



BOARD OF TRUSTEES

CLEVELAND STATE UNIVERSITY

MINUTES OF THE MEETING

BOARD OF TRUSTEES MEETING

DATE: Thursday, January 27, 2022, 12:00 p.m.

PLACE: Wolstein Center, Fourth Floor, West Wing.

PRESENT: Chair David M. Reynolds, Trustees Thomas W. Adler, Timothy J. Cosgrove, Patricia DePompei, Paul J. Dolan, Stephen F. Kirk, Lisa K. Kunkle, Alan G. Starkoff, and Vanessa L. Whiting; Community Trustee and CSU Foundation Chair Thomas E. Hopkins; Student Trustees Arlindo Ahmetaj and Brittany N. Sommers; Faculty Trustees Dr. Robert A. Krebs and Dr. Adam Sonstegard; President Harlan M. Sands; and General Counsel and Secretary to the Board of Trustees Sonali B. Wilson.

Others in attendance: Provost and Chief Academic Officer Dr. Laura Bloomberg; Sr. Vice President of Business Affairs and Chief Financial Officer David Jewell; Vice President of Administration and Chief of Staff, Jeanell N. Hughes; Vice President and Dean of Enrollment Management Jonathan Wehner; Vice President of Advancement Dr. Julie Rehm; and Heather A. Link, Assistant Board Secretary.

Chair Reynolds called the meeting to order at 1:05 p.m. and confirmed the presence of a quorum. He observed that today's meeting is in a different structure, with both the Financial Affairs and Academic Affairs and Student Success Committee meetings having taken place prior to the full board meeting. He thanked members for participating in the new format and asked for any comments or observations about the reformatted meeting to be sent to the Board Secretary.

The Chair asked for a motion to approve the minutes of the November 18, 2021 meeting. Trustee Kunkle moved the approval, and Trustee Alder seconded the motion; the minutes were approved by roll call vote.

EXECUTIVE SESSION

Chairman Reynolds moved for the Board to recess into Executive Session to consider personnel matters involving the compensation and contract of a public employee, to discuss collective bargaining matters, to discuss trade secret information required by law to be kept confidential, and for the purpose of discussing imminent and pending litigation with the University General Counsel. Trustee Kunkle seconded the motion.

A roll call vote was taken by the Secretary of the Board; voting in the affirmative were Mr. Adler, Mr. Cosgrove, Ms. DePompei, Mr. Dolan, Mr. Kirk, Ms. Kunkle, Mr. Starkoff, Ms. Whiting, and Chair Reynolds. The motion carried.

Chair Reynolds excused everyone except the voting trustees, the community trustee, the student trustees, the faculty trustees, President Sands, Provost Bloomberg, Vice President Jewell, Vice President Hughes, Deputy General Counsel King, Assistant Board Secretary Link, and General Counsel and Board Secretary Wilson. The executive session began at 1:06 p.m.

At 2:43 p.m., Chair Reynolds announced that the Board had finished its business in Executive Session and was returning to its regular meeting.

REPORT OF THE CHAIR

Chair Reynolds thanked the members and audience for their participation and dedication to the University, and thanked President Sands and his leadership team for their commitment to the University's mission.

The Chair commented that several communications have been received regarding the name of the law school; he noted that the Board and the University will review and consider all communications throughout the evaluation process, and that the Board is committed to supporting the University during this important assessment.

Chair Reynolds acknowledged an open letter from Cleveland State's Faculty Senate, to the president and provost, noting that President Sands shared the letter with the Board. The Chair voiced confidence in the University's leadership to address the concerns of the faculty.

COVID safety protocols and policies remain a persistent concern for students, faculty, and staff, and Chair Reynolds asked for the campus community to continue to raise concerns when

safety protocols are not being followed. He reiterated that the current safety protocols have served the University well, resulting in low infection rates on campus.

PRESIDENT'S REPORT

President Sands announced that the University has been fully reaccredited by the Higher Learning Commission (HLC) for the next 10 years, affirming the quality of CSU's educational programs and services. The critical, official verification, confirms a quality assurance to stakeholders that programs meet or exceed the highest educational standards, and it is also required to receive and administer federal student financial aid. President Sands thanked the Trustees, faculty, staff, students and community members who met with the site visit team and provided expertise and support; Dr. Marius Boboc, vice provost for academic planning, led the reaccreditation process.

President Sands reported more good news, the University received an improved bond rating of "A+ with a stable outlook," by Standard & Poor's. The contributing factors to the new rating included increased student applications for fall 2021, higher graduation rates, and improvements in financial operations and resources.

A new pathway and growth strategy for enrollment is underway for students who withdrew from the University without completing their degrees, and have "stranded credits." This is a joint effort with nine organizations in Northeast Ohio which will allow for debt forgiveness and removal of transcript fees. President Sands noted that there are 222,000 individuals with stranded credits in Ohio, and approximately 60,000 individuals in Northeast Ohio.

The President shared information on recent new gifts and grants, including a partnership with The Howley Foundation; a \$1 million gift to establish the Beth E. Mooney Center for Transformative Leadership; a \$2.7 million federal grant from the U.S. Department of Education for School-Based Youth Participatory Action Research; and a \$600 thousand anonymous gift, among others.

President Sands thanked board members for their participation in the December commencement which celebrated two commencements; the class of 2021 and the class of 2020, who's in-person commencement was postponed due to the pandemic. He reminded members that the spring 2022 commencement will be in-person, on CSU's site, and is scheduled for May 14.

President Sands announced that the University has kicked off the process to create a 10-year campus master plan to design and guide the development of its physical campus to support

CSU 2.0. He noted that the University has contracted with Sasaki, a global interdisciplinary architecture, planning, landscape and design firm with extensive experience in both urban and campus planning.

A representative of Sasaki provided an overview of initial discussions and interactions with the campus community. The representative explained initial master plan principles and how they could compliment CSU's 2.0 initiatives. He also illustrated how envisioning a 21st century urban research institution would also include a focus on equity, diversity, inclusion, and sustainability through serving as a campus for all, acting as an economic engine, leveraging the assets of the city context, modeling environmental and economic stability, and putting forth a flexible campus development framework.

The representative also provided examples of other development projects completed by Sasaki including the University of Pennsylvania (Penn Park 2011) and Akamai Technologies in Cambridge, Massachusetts.

He outlined the next steps in the master planning process and anticipates presenting an advanced campus scenario to the Board at the annual meeting in May.

FINANCIAL AFFAIRS COMMITTEE UPDATE

Committee Chair Kunkle updated Trustees on the Committee meeting held earlier in the day. She noted that updates were received from Vice President and CFO Jewell, and from Legacy Strategic Asset Management (Mr. Matt Shannon). The Committee was provided with an overview of the University's investment portfolio as well as an update on the Euclid Avenue Development Corporation's investments.

The Committee also reviewed and approved for recommendation, several items that are included on the consent agenda. An executive session was also included as part of the meeting, she noted.

ACADEMIC AFFAIRS AND STUDENT SUCCESS COMMITTEE UPDATE

Committee Chair Cosgrove reported that the Committee met earlier in the day, and that all of the Board members were in attendance. The agenda provided updates on: enrollment, student success, and retention efforts; diversity, equity, and inclusion efforts; CSU 2.0 and realigned

colleges; COVID and safety protocols; and the Ohio Department of Higher Education Remediation report.

Committee Chair Cosgrove noted a series of matters on the consent agenda having been approved at the Committee level; he also noted that the Committee met in executive session.

REPORT OF THE CSU FOUNDATION

CSU Foundation Chair Hopkins reported that planning for the May 11th Radiance fundraiser is underway and hopes are to have the event in-person if possible, and if not, the event will be held virtually. This year, the President's medal recipient is Ms. Nancy McCann, former president and treasurer of the John P. Murphy Foundation and the Kulas Foundation, and former CSU Foundation chair. He encouraged all Trustees to contribute to the University's signature event, noting that over the past ten years, Radiance has raised more than \$12 million for direct student support.

Vice President Rehm reported that progress is continuing on the fiscal year fundraising goals, noting that as of December 31, more than \$12.9 million in attainment funds have been realized and that this year's annual giving campaign is currently at \$1.65 million. She also noted that corporate (\$1.9 million) and foundational (\$7.4 million) giving has increased this year over last.

CONSENT AGENDA

Chair Reynolds stated that routine matters, or those recommended by committees and discussed previously, are considered on the Consent Agenda, and as a result of the committee meetings held earlier in the day, there are three additional items included today. He asked if there were any items that Board members wished to discuss; there were none.

The Chair asked for a motion to approve the Consent Agenda. Trustee Cosgrove moved, and Trustee DePompei seconded, the motion to approve the following consent agenda items: Approval of Anti-Hazing Policy; Approval of Medical Amnesty/Good Samaritan Policy; Approval of Deceased Student Policy; Approval of Faculty Professional Leaves of Absence, AY 2022/2023; Award of Rank and Tenure to Dr. Richard Schoephoerster; Approval of Paid Parental Leave Policy; Amendments to Policy Regarding "Persona Non Grata" Status for Campus Visitors; Approval of Cleveland State University Fiscal Year 2021 Efficiency Report; Accepting Gifts and

Pledge Payments, 2nd Quarter FY22, October 1, 2021 - December 31, 2021; Authorization to Execute the Contracts for Architectural & Engineering Services and Construction Manager at Risk Services for the Aramark Dining Facilities Campus Wide Upgrade Project; Authorization to Execute the Contracts for Architectural & Engineering Design Services and Construction Services for the Engaged Learning Labs in Science Research 71, 75 and 76 and Basic Science 309 and 310; and Approval of Campus Dining Services Management Agreement Between Cleveland State University and Aramark.

A roll call vote was taken by the Board Secretary. Trustees Adler, Kunkle, DePompei and Kirk left the meeting prior to the vote. Voting in the affirmative were Mr. Cosgrove, Mr. Dolan, Mr. Starkoff, Ms. Whiting, and Chair Reynolds. The motion carried by a majority vote.

RESOLUTION 2022-1

APPROVAL OF NEW ANTI-HAZING POLICY

WHEREAS, recently enacted legislation – Senate Bill 126 also known as Collin’s Law requires institutions of higher education to establish an anti-hazing policy to address hazing; and

WHEREAS, pursuant to Revised Code 3345.19, institutions of higher education are required to: (1) amend their definition of hazing to comply with 2903.31(A); (2) designate a person(s)/office to which hazing should be reported; (3) provide campus wide notice to all faculty, staff, alumnus consultant or volunteer of duty to report hazing to law enforcement; (4) distribute a copy of the institution’s anti-hazing policy to each registered student organization and post on the institution’s publicly accessible website; (5) begin the consultations necessary to develop a new anti-hazing policy; and (6) begin the process(es) necessary to establish and provide students with an educational program on hazing, which shall include information regarding hazing awareness, prevention, intervention, and the institution’s anti-hazing policy developed under the law, for the next student orientation; and

WHEREAS, pursuant to the University’s Formulation and Issuance of Policies Policy, the new Anti-Hazing Policy was posted for the required thirty-day comment period and will become final and will be filed with the Ohio Legislative Services Commission, as required; and

WHEREAS, the Academic Affairs and Student Success Committee reviewed the proposed new Anti-Hazing Policy at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the new Anti-Hazing Policy; and further instructs the University’s Administration to file the new Anti-Hazing Policy with the Ohio Legislative Services Commission

after which the Policy shall become final, subject to any changes or revisions deemed necessary by the General Counsel.

RESOLUTION 2022-2

APPROVAL OF NEW MEDICAL AMNESTY /GOOD SAMARITAN POLICY

WHEREAS, Cleveland State University (CSU) is committed to providing a safe environment for students and building a culture where students seek help and support for themselves and others; and

WHEREAS, CSU endeavors to address behavior concerns, including those that involve drugs and alcohol, using an educational approach; and

WHEREAS, pursuant to the University's Formulation and Issuance of Policies Policy, the new Medical Amnesty/Good Samaritan Policy was posted for the required thirty-day comment period and will become final and will be filed with the Ohio Legislative Services Commission, as required; and

WHEREAS, the Academic Affairs and Student Success Committee reviewed the proposed new Medical Amnesty/Good Samaritan Policy at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the new Medical Amnesty/Good Samaritan Policy; and further instructs the University Administration to file the new Medical Amnesty/Good Samaritan Policy with the Ohio Legislative Services Commission after which the Policy shall become final, subject to any changes or revisions deemed necessary by the General Counsel.

RESOLUTION 2022-3

APPROVAL OF NEW DECEASED STUDENT POLICY

WHEREAS, Cleveland State University (CSU) is committed to providing a caring, consistent, and clear response in the event of a student death; and

WHEREAS, CSU endeavors to ensure loved ones of students who have died, feel informed and supported, while also responding to and supporting a university community experiencing a loss; and

WHEREAS, pursuant to the University's Formulation and Issuance of Policies Policy, the new Deceased Student Policy was posted for the required thirty-day comment period and will become final and will be filed with the Ohio Legislative Services Commission, as required; and

WHEREAS, the Academic Affairs and Student Success Committee reviewed the proposed new Deceased Student Policy at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the new Deceased Student Policy; and further instructs the University's Administration to file the new Deceased Student Policy with the Ohio Legislative Services Commission after which the Policy shall become final, subject to any changes or revisions deemed necessary by the General Counsel.

RESOLUTION 2022-4

PROFESSIONAL LEAVES OF ABSENCE, AY2022-2023

WHEREAS, the individuals in the Professional Leaves of Absence Summary Report for the Academic Year 2022-2023 have been reviewed by the appropriate committees and administrators; and

WHEREAS, they have fulfilled the requirements for professional leave as set forth in Article 20 of the Agreement between Cleveland State University and the CSU Chapter of the American Association of University Professors, or in the case of the College of Law faculty, of Section 3344-11-09 of the CSU Faculty Personnel Policies:

WHEREAS, the Academic Affairs and Student Success Committee reviewed the Professional Leaves of Absences for the academic year 2022-2023 at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees approves the granting of Professional Leaves of Absences for the academic year 2022-2023 to those individuals as outlined in the Summary Report.

RESOLUTION 2022-5

AWARD OF RANK AND TENURE TO DR. RICHARD SCHOEPHOERSTER

WHEREAS, an external search was conducted to fill the position of Dean Washkewicz College of Engineering; and

WHEREAS, the search attracted a substantial pool of well-qualified candidates, including Dr. Richard Schoephoerster, Dean of the Graduate College and Research at Arkansas Tech University in Russellville, Arkansas; and

WHEREAS, the credentials of Dr. Schoephoerster have been reviewed by the appropriate faculty peer review committee in the Department of Chemical and Biomedical Engineering, the Chair, the Dean, the Provost and the President; and

WHEREAS, Dr. Schoephoerster has fulfilled the requirements for tenure at the rank of Professor as set forth in Article 12.9 of the Faculty Collective Bargaining Agreement; and

WHEREAS, the Academic Affairs and Student Success Committee reviewed the award of rank and tenure to Dr. Richard Schoephoerster at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the award of tenure at the rank of Professor to Dr. Richard Schoephoerster in the Department of Chemical and Biomedical Engineering, effective the first day of full-time employment at Cleveland State University.

RESOLUTION 2022-6

APPROVAL OF NEW PAID PARENTAL LEAVE POLICY

WHEREAS, paid parental leave offers clear advantages to employers, employees and employees' families. Some advantages include fostering employee loyalty, boosting employee retention, assisting in attraction of talent, in most cases assisting in improving employee morale and supporting mental health and well-being of parents; and

WHEREAS, studies have shown that paid parental leave contributes to healthy growth and development for infant and toddlers, increases regularity of well-being check-ups, increases rates of immunization, increases likelihood and duration of breastfeeding, increases parental care and engagement and increases overall contributions to better health outcomes including lower stress levels; and

WHEREAS, several Ohio's four (4) year public universities offer paid parental leave including Kent State University, Bowling Green University, University of Akron, Ohio University, Ohio State University, University of Cincinnati, Miami University, Youngstown University and Wright State University; and

WHEREAS, pursuant to the University's Formulation and Issuance of Policies Policy, the new Paid Parental Leave Policy was posted for the required thirty-day comment period and will become final and will be filed with the Ohio Legislative Services Commission, as required; and

WHEREAS, the Financial Affairs Committee reviewed the proposed new Paid Parental Leave Policy at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the new Paid Parental Leave Policy; and further instructs the University Administration to file the new Paid Parental Leave Policy with the Ohio Legislative Services Commission after which the Policy shall become final, subject to any changes or revisions deemed necessary by the General Counsel.

RESOLUTION 2022-7

APPROVAL OF REVISIONS TO 3344-90-03 POLICY REGARDING “PERSONA NON GRATA” STATUS FOR CAMPUS VISITORS

WHEREAS, the current Policy Regarding “Persona Non Grata” Status for Campus Visitors 3344-90-03 was approved on May 3, 2015 and has not been revised since; and

WHEREAS, this Policy was created to provide a process for declaring a visitor that comes to campus, who acts in a disruptive or offensive manner, sometimes repeatedly, “Persona Non Grata” and to prohibit them from coming on campus; and

WHEREAS, the University Administration has recognized the need to revise the Policy Regarding “Persona Non Grata” Status for Campus Visitors 3344-90-03 to: reflect more succinctly the purpose and intent of the Policy; reflect changes in titles of University Administration; and make minor grammatical corrections; and

WHEREAS, the Financial Affairs Committee reviewed the revisions to the Policy regarding “Persona Non Grata” status for campus visitors at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the revised Policy Regarding “Persona Non Grata” Status for Campus Visitors 3344-90-03; and further instructs the University Administration to file the revised Policy Regarding “Persona Non Grata” Status for Campus Visitors 3344-90-03 with the Ohio Legislative Services Commission after which the Policy shall become final, subject to any changes or revisions deemed necessary by the General Counsel.

RESOLUTION 2022-8

**APPROVAL OF CLEVELAND STATE UNIVERSITY FISCAL YEAR 2021
EFFICIENCY REPORT SUBMITTED TO ODHE**

WHEREAS, the Governor of the State of Ohio created the Ohio Task Force on Affordability in February 2015 to make recommendations on the three principles of 1) efficiency in expense management and revenue generation, 2) maintaining a high quality of education, and 3) lowering the student’s cost of earning a degree; and

WHEREAS, Section 3333.95 of the Ohio Revised Code (ORC) requires the Chancellor of the Ohio Department of Higher Education (ODHE) to maintain an Efficiency Advisory Committee

composed of members from each of Ohio's public colleges and universities in support of the Task Force's recommendations; and

WHEREAS, each public college and university is required to submit an annual efficiency report to the Chancellor, which feeds into the ODHE annual efficiency report to the Governor and General Assembly; and

WHEREAS, State law also requires each public college and university's board of trustees to approve the institutions' annual efficiency report; and

WHEREAS, the Financial Affairs Committee reviewed the Fiscal Year 2021 efficiency report at its last committee meeting and recommends full Board approval:

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby approves the University's Fiscal Year 2021 efficiency report, as submitted to the ODHE in December 2021.

RESOLUTION 2022-9

ACCEPTING GIFTS AND PLEDGE PAYMENTS 2ND QUARTER, FY 2022 OCTOBER 1, 2021 TO DECEMBER 31, 2021

RESOLVED, that the gifts and pledge payments totaling \$8,481,588 received by the Cleveland State University Foundation during the period October 1, 2021 to December 31, 2021 are hereby accepted with thanks, and

BE IT FURTHER RESOLVED, that the President is hereby directed to use these gifts subject to their terms and conditions.

RESOLUTION 2022-10

AUTHORIZATION TO EXECUTE THE CONTRACTS FOR ARCHITECTURAL & ENGINEERING SERVICES AND CONSTRUCTION MANAGER AT RISK SERVICES FOR THE ARAMARK DINING FACILITIES CAMPUS WIDE UPGRADE PROJECT

WHEREAS, the first contract for this project is ready to be executed (Vocon Architects) and will exceed \$1,000,000; and the second contract (TBD) will be ready for execution in February and will exceed \$1,000,000; and

WHEREAS, under existing Board policy, construction and consultant contracts in excess of \$1,000,000 require prior approval of the Board; and

WHEREAS, the University will solicit best value qualifications and proposals for Architectural and Engineering Design Services (A/E); Construction Manager at Risk (CMR) services for the Aramark Dining Facilities Campus Wide Upgrade Projects; and

WHEREAS, responses were received and reviewed by a select review panel comprised of University representatives; and

WHEREAS, three (3) firms will be chosen to submit proposals and interview with the final selection determined by the best value rating selection criteria outlined by the Ohio Facilities Construction Commission; and

WHEREAS, the Financial Affairs Committee has reviewed this matter at its last committee meeting and recommends full Board approval pursuant to the below:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby authorizes the University Administration to enter into contract negotiations with the Architectural and Engineering firm, as well as, Construction Manager at Risk selected pursuant to the process outlined above; and further that the Administration may negotiate a contract not to exceed \$10,500,000 for the total combined costs of A/E design services, CMR pre-construction, construction stage fees, general conditions, reimbursable, CMR contingency and allowances as well as the guaranteed maximum price (GMP) for construction costs for the Aramark Dining Facilities Campus Wide Upgrade Project; and

BE IT FURTHER RESOLVED, that the Board of Trustees delegates review and approval of the final contract to the Cleveland State University Board of Trustees Executive Committee.

RESOLUTION 2022-11

AUTHORIZATION TO EXECUTE THE CONTRACTS FOR ARCHITECTURAL & ENGINEERING DESIGN SERVICES AND CONSTRUCTION SERVICES FOR THE ENGAGED LEARNING LABS IN SCIENCE RESEARCH 71, 75 AND 76 AND BASIC SCIENCE 309 AND 310

WHEREAS, the first contract for this project is already executed (Van Aukin Aken Architects) and will not exceed \$1,000,000; and the second contract (TBD) will be ready for execution after publicly advertised competitive bidding General Trades Contract per O.R.C. 153 and will exceed \$1,000,000, with a total project budget of \$2,070,000; and

WHEREAS, the former and current provosts have approved funding for the engaged learning lab renovation projects; and

WHEREAS, under existing Board policy, construction and consultant contracts in excess of \$1,000,000 require prior approval of the Board; and

WHEREAS, the University will publicly and competitively bid the General Trades Construction Contract per O.R.C. 153 for the Engaged Learning Lab renovations; and

WHEREAS, publicly opened, sealed bids will be reviewed by the Cleveland State University Project Manager and the Architect of record, both will confirm that the scope of work outlined in the drawings and specifications are in the bid; and

WHEREAS, the winning bidder shall be offered a contract by the process outlined above and per the Ohio Facilities Construction Commission; and

WHEREAS, the Financial Affairs Committee has reviewed this matter at its last committee meeting and recommends full Board approval pursuant to the below:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby authorizes the University Administration to enter into contract negotiations with the Architectural and Engineering firm, as well as, the General Trades Contractor selected; and further that the Administration may negotiate a contract not to exceed \$2,070,000 for the total combined costs of A/E design services; pre-construction consulting services, construction costs, general conditions, reimbursable, contingency and allowances for project design and construction costs for the Engaged Learning Lab Upgrade Renovation Projects; and

BE IT FURTHER RESOLVED, that the Board of Trustees delegates review and approval of the final contract to the Cleveland State University Board of Trustees Executive Committee.

RESOLUTION 2022-12

APPROVAL OF CAMPUS DINING SERVICES MANAGEMENT AGREEMENT BETWEEN CLEVELAND STATE UNIVERSITY AND ARAMARK

WHEREAS, the University's agreement with Chartwells for University Dining Services expired on August 1, 2021; and

WHEREAS, the University Administration conducted a Request for Proposals and convened an RFP evaluation process to review the three proposals received; and

WHEREAS, the University Administration believes Aramark is the best qualified based upon financial analysis, presentation, and expert culinary and service standards and delivery as documented by their robust portfolio of business across industries, including higher education; and

WHEREAS, the University entered into a memorandum of understanding to allow for ongoing campus dining operations during the transition and as a final, definitive contract is being negotiated; and

WHEREAS, the University's legal and special counsel have determined that it is in the best interests of the University to transfer ownership of the liquor permits to Aramark with language in the Dining Management Agreement that compels Aramark to return possession of the permits to the University at the termination of said agreement; and

WHEREAS, Aramark has committed \$28.5M in capital in a variety of forms over the life of the contract and other key terms as noted in the attached term sheet;

WHEREAS, the Financial Affairs Committee has reviewed this matter at its last committee meeting and recommends full Board approval pursuant to the below:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby recommends that the full board authorize the University Administration to negotiate a contract with Aramark for a 20-year agreement consistent with the terms attached; and

BE IT FURTHER RESOLVED, that the Board of Trustees delegates review and approval of the final contract to the Cleveland State University Board of Trustees Executive Committee.

NEW BUSINESS

Chair Reynolds announced that there was one item of new business which resulted from the Executive Session; he called for a motion to amend and restate the employment contract of the University's athletic director, Mr. Scott Garrett. Moved by Trustee Dolan and seconded by Trustee Whiting, the following resolution was approved by voice vote and with applause.

RESOLUTION 2022-13

AUTHORIZATION FOR ADMINISTRATION TO ENTER INTO AMENDED AND RESTAED EMPLOYMENT CONTRACT WITH THE DIRECTOR OF ATHLETICS

WHEREAS, Scott Garrett has served as the Director of Athletics at Cleveland State University since April 2019; and

WHEREAS, Mr. Garrett has continued to admirably lead and grow the CSU Viking Athletics program where he consistently puts students first, ensuring that they are supported on and off the field, which has been displayed through their competitive and academic performance; and

WHEREAS, 72 Cleveland State student-athletes earned All-League postseason or weekly awards, including 10 Vikings that earned Major Awards in their respective sports; and

WHEREAS, through his outreach and engagement efforts, he more than doubled membership in the Viking Fund's second year of existence and increased overall giving to the athletics department by nearly 30% vs. 2019-20, including a record CSU Giving Day total of over \$300,000; and

WHEREAS, student-athletes recorded a record-breaking cumulative GPA of 3.545 during the spring semester, which topped the previous record of 3.465, set during fall 2020. Additionally, 26 Vikings were named to All-League Academic teams during the 2020-21 academic year; and

WHEREAS, all sport programs exceeded the multi-year NCAA academic progress rating threshold, including four programs with perfect multi-year scores (women's basketball, cross country, women's fencing and women's golf). CSU's student-athlete graduation success rate sits at 95% through the 2018-19 graduating class, which is the top mark in the Horizon League:

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the terms of the Amended and Restated Contract and authorizes the University Administration to execute the contract pursuant to its terms.

ADJOURNMENT

Chair Reynolds asked if there was any other new or unfinished business, hearing none, the meeting was adjourned at 3:41 p.m.

Respectfully submitted,

APPROVED MARCH 17, 2022

Sonali B. Wilson
General Counsel and
Secretary to the Board of Trustees

APPROVED MARCH 17, 2022

David M. Reynolds
Chair, Board of Trustees