



**BOARD OF TRUSTEES  
CLEVELAND STATE UNIVERSITY**

**MINUTES OF THE MEETING**

**BOARD OF TRUSTEES MEETING**

**DATE:** Wednesday, June 26, 2013, 11:00 a.m.  
**PLACE:** The Wolstein Center, Gerald H. Gordon Conference Pavilion  
Weinberg Board Room

**PRESENT:** Chairman Robert H. Rawson, Jr., Trustees Thomas W. Adler, Richard L. Bowen, David H. Gunning II, Morton Q. Levin, Dan T. Moore III, Bernardo “Bernie” F. Moreno, June E. Taylor, and Ronald E. Weinberg; Community Board Members Dr. Paul E. DiCorleto, Anand “Bill” Julka, and Stephen F. Kirk; Faculty Representative Dr. Stephen F. Duffy; President Ronald M. Berkman, and Secretary to the Board of Trustees William J. Napier.

Chairman Robert H. Rawson called the meeting to order at 11:00 a.m. A quorum was confirmed. He called for a motion to approve the minutes of the May 20, 2013 Board meeting. Trustee Levin moved, and Trustee Moore seconded, the motion to approve the minutes. The minutes were approved by voice vote.

**REPORT OF THE CHAIRMAN**

Chairman Rawson welcomed Stephen Kirk to the Board of Trustees in his role as Chair of the Cleveland State University Foundation Board of Directors. He indicated that this was the last meeting of the Board for this fiscal year, providing the opportunity to look forward, as well as reflect on the past year. Among the year’s accomplishments, he noted the significant efforts enhancing academic and student success, responsible budgeting and allocation of resources in support of the University’s strategic initiatives, conversion to a new curricular model and 120 credit hour standard for earning an undergraduate degree, expanded academic programs and

engaged learning through partnerships with Playhouse Square, the Cleveland Municipal School District, and Northeast Ohio Medical University, and the actions leading to the construction of the Center for Innovation in Health Professions. He observed it was an active year, and expressed his appreciation to everyone for their contributions.

Chairman Rawson reported that the Executive Committee met on June 24, 2013. He indicated that a Supplemental Qualified Retirement Plan, designed to offer different investment opportunities, was recommended by the Committee, and appears on the Consent Agenda. The following resolution, passed by the Executive Committee, is entered into the record:

**EXECUTIVE COMMITTEE RESOLUTION 2013-08**

**RESOLUTION RECOMMENDING ADOPTION OF  
SUPPLEMENTAL QUALIFIED RETIREMENT PLAN**

**RESOLVED**, that the Executive Committee of the Board of Trustees hereby recommends to the full Board adoption of the Cleveland State University Supplemental Qualified Retirement Plan in substantially the form attached hereto and as may be amended with the advice of General Counsel.

**RESOLVED FURTHER**, that the Executive Committee recommends that the full Board authorize the appropriate University officers of the University to make any changes to the SQRP as may be required to ensure compliance with the provisions of the Internal Revenue Code of 1986, as amended, the Ohio Revised Code, and any related rules and regulations now in effect or as hereafter amended.

**RESOLVED FURTHER**, that the Executive Committee recommends that the full Board direct the appropriate officers of the University to take such action as may be necessary, appropriate, or advisable to implement this Resolution without further ratification or action by the Board.

Personnel matters were also discussed in Executive Session, to be considered by the Board later in the meeting.

**REPORT OF THE PRESIDENT**

President Berkman expressed his gratitude to all the Board members for their support throughout the year. He noted that change is best made when governance and administration coalesce.

President Berkman reported that this is the last meeting in which Dr. George Walker would participate as Interim Provost. Appreciation was expressed for the terrific job he did in moving academic agenda items and issues forward. A strong team of associate provosts was built to enable the new Provost to continue the progress. Although Dr. Walker will take a short respite, he will return in a new role as the University's Chief Strategy Officer. The new Provost will begin officially on July 1, as well as the new Dean of the Monte Ahuja College of Business.

Among federal issues, the most important is the Stafford Loan program. The interest rate will more than double, from 3% to 6.8%, if Congress does not extend the program at the end of June. President Berkman noted that this is the single most-used loan program utilized by students to finance their education. Higher education is also imminently impacted by the immigration bill to be voted upon soon. It affects the recruitment and retention of faculty and students, careers and workforce.

President Berkman reported that the state budget is in its final days of the legislative process. He noted that it was unprecedented for the higher education budget to be uncontested in the Conference Committee. He credited Governor Kasich for having obtained consensus within higher education, and for recommending a significant funding increase in the higher education budget.

The Greater Cleveland Partnership meeting was held at the new Convention Center. President Berkman encouraged the Board members to visit the beautiful state-of-the-art facility.

He reported that Cleveland State University won the Diversity Award for higher education for the second year, and could be placed in the Diversity Hall of Fame if it receives the award in the third year. The University was also recognized for its role in and impact on downtown redevelopment.

President Berkman reported that Cleveland State University is ranked among the top 200 universities across the nation in sponsored research. He noted the University's active collaboration with the Cleveland Clinic, and thanked Dr. Paul DiCorleto for his efforts and support.

An important milestone for the University will be its 50<sup>th</sup> Anniversary in 2014, to be marked with interesting events and a fundraising campaign. It presents an opportunity to bring the alumni and community on campus to showcase the University.

The Campus International School will outgrow its new space in the Cole Center next year. Applications are so high for every class that the Cleveland Metropolitan School District has asked that there be two classes for each cohort. New space must be secured.

In closing his remarks, President Berkman noted that more time will be spent nationally to promote what has been done at CSU, which will bring greater recognition from peer institutions. Academics and student success continue to be in the forefront. Great strides have been made toward helping students graduate in four years, and assume less debt.

The collective bargaining agreements are expiring, and so collective bargaining agreements with all of the unions will need to be renegotiated, with the exception of the Fraternal Order of Police.

**REPORT OF THE CSU FOUNDATION CHAIR**

Mr. Steve Kirk, as the new Chair of the CSU Foundation Board of Directors, stated it was a pleasure and honor to serve on the Board of Trustees. He reported that the Foundation Board met on June 7 and elected new officers, as well as four new directors, including Steve Percy and Jack Boyle. Three of the four new directors earned degrees from Cleveland State University. The CSU Foundation Board of Directors now has 40 members. Two new directors will be added at the fall meeting. Outgoing Directors Bill Julka, Lee Kohrman, and Mort Levin were granted Emeritus Director status. Immediate past chair, Steven A. Minter, will continue to serve on the Foundation Board.

Mr. Kirk reported that \$5.6 million has been raised, compared to \$5.2 million at the end of last year. There were no major gifts this year. Work is being done to increase the number of alumni donors, which increased 16% over last year.

Upcoming events include an August 14 donor recognition event to be held on the Mather Mansion lawn, and parlor meetings, featuring the President, will be hosted in private homes and clubs. The first parlor meeting is being hosted by Mort and Judy Levin.

### **ACADEMIC AFFAIRS**

Chairman Moreno reported there was a very good discussion on internships at the Academic Affairs Committee meeting held earlier, which provided great direction. A report on faculty evaluations looked at current practice, improving the student-engaged process and transparency. An update on the 4-to-3 credit hour conversion showed remarkable progress. The Committee recommended that the Board approve a master agreement between Cleveland State University and the Cleveland State University Research Corporation, which is on the Consent Agenda.

### **FINANCIAL AFFAIRS**

Chairman Levin reported that the Financial Affairs Committee had a good discussion on the budget and tuition. The Committee recommended the Board approve several items on the Consent Agenda, pertaining to budget and tuition, dining agreements, a demolition contract, and policies regarding minors involved on campus, child protection and reporting of child abuse. He noted that the Graduation Incentive Plan was an additional agenda item.

### **FY 2013 External Audit Disclosure**

Members of the Plante Moran auditing team, Jennifer Kujawski, Manager, and Brendan Pishnery, In-Charge, presented the 2013 Audit Planning document (**Attachment A**). The deliverables, responsibilities, and reporting were reviewed, as well as the auditing approach, timeline and communications for the 2013 audit. Changes in the Government Auditing Standards were noted. There were no questions.

### **CONSENT AGENDA**

Chairman Rawson stated that routine matters, or those discussed previously, are considered on the consent agenda. The FY14 University Budget resolution was removed, and the Graduation Incentive Plan resolution was added to the consent agenda. The resolution for the demolition and management of the Rascal House and Peabody's buildings was noted as amended in the Financial Affairs Committee meeting, for subsequent consideration by the Executive Committee.

Chairman Rawson asked if there were any consent agenda items that Board members wished to remove and discuss individually. Trustee Moreno requested that the agenda item on FY14 Tuition Recommendations be pulled off the consent agenda and revisited.

Trustee Moreno moved, and Trustee Bowen seconded, the motion to approve the remaining consent agenda items: University FY13 Continuation Budget and Tuition and Fees

(**Attachment B**), Graduation Incentive Plan (**Attachment C**), Demolition and Management of the Rascal House and Peabody's Buildings (**Attachment D**), Dining Agreements with Ovations and with Compass Group USA by and through its Chartwells Division (**Attachment E**), The Clery Act and Title IX: Minors on Campus Policy (**Attachment F**), The Clery Act and Title IX: Child Protection and Report of Child Abuse Policy (**Attachment G**), Master Agreement between Cleveland State University and the CSU Research Corporation (**Attachment H**), Faculty Tenure Recommendation for Dr. Ping Deng (**Attachment I**), and Supplemental Qualified Retirement Plan (**Attachment J**). The following resolutions were passed by voice vote:

#### **RESOLUTION 2013-38**

##### **APPROVING THE UNIVERSITY FY13 CONTINUATION BUDGET AND TUITION AND FEES**

**WHEREAS** the beginning of the state of Ohio's and Cleveland State University's fiscal year biennium (FY14-FY15) is July 1, 2013; and

**WHEREAS** the level of the State Share of Instruction (SSI) provided to the University as a result of the adoption of the FY14-FY15 budget appropriations act (Amended Substitute House Bill No.59) by the Ohio General Assembly and the Governor is vital to operations; and

**WHEREAS** the likelihood is strong that the eventual budget appropriations act's passage will include language limiting the allowable increase in tuition (instructional fee, general fee, and technology fee) to 2.0% for in-state undergraduate students; and

**WHEREAS** the state of Ohio's budget appropriation act for FY14- FY15 has not been signed into law as of June 26, 2013 when the Cleveland State Board of Trustees has convened to approve the University budget for FY14;

**NOW, THEREFORE, BE IT RESOLVED** that the Board authorizes the University administration to expend funds from its current unrestricted Operating Budget and Auxiliary Business Units budget for the period beginning July 1, 2013 and ending September 30, 2013 at levels consistent with those established by the Board for FY 2013; and

**BE IT FURTHER RESOLVED** that the recommendation of the University's administration to increase all undergraduate tuition rates by 2.0%, graduate tuition rates by 2.0%, effective with the Fall Semester 2013 as reflected in the attached schedule be approved; and

**BE IT FURTHER RESOLVED** that the recommendation of the University's administration to increase the Cleveland Marshall College of Law tuition by 9.5%, effective with the Fall Semester 2013 as reflected in the attached schedule be approved; and

**BE IT FURTHER RESOLVED** that the recommendation of the University's administration to increase the Special Program tuition effective with the Fall Semester 2013 as reflected in the attached schedule be approved; and

**BE IT FURTHER RESOLVED** that the University's Administration will submit the final FY14 Operating Budget, General Fee Budget, and Auxiliary Business Units Budget for consideration by the Board of Trustees at a duly noticed meeting to be held prior to September 30, 2013; and

**BE IT FURTHER RESOLVED** that in the event the State of Ohio's biennium budget appropriations act for FY14-FY15 as enacted by the Ohio General Assembly and approved by the Governor does not permit the tuition increases as provided in this Resolution, such increases which are not authorized by law shall be deemed void *ab initio*.

#### **RESOLUTION 2013-39**

##### **APPROVAL OF GRADUATION INCENTIVE PLAN FOR UNDERGRADUATE STUDENTS**

**WHEREAS**, the University is committed to assist undergraduate students attain a baccalaureate degree in an expeditious manner; and

**WHEREAS**, the University began a program of initiatives in FY 2013 to assist undergraduate students shorten the time for degree attainment by eliminating the high-end limit on the undergraduate credit hour pricing ban to make the cost of enrolling in more than 12 credit hours per semester more economical; and

**WHEREAS**, the University is aware of the rising cost of higher education and wishes to provide a financial incentive for undergraduate students in academic good standing to continue their education and attain a baccalaureate degree;

**WHEREAS**, the University continues to explore innovative approaches to accelerate the time to graduation for undergraduate students;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves a further initiative to assist in undergraduate degree attainment, the proposed Graduation Incentive Plan effective for the Fall 2013 semester (FY14) which is attached to this resolution.

#### **RESOLUTION 2013-40**

**AUTHORIZATION TO CONTRACT FOR DEMOLITION AND MANAGEMENT OF  
THE RASCAL HOUSE AND PEABODY'S BUILDING**

**WHEREAS**, the University has acquired the Rascal House and Peabody's Nightclub properties as approved by the Ohio Board of Regents on April 22, 2103; and

**WHEREAS**, the University intends to construct the new Center for Innovation in Health Professions (CIHP) on the site to incorporate this property; and

**WHEREAS**, Stantec Architecture Inc. (Architect of Record) will create demolition documents to prepare for bidding; and

**WHEREAS**, Donley's (Construction Manager at Risk) will manage and bid out an abatement and demolition package for the complete removal of the structures on site; and

**WHEREAS**, the demolition of the structures will include removal and abatement of hazardous materials, building demolition and removal, basement demolition and removal, removal of unsuitable soils, shoring and bracing of adjacent streets, utility capping/removal, and backfill and compaction of the entire site to prepare for the new building; and

**WHEREAS**, the contract for this project will be ready for execution by August 2013 and will exceed \$500,000; and

**WHEREAS**, under existing Board policy, construction and consultant contracts in excess of \$500,000 require prior approval of the Board;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves the demolition of the Rascal House and Peabody's buildings for a project total to be approved by the Executive Committee of the Board.

**BE IT FURTHER RESOLVED** that the Board of Trustees hereby authorizes the University Administration to enter into a contract with the lowest bidders for the Rascal House and Peabody's Abatement Demolition Contracts, pursuant to the process outlined above, and delegates to the Executive Committee of the Board approval authority of such contracts, including the project total.

**RESOLUTION 2013-41**

**APPROVAL OF AMENDMENTS TO DINING AGREEMENTS WITH OVATIONS AND  
WITH COMPASS GROUP USA BY AND THROUGH ITS CHARTWELLS DIVISION**

**RESOLVED**, that the Food and Beverage Agreement with Ovations Food Services be amended to establish an expiration date of July 31, 2013 and to document requirements of both Parties upon expiration date as set forth below.

**RESOLVED**, that a new Agreement for Food and Beverage Concession Services be executed with Compass Group USA by and through its Chartwells Division to allow the University to gain financial and service efficiencies by aligning all campus dining with a single Provider, as set forth below.

**RESOLVED**, that the Agreement for Campus Dining Management (Amendment Four) and the Agreement for Restaurant Services for Retail Liquor Establishments (Amendment Three) with Compass Group USA by and through its Chartwells Division will be amended to extend the duration of the agreements and to incorporate additional terms required as a result of the amended expiration of Ovations' contract, assignment of Wolstein Center's scope to Chartwells, and/or other terms deemed favorable by the University as set forth below.

**BE IT FURTHER RESOLVED**, the general language of all said agreements and amendments is accepted and may be executed by University Administration, and said Administration is authorized to take all steps necessary to place all agreements in full force and effect.

**BE IT FURTHER RESOLVED**, if substantive changes are made to said agreement and/or amendments, the Executive Committee of the Board is hereby authorized to review and approve final language before said amendments are executed by the University.

Food and Beverage Agreement – Amendment One [Ovations]

- a. Duration: Term will expire on July 31, 2013.
- b. Unamortized Capital Investment: University to make payment to Ovations in the amount of \$106,599.98 upon execution of amendment for the unamortized value of contract and capital investments made.
- c. Fee Amount to Company: an amendment fee not to exceed \$50,000 per year for the two remaining years of the original agreement for a total amendment fee not to exceed \$100,000.
- d. Additional Obligations at Expiration: University will maintain its obligation to make payment for withdrawal expenses up to \$25,000 and for documented operating losses accrued during Ovations' first 3 years of operation, if any.
- e. Sale of Liquor Permit: Ovations will maintain its original commitment to sell the liquor permit to the University's designee, Chartwells, for the amount of \$31,000.

Agreement for Food and Beverage Concessions Services at the Wolstein Center. [Chartwells]

- a. Exclusivity: Chartwells will be granted exclusive right to operate food and beverage concessions in the Wolstein Center.
- b. Duration: Term will be 5 years beginning August 1, 2013 and expiring on June 30, 2018 unless the Campus Dining Management Agreement expires sooner.
- c. Liquor Permit: Chartwells will purchase liquor permit from outgoing Company at its own and will commit to selling said permit at the end of the agreement to the University's designee.

- d. Budget Responsibility: Chartwells will retain all revenue and assume full responsibility for all operating expenses from the food and beverage concessions services at Wolstein Center.
- e. Payment of License Fee by Company: Chartwells will pay the University an annual license fee in the amount of \$8 per square foot in exchange for access to food and beverage areas and use of related equipment, furniture and smallwares at Wolstein Center.
- f. There will be no renewal options.

Agreement for Campus Dining Management Services – Amendment Four [Chartwells]

- a. Duration: Term will expire on June 30, 2018.
- b. Expanded Scope: Catering service at the Wolstein Center is added.
- c. Contract Investment to University by Company: \$106,599.98 from Chartwells which will be amortized with no interest over the five [5] years of the amendment's term as Chartwells will assume unamortized value Ovation's contract investment by providing capital funds to the University,.
- d. Capital Investment to University by Company: \$50,400.02 from Chartwells, which would be amortized with no interest over the five [5] years of the amendment's term, and will provide funds address equipment and other capital needs during the term for CSU Dining,
- e. Scholarship Support from Company: Chartwells will commit to \$20,000 in scholarship contributions over a four [4] year period to be given to the University scholarship fund in annual contribution of \$5,000/year in FY15, FY16, FY17 and FY18.
- f. Fee Amount to Company: Chartwells will receive an annual Fixed Management Fee as listed below. Annual Fee amount would be reduced for any future year if the University chose to reduce the scope of its overall dining program substantially.
  - i. FY14 = \$355,000
  - ii. FY15 = \$335,000
  - iii. FY16 = \$335,000
  - iv. FY17 = \$325,000
  - v. FY18 = \$325,000
- g. Termination Rights for University: University will retain the termination rights established in the Agreement in compliance with IRS 97-13 [Section 1.5] which permit the University to terminate without liability except for reasonable value of the Company's performance upon 60 days advance notice if the University deems such termination in its best interests.
- h. Renewal Period: If adopted, there will be no renewal periods remaining.

Agreement for Restaurant Services for Retail Liquor Establishment Service – Amendment Three [Chartwells]

- a. Duration: Term will expire on June 30, 2018 unless the Campus Dining Management Agreement expires sooner.
- b. Renewal Period: If adopted, there will be no renewal periods remaining.

### **RESOLUTION 2013-42**

#### **APPROVAL OF POLICY ON MINORS INVOLVED IN PROGRAMS HELD ON CAMPUS AND IN UNIVERSITY FACILITIES**

**WHEREAS**, Cleveland State University is committed to ensuring the safety and well-being of minors entrusted to its care or who visit its campus; and

**WHEREAS**, the University General Counsel, in conjunction with special outside counsel, has developed a policy to provide for the appropriate supervision of minors who are involved in University sponsored and non-University sponsored programs, programs held at the University and programs housed in University facilities to ensure such safety and well-being; and

**WHEREAS**, the proposed policy has been reviewed by key campus stakeholders and those entrusted with enforcing policies and procedures involving minors on campus; and

**WHEREAS**, the University administration and Financial Affairs Committee support approval of the proposed policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves and adopts the Policy on Minors Involved in Programs Held on Campus and in University Facilities, in substantial form as attached hereto, subject to any revisions deemed necessary by University General Counsel;

**BE IT FURTHER RESOLVED** that the University administration is directed to file said Policy with the Ohio Legislative Commission per Board policy.

### **RESOLUTION 2013-43**

#### **RESOLUTION APPROVING CHILD PROTECTION AND REPORTING OF CHILD ABUSE POLICY**

**WHEREAS**, Cleveland State University is committed to maintaining a supportive and safe educational environment for all who frequent its campus, including children; and

**WHEREAS**, there has been an increased presence of children on the University's campus in recent years, and the University administration has developed the Child Protection and Reporting of Child Abuse Policy to ensure the safety and well-being of children on campus through guidelines and procedures on the reporting of child abuse and neglect; and

**WHEREAS**, the University Administration and Financial Affairs Committee support approval of the policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves and adopts the proposed Child Protection and Reporting of Child Abuse Policy in substantial form as attached, subject to any modifications deemed necessary by University General Counsel;

**RESOLVED FURTHER** that the University administration is hereby directed to file the Child Protection and Reporting of Child Abuse Policy with the Ohio Legislative Services Commission as per Board policy.

#### **RESOLUTION 2013-44**

#### **APPROVING THE AGREEMENT BETWEEN CLEVELAND STATE UNIVERSITY AND THE CLEVELAND STATE UNIVERSITY RESEARCH CORPORATION**

**WHEREAS**, The Cleveland State University Research Corporation was incorporated in 2006 as an exempt/ supporting organization under IRS Section 501(c)(3) that has been organized and is to be operated for scientific and educational purposes for the benefit of Cleveland State University; and

**WHEREAS**, Cleveland State University and The Cleveland State University Research Corporation desire to enter into an agreement to memorialize the undertakings by the CSU Research Corporation to assist the University on an exclusive basis, in the furtherance of its research activities and in the licensing and sale of its rights in University work products including responsibilities to accept, administer, distribute funds generated in connection with such activities;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees approves the Agreement between Cleveland State University and the Cleveland State University Research Corporation.

#### **RESOLUTION 2013-45**

#### **AWARD OF TENURE TO DR. PING DENG**

**WHEREAS**, an external search was conducted to fill the position of Monte Ahuja Endowed Chair of Global Business in the Monte Ahuja College of Business; and

**WHEREAS**, the search attracted a substantial pool of well-qualified candidates, including Dr. Ping Deng, Professor of Business Administration, Maryville University, Saint Louis, Missouri; and

**WHEREAS**, the credentials of Dr. Deng have been reviewed by the appropriate faculty peer review committee in the Department of Management, the Chair, the Interim Dean, the Interim Provost and the President; and

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

**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. Ping Deng in the Department of Management, effective the first day of full-time employment at Cleveland State University.

#### **RESOLUTION 2013-46**

#### **RESOLUTION APPROVING ADOPTION OF SUPPLEMENTAL QUALIFIED RETIREMENT PLAN**

**RESOLVED**, that the Cleveland State University Board of Trustees hereby approves and adopts the Cleveland State University Supplemental Qualified Retirement Plan in substantially the form attached hereto and as may be amended with the advice of General Counsel.

**RESOLVED FURTHER**, that the appropriate officers of the University are hereby authorized and empowered to make any changes to the SQRP as may be required to ensure compliance with the provisions of the Internal Revenue Code of 1986, as amended, the Ohio Revised Code, and any related rules and regulations now in effect or as hereafter amended.

**RESOLVED FURTHER**, that the appropriate officers of the University are directed to take such action as may be necessary, appropriate, or advisable to implement this Resolution without further ratification or action by this Board.

#### **FY14 Tuition Recommendations**

Trustee Moreno addressed the topic of the Administration's FY14 tuition recommendations (**Attachment K**). He complimented the President and the Administration for doing a good job with the finances, and being fiscally sound. He expressed the view that

affordability is a big issue, affecting student success because of the financial burden placed on students due to increased tuitions and burdensome loans. Trustee Moreno observed that the FY 14 budget assumes no enrollment growth, which was nearly 4% last year. He suggested that with a budget assumption of a 2.5% enrollment increase this year, the University could keep tuition flat.

Chairman Rawson indicated that, although the University usually does better than the conservative assumptions on which the budget was built, he does not share the same confidence. The University of Toledo, Bowling Green State University, and The University of Akron are currently financially stressed due to drops in enrollment, he noted.

President Berkman stated that he started out with the position of not raising tuition, and he challenged the Administration as to why a tuition increase was needed. Increased debt service, a smaller contingency, increased costs for benefits, increased advertising costs, and support of student success and retention initiatives were among the reasons noted for increasing tuition. Enrollment is still uncertain, and enrollment growth is more of a challenge each year with changing demographics and declining number of high school graduates.

Trustee Adler moved, and Trustee Levin seconded, the motion to approve the FY14 tuition rates as proposed, effective in the Fall 2013 semester. The following resolution was approved by voice vote, with Trustees Moreno and Taylor voting in opposition:

#### **RESOLUTION 2013-47**

#### **APPROVAL OF FY14 TUITION INCREASES**

**WHEREAS**, the University is permitted by state law to increase undergraduate tuition by no more than 2.0% or \$188 in an annual increase amount, whichever is higher, for each of the fiscal years in the FY14 and FY15 budget biennium; and

**WHEREAS**, the University is becoming more reliant upon locally generated funds to provide a stable operating environment due to the historical reduction in state subsidy funding; and

**WHEREAS**, it is unlikely that the historic loss of state subsidy funding will be restored to pre- FY 2012 levels in FY14; and

**WHEREAS**, the Cleveland Marshall College of Law has implemented a combination of expense reductions and tuition increases in FY 2013 to maintain a vital program of legal education in a national environment of declining demand for legal education and proposes a tuition increase of 9.5% for FY14; and

**WHEREAS**, Cleveland State University is a member of the Master of Fine Arts (MFA) - Creative Writing Consortium along with the University of Akron, Kent State University, and Youngstown State University; and

**WHEREAS**, the FY14 tuition rate for the Master of Fine Arts (MFA) Creative Writing Program has not been established by the MFA Consortium, and is not likely to do so by June 26, 2013, the date the Cleveland State University Board of Trustees convenes to consider the recommended changes in the University's tuition rates;

**NOW, THEREFORE , BE IT RESOLVED** that the Board of Trustees hereby approves the attached proposed tuition schedule, except for the tuition for the Master of Fine Arts (MFA) Creative Writing Program, effective in the Fall 2013 semester; and

**BE IT FURTHER RESOLVED** that the when the Master of Fine Arts (MFA) Creative Writing Consortium has recommended the program's tuition rate for FY14, the Executive Committee of the Cleveland State Board of Trustees is hereby authorized to approve the rate for inclusion into the University's tuition and fee schedule, effective in the Fall 2013 semester.

### **ELECTION OF OFFICERS**

Chairman Rawson noted that the Bylaws of the Board of Trustees call for the annual election of officers. He thanked Trustees Bowen and Taylor for serving on the Nominating Committee with Trustee Weinberg as Chair. Trustee Weinberg presented the recommendations of the Nominating Committee. The following slate of officers was nominated for the 2013-2014 term: Trustee Robert H. Rawson, Jr. as Chairman, Trustee Bernardo "Bernie" F. Moreno as Vice Chairman, Trustee Morton Q. Levin as Treasurer, Trustee Thomas W. Adler as Development

Officer, and William J. Napier as Secretary. Trustee Weinberg moved, and Trustee Moore seconded, the motion to elect the slate of officers for the 2013-2014 term, effective July 1, 2013.

The motion was approved by voice vote:

Chairman Rawson thanked the Board members for their service and for their continuing confidence in his leadership. He indicated that committee assignments and the 2013-2014 Board meeting schedule would be forthcoming. He will be consulting with his fellow officers, and invited the Board members to inform him of their committee preferences.

### **EXECUTIVE SESSION**

Trustee Bowen moved, and Trustee Levin seconded, the motion that the Board adjourn into Executive Session for the purpose of discussing the audit and personnel matters. A roll call vote was taken by the Secretary to the Board; voting in the affirmative were Mr. Adler, Mr. Bowen, Mr. Gunning, Mr. Levin, Mr. Moore, Mr. Moreno, Ms. Taylor, Mr. Weinberg, and Chairman Rawson.

Chairman Rawson excused everyone except the voting and community trustees present, and Judy Richards, Director of Audits for the audit portion of the executive session, and President Berkman relative to personnel matters. The Executive Session began at 12:08 p.m.

Chairman Rawson announced at 1:08 p.m. that the Board had finished its business in executive session and was returning to its regular meeting.

### **NEW BUSINESS**

Chairman Rawson noted there were three matters to be voted upon. Trustee Adler moved, and Trustee Levin seconded, the motion to accept the FY 2013 Department of Audits Annual Report (**Attachment L**) as submitted. The following resolution was approved by voice vote:

**RESOLUTION 2013-48**

**ACCEPTANCE OF THE  
FY 2013 DEPARTMENT OF AUDITS ANNUAL REPORT**

**WHEREAS**, the University's Department of Internal and External Audits delivered and discussed the FY 2013 Department of Audits Annual Report with the Vice President of Business Affairs and Finance and the President; and

**WHEREAS**, the Vice President of Business Affairs and Finance recommends that the full Board accept the Annual Report as submitted;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby accepts the FY 2013 Department of Audits Annual Report as submitted.

Trustee Weinberg moved, and Trustee Bowen seconded, the motion to approve the performance bonus of 25% of the President's annual base salary as of June 30, 2013, in accordance with his employment agreement and based upon the accomplishment of set and agreed upon goals for 2012-2013. The following resolution was approved unanimously by voice vote:

**RESOLUTION 2013-49**

**PRESIDENT'S CONTRACT PERFORMANCE BONUS**

**WHEREAS**, the Executive Committee of the Board of Trustees, pursuant to Sections 3.2 and 4.5 of the President's Employment Agreement, has performed its annual evaluation of President Ronald M. Berkman and has concluded that he has provided excellent, inspired leadership that is allowing Cleveland State to achieve successes never before attained at the University. He has met and exceeded the goals and objectives that were previously agreed upon by the President and the Board of Trustees; and

**WHEREAS**, President Berkman has successfully concluded the search for a new provost, resulting in an academic administrator of international stature joining the University; has selected a new dean for the Ahuja College of Business, who will allow the College to continue to play a vital role in the growth of the region and state; has revitalized a strategic plan, Vision Unlimited, to guide the University to a continued successful future; has reconvened the E-learning Task Force to prepare a comprehensive plan to position the University to play a leadership role in e-learning; has implemented a Financial Return and Instructional Resource model that allows for a more rational allocation of the University's resources in support of the University's goals and aspirations; has developed a framework for the University's 50<sup>th</sup> Anniversary celebration; has re-

focused the University's administrative structure to allow better alignment with the strategic plan; has led the effort to plan for, and finance, the Center for the Innovation in Health Professions building and the renovation of the College of Engineering building; has developed a responsive budget management plan, following a significant reduction in state support in FY 2012, that has focused on making strategic budget adjustments; has implemented a cap of 120 credit hours for earning a CSU undergraduate degree, the first Ohio institution to do so; has produced, despite declining demographics, an enrollment increase, including the largest freshman class in the University's history; has developed a new model for international collaboration, focused on new relationships with institutions in India and China; has overseen the reorganization of the University Advancement Division to seek major gifts to the University; has worked closely with the Board of Trustees to implement the long-needed conversion to a new curriculum model to help encourage and enhance student success; has implemented a new system allowing year-long scheduling, hiring additional faculty, more aggressive mentoring and advising, and a more efficient degree audit approach; has continued to nurture the partnership with the Northeast Ohio Medical University, to educate health professionals to serve in the region; has emerged as a statewide leader in Ohio higher education, being elected vice chair of the Inter-University Council of Ohio by the presidents of the state universities; has continued to serve as chair of the Horizon League's Presidents Council; has presided over the largest graduating class in the University's history at the May, 2013 Commencement; and has made Cleveland State a national model for recruiting and graduating those who have served their country in the military;

**WHEREAS**, the Executive Committee has recommended to the full Board, that, in light of President Berkman's accomplishments in meeting his goals and objectives as required, he receive a performance bonus in an amount that is twenty-five percent (25%) of his annual base salary as in effect on the last day of the fiscal year, June 30, 2013, to which his goals and objectives have been measured;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby approves a performance bonus for President Berkman in an amount representing 25% of his annual base salary on June 30, 2013, and directs the Administration to pay said bonus no later than seventy-five (75) days after that date.

Trustee Moreno moved, and Trustee Levin seconded, the motion to accept the President's goals as stated and amended for 2013-2014. The following resolution was approved by voice vote:

#### **RESOLUTION 2013-50**

#### **ACCEPTING THE PRESIDENT'S 2013-2014 GOALS**

**WHEREAS**, President Berkman's performance is evaluated annually, pursuant to Sections 3.2 and 4.5 of his employment agreement, based upon the execution of his duties and attainment of goals and objectives as agreed upon by the President and Board Executive Committee; and

**WHEREAS**, the Executive Committee has reviewed and commented upon the 2013-2014 goals submitted by President Berkman, and has recommended to the full Board the acceptance of the President's goals as stated and amended;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees accepts President Berkman's goals for 2013-2014.

There being no further business, the meeting was adjourned at 1:10 p.m.

Respectfully submitted,

**APPROVED ON SEPTEMBER 30, 2013**

William J. Napier

Secretary to the Board of Trustees

**APPROVED ON SEPTEMBER 30, 2013**

Robert H. Rawson, Jr.

Chairman, Board of Trustees