



**BOARD OF TRUSTEES
THE CLEVELAND STATE UNIVERSITY**

MINUTES OF THE MEETING

BOARD OF TRUSTEES MEETING

DATE: Thursday, September 19, 2019, 7:30 a.m.
PLACE: Student Center, Room 313/315
2121 Euclid Avenue

PRESENT: Chair David H. Gunning II, Trustees Thomas W. Adler, Timothy J. Cosgrove, Patricia M. DePompei, Stephen F. Kirk, Len Komoroski, Lisa K. Kunkle, Dan T. Moore, and David M. Reynolds; Student Trustees Erykah J. Betterson and Allison K. Younger; Community Board Members Robyn N. Gordon, Heather Lennox and Joseph D. Roman; Faculty Representatives Dr. William M. Bowen and Dr. Rachel K. Carnell; Secretary to the Board of Trustees Dr. William J. Napier and President Harlan M. Sands.

Chair Gunning called the meeting to order at 7:30 a.m. and confirmed the presence of a quorum. He asked if there were any corrections, additions or deletions to the minutes of the June 20, 2019 Board meeting. Hearing none, he called for a motion to approve the minutes. Moved by Trustee Adler, and seconded by Trustee Cosgrove, the minutes were approved by voice vote.

REPORT OF THE CHAIR

Chair Gunning reported that a meeting of the Executive Committee was held on August 29, 2019. He noted that most of the meeting was held in executive session; upon returning to its regular meeting, the following resolution was approved and is entered into the record:

EXECUTIVE COMMITTEE RESOLUTION 2019-02

**APPROVAL OF
EMPLOYMENT CONTRACT WITH
NEW ATHLETIC DIRECTOR**

WHEREAS, after a full search, President Sands selected a new Director of Athletics, Scott Garrett; and

WHEREAS, on or about March 29, 2019, the parties negotiated and entered into a Memorandum of Understanding that memorializes the essential terms and conditions of Mr. Garrett's employment as the Cleveland State University Director of Athletics; and

WHEREAS, on or about July 17, 2019, the parties entered into an Amendment of the MOA, extending the time to prepare a definitive Employment Agreement to September 1, 2019; and

WHEREAS, the parties have developed a definitive Employment Agreement for Mr. Garrett consistent with the terms and conditions set forth in the Memorandum of Understanding as amended; and

WHEREAS, all multi-year employment agreements must have Board approval;

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the Employment Agreement with the Director of Athletics Scott Garrett (attached hereto in substantial form), subject to any revisions deemed necessary by the University General Counsel.

Welcome and Introduction of New Board Members

Chair Gunning welcomed and introduced the following new members to the Board of Trustees:

Patricia M. DePompei, President of University Hospitals Rainbow Babies & Children's Hospital and MacDonald Women's Hospital

Lisa K. Kunkle, Senior Vice President, General Counsel and /Secretary of PolyOne Corporation

Allison K. Younger, a junior at Cleveland State University, with a triple major in Criminology, Sociology and Philosophy Pre-Law

Dr. Rachel K. Carnell, Professor of English and Faculty Representative to the Board of Trustees

Recognition of Timothy J. Long for Distinguished Service

Chair Gunning noted that Timothy J. Long, Associate Vice President for Finance and Budget, will be retiring. He expressed the appreciation of the Board of Trustees to Tim for his long-term service to the University and support to the Board. Chair Gunning introduced and read portions of the resolution; moved by Trustee Reynolds and seconded by Trustee Cosgrove, the following resolution was approved unanimously with applause:

RESOLUTION 2019-59

**RECOGNITION OF TIMOTHY J. LONG FOR HIS
DISTINGUISHED SERVICE**

WHEREAS, Timothy J. Long has provided Cleveland State University with outstanding, dedicated service in financial management, budgeting and strategic planning since his initial employment in 2002 as Director of the Office of Budget and Financial Analysis, and the past ten years as Associate Vice President for Finance and Budget; and

WHEREAS, Mr. Long has worked closely with and provided sound fiscal advice and guidance to University presidents, provosts and executive team members on financial strategy, resource prioritization and financial planning initiatives; and

WHEREAS, in his role as University liaison to the Inter-University Council of Ohio's Business and Finance Officers for public four-year universities, the Northeast Ohio Council of Higher Education and the State of Ohio's Higher Education Efficiency Council, Mr. Long has effectively represented Cleveland State University and public higher education, conveying the impact of political and financial ramifications and recommending changes to the state's higher education funding model; and

WHEREAS, among Mr. Long's noteworthy accomplishments, he has led the University's campus-wide performance management initiatives for improving efficiencies and student affordability, leading to a coordinated University response to Governor John Kasich's Task Force on College Efficiency and Affordability; and

WHEREAS, Mr. Long, through his strong interpersonal relationships, leadership and management skills and integrity, has gained the respect of his peers in advancing the support of public higher education in Ohio, while building a strong fiscal foundation for Cleveland State University and placing it in the forefront with cutting-edge solutions;

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees acknowledges Timothy J. Long for his 17 years of dedicated service, and wishes him all the best in the fulfillment of his future endeavors upon his retirement.

Statewide Trustees Conference and Other Upcoming Events

Chair Gunning announced the Ohio Department of Higher Education Statewide Trustees Conference on October 29-30, 2019 in Columbus, Ohio. He noted that the annual statewide conference has been reinvigorated by Chancellor Gardner and Governor DeWine. The conference begins with a reception and dinner with Governor DeWine on the evening of October 29. A component of the conference is a pre-conference session for new trustees. Chair Gunning encouraged a good representation by Cleveland State at the conference. Board members interested in attending all or part of the conference were directed to contact Board Secretary Napier.

Several CSU events were announced by Chair Gunning. He encouraged Board members to attend the dedication of The Bernie Moreno Center for Sales Excellence in the Ahuja College of Business, later in the day from 4:00 to 6:30 p.m., in support of our former Board Chair. He noted that the Center is the only one of its kind in the country.

Chair Gunning also highlighted the Project 400 Conference on September 27-28 at the Wolstein Center as part of Diversity Week, featuring keynote speaker Dr. Henry Louis Gates, Jr. He noted that there will be a VIP meet and greet session at 8:00 a.m.

Chair Gunning distributed an Athletics information folder (**Attachment A**), courtesy of Director of Athletics Scott Garrett, providing information about the Viking Fund; schedules of fall, winter and spring home events of all CSU sports; and men's basketball season tickets. Chair Gunning noted the outstanding GPA of our student athletes, in addition to their athletic ability. He encouraged the Board members to attend at least one event for each of the sports.

Chair Gunning announced that there are many events during Homecoming, September 28 through October 5, including the parade and the annual Distinguished Alumni Awards Dinner on October 4.

Board Committees

Chair Gunning distributed the 2019-2020 committee assignments (**Attachment B**), and announced the chair of each committee. He noted that he serves on each committee in an ex-officio capacity, and invited all Board members to attend any of the committee meetings. The committee meeting dates, he noted, are coordinated by Board Secretary Napier with the President and Chairs.

REPORT OF THE PRESIDENT

New Trustees and Members of Senior Leadership Team

President Sands welcomed new Trustees Lisa Kunkle and Patricia DePompei, Faculty Trustee Rachel Carnell, and Student Trustee Allison Younger. He then welcomed and introduced the new members of his Senior Leadership Team: Michael Biehl, Senior Vice President, Finance and CFO; Julie Rehm, Vice President for Advancement and Executive Director of the CSU Foundation; Randy Deike, Senior Vice President of Enrollment Management and Student Success; Rhonda Stroman, Chief Compliance Officer; Scott Garrett, Director of Athletics, and Dennis Gates, Head Coach of Men's Basketball.

Campus Events Update

A short video clip was shown, highlighting various campus events since the June Board meeting, including the public recognition and announcement of the \$1.2 million gift from the NRP Group and the Millennia Companies to create the new Property Management Program in the Monte Ahuja College of Business; MagnusFest and move-in day; Second Annual Meeting of Gateway Instructors, sharing best practices and the challenges of the first year; and the Bernie Moreno Center for Sales Excellence, to be dedicated today.

Enrollment Initiatives and Fall 2019 Enrollment Highlights

President Sands reported he had visited seven inner-ring high schools. He noted the importance of CSU's presence at the high schools and relationships with the guidance counselors. He also noted the impact high school graduates, now enrolled at Cleveland State, are having on CSU's future enrollment. He conveyed that perhaps ten students per year came to CSU from Parma High School in the past; this year, 40 students enrolled from Parma High School.

The incoming freshmen class enrollment of 2,000 represents a 4.2% increase over last year, with record-breaking applications, admits and enrollment. President Sands highlighted the CSU Global relationship to build international student enrollments, and the enhanced partnerships with the Cleveland Metropolitan School District, Cuyahoga Community College (Tri-C), Lakeland Community College, and Lorain Community College, accepting dual enrolled students. He reported that more than 150 Cleveland Metropolitan School District students from the "Say YES to Education" program chose to come to CSU, an increase of 46%. Thirty of the "Say YES" students are participants in the University's Parker Hannifin Living Learning Community.

Retention and Student Success

It was reported that the Fall-to-Fall retention rate increased from 71.5% to 73.5%. The graduation rate rose from 45.26% to 46.27%. President Sands noted that the significant increase in the retention rate can be largely attributed to the Student Success Coaching Program, providing one-on-one advising to nearly 200 at-risk students. He asked Provost Zhu to speak about the program and the first year results. Nick Petty introduced the coaching team members, including himself: Jasmine Hawkins, Cameron Joplin, Megan Mukenge, Shannon Tate, Samantha Broaddus, and Leah Grill.

Provost Zhu presented a profile of the 2018 Student Success Coaching Program Cohort:

- 177 first generation minority students
- 100% Pell Grant recipients
- Combination of on-campus and commuter students

- Most required additional coursework (Math 87; English 100)

He stated that Success Coach Support goes beyond academic advising and advocacy, to issues outside the classroom (financial, mental health, employment assistance). Support is provided 24/7; students are triaged based on need (high, medium, low).

Provost Zhu reported that 141 of the 177 Fall 2018 cohort returned this fall, representing an 80% retention rate, compared to 52% without the coaching support. He noted that 49 additional students returned for Fall 2019 because of the Success Coach Program.

It was noted that the profile of the 240 Fall 2019 cohort is similar to the Fall 2018 cohort. Thirty of the students are in the Parker Hannifin Living and Learning Community. Faculty and staff are now actively referring students to the Success Coach Program. New program initiatives include mentoring of Fall 2019 cohort students by Fall 2018 cohort students, early intervention, financial literacy education, campus-wide team approach, and internships, shadowing experience, and career preparation.

Board members asked about continued support of the students in the Success Coach Support Program. Provost Zhu responded that support will continue on a triaged basis, and noted that two more success coaches have been added to support the additional students. The caseload for each coach is 60-65 students.

The Board congratulated President Sands, Nick Petty and his coaching team for seeing the value in the Ginn Academy model and embracing something new.

Fall 2019 Enrollment

Associate Vice President Spademan provided a context for the enrollment report (**Attachment C**). He noted that Ohio is facing a downward trend of high school graduates during the next 10-15 years. Although 15 days after the start of the semester is the official enrollment count date, he stated that several Ohio public universities are reporting overall, and freshmen, enrollment declines. Ohio State University reported having 225 less freshmen than the prior year.

The preliminary Fall 2019 enrollment report for Cleveland State University indicates a 3.8% (464 students) decline in undergraduate headcount and 330 less credit hours compared to Fall 2018. The preliminary graduate student headcount is down 215 students or 5.3% and 79 less credit hours compared to the prior year. Although CSU is experiencing the record-breaking freshmen enrollment, overall enrollment is impacted by increased graduation rates and international and transfer student declines. The new community college partnerships, granting dual admissions, and the CSU Global program, attracting primarily international graduate students, will help in future years.

Dr. Nigamanth Sridhar, Dean of Graduate Studies, reported a 6% increase in domestic graduate students. New graduate student enrollment is up 1%. Social work, education and business represent the largest enrollments.

Budget Update

President Sands reported that the total appropriation of the State Share of Instruction (SSI) (state subsidy funding) has increased by 2% for FY 2020 and by 1% in FY2021—in the new two-year state budget period. CSU could see as much as a \$900,000 increase in funding during FY 2020 and a \$750,000 increase in FY 2021. However, he noted, the University has been prudent in its budgeting and has not planned the full amount of these increases in the budget.

The Inter-University Council (IUC) Presidents will be looking at the SSI funding formula and proposing changes relative to weighting for students needing more resources and weighting the formula properly regarding transfer students.

Institutional Rankings

President Sands reported that it is a long-term goal for Cleveland State University to rank in the top 300 in the *U.S. News & World Report*. In terms of social mobility, it was ranked #134.

In the *Wall Street Journal* ranking, Cleveland State broke into the top 500 tier for the first time, moving from the 601-700 grouping to the 401-500 grouping. It was ranked #225 on engagement, and ranked #166 on environment.

Among Ohio's colleges and universities, CSU exceeds the expected graduation rate by 7%.

CSU Strategic Priorities

President Sands reported that an action plan is being developed for the strategic priorities listed below, and town hall meetings will be held for feedback and support of an implementation plan for each.

1. Enhance the value of a CSU degree
2. Differentiate on student success
3. Enhance engaged learning
4. Strengthen anchor mission
5. Become a beacon institution
6. Build financial strength
7. Strengthen campus community

In closing, President Sands announced that the State of the University address will be given on October 22 in the Waetjen Auditorium.

BOARD ENGAGEMENT SESSION: “Say YES to Education”

President Sands introduced guests Ms. Lee Friedman, College Now Greater Cleveland CEO; Dr. Eric Gordon, Cleveland Metropolitan School District CEO; and Mr. David T. Abbott, The George Gund Foundation Executive Director, invited to speak about their organizations’ support of “Say YES to Education”, and to identify what Cleveland State can do in support of the initiative.

Lee Friedman reported that College Now Greater Cleveland is one of oldest and largest college access programs in Ohio. Ms. Friedman stated that the Cleveland Metropolitan School District is the largest high school client; the largest college client is Cleveland State University.

It was noted that CSU Board of Trustees Vice Chair Tim Cosgrove serves on the College Now Board. Career and personal guidance, scholarships and mentoring are services provided by the organization. Ms. Friedman noted that the investments are beyond financial. Matching students with mentors has helped with retention to completion, as well as build social capital.

Dr. Eric Gordon set the context for “Say YES Cleveland” by noting that the initiative is a 25-year investment for Cleveland’s CMSD students, and that CSU is an integral key for success. He observed that there is a 14% decrease in remediation needed when students matriculate to Cleveland State.

David T. Abbott, Executive Director of The George Gund Foundation, a private family foundation, reported that the Foundation has a deep commitment to Cleveland, although the Gund family members are no longer in Cleveland. He noted the importance of education and the “Say YES” program to make the city more globally competitive. The Foundation also views the “Say YES” program vital to community development, and not just education.

In response to questions regarding wrap-around services, Dr. Gordon cited two examples, noting the importance of the early warning system and wrap-around services pertaining to mental health, legal services, financial education, and summer programs. He also noted the importance for the wrap-around services to continue after the student completes his education. Syracuse, New York, with the oldest Chapter of the “Say YES” program has been less successful. More middle-income families were attracted back to the city, but there was not a break in the poverty level. It was stated that George Weiss, the founder of the “Say YES” initiative, found that the most success was achieved when wrap-around services began in the second grade.

During the discussion, it was noted that Cleveland State could assist the “Say YES” initiative in the following ways:

- Continue to improve the Nick Petty intrusive counseling program to ensure student success
- Think of creative ways of telling the story of the “Say YES” program in Cleveland
- Re-examine the University’s scholarship criteria and policies to access CSU which, in most cases, work against the at-risk students
- Keep high school guidance counselors informed of the CSU support network and programs in place to help students succeed, and the progress of CMSD “Say YES” students.
- Make sure the “Say YES” students attending Cleveland State receive opportunities to participate fully and visibly in campus events and student employment positions.
- Identify and tell student success stories

ACADEMIC AFFAIRS AND STUDENT SUCCESS ISSUES

Committee Chair Moore noted that the Committee has not met yet in the new academic year. In the past year, he noted, the Committee focused on the creation of a data-rich environment to measure student success. He noted the importance of maintaining the database and measuring retention and the progress now of sophomores.

Master of Arts in Music Therapy

Chair Moore reported that the Master of Arts in Music Therapy (**Attachment D**) is on the agenda for approval. He noted that the proposed degree program, approved by the Faculty Senate on May 1, 2019, will provide an opportunity for enrollment growth and meet a need in the geographic region. The only music therapy graduate program currently offered in Ohio is at Ohio University.

Trustee Reynolds moved, and Trustee DePompei seconded, the motion to approve the Master of Arts in Music Therapy degree program in the Department of Music. The following resolution was approved by voice vote.

RESOLUTION 2019-60

MASTER OF ARTS IN MUSIC THERAPY (MA)

WHEREAS, the Department of Music has proposed to offer the Master of Arts in Music Therapy degree; and

WHEREAS, there is a demonstrated need for such a program in Northeast Ohio; and

WHEREAS, the proposed degree program has been reviewed and approved by all appropriate faculty entities and academic administrators, including approval by the Faculty Senate at its meeting of May 1, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby approves the Master of Arts in Music Therapy (MA), Department of Music.

Chair Moore asked Provost Zhu to address the two other Academic Affairs and Student Success issues on the Consent Agenda: Faculty Emeriti Nominations and Faculty Personnel Policies and Bylaws Revisions.

Faculty Emeriti Nominations

Provost Zhu reported that emeritus status is being sought for two long-standing members of the faculty and academic administration who are retiring. Dr. Peter F. Meiksins served the University for 28 years as a Professor and Department Chair of Sociology, Director of the University Honors Program and, most recently, as Vice Provost for Academic Programs. Dr. William R. Morgan served the University for 30 years as Professor and Chair of the Department of Sociology, Associate Dean in the College of Liberal Arts and Social Sciences and, most recently, as Vice Provost for Faculty Affairs. They are on the Consent Agenda for approval.

Faculty Personnel Policies and Bylaws Revisions

Provost Zhu reported that the Faculty Senate approved modifications to the Faculty Personnel Policies and Bylaws. The revisions move the Faculty Senate nomination process and elections from the fall to the spring so that elected members and officers can take office effective September 1. He noted that revised policy 3344-13-02 is on the Consent Agenda for Board approval.

ATHLETICS ISSUES

Athletics Drug Education and Screening Program Policy

Committee Chair Komoroski reported that a revised Athletics Drug Education and Screening Program Policy is on the Consent Agenda for approval. He noted that the initial drug screening policy, approved by the Board and instituted in 2003, was amended in 2009 and 2013. Further amendments are proposed due to new athletics leadership, compliance reporting to the University General Counsel, and incidents in 2018-2019.

Chair Komoroski asked Athletics Director Scott Garrett to address the policy changes. Mr. Garrett stated that the policy was further amended to provide clarification on testing protocols, disciplinary measures and stiffer penalties for positive testing, and clarification relative to administrative responsibility and reporting. Mr. Garrett explained the steps taken regarding a positive test and the appeal process. He noted that the proposed amended policy considers a DUI charge a positive drug test, and has zero tolerance for positive tests involving more severe substances.

Mr. Garrett reported that the first random drug test will take place in early October. Board Chair Gunning wanted to ensure that the student athletes are given notice of the policy and changes. He also encouraged that specific data be kept, demonstrating the impact of the policy on our student athletes and how we have interceded.

FINANCIAL AFFAIRS ISSUES

Investment Report as of June 30, 2019

Committee Chair Kirk asked Matt Shannon, Legacy Strategic Asset Management Investment Advisor, to report on the University's investments for the Second Quarter (**Attachment E**). Mr. Shannon reported that his father, John, has retired, and Legacy has enjoyed a thirteen year relationship with Cleveland State University. He noted that the Investment Committee meets quarterly to evaluate performance.

Mr. Shannon provided a brief economic and market update. He noted a relatively volatile market and soft global economic growth for the second quarter. The rate of return on assets of \$111.5 million for the fiscal year was down 3% and up 1.5% as of June 30. Mr. Shannon noted that the assets are allocated in accordance with the investment policy. He stated that a holistic approach is taken to build financial strength. Since its inception in 2006, investments have grown from \$30 million, with \$61 million added investment earnings; a 5.56% rate of return.

Rhodes Tower Restrooms Renovation Project

Vice President Michael Biehl briefed the Board on the Rhodes Tower Restrooms Renovation Project. He reported that the restrooms in Rhodes Tower have never been renovated since the completion of the building in 1971, and are not ADA compliant. The University received \$1,150,000 in state capital appropriations to fund the project. The Board of Trustees authorized the University Administration on June 29, 2019 to enter into a contract for architectural and engineering fees, not to exceed \$110,000, for the project. That work has been completed. The Administration is now seeking authorization to execute a contract for general trades construction services to complete the renovations, not to exceed \$1,040,000, including construction contingencies, for a total project cost of \$1,150,000. He noted that this item is on the consent agenda for approval.

Joint Use Agreement with University Hospitals

Vice President Biehl presented a Joint Use Agreement between Cleveland State University and University Hospitals Cleveland Medical Center on the Consent Agenda for approval. He noted that, under the proposed agreement, the University will receive the following benefits from the “pass through” of \$350,000 of capital funds from the Higher Education Fund to University Hospitals Cleveland Medical Center for the purchase of project equipment for University Hospitals Heart and Vascular Institute:

- Two Medical Physics Internships/research projects in imaging annually
- A research or clinical seminar in nuclear medicine taught at CSU
- CSU students, faculty, and staff will be able to use the project equipment
- CSU students will be considered for residency positions; and
- A plaque or other recognition, memorializing the Joint Use Agreement, placed at the UHCMC Heart and Vascular Institute

The University will also receive an administrative fee of 1.5% of the appropriated funds, or \$5,250.

It is noted for the record that Trustee DePompei recused herself from any discussion and vote on the Joint Use Agreement by the virtue of her position as President of University Hospitals Rainbow Babies & Children’s Hospital and MacDonald Women’s Hospital.

ETHICS TRAINING REQUIREMENTS

University General Counsel Sonali Wilson reported that Executive Order 2019-11D, issued by Governor Mike DeWine, directs adherence to the Ohio’s Ethics Laws and requires annual ethics

training for state employees and all members of state boards and commissions. In addition to filing a financial disclosure statement, Board members are required to complete ethics training before December 31.

Ms. Wilson noted that as Chief Legal Counsel for the University, the Executive Order also requires her to serve as the institution's Chief Ethics Officer, responsible for assisting employees of the University and members of the Board in complying with the Ethics Laws and providing or arranging for annual ethics training to be reported to the Governor's Chief Legal Counsel. Ms. Wilson reported that ethics training is provided in the form of a webinar, and that she will email the link to the ethics site. She noted that there are only a few ethics training dates remaining. She will provide special training if Board members are unable to take the scheduled training by the end of the calendar year.

REPORT OF THE CSU FOUNDATION

Trustee Tim Cosgrove reported on behalf of CSU Foundation Chair Tom Hopkins, who was out-of-the-country. He welcomed Julie Rehm as the new Vice President for University Advancement and Executive Director of the CSU Foundation, noting that she raised \$1.8 billion at Case Western Reserve University.

Mr. Cosgrove reported that the Foundation held its first meeting of the year and orientation last week. New fundraising goals for FY 20 were established. Several new members were appointed, adding to an impressive Foundation Board.

Mr. Cosgrove referenced the FY 19-FY20 Fundraising reports through August 31, 2019 (**Attachment F**) provided with the Board of Trustees meeting materials. He noted that the fundraising goal of \$10 million for FY19 was exceeded, raising \$11.5 million.

As of July 31, Mr. Cosgrove reported that the assets of the CSU Foundation totaled \$93.2 million, representing an increase of 12.5% year-to-date.

Mr. Cosgrove announced that planning for Radiance 2020 has begun with new Co-Chairs Sarah Flannery and Tom Kuluris, under the guidance of Nancy McCann. A Radiance fundraising goal of \$2.25 million was established for this year.

In closing, Mr. Cosgrove announced and encouraged Board members to attend the 29th Annual Distinguished Alumni Awards on Friday, October 4, 2019. He noted that two directors of the CSU Foundation Board (Dwayne Bray, Senior Coordinating Producer for ESPN; and Linda Kane, retired Forest City Treasurer) are among the honorees. He also announced that Trustee

Adler will be receiving the Cleveland Heritage Medal and Community Leadership Award on November 21.

CONSENT AGENDA

Chairman Gunning explained that routine matters, or those discussed previously, are considered on the Consent Agenda. Chairman Gunning asked if there were items that Board members wished to discuss individually; there were none.

It was noted for the record that Trustee DePompei recused herself, by the nature of her position as President of University Hospitals Rainbow Babies & Children's Hospitals and MacDonald Women's Hospital, from voting on Consent Agenda item J. seeking approval of the Joint Use Agreement with University Hospitals.

Trustee Moore moved, and Trustee Kirk seconded, the motion to approve the following consent agenda items: Faculty Emeriti Nominations (**Attachment G**), Faculty Personnel Policies and Bylaws Revisions 3344-13-02 (**Attachment H**), Athletics Drug Education and Screening Program Policy Revisions 3344-48-01 thru 3344-48-07 (**Attachment I**), Rhodes Tower Restrooms Renovation Project: Authorization to Execute General Trades Construction Contract (**Attachment J**), Approval of Joint Use Agreement with University Hospitals (**Attachment K**), and Acceptance of FY19 Fourth Quarter Gifts and Pledges (**Attachment L**). The following resolutions were approved by voice vote.

RESOLUTION 2019-61

EMERITUS STATUS FOR PETER F. MEIKSINS

WHEREAS, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 28 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.

**Peter F. Meiksins
Professor Emeritus**

RESOLUTION 2019-62

EMERITUS STATUS FOR WILLIAM R. MORGAN

WHEREAS, the faculty member named below has achieved the rank of Professor and has served Cleveland State University for 30 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 R. Morgan
Professor Emeritus**

RESOLUTION 2019-63

**CHANGES TO THE PERSONNEL POLICIES AND BYLAWS: 3344-13-02 THE
FACULTY SENATE**

WHEREAS, an amendment has been proposed to 3344-13-02 The Faculty Senate, (B) Selection of elected members and (H) Election of officers; and

WHEREAS, the CSU Faculty Senate has approved the proposed amendment at its meeting of May 1, 2019;

NOW THEREFORE BE IT RESOLVED that the Cleveland State University Board of Trustees approves this amendment to the Faculty Personnel Policies and Bylaws as indicated in the accompanying exhibit.

RESOLUTION 2019-64

**APPROVAL OF AMENDMENTS TO CSU
ATHLETICS' DRUG EDUCATION AND SCREENING PROGRAM POLICY**

WHEREAS, the Board of Trustees adopted the CSU Athletics' Drug Education and Screening Program Policy (formerly CSU Department of Athletics' Alcohol and Other Drugs Education and Testing Program Policy) ("AOD Policy") on October 22, 2003, with a mission to advocate for the development of healthy and responsible lifestyles for CSU student-athletes; and

WHEREAS, the policy was amended November 10, 2009 and on November 19, 2013 after review for clarity and compliance; and

WHEREAS, the program is medically-based, with an emphasis on prevention, education, timely diagnosis, treatment and rehabilitation. Drug testing for performance enhancing and socially used drugs is a component of the program as a deterrent to drug use and abuse; and

WHEREAS, the CSU Department of Athletics is proposing updates to the AOD Policy, to clarify and strengthen the policy;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby approves the amendments to the CSU Department of Athletics' Drug Education and Screening Program Policy, in the form substantially attached hereto, subject to any revisions deemed necessary by the administration or General Counsel.

RESOLUTION 2019-65

AUTHORIZATION TO EXECUTE A CONTRACT FOR GENERAL TRADES CONSTRUCTION SERVICES FOR THE RHODES TOWER RESTROOM RENOVATION PROJECT

WHEREAS, on November 28, 2017, the University submitted a request for a state capital appropriation of \$15.4 million for the FY19-FY20 capital biennium; and

WHEREAS, on April 13, 2018, the State signed into law H.B. 529 which allocated \$15.4 million to Cleveland State University; and

WHEREAS, \$1,150,000 of the appropriation was designated for the Rhodes Tower Restroom Renovation project to be locally administered on the University's campus; and

WHEREAS, on June 29, 2018 the Board of Trustees authorized the University Administration to enter into a contract for architecture and engineering fees not to exceed \$110,000, which has been completed; and

WHEREAS, the University has solicited bids per O.R.C. 153 – public improvements – general trades construction services for restroom improvements to Rhodes Tower; and

WHEREAS, bids were received and publicly opened by University representatives; and

WHEREAS, the lowest bidder's qualifications and scope were reviewed and found to be in compliance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby authorizes the University administration to enter into a contract for a general trades construction services contract pursuant to the process outlined above, to contract for any additional services or materials as may

be required to complete the renovation project, and further authorizes the administration to award a contract in a form satisfactory to General Counsel in an amount not to exceed \$1,040,000, inclusive of construction contingencies, for a total project cost of \$1,150,000.

RESOLUTION 2019-66

**JOINT USE AGREEMENT BETWEEN
CLEVELAND STATE UNIVERSITY AND
UNIVERSITY HOSPITALS CLEVELAND MEDICAL CENTER**

WHEREAS, pursuant to House Bill Number 529, the University received a capital appropriation in the amount of \$350,000 for capital improvements related to the University Hospitals Heart and Vascular Institute; and

WHEREAS, the release of this appropriation for its intended recipient is contingent upon the execution of a joint use agreement between the University and University Hospitals; and

WHEREAS, the University has concluded that the value of the use of University Hospitals Heart and Vascular Institute Project Equipment by the University, as provided in the proposed Joint Use Agreement, is reasonably related to the amount of the appropriation, and the terms of the Agreement are more favorable to the University than to others.

NOW, THEREFORE, BE IT RESOLVED that Cleveland State University Board of Trustees hereby approves the proposed Joint Use Agreement between the University and University Hospitals in substantially the form attached hereto, subject to changes deemed necessary by the University General Counsel and/or required by the Chancellor of the Ohio Department of Higher Education; and further, that the Administration is hereby authorized to take all steps necessary to execute said Joint Use Agreement once approved by the Chancellor.

RESOLUTION 2019-67

**ACCEPTANCE OF FY 2019 FOURTH QUARTER
GIFTS AND PLEDGE PAYMENTS**

RESOLVED, that the gifts and pledge payments totaling \$4,103,455 received by the Cleveland State University Foundation during the period April 1, 2019 to June 30, 2019 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.

EXECUTIVE SESSION

Trustee Kunkle moved, and Trustee Komoroski seconded, the motion to adjourn into Executive Session for the purpose of discussing employment contract matters involving public employees and imminent and pending litigation with General Counsel.

A roll call vote was taken by the Secretary of the Board; voting in the affirmative were Mr. Cosgrove, Ms. DePompei, Mr. Kirk, Mr. Komoroski, Ms. Kunkle, Mr. Moore, Mr. Reynolds, and Chair Gunning.

Chair Gunning excused everyone except the voting and community trustees present, President Sands, Board Secretary Napier and General Counsel Wilson. The executive session began at 11:05 a.m.

Chair Gunning announced at 12:25 p.m. that the Board had finished its business in Executive Session and was returning to its regular meeting. He noted two items to be acted upon as a result of the executive session.

NEW BUSINESS

New Men's Head Basketball Coach

Trustee Cosgrove moved, and Trustee Komoroski seconded, the motion to authorize the Administration to enter into the final employment contract with new Men's Head Basketball Coach Dennis Gates. The following resolution was passed by voice vote.

RESOLUTION 2019-68

AUTHORIZATION FOR ADMINISTRATION TO ENTER INTO FINAL EMPLOYMENT CONTRACT WITH NEW MEN'S HEAD BASKETBALL COACH

WHEREAS, after a comprehensive search, Cleveland State University Director of Athletics Scott Garrett has selected a new Men's Head Basketball Coach, Dennis Gates; and

WHEREAS, the parties negotiated a Memorandum of Understanding that memorializes the essential terms and conditions of Mr. Gates' employment as the Cleveland State University Men's Head Basketball Coach, and further committed to develop a definitive Employment Agreement for Mr. Gates consistent with the terms and conditions set forth in the Memorandum of Understanding no later than September 6, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Cleveland State University Board of Trustees hereby authorizes the Cleveland State University Director of Athletics to execute the final

Employment Agreement with Men's Head Basketball Coach Dennis Gates in substantial form as attached hereto, subject to any changes deemed necessary by University General Counsel. And further, the University Administration is authorized to negotiate and execute any and all documents and agreements to effectuate the terms of the final Employment Agreement.

President's Second-Year Goals

Trustee Moore moved, and Trustee DePompei seconded, the motion to accept the second-year goals of President Harlan M. Sands as stated. The following resolution was approved by voice vote.

RESOLUTION 2019-69

**ACCEPTING THE SECOND-YEAR GOALS
OF PRESIDENT HARLAN M. SANDS**

WHEREAS, pursuant to President Sands' employment agreement, he and the Chairman of the Board of Trustees shall mutually agree on target goals and objectives for the fiscal year following his first term as President; and

WHEREAS, President Sands has shared such target goals and objectives with the Board's Executive Committee;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby accepts the second-year goals of President Harlan M. Sands as stated.

Chair Gunning noted that the next meeting of the Board of Trustees will be held November 21. There being no further business, the meeting was adjourned at 12:26 p.m.

Respectfully submitted,

APPROVED ON NOVEMBER 21, 2019

William J. Napier
Secretary to the Board of Trustees

APPROVED ON NOVEMBER 21, 2019

David H. Gunning II
Chair, Board of Trustees