



**BOARD OF TRUSTEES  
CLEVELAND STATE UNIVERSITY**

**MINUTES OF THE MEETING**

**BOARD OF TRUSTEES MEETING**

**DATE:** Thursday, September 20, 2012, 8:30 a.m.  
**PLACE:** The Wolstein Center, Gerald H. Gordon Conference Pavilion  
Weinberg Board Room

**PRESENT:** Chairman Robert H. Rawson, Jr., Treasurer Morton Q. Levin, Advancement Committee Chairman and Trustee Thomas W. Adler; Trustees David H. Gunning II, Bernardo “Bernie” F. Moreno, June E. Taylor, and Ronald E. Weinberg; Community Board Members Dr. Paul E. DiCorleto, Anand “Bill” Julka and Steven A. Minter; Faculty Representatives Dr. Stephen F. Duffy and Dr. Joanne E. Goodell; President Ronald M. Berkman, and Secretary to the Board of Trustees William J. Napier.

Chairman Robert H. Rawson called the meeting to order at 8:30 a.m. A quorum was confirmed. On behalf of the Board, Chairman Rawson welcomed the newest Board member, David H. Gunning II, of the Roetzel & Andress law firm in Cleveland.

Chairman Rawson called for a motion to approve the minutes of the June 25, 2012 Board meeting. Trustee Adler moved, and Trustee Levin seconded the motion, to approve the minutes. The minutes were approved by voice vote.

**REPORT OF THE CHAIRMAN**

Chairman Rawson reported that a special meeting of the Executive Committee was held on July 20, 2012 (**Attachment A**) to consider the historic tax credits for the redevelopment of the 1836 Euclid Avenue building. He stated that an escrow account was established, to which funds were transferred in favor of Sherwin-Williams as a tax credit investor. The following resolution, passed by the Executive Committee, is entered into the record:

**EXECUTIVE COMMITTEE RESOLUTION 2012-07**

**APPROVAL OF TRANSFER OF FUNDS TO ESCROW ACCOUNT  
IN FAVOR OF SHERWIN WILLIAMS**

**WHEREAS**, on March 28, 2011, the Board Officers by Board Officers' Resolution 2011-02 approved the execution of a lease for the property located at 1836 Euclid Avenue, Cleveland, Ohio; and,

**WHEREAS**, investment in the form of Historical Tax Credits constitutes a material part of the financing for the redevelopment of the property in order to make it useful to Cleveland State University; and,

**WHEREAS**, a recent decision by the United States Court of Appeals has created uncertainty for the Tax Credit Investor, so that the Investor has demanded additional assurances before consummating the transaction; and,

**WHEREAS**, the most cost effective method for providing sufficient assurances is to place funds in escrow as a guarantee against potential tax liability for the investor;

**NOW, THEREFORE, BE IT RESOLVED** that Executive Committee of the Board of Trustees hereby authorizes the appropriate CSU officers to establish an escrow account, under such terms and conditions as the Administration with advice of counsel deems necessary and appropriate, in favor of Sherwin Williams using University funds which can be drawn only to 1) cure a University default under the Master Lease or 2) allow Sherwin Williams to pay itself amounts equal to the tax liability it will incur in the event tax credits are recaptured by the IRS as a result of the building being foreclosed upon and title transferred due to the University breaching its obligations under the Master Lease; and further that the existing tax credit escrow established at Huntington Bank will be pledged to Sherwin Williams during the first five years of the Master Lease to pay Sherwin Williams the amount the IRS would recapture if there is a recapture event for any reason other than the University's default on the Master Lease. At the end of the recapture period (five years) the foregoing escrow and pledge will terminate.

**BE IT FURTHER RESOLVED** that the appropriate CSU officers are authorized to execute and deliver such documents and instruments to establish and effectuate the foregoing escrow and pledge as they, with the advice of counsel, deem necessary and appropriate.

**BE IT FURTHER RESOLVED** that this Resolution will be ratified by publication at the next scheduled meeting of the full Board.

In accordance with the Bylaws of the Cleveland State University Board of Trustees, Chairman Rawson appointed Board members to the standing committees and special committee of the Board for 2012-2013 (**Attachment B**). He noted that Mr. Gunning was being appointed to

the Academic Affairs and the Financial Affairs Committees of the Board. Chairman Rawson called for a motion to approve. Trustee Moreno moved, and Trustee Taylor seconded the motion, to approve 2012-2013 committee appointments. The following resolution was passed:

**RESOLUTION 2012-43**

**2012-2013 COMMITTEE APPOINTMENTS  
OF BOARD OF TRUSTEES AND COMMUNITY MEMBERS**

**WHEREAS**, pursuant to the Bylaws of the Cleveland State University Board of Trustees, the Chairman of the Board is empowered to appoint members to the standing committees of the Board of Trustees; and,

**WHEREAS**, the Chairman is equally empowered to appoint special committees as deemed necessary and desirable; and,

**WHEREAS**, in addition to the appointment of the two student trustees and the two faculty representatives to the Board of Trustees to the Academic Affairs Committee as non-voting members, the Chairman of the Board is empowered to augment the membership of the Board and standing or special committees with other faculty, staff, or community members as non-voting advisors to serve a term as approved by the Board;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees approves the 2012-2013 Standing Committees and Special Committee as appointed by Chairman Rawson.

**REPORT OF THE PRESIDENT**

President Berkman reported on fall semester enrollments. He noted that State support continues to decline, now funding 26% of the University's budget. He acknowledged the efforts of the recruitment and enrollment services teams in anticipating changes that impact enrollment and responding by changing recruitment efforts. He noted a better prepared and diverse incoming freshman class, a refocus on transfer students, an improved fall to fall retention, and a decline in the number of graduate students due to a drop in financial aid availability.

President Berkman observed that several Ohio state universities experienced an overall enrollment decline, and many community colleges experiencing dramatic declines, some in the

range of 17-23%. President Berkman explained that he anticipates that CSU enrollments will stay very fluid the next couple years. During that time, Cleveland State University will continue marketing and continue the transformation from a commuter to residential campus. He further observed that academic reputation works symbiotically and is fueling part of the enrollment growth. Trustee Adler added that a 27% increase in out-of-state students, increases in the number of students from Cuyahoga County, from all over Ohio, and international students coming to CSU is a strong, image-changing story that needs to be told.

### **REPORT OF THE CSU FOUNDATION CHAIR**

Mr. Minter reported that the Development Committee has been actively meeting. A major emphasis has been placed on accumulated lifetime gift giving and the establishment of a Planned Giving program, as well as a comprehensive donor recognition program. He also noted that a greater emphasis is being placed on the engagement of alumni and visiting committee members. President Berkman spoke of the high number of CSU graduates residing in California, and his recent trip there to speak to a group organized by alumni; this could lead to the establishment of an alumni club in the Bay area.

Mr. Minter reported that members of the Cleveland State University Foundation, alumni and visiting committees are also being involved in serving on host committees and attracting alumni and friends to Homecoming. He noted two major Homecoming events: the Distinguished Alumni Awards dinner on October 12, and the President's Lunch on October 13.

Mr. Minter reviewed the gifts and pledges report for the fourth quarter of FY 2012, noting that there were no major transformational gifts as there were in recent reports. He stated that the report and acceptance of gifts and pledges for the quarter is part of the Consent Agenda. He observed a decline in the number of donors, and that efforts are underway to revitalize the

annual appeal campaign with proposals and bids being sought to outsource the phonathon.

Chairman Rawson thanked Mr. Minter and Vice President LeVine for revitalizing and generating activity by the CSU Foundation Board.

### **CONSENT AGENDA**

Chairman Rawson stated that routine matters, or those discussed previously, are considered on the consent agenda. He asked if there were any consent agenda items that Board members wished to remove and discuss individually. There were none, although a question was raised about the privileges associated with emeritus faculty and Associate of the University status.

Trustee Moreno moved, and Trustee Levin seconded, the motion to approve the consent agenda items: Provost and Senior Vice President for Academic Affairs Emeritus Status for Professor Chin Y. Kuo, Faculty Emeriti Nominations (**Attachment C**), Associate of the University Nominations (**Attachment D**), Gift Report for the period April 1-June 30, 2012 (**Attachment E**), and Parking Hangtags for Former Trustees were considered as part of the Consent Agenda. The following resolutions were passed by voice vote:

#### **RESOLUTION 2012-44**

#### **PROVOST AND SENIOR VICE PRESIDENT FOR ACADEMIC AFFAIRS EMERITUS STATUS FOR PROFESSOR CHIN Y. KUO**

**WHEREAS**, Professor Chin Y. Kuo was recruited as Provost and Senior Vice President for Academic Affairs after an extensive national search; and

**WHEREAS**, he served with distinction as Provost and Senior Vice President for Academic Affairs from May 1, 2001 to June 30, 2006; and

**WHEREAS**, he also served as Interim Dean of the Fenn College of Engineering from August 1, 2011 to June 30, 2012; and

**WHEREAS**, his tenure as Provost and Senior Vice President for Academic Affairs was marked by numerous milestones in the University's history, including:

- Bifurcation of the former College of Arts and Sciences into the College of Liberal Arts and Social Sciences and the College of Sciences and Health Professions
- Initiation of freshman admission standards and implementation of new retention policy
- Strengthening of outcomes assessments and program reviews in response to the NCA accreditation visit in 2000, and completion of the academic "Vision 2009" strategic plan
- An increase in research awards and expenditures, especially from federal funding agencies, reaching a historic high
- Implementation of University's Honors Program
- Placement of the "CSU" sign on top of the Rhodes Tower

**NOW, THEREFORE, BE IT RESOLVED**, that the Cleveland State University Board of Trustees awards the designation Provost and Senior Vice President for Academic Affairs Emeritus to Professor Chin Y. Kuo in recognition of his service to Cleveland State University.

#### **RESOLUTION 2012-45**

#### **EMERITA STATUS FOR JENNIFER K. ALEXANDER**

**WHEREAS**, the faculty member named below has achieved the rank of Associate Professor and has served Cleveland State University for 21 years; and

**WHEREAS**, this individual has requested emerita status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emerita to the following faculty member in recognition of her service to Cleveland State University.

**Jennifer K. Alexander  
Associate Professor Emerita**

#### **RESOLUTION 2012-46**

#### **EMERITUS STATUS FOR PAUL L. ASPELIN**

**WHEREAS**, the faculty member named below has achieved the rank of Associate Professor and has served Cleveland State University for 40 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Paul L. Aspelin**  
**Associate Professor Emeritus**

**RESOLUTION 2012-47**

**EMERITA STATUS FOR VIRGINIA O. BENSON**

**WHEREAS**, the faculty member named below has achieved the rank of Associate Professor and has served Cleveland State University for 31 years; and

**WHEREAS**, this individual has requested emerita status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emerita to the following faculty member in recognition of her service to Cleveland State University.

**Virginia O. Benson**  
**Associate Professor Emerita**

**RESOLUTION 2012-48**

**EMERITUS STATUS FOR THOMAS D. BUCKLEY**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 41 years; and

**WHEREAS**, this individual has been recommended by the College of Law for emeritus status in accordance with the terms of Section 8.3.7 of the Personnel Policies and Bylaws;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Thomas D. Buckley**  
**Professor Emeritus**

**RESOLUTION 2012-49**

**EMERITUS STATUS FOR CHING L. CHANG**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 27 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Ching L. Chang**  
**Professor Emeritus**

**RESOLUTION 2012-50**

**EMERITUS STATUS FOR GUY E. HARE, JR.**

**WHEREAS**, the faculty member named below has achieved the rank of Associate Professor and has served Cleveland State University for 32 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Guy E. Hare, Jr.**  
**Associate Professor Emeritus**

**RESOLUTION 2012-51**

**EMERITUS STATUS FOR RICHARD F. HURWITZ**

**WHEREAS**, the faculty member named below has achieved the rank of Associate Professor and has served Cleveland State University for 29 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Richard F. Hurwitz**  
**Associate Professor Emeritus**

**RESOLUTION 2012-52**

**EMERITUS STATUS FOR LEO W. JEFFRES**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 37 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Leo W. Jeffres**  
**Professor Emeritus**

**RESOLUTION 2012-53**

**EMERITUS STATUS FOR RAVINDRA R. KAMATH**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 36 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Ravindra R. Kamath  
Professor Emeritus**

**RESOLUTION 2012-54**

**EMERITUS STATUS FOR CHIN Y. KUO**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 11 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Chin Y. Kuo  
Professor Emeritus**

**RESOLUTION 2012-55**

**EMERITUS STATUS FOR WILLIAM J. LUNDSTROM**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 20 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**William J. Lundstrom  
Professor Emeritus**

**RESOLUTION 2012-56**

**EMERITUS STATUS FOR KENNETH R. MAYER**

**WHEREAS**, the faculty member named below has achieved the rank of Associate Professor and has served Cleveland State University for 35 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Kenneth R.Mayer  
Associate Professor Emeritus**

**RESOLUTION 2012-57**

**EMERITUS STATUS FOR EDWARD A. McKINNEY**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 31 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Edward A. McKinney  
Professor Emeritus**

**RESOLUTION 2012-58**

**EMERITUS STATUS FOR MURALI D. NAIR**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 20 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Murali D. Nair**  
**Professor Emeritus**

**RESOLUTION 2012-59**

**EMERITA STATUS FOR NJERI NURU-HOLM**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 20 years; and

**WHEREAS**, this individual has requested emerita status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emerita to the following faculty member in recognition of her service to Cleveland State University.

**Njeri Nuru-Holm**  
**Professor Emerita**

**RESOLUTION 2012-60**

**EMERITUS STATUS FOR ALAN K. REICHERT**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 23 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Alan K. Reichert**  
**Professor Emeritus**

**RESOLUTION 2012-61**

**EMERITUS STATUS FOR ROBERT F. SCHERER**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 10 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Robert F. Scherer  
Professor Emeritus**

**RESOLUTION 2012-62**

**EMERITA STATUS FOR SARAH M. TOMAN**

**WHEREAS**, the faculty member named below has achieved the rank of Associate Professor and has served Cleveland State University for 19 years; and

**WHEREAS**, this individual has requested emerita status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emerita to the following faculty member in recognition of her service to Cleveland State University.

**Sarah M. Toman  
Associate Professor Emerita**

**RESOLUTION 2012-63**

**EMERITUS STATUS FOR THOMAS W. WHIPPLE**

**WHEREAS**, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 34 years; and

**WHEREAS**, this individual has requested emeritus status in accordance with the terms of the applicable University policy;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby awards the designation emeritus to the following faculty member in recognition of his service to Cleveland State University.

**Thomas W. Whipple  
Professor Emeritus  
RESOLUTION 2012-64**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR CHARLES ALIFF**

**WHEREAS**, the Cleveland State University Classified Staff Personnel Policies provide for the granting of Associate status to Classified Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Charles Aliff has performed 21 years of exemplary service to the University community as a University Law Enforcement Officer 3, University Police; and,

**WHEREAS**, Charles Aliff retired from the University effective August 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 21 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Charles Aliff effective September 20, 2012.

**RESOLUTION 2012-65**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR JAMES R. BODIS**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, James Bodis has performed 18 years of exemplary service to the University community in various capabilities, the most recent as Research Associate, Department of Chemical Engineering; and,

**WHEREAS**, James Bodis retired from the University effective January 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 18 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to James Bodis effective September 20, 2012.

**RESOLUTION 2012-66**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR JOHN J. BOYLE III**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, John Boyle has performed 10 years of exemplary service to the University as Vice President, Business Affairs and Finance; and

**WHEREAS**, John Boyle retired from the University effective June 30, 2010;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 10 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to John Boyle effective September 20, 2012.

#### **RESOLUTION 2012-67**

##### **ASSOCIATE OF THE UNIVERSITY STATUS FOR RAY CECYS**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Ray Cecys has performed 33 years of exemplary service to the University as Director, Building and Grounds; and,

**WHEREAS**, Ray Cecys retired from the University effective August 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 33 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Ray Cecys effective September 20, 2012.

#### **RESOLUTION 2012-68**

##### **ASSOCIATE OF THE UNIVERSITY STATUS FOR MARIA J. CODINACH**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Maria Codinach has performed 17 years of exemplary service to the University community in various capabilities, the most recent as Director, Affirmative Action; and,

**WHEREAS**, Maria Codinach retired from the University effective October 1, 2011;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 17 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Maria Codinach effective September 20, 2012.

#### **RESOLUTION 2012-69**

##### **ASSOCIATE OF THE UNIVERSITY STATUS FOR BRIAN S. COOK**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Brian Cook has performed 31 years of exemplary service to the University community in various capabilities, the most recent as Associate Vice President, Finance/Controller, University Controller's Office; and,

**WHEREAS**, Brian Cook retired from the University effective August 31, 2011;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 31 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Brian Cook effective September 20, 2012.

#### **RESOLUTION 2012-70**

##### **LIBRARIAN EMERITUS STATUS FOR SCHUYLER M. COOK**

**WHEREAS**, the Cleveland State University *Librarian Personnel Policies* provide for the granting of Emeritus status to Professional Librarians upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Schuyler Cook has performed 25 years of exemplary service to the University community in various capabilities, the most recent as Government Information and Special Projects Librarian in the Law Library; and,

**WHEREAS**, Schuyler Cook retired from the University effective July 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 25 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Librarian Emeritus status and its privileges to Schuyler Cook effective September 20, 2012.

**RESOLUTION 2012-71**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR LOUISE P. DEMPSEY**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Louise Dempsey has performed 27 years of exemplary service to the University community in various capabilities, the most recent as Assistant Dean, External Affairs, College of Law; and,

**WHEREAS**, Louise Dempsey retired from the University effective January 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 27 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Louise Dempsey effective September 20, 2012.

**RESOLUTION 2012-72**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR JUDITH A. GAYDOS**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Judith Gaydos has performed 37 years of exemplary service to the University community in various capabilities, the most recent as Manager, Administrative Operations, Vice President for Business Affairs and Finance; and,

**WHEREAS**, Judith Gaydos retired from the University effective August 31, 2011;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 37 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Judith Gaydos effective September 20, 2012.

**RESOLUTION 2012-73**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR KAREN JEWELL-KETT**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Karen Jewell-Kett has performed 35 years of exemplary service to the University community in various capabilities, the most recent as Manager, Creative Services, in the Department of Marketing and Public Affairs; and,

**WHEREAS**, Karen Jewell-Kett will retire from the University effective October 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 35 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Karen Jewell-Kett effective September 20, 2012.

**RESOLUTION 2012-74**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR SHELA PERRY WILLIAMS**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Shela Perry Williams has performed 35 years of exemplary service to the University community in various capabilities, the most recent as Academic Advisor in the Department of University Advising; and,

**WHEREAS**, Shela Perry Williams retired from the University effective June 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 35 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Shela Perry Williams effective September 20, 2012.

**RESOLUTION 2012-75**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR NICOLETTE I. PLOTTNER**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, Nicolette Plottner has performed 14 years of exemplary service to the University as Development Officer, College of Law; and,

**WHEREAS**, Nicolette Plottner retired from the University effective January 14, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 14 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to Nicolette Plottner effective September 20, 2012.

**RESOLUTION 2012-76**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR JOHN SCANLAN**

**WHEREAS**, the Cleveland State University Professional Staff Personnel Policies provide for the granting of Associate status to Professional Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, John Scanlan has performed 26 years of exemplary service to the University community in various capabilities, the most recent as Assistant Director, Career Planning Services; and,

**WHEREAS**, John Scanlan retired from the University effective September 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 26 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to John Scanlan effective September 20, 2012.

**RESOLUTION 2012-77**

**ASSOCIATE OF THE UNIVERSITY STATUS FOR C. JOAN SHIROKEY**

**WHEREAS**, the Cleveland State University Classified Staff Personnel Policies provide for the granting of Associate status to Classified Staff members upon their retirement with a showing of distinguished service to the University; and,

**WHEREAS**, C. Joan Shirokey has performed 32 years of exemplary service to the University community in various capabilities, the most recent as Secretary 2 in the College of Law; and,

**WHEREAS**, C. Joan Shirokey retired from the University effective September 1, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that in appreciation and recognition of 32 years of dedicated professional service to the University, the Board of Trustees of Cleveland State University grants Associate of the University status and its privileges to C. Joan Shirokey effective September 20, 2012.

**RESOLUTION 2012-78**

**ACCEPTING GIFTS AND PLEDGE PAYMENTS  
FY 2012, FOURTH QUARTER  
April 1, 2012 to June 30, 2012**

**RESOLVED**, that the gifts and pledge payments totaling \$2,032,268, received by the Cleveland State University Foundation during the period April 1, 2012 to June 30, 2012, 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 2012-79**

**PARKING HANGTAGS FOR FORMER BOARD OF TRUSTEES**

**WHEREAS**, the Office of the Board of Trustees has a longstanding practice of providing campus parking passes upon request to former members of the Board of Trustees who continue to perform significant duties on behalf of the University; and,

**WHEREAS**, former trustees make substantive contributions to Cleveland State University by serving on committees, advising and mentoring students, assisting with projects that are University priorities, fund raising, speaking to classes, and attending University events; and,

**WHEREAS**, the expertise and continued involvement of former members of the Board of Trustees are solicited and desirable;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees approves the granting of campus parking hangtags to former trustees, who continue to work on the University's behalf, as a means of expressing the University's appreciation for their years of dedicated and continued, uncompensated service to Cleveland State University.

### **ACADEMIC AFFAIRS**

Chairman Moreno reported on the Academic Affairs Committee meeting held on August 21, 2012 (**Attachment F**). He stated that the focus of the meeting was on student success and retention, and noted the importance of having metrics and a Retention Plan, which was presented and discussed at the meeting. He asked Provost Walker to comment further. Provost Walker stressed the importance of the whole campus community being engaged in the processes of student success and retention and making the culture change. He mentioned that the goals are listed on Pages 2 and 4 of the Committee meeting minutes. Vice President Brown reported that an overview of the Retention Plan was presented to the Deans, who will be given specific goals to reach. Chairman Rawson emphasized that student success and retention is a top priority, which the trustees are expected to support and help.

Provost Walker reported on the instructional resource model and methodology used in allocating resources for the hiring of new faculty. He noted that the President had committed \$1 million per year to support the hiring of new faculty. Provost Walker was impressed with the consistency among the deans and others in evaluating the hiring requests.

President Berkman added that Governor Kasich held a recent meeting with the college presidents with regard to changing the funding formula to take into account student progress and success. The presidents are to develop and recommend a new funding formula to be in place by Thanksgiving.

### **FINANCIAL AFFAIRS**

Chairman Levin reported that the Financial Affairs Committee met on September 13, 2012 (**Attachment G**). He stated that the update on the bond issuance and the FY 2012 Fourth Quarter financials were favorable. He noted that items N through U in the Board meeting binders are matters that were discussed and recommended by the Financial Affairs Committee for passage by the Board of Trustees. In addition, he noted three new matters: 1) the Northeast Ohio Medical University sublease, 2) a contract for architectural services for the Center for Innovation and Health Professions, and 3) Fraternal Order of Police collective bargaining agreement that would also be considered by the Board later in the meeting.

Chairman Levin requested that Vice President McHenry present each of the Financial Affairs items. First, Vice President McHenry took the opportunity to introduce two new administrative officers: Joseph Han, Assistant Vice President of Facilities and Safety; and Jesse Drucker, Assistant Vice President of Human Resources and Chief Negotiator.

### **Series 2012 Bond Issuance Update**

Vice President McHenry summarized the parameters within which the University Administration was authorized by the Board of Trustees at its June 25, 2012 meeting to proceed with a bond issuance to fund capital projects, as well as the steps taken and outcomes produced (**Attachment H**). She reported that meetings with the bond rating agencies, resulted in maintaining the University's A+ rating with Standard & Poor's and receipt of a comparable A1

first-time rating with Moody's. Both issued a "stable" outlook. The total bond issuance was \$152,835,000 in General Receipts Bonds, Series 2012, resulting in an all-in total interest cost to CSU of 3.622%, which was better than the 4.75% limit authorized by the Board, saving the University an additional \$2.3 million. In addition, the University benefitted from over \$7.3 million in debt service savings on restructured bonds.

### **FY 2012 Fourth Quarter Financial Results**

Vice President McHenry stated that the report of the FY 2012 Fourth Quarter Financials (**Attachment I**) provides a look at actual performance, better than what was budgeted for FY 2012. She noted that the Campus Support Services budget ended with a net profit of \$32,556 in operating income. Although some units operated at a loss, financial performance was improved over the previous year. Any excess revenues are added to the reserves of the respective operating units.

### **Unaudited FY 12 Financials**

The unaudited FY 2012 financial statements (**Attachment J**) were presented for information and as a preview of the audit to be presented at the November Board meeting. Vice President McHenry reported a \$12 million or 3% increase in assets over last fiscal year, and a decrease of 2% in liabilities.

### **Center for Innovation in Health Professions**

President McHenry reported on the process for the selection of architectural services for the Center of Innovation in Health Professions (**Attachment K**), one of the bond-funded capital projects. Five firms were selected to interview from the 21 proposals received; then, the three firms selected to advance to the next round of interviews are Stantec/Pelli Clarke Pelli, NBBJ, and Perspectus/HOK. These three firms have been invited to make public presentations, open to

the campus community, starting at 8:30 a.m. on October 5, in the Main Classroom Auditorium.

It was noted that the Northeast Ohio Medical University campus was also invited to participate in the process, given that some joint programs of NEOMED will be housed in the Center for Innovation in Health Professions, and the NEOMED Board has committed \$10 million towards this project. The final selection is expected to be made by the end of October.

Trustee Moreno moved, and Trustee Taylor seconded, the motion to authorize the Administration to enter into contract negotiations with the final architect selected and to award a contract not to exceed 10% of construction cost, or \$3.5 million. The following resolution was passed by voice vote:

#### **RESOLUTION 2012-80**

##### **AUTHORIZATION TO CONTRACT FOR ARCHITECTURAL SERVICES FOR THE CENTER FOR INNOVATION IN HEALTH PROFESSIONS**

**WHEREAS**, the University has solicited proposals for architectural services to design a new Center for Innovation in Health Professions (CHIP) building; and

**WHEREAS**, twenty-one (21) timely responses were received and reviewed by a select review panel comprised of University and Northeast Ohio Medical University (NEOMED) representatives; and

**WHEREAS**, five (5) firms were chosen for interviews that were held On September 5 and 7, 2012, consisting of a one-hour presentation of qualifications, followed by each firm's interactive design charrette, and a follow-up meeting was held on September 11, 2012 to discuss which firms to advance to the next round of interviews; and

**WHEREAS**, a public discussion of the project and building design is scheduled on October 5, 2012 involving senior administrators, academicians from the University and NEOMED, and members of the review panel, after which a final selection of an architectural firm will be made; and

**WHEREAS**, in order to meet requirements of the bond (proceeds of which will finance the project) and ensure the timely completion of the CIHP project, it is critical that the project design process begin as soon as possible, and further that contract negotiations commence immediately, with an ideal contract award date of early November 2012;

**NOW, THEREFORE BE IT RESOLVED** that the Board of Trustees hereby authorizes the University Administration to enter into contract negotiations with the final architect selected pursuant to the process outlined above, and further that the Administration may award a contract not to exceed ten percent (10%) of construction cost, or \$3.5 million.

**Tobacco Ban Policy**

Vice President McHenry reported that the Ohio Board of Regents and Chancellor Petro are recommending that public universities in Ohio consider adopting a policy that bans the use of tobacco in any form on campuses (**Attachment L**). (It is estimated that 4,400 students and 300 faculty/staff would be impacted by such a policy at Cleveland State University).

The University Administration is looking at best practices and assessing what other universities are considering, and is seeking the support of the Board in further investigating a tobacco ban policy. Trustee Moreno moved, and Trustee Taylor seconded, the motion to authorize the University Administration to investigate the ban on the use of tobacco in any form on campus and to develop a policy and procedures for consideration at the November 7 Board of Trustees meeting. The following resolution was passed by voice vote:

**RESOLUTION 2012-81**

**APPROVAL OF  
PROPOSED POLICY – TOBACCO BAN ON CAMPUS**

**WHEREAS**, on July 23, 2012, the Ohio Board of Regents issued a news release recommending that the Board of Trustees at public universities in Ohio consider adopting a policy that bans the use of tobacco in any form on campuses, with the goal of improving the overall health of Ohioans and to fulfill the role of “life educator” at public universities; and

**WHEREAS**, in 1993, on the recommendation of the Faculty Senate, the Cleveland State University Board of Trustees adopted the University's Smoke-Free Environment Policy, which prohibits smoking inside all university buildings: and

**WHEREAS**, in 2006, the Ohio legislature implemented the Smoke Free Work Place Act, and Cleveland State University (CSU) is in compliance with provisions of the Act, including the posting of “No Smoking” signs within 20 feet of a building entrance and banning smoking inside University buildings; and

**WHEREAS**, the Administration and Financial Affairs Committee of the Board support implementing a policy that bans tobacco use on the CSU campus to satisfy CSU's objective of supporting healthy habits among our constituents, and backing the Ohio Board of Regents in their efforts regarding the same;

**NOW, THEREFORE BE IT RESOLVED** that the Board of Trustees hereby authorizes investigation of a ban on the use of tobacco in any form on the CSU campus, and further instructs the Administration to develop a policy and procedures regarding the same for consideration by the Board at its November 7, 2012 meeting.

### **New Employee Background Checks**

Vice President McHenry reported that the University already performs background checks on the police force and education students as required by law, and is proposing a policy for conducting background check on final candidates seeking positions at the University as a level of risk management (**Attachment M**). In cases where faculty need to be hired quickly, the hires would be conditional, pending the results of the background check.

Chairman Rawson moved, and Trustee Moreno seconded, the motion to approve the adoption of the new employee background check policy to ensure that individuals hired, promoted, or placed in vacant positions through the University's hiring process have no criminal background conviction history relevant to their employment, or discrepancies in employment history. The following resolution was passed by voice vote.

### **RESOLUTION 2012-82**

#### **APPROVAL OF PROPOSED NEW EMPLOYEE BACKGROUND CHECK POLICY**

**WHEREAS**, it has become industry standard for higher education institutions to conduct appropriate background checks to mitigate risks regarding safety, property control, financial loss and public image; and

**WHEREAS**, Cleveland State University, in keeping with this industry standard, wishes to adopt a background check policy to ensure that individuals hired, promoted or otherwise placed in vacant

positions via the University's hiring process have no criminal background conviction history relevant to their employment or discrepancies in employment history; and

**WHEREAS**, the Human Resources Department, the CSU Office of General Counsel and State of Ohio Attorney General's Office have reviewed the proposed policy and recommend its adoption to help mitigate risk without significant cost of inefficiencies;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves adoption of the proposed new employee background check policy.

### **University Wireless Network Upgrade**

Vice President McHenry reported that \$1.2 million was budgeted in FY12 to support technology upgrades to the wireless infrastructure. The University Administration is seeking approval to purchase the required network service controller to complete the upgrade of the wireless network (**Attachment N**). Trustee Adler moved, and Chairman Rawson seconded, the motion to authorize the purchase of the required network service controller at an aggregate cost not to exceed \$105,155. The following resolution was passed by voice vote:

## **RESOLUTION 2012-83**

### **APPROVAL OF ACQUISITION OF WIRELESS SERVICE CONTROLLER**

**WHEREAS**, the University's wireless network is essential to students, faculty and staff who have come to rely on wireless for access to the web, submitting assignments, accessing campus tools, e-learning, research and communications; and,

**WHEREAS**, the amount of this purchase is within the signing authority of the VP for Business Affairs and Finance but through the same vendor used to acquire the bulk of the wireless equipment, putting the cumulative purchases above \$500,000; and,

**WHEREAS**, the University has received a quote for the required wireless service module controller costing in the aggregate not more than \$105,155;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby authorizes the Vice President for Business Affairs and Finance to purchase the required network service controller for an aggregate cost not to exceed \$105,155 and to execute any documents necessary to effectuate the purchase as approved by the office of General Counsel.

**Residential Meal Plan Rates for FY 2013-2014**

Vice President McHenry stated that the meal plan rates for FY 2013-2014 need to be in place before recruiting. She noted that the Administration is recommending an average increase of four percent per category, ranging from \$80-160 per year (**Attachment O**) to break even. Cleveland State University would still be positioned as one of the lowest priced residential meal plan rates, slightly above Youngstown State University.

In response to Trustee Levin, Assistant Vice President Rahm provided the number of resident students participating in each of the meal plan categories, noting that the Block 75 meal plan (326 participants), and the Traditional 15 meal plan (309 participants), are the most popular. Trustee Adler moved, and Chairman Rawson seconded, the motion to approve the proposed residential meal plan rates for FY 2014. The following resolution was passed by voice vote:

**RESOLUTION 2012-84**

**APPROVING INCREASE IN FY 2013-2014  
RESIDENTIAL MEAL PLAN RATES**

**RESOLVED**, that the Board of Trustees approves the proposed fees for residential meal plans as specified below, to be effective beginning fall term, 2013.

**2013-2014 Residential Meal Plan Rate Recommendations**

<b>Category</b>	<b>FY13</b>	<b>Proposed FY14</b>
All Access	\$2,175/semester	\$2,250/semester
Block 220	\$1,975/semester	\$2,050/semester
Block 180	\$1,795/semester	\$1,875/semester
Block 75 [a]	\$1,425/semester	\$1,490/semester
Traditional 19 Meals	\$1,760/semester	\$1,825/semester
Traditional 15 Meals	\$1,460/semester	\$1,525/semester
Traditional 8 Meals [a]	\$1,260/semester	\$1,300/semester

[a] The *Block 75* and *Traditional 8 Meals* plans are available to students with in-room kitchens only.

### **Beverage and Sponsorship Agreement**

Vice President McHenry reported that the Beverage and Sponsorship Agreement (**Attachment P**) entered into with Pepsi on January 1, 2008 produced \$370,000 in sponsorships on campus over the last two years. The agreement includes three two-year renewal options. The University plans to take a look at the market and enter into a new Request For Proposal (RFP) process before the end of the year, and is seeking to extend the current agreement for one two-year period through December 31, 2014. Trustee Adler moved, and Chairman Rawson seconded, the motion to approve the amendment to the Beverage and Sponsorship Agreement, extending the Agreement for one, two-year renewal period through December 31, 2014. The following resolution was passed by voice vote:

#### **RESOLUTION 2012-85**

##### **APPROVAL OF AMENDMENT ONE TO BEVERAGE AND SPONSORSHIP AGREEMENT**

**RESOLVED**, that the Board of Trustees hereby approves and directs the University administration to execute Amendment One of the Beverage and Sponsorship Agreement and thereby extend the Agreement for one [1], two [2] year Renewal Period until December 31, 2014.

### **Alternative Retirement Plan Second Amendment**

Approval was sought by the Administration to amend the University's Alternative Retirement Plan to align it with the new statutory changes, which enables Plan participants to change investment providers multiple times throughout the year (**Attachment Q**).

Approximately 230 or 15% of the employees participate in the Alternative Retirement Plan.

Trustee Adler moved, and Trustee Gunning seconded, the motion to approve the amendment to the University's Alternative Retirement Plan and to authorize the appropriate officers of the University to execute the necessary documents. The following resolution was passed by voice vote:

**RESOLUTION 2012-86**

**SECOND AMENDMENT TO ALTERNATIVE RETIREMENT PLAN**

**RESOLVED**, the amendment to the Plan, in substantially the form attached hereto, be and hereby is adopted effective as stated therein.

**RESOLVED FURTHER**, that the University hereby authorizes and ratifies the actions of the officer of the University in executing the above-mentioned amendment, and authorized appropriate officers of the University to execute other instruments, documents, or conveyances necessary to effectuate the amendment.

**RESOLVED FURTHER**, that said officers, in carrying out this resolution, are hereby authorized and empowered to make any necessary changes to the amendment and to the Plan, with the advice of counsel, as may be required to ensure compliance with the applicable and effective provisions of the Internal Revenue Code of 1986, as amended, any rules and regulations thereunder, and the Ohio Revised Code.

**Keith Building Lease Buyout of 14<sup>th</sup> Floor**

Vice President McHenry reported that several University departments are using space leased by the University in the Keith Building. The space is being vacated as occupants are moved into the newly-renovated Union Building at 1836 Euclid Avenue. Although the lease for the space in the Keith Building does not expire until 2015, it was determined to be more cost effective to buyout the lease, providing \$230,000 savings to the University.

Trustee Adler moved, and Chairman Rawson seconded, the motion to approve the buyout of the lease for the fourteenth floor of the Keith Building (**Attachment R**) and directing the Administration to continue efforts to find sublessees for the remaining space on the third and

thirteenth floors as current occupants relocate to the 1836 Euclid building. The following resolution was passed by voice vote:

**RESOLUTION 2012-87**

**APPROVAL OF BUY-OUT OF THE LEASE FOR THE  
KEITH BUILDING FOURTEENTH FLOOR**

**WHEREAS**, Cleveland State University leases space on the third, thirteenth and fourteenth floors of the Keith Building at 1621 Euclid Ave., and after the building at 1836 Euclid is complete, the new occupants will relocate from the Keith Building, leaving the space at Keith vacant; and,

**WHEREAS**, because the leases on this vacated space expire June 30, 2015, and in an effort to minimize the financial exposure of CSU, the Administration and building owners, 1621 Euclid LLC, developed a potential buy-out opportunity for the entire fourteenth floor;

**NOW, THEREFORE. BE IT RESOLVED** that the Board of Trustees hereby approves the buy-out of the fourteenth floor of the Keith Building pursuant to the terms of the attached agreement, and directs the Administration to continue efforts to find sub-lessees for the remaining space.

**Financial Affairs Investment Subcommittee**

Chairman Levin reported on the September 13, 2012 meeting of the Financial Affairs Investment Subcommittee (**Attachment S**). He noted that the total performance of the investment portfolio for the quarter ending June 30, 2010 was down 2.59%. The Subcommittee approved the movement of assets as recommended by the Legacy Strategic Asset Management investment advisors.

Board Chairman Rawson thanked Financial Affairs Committee Chairman Levin for the exhaustive report, and applauded the Committee members and University team for their terrific work over the summer, particularly with the bond issuance.

**EXECUTIVE SESSION**

Trustee Moreno moved, and Trustee Levin seconded, the motion that the Board adjourn into Executive Session, having distributed the motion, which read “At this time, I’d like to move that this body adjourn into Executive Session for the purpose of discussing confidential, attorney-client privileged information with legal counsel, collective bargaining, real property, and personnel matters.” A roll call vote was taken by the Secretary to the Board; voting in the affirmative were Mr. Adler, Mr. Gunning, Mr. Levin, Mr. Moreno, Ms. Taylor, and Chairman Rawson.

Chairman Rawson excused everyone except the voting and community trustees present, President Berkman, the Provost, Board Secretary, Vice President for Business Affairs and Finance, Assistant Vice President for Campus Support Services, University General Counsel, Special Counsel, Director of Athletics, Assistant Vice President for Human Resources and Chief Negotiator, and Manager of Labor Relations for the appropriate portion of the Executive Session which began at 9:55 a.m.

Chairman Rawson announced at 11:19 a.m. that the Board had finished its business in Executive Session and was returning to its regular meeting.

### **WOLSTEIN CENTER**

The University Administration proposed an amendment to the arena management services with Global Spectrum, L.P., which would allow the University’s Athletic Department to assume direct responsibility for the sale of University basketball tickets (**Attachment T**).

Trustee Adler moved, and Trustee Gunning seconded, the motion to approve the proposed amendment. The following resolution was passed by voice vote:

### **RESOLUTION 2012-88**

**RESOLUTION APPROVAL OF AMENDMENT  
ONE TO AGREEMENT FOR ARENA MANAGEMENT SERVICES**

**WHEREAS**, the University Administration has pursued a change to the Agreement for Arena Management Services with Global Spectrum, L.P. which will allow the University to assume direct responsibility for the sales efforts related the University basketball tickets; and,

**WHEREAS**, Amendment One to the Management Agreement reflecting such change has been fully negotiated between the University and Global Spectrum;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves Amendment One of the Agreement for Arena Management Services.

**NORTHEAST OHIO MEDICAL UNIVERSITY SUBLEASE**

The University leased space in the 1836 Euclid Avenue building and is seeking approval to sublease a portion of the building to the Northeast Ohio Medical University for the medical program on campus (**Attachment U**). Trustee Adler moved, and Trustee Levin seconded, the motion to approve the sublease. The following resolution was passed by voice vote:

**RESOLUTION 2012-89**

**APPROVING SUBLEASE AGREEMENT WITH NORTHEAST OHIO MEDICAL  
UNIVERSITY**

**WHEREAS**, pursuant to Board Officers Resolution 2011-03, the University executed a Development Agreement and Master Lease with LDC James LLC for the lease and build out of tenant space at 1836 Euclid Avenue (“Liberty Building”) to be used by the University as office space for student services and the University Advancement, as well as to sublet space to the Northeast Ohio Medical University (NEOMED) for its medical program on the University’s campus; and,

**WHEREAS**, the University and NEOMED have negotiated a sublease pursuant to which NEOMED will sublet and obtain exclusive possession of the sixth and seventh floors of the Liberty Building to be used as office space and classrooms for its medical program on the University’s campus;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves the sublease between NEOMED and Cleveland State University, in the form substantially attached hereto, subject to any modifications deemed necessary by legal counsel.

## **NEW BUSINESS**

### **Collective Bargaining**

A collective bargaining agreement was negotiated with the Fraternal Order of Police. Trustee Adler moved, and Trustee Gunning seconded, the motion to accept the agreement between Cleveland State University and the Fraternal Order of Police/Ohio Labor Council, covering the three year period from January 1, 2012 through December 31, 2014. The following resolution was passed by voice vote:

#### **RESOLUTION 2012-90**

#### **COLLECTIVE BARGAINING AGREEMENT WITH FRATERNAL ORDER OF POLICE/OHIO LABOR COUNCIL**

**WHEREAS**, the University and the Fraternal Order of Police/Ohio Labor Council have reached a tentative agreement on a myriad of issues, and have deferred to a fact-finder's ruling on wages, for a three year successor collective bargaining agreement for law enforcement officers extending from January 1, 2012 – December 31, 2014; and,

**WHEREAS**, it is anticipated that on September 19, 2012 the Fraternal Order of Police/Ohio Labor Council bargaining unit members will ratify the tentative agreement and accept the fact-finder's ruling regarding wages;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby directs the Administration to execute and implement the collective bargaining agreement between Cleveland State University and Fraternal Order of Police/Ohio Labor Council covering the three year period from January 1, 2012 – December 31, 2014.

### **Asbestos Abatement**

The University solicited bids for asbestos abatement service for the demolition of Viking Hall and the Kinko's building, which is the site for the future Center for Innovations in Health

Professions building. The Administration is seeking approval to award the bid for the asbestos abatement service (**Attachment V**). Trustee Moreno moved, and Trustee Gunning seconded, the motion to approve the bid award. The following resolution was passed by voice vote:

**RESOLUTION 2012-91**

**APPROVAL OF BID AWARD TO PRECISION ENVIRONMENTAL, INC.  
IN CONNECTION WITH THE VIKING HALL AND KINKO'S PROJECT FOR  
PRE-DEMOLITION ASBESTOS ABATEMENT**

**THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves the bid award to PRECISION ENVIRONMENTAL COMPANY, INC. for asbestos abatement work in connection with the Viking Hall and Kinko's Demolition project, and authorizes the University administration to execute and contract for said work in the amount of One Million One Hundred Ninety Four Thousand and 00/100 Dollars (\$1,194,000.00), plus 20% contingency, subject to the approval of the Ohio Attorney General.

There being no further business, the meeting was adjourned at 11:22 a.m.

Respectfully submitted,

**APPROVED ON NOVEMBER 7, 2012**

William J. Napier

Secretary to the Board of Trustees

**APPROVED ON NOVEMBER 7, 2012**

Robert H. Rawson, Jr.

Chairman, Board of Trustees