



**OHIO**  
UNIVERSITY

# Board of Trustees

Ohio University

Dublin, Ohio

## Minutes

August 27, 2015

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## ROLL CALL

Chair Sandra J. Anderson called the meeting to order at 3:37pm. Secretary David R. Moore called the roll. Present: Chair Sandra J. Anderson, Vice Chair David Wolfort, Trustetee Janetta King, Trustee Kevin B. Lake, Trustee Victor Goodman, Trustee David Scholl, Trustee Janelle Simmons, Trustee Cary Cooper, and Trustee Peggy Viehweger.

Also Present: Alumni Representative Julie Mann Keppner; Student Trustees Sharmaine Wilcox and Patrick Roden; President Roderick J. McDavis; and Board Secretary David R. Moore

## APPROVAL OF AGENDA

Chair Anderson asked for a motion to approve the agenda. Trustee Janetta King moved, Trustee David Scholl seconded, and the motion carried.

## APPROVAL OF MINUTES

Chair Anderson asked for a motion to approve the minutes. Trustee David Wolfort moved, Trustee Peggy Viehweger seconded, and the motion carried.

## REPORTS

### **Report from the Chair**

Chair Anderson welcomed everyone to the Dublin campus. Chair Anderson welcomed Secretary Moore and Student Trustee Patrick Roden to their first official meeting and welcomed Trustee Viehweger to her first meeting after transitioning from a National Trustee to a Voting Trustee Member of the Board.

### **Report from the President**

President Roderick J. McDavis provided an overview of Ohio University's Vision Statement, Core Values, and Strategic Priorities, that guide the work of the Board and steer the University's programs. President McDavis then introduced OHIO for Ohio, a designation that emphasizes Ohio University's state-wide footprint. President McDavis then provided a legislative update which included the following information: Governor John Kasich signed a two-year budget for the state of Ohio into law on June 30, 2015 that includes a 4.5% increase in the State Share of Instruction in FY 2016 and a 4.0% increase in FY 2017, a mandate for college tuition and fees for the next two years for in-state undergraduate students (with an exception for students who are participating in a guaranteed tuition program),

requirements public universities to explore cost reductions, and, finally, the budget, enabled the implementation of The OHIO Guarantee this fall.

President McDavis welcomed the class of 2019. This year's class is OHIO's largest and the first to benefit from The OHIO Guarantee. President McDavis reported opening week highlights which included: OHIO's first class photo, a formal induction into the OHIO family during First Year Student Convocation, and the Student Involvement Fair. President McDavis reported that total student enrollment had increased from 36,414 Fall, 2014 to 37,361 Fall, 2015. Further, he shared that applications had increased from 20,905 Fall, 2014 to 21,000 Fall, 2015, the most the University has received in its history.

President McDavis introduced the Cleveland Campus of Ohio University and its Heritage College of Osteopathic Medicine. The campus, located at South Pointe Hospital in Warrensville Heights, is a partnership with Cleveland Clinic, a long-time teaching affiliate of the Heritage College. The inaugural class of 51 medical students started classes on July 8, 2015.

President McDavis introduced the New Housing Complex. The new complex features a living learning center and four new residence halls, which will house more than 900 students. It also places the central office for the Department of Housing and Residence Life nearer to the core of the residential community. The grand opening ceremonies will feature tours and a dedication ceremony to honor new hall namesakes.

President McDavis reviewed the Promise Lives Capital Campaign which achieved \$500,142,968.93. Dallas TX, Rockport MA, San Francisco CA, Los Angeles CA and Cleveland OH were mentioned as destinations for Advancement Travel related to the campaign. In particular, Hamilton MA, was mentioned which was the last home and grave site of Founder Manasah Cutler.

Finally, President McDavis introduced Points of Pride, these included: Ohio University joined with the City of Athens to celebrate our Bicycle Friendly Community Award and the reopening of the Hock-Hocking Adena Bikeway, the Heritage College "coated" its largest class of student doctors and the largest medical school class in the state during the annual White Coat Ceremony on July 25<sup>th</sup>, 2015, Ethan Ida, a senior engineering technology and management major, was selected to receive the Society of American Engineers (SAME) ROTC Award

of Merit, Dr. Kuangmin Li, a researcher at OHIO's Avionics Engineering Center and recent Ph.D. graduate, won the 2015 William E. Jackson Award from the Radio Technical Commission for Aeronautics (RTCA), Nerissa Young, an instructor in the E.W. Scripps School of Journalism, won the David L. Eshelman Outstanding Campus Adviser Award from the Society of Professional Journalists, Marcy Keifer Kennedy, director of OHIO's Professional Development School (PDS) Partnership Program, was named to the American Association of Colleges for Teacher Education (AACTE)'s new Clinical Practice Commission (CPC), The Ohio University Lancaster Athletic Department was awarded the 2014-15 Ohio Regional Campus Conference All Sports Award, Ohio University Press had five books place on Library Journal's African Studies bestseller list, more than any other press, Ohio University received a \$60,000 grant from the Ohio Attorney General's Office to support emancipated foster care students through the Ohio Reach Scholars Program, more than 300 employees attended *Ohio Today* magazine's celebration of OHIO women.

President McDavis introduced Clinical Assistant Professor James Zedaker and Physician Assistant (PA) students Ryan McCune and Melissa Culver who spotlighted the College of Health Sciences and Professions' Physicians Assistant Program.

Assistant Professor Zedekar shared that this program was new and had started May this past year. There are 39 current students in the program.

PA students McCune and Culver shared their experiences with the Physician Assistant program including their excitement in being in the first class and the opportunity to work in the excellent facilities the program provides. The PA students shared their future plans and favorite courses. Assistant Professor Zedaker explained the specialty rotations that the students are involved in.

President McDavis showed an inspirational video from the Faculty Convocation.

## COMMITTEE REPORTS

### Joint Academics and Resources Committee

Chair Anderson reviewed the Budget update provided to the committee by Vice President for Finance and Administration (VPFA) Stephen Golding and Executive Vice President and Provost Benoit (EVPP), which included a distribution of the Budget Book. VPFA Golding had reviewed the status of the biennial budget which was not passed until after the June BOT meeting, the FY16 budget was revised to conform to the Biennial Budget. The three major impacts of the Budget are that: it allowed the University to go forward with Ohio Guarantee, a Tuition Freeze was implemented, and that State Share of Instruction held the revenue budget harmless relative to the impact of the Guarantee tuition increase.

Chair Anderson reported that EVPP Benoit will move forward with implementing the raise pools included in the FY16 budget approved by the Board of Trustees.

Chair Anderson reported EVPP Benoit's review of expense drivers on the academic side which included: a 2% Raise Pool, the Faculty Compensation Plan which is in year 2 of 3, a 1% Equity Pool with a planned implementation January 1, 2016, and a 5% Increase in University share of Healthcare costs partially offset by modifications to employee healthcare plan and employee contributions. She continued reporting on VPFA Golding's review of the expense drivers on the resource side including Century Bond Debt Service, the Energy Infrastructure Project, Deferred Maintenance, CIP Major Project Debt Service, and Housing Phase 1.

Chair Anderson reported that there were a number of questions about the 2<sup>nd</sup> cohort of the Ohio Guarantee with particular focus on future tuition increases related to the Consumer Price Index. Future expense and revenue pressures were discussed.

Chair Anderson reported that there was a discussion of the Century Bond and the operation of the Central bank and that further updates were requested for future meetings.

Chair Anderson reported that Interim Vice President for Student Affairs and Dean of Students, Jenny Hall Jones and Director of Equity and Civil Rights Compliance & Title IX Coordinator, Inya Baiye reviewed the University's Sexual Misconduct Policies and Procedures along with Director, Community Standards & Student

Responsibility at Ohio University, Martha Compton and Ohio University Police Chief Andrew Powers. The presenters updated the committee on activities on campus and the strong collaboration among the departments to ensure University compliance including Title IX and Cleary Act issues, as well as how allegations from both an administrative and criminal investigation side are handled. Chair Anderson reported that panelists stated that, as support and issue awareness increases, there have been more allegations of misconduct, which may indicate that there has been an underreporting of complaints, or incidents, in the past.

Chair Anderson reviewed a discussion among the trustees on how an issue is investigated if there is not a complaint. The panel shared that a formal complaint is not required to begin an investigation. The discussion continued regarding how interviews with the complainant and respondent are handled. The panel responded that the complainant and the respondent are interviewed separately, both having the same rights; that the interviewees are informed that the interviews are not confidential; that the parties are advised that they do not have to say anything; that their attorneys can be present; and that both sides have rights of appeal. Chair Anderson followed by reporting discussions on training strategies currently employed by the University with regard to Sexual Misconduct.

Chair Anderson then reported an update by Dean Hall-Jones on 2014-2015 accomplishments including: an updated sexual misconduct policy, the reorganization of Title IX Coordinator's Office and hiring of additional staff, implementation of a revised joint investigation/hearing process, the Ohio University Survivor Advocacy Program funding, an Athens City memorandum of understanding, the creation of Presidential Advisory Council on Sexual Misconduct, and the implementation of a climate survey.

Chair Anderson reported that, over lunch, the committee heard from Dana McDaniel, City Manager of Dublin, who reported on Dublin's West Innovation District, where OU's Dublin Campus is now located. Mr. McDaniel shared slides, maps, and plans for the City of Dublin's vision of the campus and surrounding area.

Finally, Chair Anderson reported on a discussion led by Bryan Benchoff, Vice President, University Advancement. A new campaign, called Advancement 2025, was introduced. Since 1990 the university has had a median capacity of \$27.5 million. The new goal will be to achieve an annual capacity of \$50 million. It is



the goal of the Division of University Advancement to achieve this capacity (1 billion plus) by Fiscal Year 2025.

Chair Anderson reported that there were not any action items.

## **Academics Committee**

Trustee David Scholl reported that EVPP Benoit presented the Academic Quality Dashboard to the committee: a snapshot of the University's current performance in light of its strategic priorities and goals. Topics that were highlighted were that undergraduate enrollment has increased steadily over the last five years, growing from 20,996 to 23,571, an increase of 12.3%, while other 4-year public institutions in Ohio have experienced a slight decrease during that time. The student-faculty ratio has also improved from 20:1 to 18:1 over the past four years. Along with this growth, OHIO has out-performed most Ohio public institutions in first-year retention rates, four-year and six-year graduation rates (OHIO is third in the state for both), bachelor degrees granted (OHIO is 2<sup>nd</sup> in the state behind OSU), all non-medical degrees (OHIO is 3<sup>rd</sup> behind OSU and UC), and student ACT composite scores.

According to National Survey of Student Engagement (NSSE) data, OHIO did best in comparison to our peers in "student faculty interaction" and "collaborative learning." Scores equal or lower than peers were in the category of "discussion with diverse others" and, for seniors, in some of the academic challenge categories. It should be noted that, because of the NSSE's redesign since the university's last participation in 2012, trend data has to be rebuilt.

OHIO is addressing disparities between overall student retention rates and those of certain student populations. As is the case within other institutions, retention rates for African-American and first-generation students at OHIO are lower than the overall student body. The University has initiatives in place to support these students. The retention rate for African American students has increased by 5% from 75% to 80%. This is only slightly below the overall retention rate of 80.2% on the Athens campus (2013 cohort). The retention rate for first-generation students continues to trail non-first generation students by about 6%, but has improved from 73% to 76%.

Trustee Scholl reported that discussion around the topic of retention was robust with particular emphasis on how to serve those students who are high priorities for retention.

Trustee Scholl reported that the Dashboard indicated that, consistent with other state institutions, the percentage of full-time Group I Faculty has declined slightly from last year. Additionally, participation in the Research and Creative Activity

Expo, where students present their work, increased in 2015 and undergraduate research culture is continually improving.

Trustee Scholl then reviewed the Committee's standing reports and updates. In regard to community standards, Dean Hall-Jones, informed the committee that a four-year comparison of conduct cases and offenses showed a decrease in the number of cases, the number of more serious offenses, and cases involving academic misconduct. The number of cases involving alcohol and other drugs, most notably marijuana violations, continues to rise.

Trustee Scholl reported on Associate Provost for Academic Budget & Planning, John Day's update on faculty compensation. The final plan produced by the Faculty Compensation Task Force, shared with the Academics Committee in March of 2014 and endorsed by the Committee and the Board of Trustees, includes the following goals: moving average salaries for each tenure-track faculty rank to 3<sup>rd</sup> among four-year public universities in Ohio, investing the same percentage in compensation for regional tenure-track faculty, investing the same percentage for Group II faculty on the Athens and regional campuses, and evaluating employee health benefits and the impact of the Patient Protection and Affordable Care Act on total compensation. Investments related to this plan began in the FY2015 budget. The presentation included an overview of the Task Force's charge, the methodology, original projection, results after one year, and projections. After one year, Ohio University ranked 7<sup>th</sup>, up from 8<sup>th</sup>, in compensation for professors; remained the same, at 7<sup>th</sup> for associate professors; and went from 7<sup>th</sup> to 5<sup>th</sup> in compensation for assistant professors. Ranking projections for year 2 are: 6<sup>th</sup> for Professor, 4<sup>th</sup> for Associate Professor, and 4<sup>th</sup> for Assistant Professor.

Trustee Scholl reported that the plan is beginning to have a positive effect. The original projection expected a \$1.2 million investment each year for three years or \$3.6 million total. The updated year two projection expects a \$890 thousand investment each year for the remaining two years or \$1.76 million total. Actuals may differ from projections based on the influence of retirements, promotions, and general salary inflation. Non-tenure track and regional faculty received the same percentage investment (2.19% in Year 1) as Athens Group I faculty. With results from Year 1 being better than expected, the investment will be 1.36% in Year 2. Trustee Scholl concluded by stating it looks like the University is on track to reach its goal with, perhaps, less of a capital requirement than originally anticipated.

Finally, Trustee Scholl reviewed a presentation on AQIP accreditation. The presentation, delivered by EVPP Benoit, included a review of the Higher Learning Commission (HLC) Criteria for Accreditation and how the HLC's Academic Quality Improvement Program (AQIP) enables OHIO to frame how it meets these criteria. Trustee Scholl reminded the committee that this is an eight-year process that has required and encouraged collaboration across the university and will culminate in a reaffirmation recommendation.

Trustee Scholl described the presentation as focused on one of the nine AQIP categories, number eight, Planning Continuous Improvement. In this regard Ohio University's strengths include: 4 x 4 strategic priorities and fundamentals, the budget and resource allocation processes—RCM, Budget Planning Council (BPC), and the risk management process. Additionally, areas of additional focus include: the role of AQIP Task Force in strategic planning, setting strategic targets in Dashboard, including the Regional Higher Education (RHE) Dashboard, as well as continuing to gather evidence of effective continuous improvement.

Trustee Scholl reported that prior to this year's Comprehensive Quality Review (CQR) site visits to the Athens, Chillicothe, Southern, and Zanesville campuses in November, the university will have a federal compliance review, generate a CQR highlights report, third-party comment process, and create a multi-campus visit report. Trustee Scholl reported that EVPP Benoit stated we are in a good position and that she hopes the report includes the extensive collaborative work that has gone into the process. The decision will be made in Spring of 2016 by the Institutional Actions Council.

Trustee Scholl concluded by stating that the committee recommended that the naming of the Barbara Gerald Institute for Storytelling and Social Impact remain on the Consent Agenda and moved forward for consideration by the full Board.

## **Resources Committee**

Trustee Janetta King reported that Senior Associate Vice President for Finance and Administration, Deborah Shaffer, shared preliminary results for the fiscal year ended June 30, 2015. Trustee King described the committee's discussion as delving into the variances between net results and projections. The year-end performance of the Century Bond and Internal Bank were fully represented. Included in the projected net results is the impact of \$6.1M in adjustments for the Governmental Accounting Standards Board (GASB) 68 pension liability. A Statement of Net Position was summarized that described the university's position.

Trustee King reported that Candice Casto, Chief Finance and Investment Officer (CFIO), provided an update on the stewardship of the University's and Foundation's endowments, quasi-endowments and a portion of the working capital. The Foundation Investment Sub-committee has been empowered to provide oversight of the University's long-term investment portfolio assets. CFIO Casto explained the fiduciary and diligence duties of the Investment Sub-committee and their managing fiduciary / investment advisor, Hirtle, Callaghan & Co.. The total portfolio value, comprised of both Foundation (\$445M) and University (\$180M) funds, was \$625 million at June 30, 2015. The asset allocation is prescribed by the Investment Policy. The portfolio performance for the 1, 3, and 5 year periods ended June 30, 2015 are on par with or slightly lower than the diversified benchmarks – portfolio performance for FY15 was (-1.11%).

Trustee King reported that the spending policy and spending rate for the endowments are reviewed by the Foundation annually and currently provide an annual 4% spending allocation to university units and a 2% administrative fee. The administrative fee is assessed on above-water accounts to fund the operations of the Foundation and the current capital campaign operating needs and those needs are reviewed at least annually by the Foundation's board.

Trustee King reported that Senior Associate Vice President of Technologies & Administrative (SAVP) Joseph Lalley provided an update on the positive usage and cost impacts so far of some of the projects being funded by the Energy Initiatives Project funding. He shared brief summaries of two projects presented for schematic design approval, the Permanent Campus Boiler project and the South Green Sweep Phase B project. SAVP Lalley provided a brief summary of the five projects included as part of the Construction request including utility metering, College of Communication fire system upgrades, and development of a

comprehensive deferred maintenance inventory for the Athens and the five regional campuses. SAVP Lalley discussed the requests for the AEP easements on the Eastern and Athens campuses and the benefits to each of the campuses.

Trustee King reported that the Committee recommended that the Schematic Design resolution be retained on the Consent Agenda.

Trustee King reported that the Committee recommended that the Construction resolution be retained on the Consent Agenda.

Trustee King reported that the Committee recommended that the Resolution to Approve Easements for Construction and Relocation of Electric Facilities be retained on the Consent Agenda.

Trustee King reviewed a discussion on the University's Building Plaque Policy; in particular, Faculty Representative Joseph McLaughlin expressed concern that there might be misgivings of having faculty names on the plaques because, as non-voting members, they may or may not have supported the building. Trustee King noted that there was not a vote and that feedback will be garnered and the issue revisited in October.

Trustee King described a resolution that had been added to the agenda regarding the Student Investment Management Program. VPFA Golding reminded the committee of the discussions regarding funding for the College of Business Student Investment Management Program and provided an overview of the resolution brought to the board authorizing the Vice President for Finance and Administration to utilize university funds to support the program up to \$5M. Trustee King reported that the committee had voted on the resolution. The resolution passed and Trustee King recommended a vote in the current meeting.

Chair Anderson asked Trustee King to read the resolution.

Following Trustee King's reading of the resolution, Chair Anderson called for a motion to approve the resolution. Trustee Kevin B. Lake moved to recommend approval to the full board of the Student Investment Management Program resolution; Trustee King provided a second; and the motion was approved unanimously.

**COLLEGE OF BUSINESS STUDENT  
INVESTMENT MANAGEMENT  
PROGRAM**

**RESOLUTION 2015 -- 3501**

**WHEREAS**, the College of Business Student Investment Management Program provides students with an opportunity to gain knowledge and experience through the hands on management of equity and fixed income investment portfolios with guidance and supervision by faculty in the College of Business; and

**WHEREAS**, the University desires to provide for the ongoing funding of this Program;

**NOW THEREFORE, BE IT RESOLVED**, that the Vice President for Finance and Administration is authorized to utilize University funds to support this Program in an amount that he deems appropriate, up to \$5,000,000.

**BE IT FURTHER RESOLVED**, that the Vice President is directed to prescribe guidelines and criteria to ensure that University funds are utilized in the Program in a prudent manner and that any appreciated gains and dividend income are used exclusively to benefit academic and research activities within the University.

**BE IT FURTHER RESOLVED**, that the Vice President is directed to report to this Board on the status of the College of Business Student Investment Management Program on an annual basis.

## **Audit Committee**

Trustee Goodman reviewed the committee's first presentation provided by Andrew Powers, Chief of Police for Ohio University who discussed the training of the police force, the police department's mission, the department's legal authority and jurisdiction, professional accountability, and how they interact with the University's administrative procedures.

Trustee Goodman continued by describing that Danny Sklenicka of Plante Moran, Ohio University's external auditors, provided the Audit Committee with an update on the status of the FY15 audit. Plante Moran indicated that the audit is on schedule and will meet the state reporting requirements.

Trustee Goodman reported that Jeffrey Davis, Chief Audit Executive, provided an update on the Internal Audit Office operations. Topics included an update on the FY16 audit plan, construction auditing, an update on current audits and other projects, and a revised report on the rating system and external assessment which, will be considered at the next meeting.

The committee adjourned to executive session. The executive session was to discuss details relative to the security arrangements and emergency response protocols for a public body or a public office.

Trustee Goodman reported that the committee adjourned with no action items.



### **Governance Committee**

Trustee Janelle Simmons reported that the Governance Committee, without objection, agreed to recommend amended Bylaws for adoption by the full Board. Trustee Simmons moved that the outlined amendment be approved; Trustee Wolfort seconded the motion; Chair Anderson asked for a vote and the motion passed unanimously.

## **AMENDMENT TO BOARD BYLAWS**

### **RESOLUTION 2015 -- 3502**

**WHEREAS**, Article VI (d) of the Bylaws of the Ohio University Board of Trustees provides that the Governance Committee shall review the Bylaws to determine whether any changes are appropriate; and

**WHEREAS**, the Governance 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.

## EXHIBIT A

### By-Laws ~~Bylaws~~ of the Ohio University Board of Trustees

Revised , 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 By-Laws**

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 ~~By-Laws~~ 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 ~~be comprised of~~ be comprised of 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 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.

Section 4. The nine Trustees appointed by the Governor shall hold voting privileges. The two student trustees, the two national trustees 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:

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(a) Chairperson

(b) Vice-Chairperson

(c) Secretary

(d) Treasurer

Section 2. The Chairperson 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 Chairperson of the Executive Committee. Subject to these ~~By-Laws~~ 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 Chairperson.

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

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 Chairperson 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 Chairperson, Vice-Chairperson, Secretary, and Treasurer shall be elected annually by the Board.

Section 2. The Chairperson and Vice-Chairperson shall each serve for one year and shall be eligible for re-election to their respective offices ~~for a period up to three (3) consecutive years~~. 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, and shall be entitled at all times to one (1) year severance notice or one (1) year salary if terminated.

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 Chairperson 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 Chairperson, 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 Chairperson 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 Chairperson 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:

(a) University Academics. Responsibilities will include the academic plan; enrollment management; student 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.

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(b) University Resources. Responsibilities will include financial operations; business organization and practices; human resources; university advancement; relations with local, state, and federal legislative and administrative agencies; recommending of the schedule of tuition and fees; borrowing of funds; 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 ~~assure~~ ensure compliance with Revised Code Section 3345.05.

(c) Audit. Responsibilities will include the oversight of the internal audit functions, annual and 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.

(d) Governance. 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.

(e) Executive. Responsibilities will include consulting with the President on the appointment of executive officers and business not specifically assigned to another Standing or Special Committee.

~~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 University Resources Committees and have broad powers to act in all matters not deemed by the Chair ~~person~~ 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 ~~person~~ of the Board as the Board may deem necessary.

~~Section 4.~~ The Chair ~~person~~ 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 ~~By-Laws~~ Bylaws, the Robert's Rules of Order Newly Revised shall govern the proceedings of the Board.

Trustee Simmons reported that President McDavis' shared that there are currently three candidates that have been identified for the two open National Trustee positions. Two candidates have said they would be willing to serve and President McDavis is waiting for a response from the third. President McDavis will make a recommendation to the Board prior to the October meeting.

Lastly, Trustee Simmons described a discussion on the format for minutes of Board meetings. It was noted that a DVD is made of the meetings of the full Board and is retained in Archives. There was general agreement that the format for minutes of the full Board need not be changed. General Counsel John Biancamano will consult with Secretary Moore and then make a recommendation for Committee minutes at the October meeting.

## **Executive Committee**

Chair Anderson reported that the Committee had both open and executive sessions. The open session had an update from VPFA Golding on 29 Park Place. VPFA Golding had previously distributed to the Board a memorandum documenting how other universities are dealing with their presidential housing issues. VPFA Golding had shared what our Inter-University Council of Ohio (IUC) peers are doing regarding presidential housing and shared a review of costs related to different options. Chair Anderson reminded the committee that during the coming retreat, the Board will have a session on the Campus Comprehensive Master plan, which will include 29 Park Place and the surrounding area.

Chair Anderson reported that VPFA Golding indicated that the Board will, in the coming months, need to make decisions as to what to do with 29 Park Place and that the Board should continue the process of due diligence and inquiry in a larger campus-wide context. Chair Anderson emphasized that no decisions have been made. Chair Anderson noted that 29 Park Place had been toured by the Board in October, 2013.

Trustee Anderson reported on a brief update from General Counsel, John Biancamano and VPFA Golding on the UMA/AMA situation. Negotiations continue regarding a proposed merger of Ohio University practice groups and O'Bleness Hospital.

Chair Anderson reported that the committee went into closed Executive Session to hear a real estate report and to discuss compensation of a university employee. Chair Anderson reported that the committee had completed their evaluation of the President's performance, including salary and bonus allocations according to Board policy. Chair Anderson distributed a Memorandum describing the Board's Evaluation of the President's performance. Chair Anderson highlighted portions of the document and stated that the Memorandum was available to the public through the department of University Communications and Marketing.

Chair Anderson read the compensation resolution and asked for a motion to approve. Trustee Wolfort motioned and Trustee Lake seconded. Chair Anderson called for a vote, and the motion carried.

## COMPENSATION OF THE PRESIDENT

### RESOLUTION 2015 -- 3503

**WHEREAS**, in accordance with the Board Policy for Annual and Comprehensive Presidential Performance Reviews, this Board has conducted an evaluation of the performance of President Roderick J. McDavis during Fiscal Year 2014-15; and

**WHEREAS**, the Board has determined that through his hard work and exemplary leadership President McDavis has made a significant contribution toward the achievement of the goals of the University and enhanced its reputation and visibility; and

**WHEREAS**, the Board has determined that the President's many accomplishments during Fiscal Year 2014-15 include: continued success with the Strategic Enrollment Plan with record setting increases in applications and enrollment; implementation of The OHIO Guarantee for the 2015 Fall Semester; expansion of OU-HCOM to a statewide presence with campuses now in Dublin and Cleveland; successful completion of The Promise Lives Campaign, surpassing the goal of \$450,000,000 and achieving the higher objective of \$500,000,000; the \$250,000,000 Century Bond issuance; and the completion of four new residence halls; and

**WHEREAS**, the Board wishes to recognize the President's accomplishments during the previous fiscal year;

**NOW THEREFORE, BE IT RESOLVED**, that the Board approves an increase of \$15,000 (3.2%) in the President's Fiscal Year 2014-15 base compensation and an increase of \$1,150, (3.2%) for Mrs. McDavis, effective July 1, 2015.

**BE IT FURTHER RESOLVED** that the Board approves a bonus of \$90,000, (19.35%), to be computed on the basis of the President's base compensation for Fiscal Year 2014-15.



**CONSENT AGENDA**

Chair Anderson moved to the Consent Agenda. Chair Anderson asked for a motion to approve the consent agenda. Trustee Wolfort moved to accept the Consent Agenda, Trustee King seconded, Chair Anderson call for a vote and the motion carried.

**VICE PRESIDENT FOR RESEARCH AND CREATIVE ACTIVITY  
BARBARA GERALDS INSTITUTE FOR STORYTELLING  
AND SOCIAL IMPACT**

**RESOLUTION 2015 - 3504**

**WHEREAS**, by Resolution No. 2015 – 3492, this Board approved the establishment of the Barbara Gerald Schoonover Institute for Storytelling and Social Impact, (“the Institute”); and

**WHEREAS**, the Donor has signed a revised gift agreement expressing her desire to modify the name of the Institute.

**NOW THEREFORE, BE IT RESOLVED** that the Institute shall be designated the Barbara Gerald Institute for Storytelling and Social Impact.

**APPROVAL TO PROCEED WITH DESIGN FOR THE  
PERMANENT CAMPUS BOILER PROJECT DESIGN PHASE AND  
BUDGET AMENDMENT AND THE  
SOUTH GREEN COMPREHENSIVE SITE DESIGN – SWEEP PHASE B –  
DESIGN THROUGH BIDDING PHASE**

**RESOLUTION 2015 -- 3505**

**WHEREAS**, for the Permanent Campus Boiler project, the Board of Trustees previously approved a total project budget of \$4,000,000 and authorized expenditures of \$4,000,000 (2015-3468), and University administration seeks to amend the total project budget of \$4,000,000 by an additional \$11,000,000 for a new total project budget of \$15,000,000 and seeks approval to increase the previously authorized expenditure amount of \$4,000,000 by an additional \$1,750,000 for total authorized expenditures of \$5,750,000 to undertake design to be funded by the Energy Infrastructure Project Initiative;

**WHEREAS**, for the South Green Comprehensive Site Design – Sweep Phase B project, University administration requests approval for the total project budget of \$1,061,000 and seeks authorization for expenditures of \$150,000 to undertake design and bidding to be funded by Residential Housing Departmental Funds.

**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 or his designee to accept and award contracts within the total project budgets identified.

**APPROVAL TO PROCEED WITH CONSTRUCTION FOR  
THE ATHENS CAMPUS UTILITY METERING DESIGN  
THROUGH CONSTRUCTION PHASES,  
THE COLLEGE GREEN UPGRADE BUDGET AMENDMENT AND  
SCOPE REVISION,  
THE COLLEGE OF COMMUNICATION PHASE II  
CONSTRUCTION AND BUDGET AMENDMENT II,  
THE DEFERRED MAINTENANCE INVENTORY FACILITY  
ASSESSMENT,  
AND THE FUEL FARM REPLACEMENT DESIGN THROUGH  
CONSTRUCTION PHASES**

**RESOLUTION 2015 -- 3506**

**WHEREAS**, for the Athens Campus Utility Metering project, University administration requests approval for the total project budget of \$1,800,000 and seeks authorization for expenditures of \$1,800,000 to undertake design, construction and complete the project to be funded by the Energy Infrastructure Project Initiative (\$800,000) and State Appropriations (\$1,000,000);

**WHEREAS**, for the College Green Upgrade project, the Board of Trustees previously approved a total project budget of \$1,250,000 and authorized expenditures of \$1,250,000 (2015-3454), and University administration seeks to amend the total project budget of \$1,250,000 by an additional \$450,000 for a new total project budget of \$1,700,000 and seeks approval to increase the previously authorized expenditure amount of \$1,250,000 by an additional \$450,000 for total authorized expenditures of \$1,700,000 to undertake construction to repair the tunnel top and complete the project to be funded by the Energy Infrastructure Project Initiative (\$450,000), State Appropriations (\$425,000), and University Reserves (\$825,000);

**WHEREAS**, for the College of Communication Phase II project, the Board of Trustees previously approved a total project budget of \$17,800,000 and authorized expenditures of \$17,800,000 (2014-3415) and University administration seeks to amend the total project budget of \$17,800,000 by an additional \$1,500,000 for a new total project budget of \$19,300,000 and seeks approval to increase the authorized expenditure amount of \$17,800,000 by an additional \$1,500,000 for

total authorized expenditures of \$19,300,000 to undertake construction and complete the project to be funded by FY2016 Deferred Maintenance Debt (\$1,500,000), Gifts (\$5,400,000), External Debt (\$12,000,000) and State Appropriations (\$400,000);

**WHEREAS**, for the Deferred Maintenance Inventory Facility Assessment project, University administration requests approval for the total project budget of \$1,000,000 and seeks authorization for expenditures of \$1,000,000 to undertake building assessments and complete the project to be funded by the Internal Reserves;

**WHEREAS**, for the Fuel Farm Replacement project, University administration requests approval for the total project budget of \$1,300,000 and seeks authorized expenditures of \$1,300,000 to undertake design, construction and complete the project to be funded by the Energy Infrastructure Project Initiative Debt.

**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 or his designee to accept and award contracts within the total project budgets identified.

**RESOLUTION TO APPROVE EASEMENTS FOR  
CONSTRUCTION AND RELOCATION OF  
ELECTRIC FACILITIES**

**RESOLUTION 2015 -- 3507**

**WHEREAS**, at the Ohio University-Eastern campus, AEP has requested an easement for proposed upgrades to electric lines, transformers and other facilities that will enhance service reliability to the campus and facilitate maintenance to the electric infrastructure that serves University buildings;

**WHEREAS**, AEP has requested an easement to relocate electric lines serving its substation near Dairy Lane in Athens, which will complement the City of Athens' Richland Avenue improvement project and assist the City in completing construction; and

**WHEREAS**, the easements requested by AEP will facilitate work that is in the interest of the University and surrounding communities.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Trustees hereby approves the granting of the easements to AEP or its affiliate to allow for construction, relocation and maintenance of electric lines and related equipment in the areas depicted in the attached drawings, upon terms and conditions negotiated and approved by the President or his designee.

**BE IT FURTHER RESOLVED**, that the President or his designee is hereby authorized to execute the relevant easements and related documents in accordance with Ohio law.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### COMMUNICATIONS, PETITIONS, AND MEMORIALS

Secretary Moore described logistics for the coming retreat.

#### ANNOUNCEMENT OF NEXT STATED MEETING DATE

Secretary Moore announced that the next Board of Trustees meeting will be held on October 15<sup>th</sup> and 16<sup>th</sup> in Athens, Ohio.

#### ADJOURNMENT

Chair Anderson adjourned the meeting at 5:03 p.m.

## APPENDIX

### **Ohio University Board of Trustees Joint Committee Meeting Minutes August 27, 2015**

Present: Board Chair Sandra J. Anderson, Vice Chair David Wolford, Trustees Janetta King, Kevin B. Lake, N. Victor Goodman, Dave Scholl, Janelle Simmons, Cary Cooper, Peggy Viehweger, Student Trustees Sharmaine Wilcox and Patrick Roden, Faculty Representatives David Thomas and Joe McLaughlin, Alumni Representative Julie Mann Keppner, President Roderick J. McDavis, and Board Secretary David R. Moore.

Chair Anderson convened the meeting at 11:06 am.

The Joint Committee Meeting discussion included three topics: 2016 Budget Update, Update on Sexual Misconduct Policies and Procedures, and post-Promise Lives Campaign Planning.

#### *FY2016 Capital Budget*

Vice President for Finance and Administration (VPFA) Stephen Golding reviewed the status of the State of Ohio's biennial budget (House Bill 64), which was not passed until after the June 2015 Board of Trustees meeting (June 25-26, 2015). The FY16 Ohio University budget was revised to conform to the state biennial budget. VPFA Golding discussed in depth the issue of how much State Support of Instruction (SSI) funding would be available given Ohio University's Ohio Guarantee program. VPFA Golding reported that the Biennial Budget added additional SSI to offset the tuition freeze for undergraduate students.

Executive Vice President and Provost (EVPP) Pam Benoit reviewed expense drivers on the academic side of the budget. EVPP Benoit indicated that the university has moved forward with implementing a 2% raise pool included in the FY16 budget approved by the Board of Trustees, the second year of the Faculty Compensation Plan, and the 1% Equity Pool. Regarding benefits, there has been a 5% increase in University share of healthcare costs and 7% healthcare cost growth, partially offset by modifications to employee healthcare plan and employee contributions. The cost are, in part, a function of increases in salary cost growth.

VPFA Golding reviewed expense drivers on the capital side of the budget. The University implemented the FY16 the Century Bond Program, which set up the central bank and debt service, and began to use those funds. Funds were allocated for: the Energy Infrastructure Project (\$4.1M, project in year 2 of 3); deferred maintenance (\$2.6M, project in year 2 of 10); McCracken Hall (\$1.3M); and Housing Phase 1 (\$5.9M).

EVPP Benoit described the rolling five year average of the Consumer Price Index (CPI). The University's estimate of CPI for 2015 is 1.75%. The increases for the next cohort (cohort B) will be a maximum of 1.75% The University will be reporting auxiliary fees to the state, as well.

EVPP Benoit reminded the Board of current expense and revenue pressures. Expense pressures include compensation, the capital plan, and scholarships. Revenue pressures include student fee constraints, market returns, and state funding dependency.

Trustee Scholl asked for clarification on the subvention fund. VP Golding stated that within the Responsibility Centered Management (RCM) structure, Ohio University taxes approximately 12.5% of the revenues coming into the colleges, which are then redistributed by EVPP Benoit either to support programs that do not generate enough funds to meet program requirements, or to invest in new programs.

Trustee Wolfort asked how the University is applying the accumulation of non-cash expenses. VPFA Golding stated that the income the University is earning from the Central Bank does not cover debt service at this time, so Ohio University draws from other funds to meet the difference.

Trustee Cooper asked when the Board would receive an annual report on the Century Bond. VPFA Golding indicated it is likely to be reviewed at the October Board meeting, and will include expected use of proceeds and investment returns.

#### *Sexual Misconduct Policies and Procedures*

Dean of Students and Interim Vice-President for Student Affairs (Int. VPSA) Jenny Hall-Jones and Director of Equity and Civil Rights Compliance & Title IX Coordinator Inya Baiye reviewed and reported on the University's definition of



sexual misconduct as a civil rights issue. Director Baiye provided examples of sexual misconduct, which include sexual harassment, non-consensual sexual contact or intercourse, relationship violence and stalking. Director Baiye reported that Title IX regulations enforced by the U.S. Department of Education require universities to identify, stop, remedy, and prevent sexual misconduct in educational and employment environments. Ohio University has a policy on these issues. Ohio University uses a hybrid investigation/hearing process to adjudicate complaints. Conduct that guidelines describe as “discriminatory” does not necessarily coincide with definitions of criminal conduct as described by state statute. The Ohio University Police Department (OUPD) is notified of student conduct that has the potential for criminal prosecution. Investigations of allegations occur simultaneously with law enforcement and are not exclusive.

Director Baiye described the Ohio University approach as being a multifaceted and collaborative approach utilizing the offices of Legal Affairs, the Executive Vice President and Provost, VP for Student Affairs, and VP for Finance and Administration.

Trustee Anderson asked for details regarding training efforts. Director Baiye reported that new faculty and staff orientations highlight the “duty to report” incidences. Director Baiye noted that she held a session at the Graduate Student Orientation. Dean Hall-Jones noted that Sexual Misconduct is outlined with students and their parents at Bobcat Student Orientation (BSO). In July, prior to their first semester at Ohio University, incoming students take online courses, “alcohol.edu”, and a module called “Not Anymore” that have significant sexual misconduct prevention training elements. Trustee Anderson stated that policies must be supported by training to make a difference.

Director Baiye shared 2015 University data on reports of sexual misconduct. The reports were divided into three subcategories: criminal offenses, handled by OUPD, faculty/staff offenses, and student offenses. For the purpose of the presentation, the term “report” refers to cases with investigations that were completed during the 2015 Academic Year (AC2015).

In AC2015, OUPD received 18 criminal sex offense complaints;

In AC2015, Faculty/Staff data included 5 reports of sexual harassment by hostile environment and 1 report of sexual harassment by quid pro quo;

In AC2015, student data included 1 report of sexual exploitation, 14 reports of sexual harassment by hostile environment, 2 non-consensual sexual contact reports, and 5 non-consensual sexual intercourse reports.

Director Baiye noted that next year's data report will also record sexual misconduct data that involves dating violence, domestic violence and stalking violence.

Trustee Wolfort asked if there is potential correlation between a more welcoming environment for reporting these incidences and report incidence. Director Baiye and Chief Powers responded that Ohio University has experienced an increase in reports of misconduct as support and issue awareness increase, and that these trends in data are seen nationally, as well.

Trustee Cooper asked for details on the hybrid investigation process. Chief Powers stated that the criminal process is separate from the administrative process. OUPD prefers to have first contact with alleged victims and perpetrators regarding criminal investigation, and coordinates with Director Baiye's office to direct the investigation. Director Baiye noted that her office is supportive of possible criminal investigations. She stated that OUPD and the Office of Equity and Civil Rights Compliance (ECRC) coordinate closely to reduce disruption of one another's activities. Martha Compton, Director of the Office of Community Standards and Student Responsibility, provided details on the investigation process and procedures for collaboration.

Trustee King asked how the University handles incidents, such as those reported by news agencies on many campuses, regarding the display of signs considered sexually suggestive or lewd. Director Baiye indicated that such incidences are an example of complaints that are addressed without formal reports. Int. VPSA Hall-Jones explained that, as much as possible, Student Affairs pursues an informal proactive effort to educate and inform. She stated that the apparent result is that it has become a community, self-policing process.

Trustee Goodman inquired about the administrative process and the role of confidentiality, or lack thereof, in administrative hearings. Director Baiye said that the due process rights of the respondent are taken very seriously. Director Compton stated that both the respondent and the complainant in the process are

informed of their right to remain silent, and can, if desired, have up three individuals (personal support, advisor, and/or legal counsel) present with them in any meeting to which the complainant/respondent is invited as part of the conduct process.

Trustee Scholl inquired about incidents on regional campuses. Director Baiye noted that the handling of sexual misconduct reports is handled by her office on the Athens Campus, and that regional campuses are required to report sexual misconduct to her office. Chief Powers reported that all of the incidents in the data report occurred on the Athens campus, and spoke about OUPD's relationship with local law enforcement surrounding regional campuses.

Student Trustee Roden mentioned that these issues affect students of every gender.

Int. VPSA Hall-Jones reviewed 2014-15 accomplishments in this area, including an updated sexual misconduct policy, the reorganization of Title IX Coordinator's Office and hiring of additional staff, implementation of a revised joint investigation/hearing process between ECRC and Community Standards, OU Survivor Advocacy Program funding, the development of an Athens/City Memorandum of Understanding regarding sexual misconduct, which is scheduled to be finalized and signed during the 2016 Academic Year (AC2016), and the creation of the Presidential Advisory Council on Sexual Misconduct (PACSM) climate survey (recommended by federal government).

#### *City of Dublin, OH's West Innovation District*

Dana McDaniel, City Manager of Dublin, gave an update report on Dublin's West Innovation District.

#### *Advancement 2025 Campaign*

Bryan Benchoff, Vice President for University Advancement (VPUA) reported that 8 years ago, the Promise Lives Campaign began with a \$450 million goal; at the close of the campaign on June 30, 2015, over \$500 million had been raised. The University has had a median annual fundraising capacity of \$27.5 million since 1990, excluding the two gifts in excess of \$100 million each. Our endowment distribution is currently providing a 3.2% contribution to the university's annual budget. An endowment of \$1.15 billion would provide an 8% contribution.

VP Benchhoff introduced a new plan named “Advancement 2025.” This plan is geared toward two aspirational goals: increasing our annual fundraising capacity to \$50 million, and growing our endowment to over \$1 billion.

Chair Anderson adjourned the meeting of the Joint Committee at 1:45pm.

**University Academics Committee**  
**Thursday, June 25, 2015**

Present were Trustees Dave Scholl (chair), Cary Cooper, N. Victor Goodman, David Wolfort, and Peggy Viehweger; Faculty Representative David Thomas; and Student Trustee Patrick Roden.

Trustee Scholl called the meeting to order at 1:45 PM.

**Consent Agenda**

Naming of the Barbara Gerald Institute for Storytelling and Social Impact

**Academic Quality Dashboard**

- University Dashboard

Executive Vice President and Provost Pam Benoit, presented this snapshot of the University's current performance in light of its strategic priorities and goals.

The Dashboard is used to communicate information about achievement in the University's 4X4 Strategic Plan. It contains data on key performance indicators that trustees need to fulfill the fiduciary responsibilities. The snapshot cannot contain information about every program, but captures indicators that, at a glance, allows tracking of growth and performance. Indicators are chosen with an interest in providing relevant and vital information.

Undergraduate enrollment has increased steadily over the last five years, growing from 20,996 to 23,571, an increase of 12.3%, while other 4-year public institutions in Ohio have experienced a slight decrease during that time. The student-faculty ratio has also improved from 20:1 to 18:1 over the past four years.

Along with this growth, OHIO has out-performed most Ohio public institutions in first-year retention rates, four-year and six-year graduation rates (OHIO is third in the state for both), bachelor degrees granted (OHIO is 2<sup>nd</sup> in the state behind OSU), all non-medical degrees (OHIO is 3<sup>rd</sup> behind OSU and UC), and student ACT composite scores.

OHIO is addressing disparities between overall student retention rates and those of certain student populations. As is the case within other institutions, retention rates for African-American and first-generation students at OHIO are lower. The university has initiatives in place to support these students. The retention rate for African American students has increased by 5% from 75% to 80%. This is only slightly below the overall retention rate of 80.2% on the Athens campus (2013 cohort). The retention rate for first-generation students continues to trail non-first generation students by about 6%, but has improved from 73% to 76%.

Consistent with other state institutions, the percentage of full-time Group I Faculty has declined slightly from last year.

Participation in the Research and Creative Activity Expo, where students present their work, increased in 2015.

Undergraduate research culture is continually improving

Trustee Scholl shared information about the Collegiate Learning Assessment.

### **Standing Reports and Updates**

- **Community Standards Update**

Jenny Hall-Jones, interim vice president for student affairs, informed the committee that a four-year comparison of conduct cases and conduct offenses showed a decrease in: the number of cases, the number of more serious (A-level) offenses, and cases involving academic misconduct. The number of cases involving alcohol and other drugs, most notably marijuana violations, continues to rise.

Some information provided included:

- Code A cases have decreased from 642 in 2011-12 to 263 in 2014-15.
- Code B cases have increased from 1,037 in 2011-12 to 1,505 in 2014-15
- Case Disposition resulting in probation decreased from 1,300 in 2011-12 to 1,101 in 2014-15
- Case Disposition resulting in expulsion decreased from 6 to 1

- The number of charges dismissed increased from 441 to 857
  - The largest number of Code A cases in 2014-15 fell into the categories of Mental or Bodily Harm to Self (327), Mental or Bodily Harm to Others (172), and Violation of Disciplinary Probation (231).
  - The largest number of Code B cases in 2014-15 fell into the categories of Unauthorized Use of Alcoholic Beverages, Possession (1,326) or Use of Marijuana (615), and Violations of Rules Regarding Residence Halls and Dining Facilities (470).
  - There were 22 cases related to sexual misconduct.
- Faculty Compensation Update
 

The update was brought by Executive Vice President and Provost Benoit and Associate Provost John Day

The final plan produced by the Faculty Compensation Task Force, shared with the Academics Committee in March of 2014 and endorsed by the committee and the Board of Trustees, includes goals which included:

    - Moving average salaries for each tenure-track faculty rank to 3<sup>rd</sup> among four-year public universities in Ohio
    - Investing the same percentage in compensation for regional tenure-track faculty
    - Investing the same percentage for Group II faculty on the Athens and regional campuses, and
    - Evaluating employee health benefits and the impact of the Patient Protection and Affordable care Act on total compensation

Investments related to this plan began in the FY2015 budget.

After one year, OHIO ranked 7<sup>th</sup>, up from 8<sup>th</sup>, in compensation for professors; remained the same, at 7<sup>th</sup> for associate professors; and went from 7<sup>th</sup> to 5<sup>th</sup> in compensation for assistant professors.

The plan is beginning to have a positive effect. The original projection expected a \$1.2 million investment each year for three years or \$3.6 million total. The updated year two projection expects a \$890 thousand investment each year for the remaining two years or \$1.76 million total. Actuals may differ from projections based on the influence of retirements, promotions, and general salary inflation.

Non-tenure track and regional faculty received the same percentage investment (2.19% in Year 1) as Athens Group I faculty. With results from Year 1 being better than expected, the investment will be 1.36% in Year 2.

### **Academic Quality – Initiatives**

- **AQIP Update**

Executive Vice President and Provost Pam Benoit presented an update of Ohio University's progress towards reaccreditation and specifically, preparation for the upcoming site visit in November 2015. The presentation included a review of the Higher Learning Commission (HLC) Criteria for Accreditation and how the HLC's Academic Quality Improvement Program (AQIP) enables OHIO to frame how it meets these criteria.

One of the nine AQIP categories, number eight, Planning Continuous Improvement, was the focus of the presentation.

OHIO Strengths:

4 x 4 Strategic Priorities & Fundamentals

Budget & Resource Allocation Processes—RCM, Budget Planning Council (BPC)

Risk Management

OHIO Opportunities:

Role of AQIP Task Force in Strategic Planning

Set Strategic Targets in Dashboard; include RHE in Dashboard

Need Evidence of Effective Continuous Improvement

Work prior to this year's Comprehensive Quality Review (CQR) site visits to the Athens, Chillicothe, Southern, and Zanesville campuses in November include: federal compliance review, CQR highlights report, third-party comment process, and multi-campus visit report.

The visit team will produce a reaffirmation recommendation. The decision will be made in spring of 2016 by the Institutional Actions Council.

Trustee Scholl adjourned the meeting at 3:10 PM





**Resources Committee Meeting  
August 27, 2015, 1:30 pm**

Committee Chair Janetta King called the meeting to order at 1:46 pm. Other board members present included Trustee Janelle Simmons, Trustee Sandy Anderson, Trustee KB Lake, Student Trustee Sharmaine Wilcox, Alumni Representative Julie Mann Keppner, Faculty Representative Joe McLaughlin, and President Roderick J. McDavis.

● **Financial Update**

Senior Associate Vice President for Finance and Administration, Deb Shaffer, shared with the committee that the year-end audit is still in progress and the most current preliminary results for the fiscal year ended June 30, 2015 are reflected in the handout and will be the basis for this presentation. This is the same all-funds presentation format the board has seen evolve throughout the year.

The current FY 2015 projection for net results is \$47.4M compared with the \$45.7M projection from the March 2015 interim forecast.

For University operations, FY14 actual, FY15 budget, and FY15 forecast are reflected in the statements. The university experienced less than budgeted undergraduate net tuition due to students graduating earlier and more than budgeted room and board revenue due to those auxiliaries budgeting conservatively. The tuition, room and board revenue budgets are now being aligned and using consistent enrollment statistics and projections. Net graduate tuitions are higher than budget due to stronger enrollments and the continued expansion across the state for medical and graduate programs. Salary and benefit costs are under budget mainly due to delays in hiring across the expansion and regional campuses. Higher than budgeted operating expenses relate to the costs for several initiatives related to RCM, Service Alignment Initiative, and COMP 2014.

Non-operating results included investment losses for FY15 and other endowment activity, capital construction project activity and depreciation, century bond

activity which includes \$30M for energy projects and \$10M for deferred maintenance for a total of \$40M transferred to capital projects, and internal bank activity, primarily internal loans to university units and corresponding repayments. Included in the projected net results is the impact of a positive \$6.1M in adjustments for the GASB 68 pension liability. The recording of the University's share of the state's pension liability at June 30, 2015 of \$365M results in a reduction of unrestricted net assets.

State guidance recently released has indicated that the SB6 computation will be prepared using the previous calculations with and without the impacts of GASB 68. The rating agencies have yet to decide how to roll the GASB 68 impact into their analyses of higher education. GASB 68 was intended to highlight the impact of state obligations for unfunded pension liabilities to spur conversation about solvency of these funds and the impact on states.

The balance sheets as of June 30, 2014 and 2015 and the changes year-over-year were discussed. The impacts of the Century Bond proceeds, investments in capital assets and the new net pension liability resulting from GASB 68 were highlighted.

### ● **Endowment Update**

Ms. Candice Casto, Chief Finance and Investment Officer, provided an update on the stewardship of the University's and Foundation's endowments, quasi-endowments and a portion of the working capital. The Foundation Investment Sub-committee has been empowered to provide oversight of the University's long-term investment portfolio assets. Ms. Casto explained the fiduciary and diligence duties of the Investment Sub-committee and their managing fiduciary / investment advisor, Hirtle, Callaghan & Co.

The total portfolio value, comprised of both Foundation (\$445M) and University (\$180M) funds, was \$625 million at June 30, 2015, down slightly from the prior year due to portfolio performance for FY15 of -1.11%. The asset allocation is prescribed by the Investment Policy. The portfolio performance for the 1, 3, and 5 year periods ended June 30, 2015 are on par with or slightly lower than the diversified benchmarks. Year-to-date returns are approximately -6% through August due to the recent volatility in the market. The negative return in combination with the endowment distributions has resulted in a drop in endowment value from \$507M at June 30 to approximately \$450M today.

The spending policy and spending rate for the endowments are reviewed by the Foundation annually and currently provide an annual 4% spending allocation to university units and a 2% administrative fee. The administrative fee is assessed on above-water accounts to fund the operations of the Foundation and the current capital campaign operating needs and those needs are reviewed at least annually by the Foundation's board.

- **Consent, Construction Projects Approval – Schematic Design**

Prior to discussing the construction projects, Senior Associate Vice President for Information Technology and Administrative Services, Joe Lalley, provided an update on the positive usage and cost impacts to date of Energy Initiatives Project (EIP) projects. Mr. Lalley stated that the EIP projects are cumulative and reported that projects approved to date and projects for which the University is seeking approval for today are within total \$79M budgeted for the EIP, the funds for which were originally earmarked for the Lausche Plant.

The combination of the Chiller 2 replacement and the 2015 annual steam system maintenance projects appear to have resulted in large reductions in water usage and cost. The savings for June and July appear to be 3.5 M gallons of water saved at a cost of \$20K. Also reported was a 20% reduction in energy costs for June and July equating to \$113K for those two months. The EIP team believes the efficiency of new chillers and the repairs to the steam and condensate leaks discovered during the May steam shutdown are largely responsible for the savings. These trends will continue to be monitored. The next large project to be brought to the board is expected to be the remote chilled water plant.

SAVP Lalley shared brief summaries of two projects presented for schematic design approval - the Permanent Campus Boilers project and the South Green Sweep Phase B project.

**The Committee recommended that the Schematic Design resolution be retained on the Consent Agenda for the August 27, 2015 Board of Trustee meeting.**

- **Consent, Construction Projects Approval – Construction**

SAVP Lalley provided a brief summary of the five projects included as part of the Construction request including utility metering, College of Communication fire system upgrades, and development of a comprehensive deferred maintenance inventory database for the Athens and the five regional campuses. The fuel farm project replaces the aged fuel plant and the enlarged diesel fuel storage will supply backup fuel in the event natural gas is unavailable to power the heating plant.

**The Committee recommended that the Construction resolution be retained on the Consent Agenda for the August 27, 2015 Board of Trustee meeting.**

- **Consent, AEP Easements on Eastern & Athens Campuses**

Mr. Lalley discussed the requests for the AEP easements on the Eastern and Athens campuses and the benefits to each of the campuses.

**The Committee recommended that the Resolution to Approve Easements for Construction and Relocation of Electric Facilities be retained on the Consent Agenda for the August 27, 2015 Board of Trustee meeting.**

- **Building Plaque Policy**

VP Golding reminded the committee of the discussion regarding the Building Plaque materials he distributed at the June board meeting. No comments were received during the course of the summer. Representative McLaughlin questioned faculty representative inclusion on the building plaques since they are not voting members of the board. Mr. McLaughlin will confer with Faculty Senate and report back to the committee at the October meeting.

- **Resolution, Student Investment Management Program**

VP Golding reminded the committee of the discussions regarding funding for the College of Business Student Investment Management Program and discussed the resolution brought to the board authorizing the Vice President for Finance and Administration to utilize university funds rather than Foundation donor funds to support the program up to \$5M.

**Trustee Lake moved to recommend approval to the full board of the Student Investment Management Program resolution; Trustee Anderson provided a second, unanimous approval.**

At 2:59 pm meeting was adjourned.



**AUDIT COMMITTEE MEETING - DUBLIN CAMPUS**  
**Dublin Integrated Education Center, Room 245**  
**August 27, 2015 – 9:30 AM**

Trustee N. Victor Goodman, called the meeting to order at 10:00 a.m. Other committee members present were Trustee Janetta King, Trustee Dave Scholl, Trustee Julie Mann Keppner, and Student Trustee Patrick Roden. President Roderick McDavis and Trustee Sandra J. Anderson were also present.

**Ohio University Police Department Presentation**

Andrew Powers, Chief of Police presented on the police departments mission, legal authority and jurisdiction, professional accountability, and discussed recent accomplishments and future goals.

**Plante Moran - FY15 Audit**

Danny Sklenicka of Plante Moran provided the Audit Committee with an updated on the status of the FY15 audit. Plant Moran indicated that the audit is on schedule and will meet the state reporting requirements.

**Internal Audit Update**

Jeffrey Davis, Chief Audit Executive, provided an update on the Internal Audit Office operations. Topics included an update on the FY16 audit plan, construction auditing, an update on current audits and other projects, a revised report rating system and an external assessment.

At 10:30 a.m. Trustee Dave Scholl motioned to adjourn to executive sessions. Trustee Janetta King seconded. The executive session was to discuss details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office. R.C. 121.22(G)(6).

Trustee N. Victor Goodman yes. Trustee Janetta King yes. Trustee Dave Scholl yes. Trustee Sandra J. Anderson yes. Vote was unanimous. There was no unfinished business. Meeting adjourned at 11:00 a.m.

**Ohio University Board of Trustees  
Governance Committee  
Minutes**

Thursday, August 27, 2015

Present were Chair Simmons, Trustees Cooper, Lake, Viehweger and Wolfort, Student Trustee Wilcox, Secretary to the Board David Moore and General Counsel John Biancamano.

The meeting was called to order at 10:00 AM.

**1. Review of Board Bylaws**

Mr. Biancamano presented proposed amendments to the Board Bylaws that had been discussed at the March and June meetings. Without objection, the Committee agreed to recommend the amended Bylaws for adoption by the full Board.

**2. National Trustee Selection Update**

President McDavis reported that three candidates have been identified for the two open National Trustee positions. Two have said they would be willing to serve and he is waiting for a response from the third. He will make a recommendation to the Board prior to the October meeting.

**3. Minutes of Board meetings**

The Committee discussed the format for minutes of Board meetings. It was noted that a DVD is made of the meetings of the full Board and is retained in Archives. There was general agreement that the format for minutes of the full Board need not be changed.

Mr. Biancamano will consult with Secretary Moore and then make a recommendation for Committee minutes at the October meeting.

The Committee adjourned at 10:15 AM.