio (“Property”); and

WHEREAS, Ohio University ceased using the Property for academic programming in June 2020 and does not have future academic or strategic plans for the Property; and

WHEREAS, the tax parcels may need to be re-configured to maximize revenue from a sale; and

WHEREAS, sale or other disposition of the property would generate revenues and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

DECLARATION OF SURPLUS PROPERTY

DYSART WOODS, 61961 DYSART WOODS ROAD,

RESOLUTION 2021-3966

WHEREAS, Ohio University holds title to Dysart Woods, located at 61961 Dysart Woods Road, Belmont Ohio (“Property”); and

WHEREAS, Ohio University no longer uses the Property for academic programming and does not have future academic or strategic plans for the Property; and

WHEREAS, the tax parcels may need to be re-configured to maximize revenue from a sale; and

WHEREAS, sale or other disposition of the property would help protect an old-growth forest that has natural significance and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

DECLARATION OF SURPLUS PROPERTY

**PICKERINGTON CENTER, 12933 STONECREEK DRIVE, PICKERINGTON,
OHIO**

RESOLUTION 2021-3967

WHEREAS, Ohio University holds title to the Pickerington Center, located at 12933 Stonecreek Drive, Pickerington, Ohio (“Property”); and

WHEREAS, Ohio University ceased using the Property for academic programming in June 2020 and the sale would provide an opportunity to right-size the University’s presence in Pickerington; and

WHEREAS, sale or other disposition of the property would generate revenues and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

DECLARATION OF SURPLUS PROPERTY

4 ACRES ON LANCASTER CAMPUS, LANCASTER OHIO

RESOLUTION 2021-3968

WHEREAS, Ohio University holds title to the Lancaster Campus, located at 1570 Granville Pike, Lancaster, Ohio which includes a site of approximately 4-acres of land adjacent to land owned by the Lancaster City School District (“Property”); and

WHEREAS, the Property is adjacent to the Lancaster High School, part of the Lancaster City School District; and

WHEREAS, Lancaster City Schools is currently in the planning process of a new high school and has requested to purchase the Property for use as a parking lot; and

WHEREAS, the Property is separated from the buildings on the University’s Lancaster Campus by a swale and there are no plans to develop the property for academic purposes.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

BE IT FURTHER RESOLVED that any disposition of the Property should include deed restrictions to provide for the right of reversion should the land no longer be used as a parking lot.

DECLARATION OF SURPLUS PROPERTY

**CAMPUS AND COMMUNITY CENTER ON SOUTHERN CAMPUS, IRONTON
OHIO**

RESOLUTION 2021-3969

WHEREAS, Ohio University holds title to the Campus and Community Center, located at 1508 S. 9th Street, Ironton Ohio (“Property”); and

WHEREAS, Ohio University does not have future academic or strategic plans for the Property; and

WHEREAS, sale or other disposition of the property would generate revenues and be consistent with the goals of the University’s Strategic Framework.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees, hereby declares the Property to be surplus property.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, and otherwise transact, including but not limited to the execution of all necessary documents, the required parcel splits and disposition of the real property consistent with the requirements of Ohio law regarding the disposal, sale or other disposition of Ohio University’s real property.

Adjournment

Chair Cooper stated that the day's business was complete and asked Secretary Moore for the date and location of the next meeting. Secretary Moore stated that the trustees have a Board Meeting scheduled on Thursday and Friday, January 13th and 14th in Athens OH. Chair Cooper thanked everyone for coming and adjourned the meeting at 3:23pm.