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11-9-1998

November 9, 1998 Executive Committee Meeting

Shawnee State University

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EXECUTIVE COMMITTEE REPORT

November 9, 1998

Founders Room

Members present:

Mr. Frank Waller	Chairman
Mr. George Clayton	Member
Mr. George Davis	Member (for Mr. Reynolds)
Mrs. Pat Richards	Member

Dr. James Chapman	Ex-Officio (non-voting)
Mr. Steve Donohue	Secretary (non-voting)
Mr. Roger Murphy	Treasurer (non-voting)

Mr. Tom Reynolds observed via telephone.

Meeting was called to order by the Chairman at 4:12 p.m.

1.0 Certification of compliance with RC 121.22(F) – Board Secretary

The Secretary confirmed compliance with RC 121.22(F).

2.0 Approve minutes of Executive Committee Meeting (9/1/98)

Mr. Davis moved and Mrs. Richards seconded a motion to approve the minutes of the September 1, 1998 meeting. The committee unanimously approved the minutes.

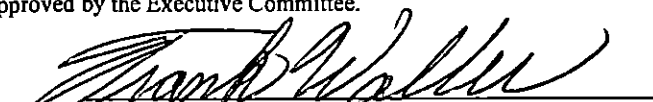
3.0 Grants

Mrs. Richards moved and Mr. Clayton seconded a motion to approve Resolution 41-98, Upward Bound Grant and Community Based Prevention, Retention and Contingency Services. Dr. Chapman stated that the Upward Bound was an integral part of what SSU does. Mrs. Richards stated that the description of the grants was some of the best written descriptions she has seen. Mr. Waller stated that the grants were well described and relate well with SSU's mission. Resolution 41-98 was approved unanimously.

4.0 Personnel

In accordance with Policy 5.16, Personnel Appointments, recent personnel action is attached. Mr. Waller questioned why faculty would change jobs in the middle of the year. Dr. Chapman responded that he would get more information to the Board before the next meeting.

First draft of Executive Committee minutes read and approved by the Chair for distribution and comment by the Board of Trustees only. This is not an official record until approved by the Executive Committee.


Frank Waller, Chairperson

5.0 Preliminary Review of BOT Policies

As requested by the Executive Committee, the policies and procedures governing the Board's operation were reviewed and updated by the Secretary. All members received a packet outlining the changes that are being recommended. Mr. Donohue stated that changes in the bylaws will bring them in line with current practice and there needed to be discussion among board members before revised policies were submitted for action by the full Board. Mr. Reynolds stated the Board would need some time to go through all of the changes to make sure there were no problems.

Mr. Waller asked if there was any more discussion. Mr. Davis and Mr. Reynolds said that Mr. Donohue had done a good and thorough job. Mr. Clayton and Mrs. Richards agreed that the changes looked fine. Dr. Chapman stated that he had reviewed the policies with Mr. Donohue and he had no problems with the changes.

Mr. Waller stated that if there were no other comments, the revised policies would be presented to the full Board for approval at the next meeting.

6.0 Children's Learning Center

Mr. Murphy reported a concern that the general contractor bid is over budget. The project is going to bid a third time December 1. The high-end budget is \$891,000. Mr. Murphy stated that the largest issue is that the general contractors are local and there is plenty of work, so they do not need this job. Mr. Murphy reported that with the approval of capital appropriations, we would receive an additional \$800,000 in capital funds for 98-99.

Dan Young reported that we are downscaling the five-year plan and that we will need to identify priorities for the upcoming year. Mr. Young stated that funds for Kricker Hall and chiller repairs have not been released yet.

Mr. Waller stated that we still have a need if we do not build a Children's Learning Center, but asked if we can afford to build. Mr. Waller asked if existing space was examined. Mr. Murphy reported that we need 7,000 square feet and none of our existing spaces would work. We also have to consider what we said we would do related to the ARC grant.

Mr. Clayton asked if there was any ethical way to ask for more reasonable bids. Mr. Murphy stated that the option to be our own contractor was not acceptable with the state. In response to Mrs. Richards, Mr. Murphy stated that the first bid was \$491,000. Dr. Chapman stated that we already had revised the plans, cut some things out, then re-bid the project. Mr. Waller noted that a children's learning center has been discussed for a long time but was not bid until this October and the price has almost doubled even though it is less than originally planned. Mr. Young reported that special invitations were given to out of state contractors, but the University received nothing from them.

Mr. Waller asked if the old Tiedge building was considered. It was, but Mr. Murphy stated that if we did not take the ARC money, they could shift \$241,000 to other ARC uses. He was concerned about the ripple effect if we turned the grant away after we had been awarded it.

Dr. Chapman asked if there was any way to look at this again. Mr. Murphy responded that they considered waiting a year but the State advised against waiting. Mr. Murphy said he could talk with ARC and explain the situation to them and ask if there was any way the grant support could be increased.

Mr. Waller asked the committee their thoughts. Mr. Clayton responded that Mr. Murphy should at least try talking with ARC.

Mr. Clayton asked for Mr. Reynolds comments. Mr. Reynolds stated that the Board earlier did worry about the costs and Bill Shkurti had said that it would not be cost effective. Mr. Murphy agreed that even if the University contracted the operation, it would be a drain.

Mr. Reynolds said there were too many things up in the air to make a decision today. Mr. Davis said to see what the new bids will be and explore other options. Dr. Chapman said he would continue to try to contact the University of Kentucky regarding their Kinder Care operation. Mr. Reynolds asked how much "fat" was in the bids. Mr. Murphy thought there might be as much as a quarter million but some of the cost is due to steel price increase. Mr. Waller noted that the biggest problem right now is that the local contractors are busy. Mr. Clayton asked how important the Children's Learning Center was to our students.

Mr. Murphy stated that his staff recently called child care centers in the area--all are full, three have waiting lists, so it is evident that there is some need in the community. Mrs. Richards said that more information is needed. Mr. Waller said that everyone is busy and he did not see any changes in new construction demand for the next year or two. Dr. Chapman stated that we need to explore alternative ways to resolve the child care issue.

Mr. Waller directed Mr. Murphy to make some calls to ARC, follow up on some of the other ideas and report to the Finance & Facilities Committee in December for a recommendation to the Board.

7.0 Executive Session

Mr. Davis moved and Mr. Clayton seconded a motion to go into Executive Session at 5:11 p.m. to review the 1998 labor agreement negotiations between Shawnee State University and the Communication Workers of America (RC§121.22(G)(4)) and to review SEA's request to reopen negotiations on the workload issue (RC§121.22(G)(4)).

Ayes: Mr. Waller, Mr. Clayton, Mr. Davis, Mrs. Richards

Nays: None

The Committee returned from Executive Session at 5:59 p.m. and the meeting was adjourned at 6:00 p.m.

RESOLUTION 41-98

UPWARD BOUND GRANT

**COMMUNITY BASED PREVENTION,
RETENTION AND CONTINGENCY SERVICES**

WHEREAS, the grants listed below and summarized on the attached grant proposals have been reviewed by the appropriate University committees and/or individuals, and are recommended for submission or acceptance;

THEREFORE BE IT RESOLVED that the Board of Trustees of Shawnee State University approves the submission of the Community Based Prevention, Retention and Contingency Services grant and the Upward Bound renewal grant proposals.

(November 9, 1998)

GRANT SUMMARY PROPOSAL

TITLE:

Community Based Prevention, Retention and Contingency Services

GRANT AGENCY:

Ohio Department of Human Services

PRINCIPAL INVESTIGATOR:

Suzanne Shelpman, Director, Admission and Retention

PERCENTAGE OF P.I. TIME DEVOTED TO GRANT:

15%

PURPOSE:

Over \$5 million dollars have been set-aside for the primary focus of engaging a wider range of community partners in local implementation of services and creative solutions to problems of workforce development, student retention, and prevention strategies.

CLIENTELE TO BE SERVED:

Ohio Works First participants and individuals who are at-risk of losing their job and/or have been displaced.

RELATIONSHIP TO SSU MISSION:

To encourage and motivate Appalachians to consider higher education in their career plans; To partner with community business, industry, and agency partners; To promote student and job retention.

OTHER AGENCIES/ORGANIZATIONS PARTICIPATING IN PROJECT:

Scioto County Department of Human Services; Scioto County Counseling Services; Ohio Bureau of Employment Services.

BRIEF DESCRIPTION OF HOW PROJECT WILL BE CONDUCTED:

Individuals will be assessed to determine viable career goals and aptitudes. An individualized action plan will be developed which will guide the participants through service delivery which meets their needs. Examples of services may be partnership with Scioto County Counseling Services, collaboration with business and industry, development of short-term training, student retention services for associate and baccalaureate degree programs, and job retention services. The primary goal will be to assist at-risk individuals or displaced workers in regaining self-sufficiency.

BUDGET:

Administrative Costs:	\$90,000
Office Supplies/Instructional Supplies:	\$10,000
Direct Service Delivery: (Tuition and fees, short-term training fees, health science uniforms, etc.)	\$100,000

FUND SOURCE:	1998-99
Grant	\$200,000
Other	0
University In-kind/cash •	0
TOTAL	\$200,000

- SSU makes no cash commitment toward this project.

Grant Proposal Summary

TITLE: Upward Bound Program

GRANTING AGENCY: U.S. Department of Education

PRINCIPAL INVESTIGATOR: Barb Bradbury, Director, Upward Bound

PERCENTAGE OF P.I. TIME DEVOTED TO GRANT: 50%

PURPOSE: Renewal grant proposal to continue the Upward Bound Program designed to encourage low income, first generation students to pursue postsecondary education.

CLIENTELE TO BE SERVED: Scioto County high school students.

RELATIONSHIP TO SSU MISSION: The Upward Bound Program provides Scioto County students access and exposure to the benefits of higher education. During the first two grant cycles the UB program seniors achieved an average postsecondary education entry rate of 93% compared to the area average of 34%.

OTHER AGENCIES/ORGANIZATIONS PARTICIPATING IN THE PROJECT: Eight school districts in Scioto County.

BRIEF DESCRIPTION OF HOW PROJECT WILL BE CONDUCTED:

The Upward Bound Program provides a six week summer residential experience for fifty students from Scioto County. Students study foreign language, composition and literature, math from algebra through calculus, and laboratory sciences. Other services provided include opportunities for community service, cultural and enrichment activities, and college visits to round out the learning experience. Tutorial services and monthly activities focusing on study skills, career exploration, and the college application process are held on Shawnee State's campus during the academic year. The renewal proposal requests funding for a part-time director and full-time coordinator, program assistant, and secretary. Upward Bound is part of the Division of Student Affairs.

BUDGET:

<u>Fund Source</u>	<u>Year One (FY '99)</u>
Grant	\$308,965.00

SSU Scholarship opportunity,
application fee-waivers @ \$3,500.00

In-Kind: office space, office
furniture, phone and Internet
connection, technical assistance

PERSONNEL ACTIVITY

Academic Affairs Division

Appointments


Faculty

Cheryl A. Boyd, Ph.D., Assistant Professor, Department of Nursing, effective November 2, 1998, at a salary of \$43,530. Dr. Boyd received her doctorate from Ohio University and her Master of Nursing degree from the University of Tennessee.

Shawnee State University

Portsmouth, Ohio 45662
(614) 354-3205

TO: Board of Trustees

FROM: Stephen P. Donohue 
Secretary

DATE: November 3, 1998

RE: Changes to Board Policies

At the September meeting of the Executive Committee of the Board of Trustees, the Chairman requested we review the Board's policy regarding the President Search Advisory Committee as well as other policies, directly related to the operations of the Board, and make recommendations as to changes the Board may want to consider. Attached are Board policies which I have reviewed with changes I am recommending below:

Board Policy 1.00 - Bylaws of the Board of Trustees

I recommend the Board change this to Policy 1.01 to bring the numbering convention in line with the Ohio Administrative Code, which does not use rule numbers ending in zeros.

Paragraphs:

1.0 – change reference to RC § 3362.01 to reflect the statute which authorizes the membership of the Board.

2.2 – the Board may want to consider a succession of chair responsibilities in the absence of the Chair and Vice Chair, this change provides for that.

4.0 – the Board appoints a Treasurer but the policies do not address his or her tenure in office. This addition reflects current practice of appointing a Treasurer on a continuing basis with termination with or without cause.

5.1.5 – the Board does not approve reappointments of faculty, but does consider the President's approval of continuing contracts. This change reflects that practice.

5.3.6 – personnel matters were deleted from the QUL committee and moved to the F&F committee to reflect current practice.

5.5 – authorizing the Chairman of the Board to be a voting member on one standing committee reflects current practice of the Board.

6.1 – the added language on meetings reflects some of the requirements of RC § 121.22. This also provides for people who want to receive agendas of Board meetings to submit a self-address envelope, which is one method provided in the statute to comply with the Open Meetings Act.

6.2.5 – roll call votes were changed to reflect current practice, which is at the direction of the Chairperson or if any two members of the Board request it.

6.6 – this addition is recommended to make clear, the conditions under which members of the media or the public may video tape Board meetings.

7.0 – the changes in this paragraph are cosmetic only with minor changes in language to remove redundant verbiage.

Board Policy 1.01 – Amended HB 739

I recommend this policy be deleted since it is not a policy but the authorizing legislation for Shawnee State University which has been codified in the Ohio Revised Code.

Board Policy 1.02 – Open Meetings Act

I recommend this policy be deleted since it is not a policy but the statute governing the public meetings of the Board and is codified in the Ohio Revised Code.

Board Policy 1.03 – Presidential Selection

This policy should be renumbered to 1.02, if the other policies are deleted. The major change recommended here is to add a full-time administrator to the selection committee in place of a member of the Presidential Advisory Council. The Board may want to consider rewording this policy to remove the appointing authority from constituent groups and replace that with wording whereby the Board requests nominations from constituent groups for appointment by the Board to the selection committee.

Board Policy 1.04 – Evaluation of the President

This policy should be renumbered to 1.03. The language changes recommended in this policy would change the evaluation cycle for the president from the calendar year to the fiscal year (July 1 – June 30). This change would bring the Board's evaluation period of the president in line with the evaluation and merit pay awards for administrators, the academic year, and the fiscal/budget year.

Board Policy 1.05 – Honorary Degrees

This policy should be renumbered to 1.04. Slight wording changes are recommended here to allow nominations for honorary degrees to come from any university governance body as opposed to the University Senate, which is now defunct.

Shawnee State University

AREA:	BOARD OF TRUSTEES	POLICY NO.:	1.01 4.00 Rev.
		PAGE NO.:	1 OF 7
		EFFECTIVE DATE:	12/10/98 2/18/95
		RECOMMENDED BY:	Ex Com
SUBJECT:	BYLAWS OF THE BOARD OF TRUSTEES	APPROVED BY:	

BYLAWS OF THE BOARD OF TRUSTEES SHAWNEE STATE UNIVERSITY

1.0 Members of the Board of Trustees

Pursuant to Sections ~~3362.01 3362~~ and ~~3345.33~~ of the Ohio Revised Code, the Board of Trustees of Shawnee State University shall consist of nine voting members and two student members, ~~who shall be~~ appointed by the Governor with the advice and consent of the Senate. The trustees shall have the powers conferred upon them by the laws of the State of Ohio.

The President of the University shall serve as an ex-officio (non-voting) member of the Board.

2.0 Officers of the Board of Trustees and their Duties

- 2.1 At its first regular meeting in each calendar year, the Board shall elect a chairperson and vice-chairperson, who shall serve for a term of one year or until their successors are elected.
- 2.2 The chairperson shall preside at all meetings of the Board and shall decide all questions of order. It shall be the chairperson's duty to see that the Board's bylaws are properly followed and its orders properly executed. The chairperson shall, in behalf and in the name of the University and the Board, sign all instruments authorized by the Board, except as such duties may be delegated to administrative officers.

In the absence of the chairperson, the vice-chairperson shall be invested with the powers and discharge the duties of the chairperson. **In the absence of the Chairperson and the Vice-Chairperson, the duties of Chairperson will be discharged by the Trustee in the following order: Chairperson of Finance and Facilities; Chairperson of Academic Affairs; Chairperson of Quality of University Life.**

3.0 Secretary of the Board

There shall be a secretary of the Board who shall be appointed at the regular Board meeting in January of each year. The secretary shall be custodian of all Board records and shall attest as required, by his or her signature, all instruments executed by the chairperson or other authorized person in behalf and in the name of the University and the Board.

The secretary shall attend all meetings of the Board and be responsible for accurate minutes of all Board meetings and of committee meetings as needed.

Because of the record-keeping nature of the secretary's duties, he or she serves at the pleasure of the Board and may be appointed for consecutive terms.

4.0 Treasurer of the Board

The Board may appoint a Treasurer, to take custody and control of all moneys due and owing to the University and to properly account for all moneys coming into his or her care and the expenditures of said moneys on behalf of the University. The Treasurer's appointment is continuing but may be terminated at any time, with or without cause, by the Board. The Treasurer will be bonded for faithful performance of his or her duties in an amount not less than the estimated funds which will come into the Treasurer's control at any one time. The bond will be purchased by the University and approved by the attorney general.

5.0 4.0 Board of Trustees Committees

Standing committees of the Board consisting of no fewer than three members each shall be appointed yearly, or at any time a vacancy occurs, by the chairperson of the Board. Committee chairpersons and vice chairpersons shall be appointed by the Chairperson of the Board.

Each committee shall consider and make recommendations for action by the Board on the various policy matters enumerated below, and as assigned by the Executive Committee.

- | | |
|-------------|-----------------------------------------------------------------------------------------------|
| 5.1 4.1 | Academic Affairs Committee |
| 5.1.1 4.1.1 | Academic policies and standards; |
| 5.1.2 4.1.2 | Approval of new degree programs; |
| 5.1.3 4.1.3 | Review of existing academic programs; |
| 5.1.4 4.1.4 | Awarding of degrees; |
| 5.1.5 4.1.5 | Review of promotion and continuing contracts reappointments of faculty; and |
| 5.1.6 4.1.6 | Organization and staffing of Academic Affairs. |

5.2 4.2 Quality of University Life Committee

- | | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.2.1 4.2.1 | Intrauniversity communications and relationships; |
| 5.2.2 4.2.2 | Student affairs, including, but not limited to, admissions and enrollment, financial aid, intercollegiate athletics, student life, residential life, and student services; |
| 5.2.3 4.2.3 | Awards, honors, convocation, commencement, and other major University events; |
| 4.2.4 | Personnel matters, including affirmative action, equal employment opportunity, and compliance with other state and federal laws; |
| 5.2.4 4.2.5 | Promotion of alumni activities; and |
| 5.2.5 4.2.6 | Organization and staffing of Student Affairs. |

5.3 4-3 Finance and Facilities Committee

- 5.3.1 4-3-1** Review and recommend the University's budgets, schedule of student fees, financial operations including annual audits, business organization and practices, borrowing of funds, investment of funds, and submission of appropriation and capital requests;
- 5.3.2 4-3-2** Solicitation of funds;
- 5.3.3 4-3-3** Approval of agency grants and contracts that exceed \$25,000 or that commit the University to continuing the grant activity beyond the grant period;
- 5.3.4 4-3-4** Salary, wage, and benefit policies;
- 5.3.5 4-3-5** Naming, location, planning, construction, and maintenance of the University's plant and grounds, and the purchase and sale of lands and buildings; and
- 5.3.6** **Personnel matters, including affirmative action, equal employment opportunity, and compliance with other state and federal laws;**
- 5.3.7 4-3-6** Organization and staffing of Business Affairs.

5.4 4-4 Executive Committee, comprised of the Board chairperson (serving as chair-person) and the chairpersons of the committees on Academic Affairs, Quality of University Life, and Finance and Facilities. In the event a committee chairperson cannot attend a meeting of the Executive Committee, the vice chairperson may be designated to represent the committee chairperson.

- 5.4.14.4.1** Refer to Board committee general University policies and business not specifically assigned to another committee;
- 5.4.24.4.2** Orient and train new Board members;
- 5.4.34.4.3** Maintain relations with local, state, and federal legislation and administrative agencies;
- 5.4.44.4.4** Review bargaining unit agreements and make recommendations to the full Board;
- 5.4.54.4.5** Consult with the President on personnel appointments and separations;
- 5.4.64.4.6** Evaluate the performance of the President; and
- 5.4.74.4.7** Act on behalf of the Board on policy matters needing immediately attention and report such actions to the Board.

- 5.4.7.14.4.7.1** To act on behalf of the Board, a quorum of the Executive Committee (three members) must be present.
- 5.4.7.24.4.7.2** Executive Committee actions taken on behalf of the Board shall be reported to the Board and made a part of the official record by including such action in the record of the next regularly scheduled Board meeting.
- 5.4.7.34.4.7.3** Any meeting of the Executive Committee at which binding action is taken shall adhere to all provisions of Ohio Revised Code 121.22, the Open Meetings law.

~~5.5~~ 4.5 The chairperson of the Board shall be a voting member of the Board, ~~and~~ the Executive Committee, and **one other standing committee** and an ex-officio (non-voting) member of all other committees. The President of the University shall be an ex-officio (non-voting) member of all committees. The Provost and Vice President for Academic Affairs shall serve ex officio (non-voting) on the Academic Affairs Committee, the Vice President for Student Affairs shall serve ex officio (non-voting) on the Quality of Student Life Committee, and the Vice President for Business Affairs shall serve ex officio (non-voting) on the Finance and Facilities Committee.

~~6.0~~ 5.0 Meetings of the Board of Trustees

~~6.1~~ 5.1 The Board of Trustees shall comply with all provisions of the Ohio open meeting law set forth in section 121.22 of the Revised Code. **The Secretary shall forward the schedule of regular meetings to local news media. The Secretary will notify the news media of special meetings. Any person desiring specific notification of Board meetings may request copies of Board agendas upon providing a self-addressed stamped envelope to the Secretary.**

~~6.2~~ 5.2 Meetings

- ~~6.2.15~~ 2.1 The annual organizational meeting of the Board is its first meeting of the calendar year, at which a regular meeting schedule shall be set, including hour and place.
- ~~6.2.25~~ 2.2 Special meetings may be held upon the call of the chairperson or upon written request to the secretary by three Board members.
- ~~6.2.35~~ 2.3 Notice of meetings: the secretary shall notify all Board members and the President at least five days in advance of all regular and special meetings and at least one day in advance of all emergency meetings.
- ~~6.2.45~~ 2.4 A majority of the Board, when duly convened, shall constitute a quorum to do business, and a majority vote of those present shall be sufficient to adopt any motion or resolution, provided that the vote of a majority of all the Board shall be necessary to make or confirm the making of any contract involving the expenditure of money not provided for in the annual budget; to adopt and revise the annual budget; and to amend or repeal previously adopted policies or a bylaws of the Board.
- ~~6.2.55~~ 2.5 A roll call vote shall be taken ~~upon any action of the Board involving the expenditure of money or~~ whenever **directed by the Chairperson or** requested by two members of the Board.

~~6.35~~ 3 Order of business

The usual order of business at Board meetings shall be as follows:

- Call to order
- Roll call
- Approval of minutes

Approval of agenda
 President's report
 Committee reports
 Academic Affairs
 Quality of University Life
 Finance and Facilities
 Executive
 Reports, if any, from Board liaisons with other organizations
 New business
 Comments from constituent groups (if any) and the public
 Other business
 Informational programs (if any)
 Adjournment

6.45.4 Speakers

It is the policy of the Board to require persons other than Board members and persons invited to speak at Board meetings to limit their remarks to no more than five minutes, or for a length of time determined by the chairperson, and to speak at the appropriate time during the agenda. **The Chairperson may also limit the number of speakers commenting on any one subject.** The Board may or may not respond to speakers' comments.

6.55.5 Parliamentary rules

The proceedings of the Board, when not otherwise provided for by its rules, shall be governed by the general usages of deliberative bodies. Every motion shall be reduced to writing upon the request of a member.

6.6 Recording Meetings

Members of the public and the news media may record public sessions of Board and Committee meetings. Use of recording devices may not interfere with the meeting or other attendees' view or hearing of the proceedings. Any recording devices must be fixed to one location in the room throughout the meeting. No flashes or other light enhancing devices may be used. The location of recording devices will be determined by the Chairperson prior to the meeting. Where multiple parties desire to record the meeting, the Chairperson may limit the number of recording devices in the meeting to no more than two.

7.06.0 The President of the University

Serving at the pleasure of the Board of Trustees, the President as Chief Executive Officer is responsible for recommending policies to the Board and for implementing those policies approved by the Board. The President must provide leadership in **establishing a the**

~~creation and maintenance of the vision and goals to guide sense of purpose to sustain the university in fulfilling its institutional direction and mission.~~ While the Board has recognizes that it holds the ultimate final responsibility for the **governance health, safety, and welfare** of the institution **to ensure its proper maintenance and successful and continous operation, and its personnel,** it is the President's responsibility to **execute Board policies and administer the University to fulfill its mission.** ~~carry out this function. The President shall administer the University to achieve its mission, including education and public laws of the State of Ohio, the policies of Shawnee State University and the resources available.~~ Specific responsibilities of the **President** include, but are not limited to, the following:

- ~~7.16.1~~ Administer Board policies that regulate goals and objectives and instructional and public service programs to achieve the institutional mission.
- ~~7.26.2~~ Direct **strategic long-** and short-range planning.
- ~~7.36.3~~ Develop, maintain and evaluate academic programs **in furtherance of** ~~to support~~ the institution's mission.
- ~~7.46.4~~ Develop and maintain an administrative organization and governance structure to facilitate both input into policy development and effective utilization of the resources required to achieve the University's goals and mission.
- ~~7.56.5~~ Develop and maintain a system that will receive, screen and recommend for employment the most well qualified personnel required to carry out the mission of the University. In addition, this system must assign, supervise, evaluate and promote all personnel employed by the University.
- ~~7.66.6~~ Plan and develop a process to secure and maintain the fiscal resources necessary to achieve the University's mission ~~and~~ at the highest level of quality. This responsibility shall include the presentation of these needs before the Board of Regents, the Executive Office, and the legislature.
- ~~7.76.7~~ Prepare and present for Board of Trustees approval the annual **operating operation** and capital budgets; in addition, make budgetary allocations and supervise the expenditure of all funds.
- ~~7.86.8~~ Develop and maintain facilities and equipment required to support the mission of the University.
- ~~7.96.9~~ Communicate to the Board the current condition and potential problems facing the University.
- ~~7.106.10~~ Represent the University before external public and private sector constituencies.

The President will be evaluated by the Board according to Policy No. ~~1.034.04~~.

Serving at the pleasure of the Board, the President will terminate his association with the University in a manner that does not discredit or damage the Board or University.

8.07-0 Adoption, Amendment, and Repeal of Bylaws and of University Policy and Procedures

8.17-1 The foregoing bylaws are intended to provide a general framework for the administration, and operation of the University. Detailed policies and procedure for the organization, administration, and operation of the University may be adopted, amended, and repealed by the Board of Trustees.

8.27-2 New bylaws may be adopted and existing bylaws amended or repealed by a majority vote of the Board of Trustees at any regular meeting of the Board, providing that notice of the meeting specifies that adoption, amendment, or repeal of the bylaws is to be considered.

Approved by
Shawnee State University
Board of Trustees

Adopted October 16, 1989;

Revised May 4, 1992

Revised October 15, 1993

Revised February 18, 1995

Revised December 10, 1998

Shawnee State University

AREA: BOARD OF TRUSTEES	POLICY NO.: 1.02 4.03
	PAGE NO.: 1 OF 2
	EFFECTIVE DATE: 12/10/98 6/27/88
SUBJECT: PRESIDENTIAL SELECTION	RECOMMENDED BY: Board of Trustees
	APPROVED BY:

The Ohio Revised Code, Section 3362.03, specifically states that "The Board of Trustees of Shawnee State University shall employ, fix the compensation of, and remove the President... [and] shall do all things necessary for the creation, proper maintenance, and successful and continuous operation of the University..." These responsibilities require the following policy governing a prompt and orderly selection process for a new president of the University whenever conditions dictate such selection occur. The final selection of a president is the sole responsibility of the Board of Trustees of Shawnee State University.

Needs Assessment

The Board or its designated representatives shall assess the needs of the institution and develop specific criteria for the position of President of Shawnee State University in addition to those currently stated.

Presidential Search Advisory Committee

In order to assist the Board in selecting a president, a Presidential Search Advisory Committee may shall be formed with the following eleven (11) representatives. ~~selected as stated:~~ The Board may solicit nominees from constituent organizations.

1. ~~One member of the Shawnee Education Association appointed by the membership of the SEA. Two full-time faculty members.~~
2. ~~One member of the University Faculty Assembly appointed by the membership of the UFA.~~
2. 3. One full time hourly staff person elected from among all full time hourly employees' bargaining unit, currently the Communication Workers of America.
3. 4. One full-time student appointed by Student Government. The student chosen may be one of the student members of the Board of Trustees.
4. 5. One full-time administrator member of the President's Advisory Council (excluding the current President) appointed by the Board of Trustees.
5. 6. Four voting members of the Board of Trustees, appointed by the Chairman with the approval of the Board.
6. 7. One Shawnee State University graduate, appointed by the Shawnee State University Alumni Association, if such group exists; otherwise, appointed by the Board of Trustees.

7. 8- One public member ~~appointed by the Board of Trustees.~~

The Chairman of the Presidential Search Advisory Committee shall be appointed by the Chairman of the Board of Trustees.

The Board of Trustees shall establish a budget for the Presidential search and selection process and shall give the Committee a written charge delineating its responsibilities and deadlines for accomplishment of each.

At the discretion of the Board of Trustees, the Board may **appoint other advisors and/or** hire a consultant or consulting firm to conduct designated portions of the initial search for candidates.

Shawnee State University

AREA:	BOARD OF TRUSTEES	POLICY NO.:	1.03 4.04
		PAGE NO.:	1 OF 1
SUBJECT:	EVALUATION OF THE PRESIDENT BY THE BOARD OF TRUSTEES	EFFECTIVE DATE:	12/10/98 5/24/00
		RECOMMENDED BY:	Board of Trustees
		APPROVED BY:	

The Board of Trustees will evaluate the president's performance each year.

~~With the realization that the President of Shawnee State University is evaluated daily by the faculty, staff, students, members of the Board of Trustees and the community, it is still necessary that a written evaluation of the President be completed each year by the Board of Trustees.~~

1.0 Timetable

The evaluation of the President should be initiated annually during the month of ~~May~~ **September** of each academic year. ~~Before the first Board or Executive Committee meeting in May, By mid-October,~~ the Chairperson of the Executive Committee should begin the formal evaluation process with the President, requesting a self assessment and list of goals for the coming **fiscal** year from the President and explaining the process. The Chairperson shall then present evaluation forms to each member of the Board for completion. The evaluation form will include an assessment of the President's performance in meeting the responsibilities of the Office as presented in the Bylaws of the Board of Trustees, **and the goals established for the preceding year.**

2.0 Preparation for Written Evaluation

The Chairperson, the Executive Committee and/or members of the Board will tabulate the results, with the Chairperson and Vice-Chairperson discussing the results and related information, first with the Executive Committee and then with the President. This will form the basis for the written evaluation.

3.0 Summary of Evaluation

A report of the evaluation session involving the President, Board Chairperson and Vice-Chairperson will then be shared with the Board (~~in executive session~~), ~~usually during the December meeting prior to the start of the following academic year.~~

Shawnee State University

AREA:	BOARD OF TRUSTEES	POLICY NO.:	1.04-1.05 REV
		PAGE NO.:	1 OF 2
		EFFECTIVE DATE:	12/10/9812/10/93
SUBJECT:	HONORARY DEGREES	RECOMMENDED BY:	BOT EXCOM
		APPROVED BY:	

The Shawnee State University Board of Trustees may award honorary degrees to individuals worthy of such recognition; therefore, procedures and criteria for making such awards are required.

Awarding an honorary degree indicates the high esteem in which the Shawnee State University Board of Trustees holds the recipient. To assure that only the most worthy or appropriate individuals receive honorary degrees, the following procedures and criteria shall apply.

1.0 Criteria for awarding honorary degrees

The Board of Trustees may award honorary degrees to individuals who have made significant contributions to society, typically to higher education and scholarship, to the University, and/or to the State of Ohio. Attributes that nominees shall exhibit should include more than one of the following:

- 1.1 The nominee has some attachment or connection to the University and/or the State of Ohio.
- 1.2 The nominee has a statewide, national, and/or worldwide reputation.
- 1.3 The nominee has made significant contributions to the advancement or promotion of knowledge, typically to a discipline or field of study offered at the University.

2.0 Prohibitions

Honorary degrees shall not be awarded to persons serving in the following positions until three years after termination of such service:

Shawnee State University trustees
Shawnee State University employees

3.0 Degrees awarded

The following honorary degrees may be awarded:

- L.L.D. Doctor of Laws
- Litt. D. Doctor of Letters
- Sc.D. Doctor of Science
- L.H.D. Doctor of Humane Letters
- Ph.D. Doctor of Philosophy

4.0 Time and number of awards

- 4.1 Normally, the University shall award honorary degrees at Commencement. The University may award honorary degrees at other times with the approval of the Board.
- 4.2 The number of honorary degrees awarded in an academic year shall be determined by the Board of Trustees.

5.0 Nominations

~~The University Senate, upon recommendation by its Academic Affairs Committee, typically will~~
Any university governance body may nominate individuals for an honorary degree. Nominations are **normally reviewed and then** recommended by the President to the Executive Committee of the Board of Trustees for action.

Nominations must include a detailed description of the nominee and justification for awarding ~~him~~
~~or her such a~~ **an honorary** degree. Normally, the Board's Executive Committee shall receive nominations for potential honorary degree recipients not less than 120 days prior to the date on which the degree would be awarded. The Board of Trustees reserves the right to nominate and approve candidates for honorary degrees.

6.0 Confidentiality

The names of nominees and all deliberations and recommendations of the Committee shall be held in the strictest confidence until such time as the Board takes action.

7.0 Board action

The final decision to award an honorary degree rests with the Board of Trustees.

Adopted 4/2/90; Revised 12/10/93

Amended House Bill Number 739

(effective July 2, 1986)

AN ACT

To amend sections 3345.011 and 3347.01 and to enact sections 3333.141, 3362.01, 3362.02, 3362.03, 3362.04, 3362.05, and 3362.06 of the Revised Code to create a new state university to be known as Shawnee State University, to provide for transfer to the university of lands, buildings, property, equipment, and programs of the state community college, and to establish a procedure for initiating any new technical education program in the former community college district.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 3345.011 and 3347.01 be amended and sections 3333.141, 3362.01, 3362.02, 3362.03, 3362.04, 3362.05, and 3362.06 of the Revised Code be enacted to read as follows:

Sec. 3333.141 The board of trustees of a state university that was formerly a state community college shall have responsibility for and control of the courses and programs offered by the former college.

If a state community college becomes a state university, no state-supported institution of higher education shall thereafter establish any technical education course or program in the territory of the former state community college district unless both of the following have occurred:

(A) The board of trustees of the state university that was formerly a state community college has adopted a resolution specifying that it does not object to the establishment of the course or program in the territory of the former state community college district;

(B) The board of regents has approved the establishment of the course or program in the territory of the former state community college district.

The provisions of this section shall not affect any technical education course or program established and offered by a state-supported institution of higher education prior to the effective date of this section.

THIS SECTION REPEALED, AM. SUB. H.B. NO 117, JUNE 30, 1995.

Sec. 3345.011 "State university" means a public institution of higher education which is a body politic and corporate. Each of the following institutions of higher education shall be recognized as a state university: University of Akron, Bowling Green State University, Central State University, University of Cincinnati, Cleveland State University, Kent State University, Miami University, Ohio University, Ohio State University, Shawnee State University, University of Toledo, Wright State University, and Youngstown State University.

Sec. 3347.01 There is hereby created:

(M) The Shawnee State University housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Shawnee State University.

Sec. 3362.01 (This section comes from Am. H.B. 34, enacted in 1987.)

(A) There is hereby created a state university to be known as "Shawnee State University." The government of Shawnee State University is vested in a board of eleven trustees who shall be appointed by the governor with the advice and consent of the senate. Two of the trustees shall be students at Shawnee State University, and their selection and terms shall be in accordance with division (B) of this section. The remaining trustees shall be appointed, as follows: one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, one for a term of seven years, one for a term of eight years, and one for a term of nine years. Thereafter, terms shall be for nine years. All terms of office shall commence on the first day of July and end on the thirtieth day of June. At least five of the trustees, excluding the two student members, shall be residents of the territory that constitutes the Shawnee state community college district on the effective date of this section.

Each trustee shall hold office from the date of his appointment until the end of the term for which he was appointed. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of such term. Any trustee shall continue in office subsequent to the expiration date of his term until his successor takes office, or until a period of sixty days has elapsed, whichever occurs first. No person who has served a full nine-year term or more than six years of such a term shall be eligible for reappointment.

The trustees shall receive no compensation for their services but shall be paid their reasonable and necessary expenses while engaged in the discharge of their official duties.

A majority of the board constitutes a quorum.

(B) The student members of the board of trustees of Shawnee State University have no voting power on the board. Student members shall not be considered as members of the board in determining whether a quorum is present. Student members shall not be entitled to attend executive sessions of the board. The student members of the board shall be appointed by the Governor, with the advice and consent of the Senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student government and approved by the university's board of trustees. The initial term of office of one of the student members shall commence on July 1, 1988 and shall expire on June 30, 1989, and the initial term of office of the other student member shall commence on July 1, 1988 and expire on June 30, 1990. Thereafter, terms of office of student members shall be for two years, each term ending on the same day of the same month of the year as the term it succeeds. In the event a student member cannot fulfill his two-year term, a replacement shall be selected to fill the unexpired term in the same manner used to make the original selection.

Sec. 3362.02 The board of trustees of Shawnee State University shall annually elect from their members a chairman and vice-chairman; and they may also appoint a secretary of the board, a treasurer, and such other officers of the university as the interests of the university require, who may be members of the board. The treasurer, before entering upon the discharge of his duties, shall give bond to the state for the faithful performance of his duties and the proper accounting for all money coming into his care. The amount of said bond shall be determined by the board, but shall not be a sum less than the estimated amount which may come into the treasurer's control at any time. Said bond shall be approved by the Attorney General.

Sec. 3362.03 The board of trustees of Shawnee State University shall employ, fix the compensation of, and remove the president and such number of professors, teachers, and other employees, as may be deemed necessary. The board shall do all things necessary for the creation, proper maintenance, and successful and continuous operation of the university and may adopt and amend bylaws and rules for the conduct of the board and the government and conduct of the university. The board may accept donations of lands and moneys for the purposes of such university.

Sec. 3362.04 The board of trustees of Shawnee State University may receive and hold in trust, for the use and benefit of the university, any grant or devise of land, and any donation or bequest of money or other personal property, to be applied to the general or special uses of the university, unless otherwise directed in the donation or bequest. The board of trustees of Shawnee State University may make and enter into all contracts and agreements necessary or incidental to the acquisition of property for, or the operation of the university.

Sec. 3362.05 The general assembly shall support Shawnee State University by such sums and in such manner as it may provide, but support may also come from other sources.

Sec. 3362.06 Shawnee state community college shall cease to exist when the board of trustees of Shawnee State University commences the exercise of its powers. Thereupon, the board of trustees of Shawnee State University shall have control of all lands, buildings, property, and equipment held by the board of trustees of Shawnee state community college for the institution or in trust for the institution, whether for the general or special use of the institution or for some purpose otherwise directed by the terms of a donation or bequest. On the date the board of trustees of Shawnee State University commences to exercise its powers, all contractual and other obligations, liabilities, trusts, and commitments of the board of trustees of Shawnee state community college shall become the responsibility of the board of trustees of Shawnee State University. The abolishment of Shawnee state community college shall not affect the rights of holders or owners of bonds or notes issued by Shawnee state community college. Such notes and bonds shall become the obligations of Shawnee State University on the date the board of trustees of the university commences to exercise its powers.

Section 121.22 Ohio Revised Code
(Ohio's "Sunshine Law")
Amended 1988

AN ACT

To amend section 121.22 of the Revised Code to make certain changes in the Open Meetings Law.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 121.22 of the Revised Code be amended to read as follows:

Sec. 121.22 (A) This section shall be liberally construed to require public officials to take official action and to conduct all deliberations upon official business only in open meetings, unless the subject matter is specifically excepted by law.

(B) As used in this section:

(1) "Public body" means any board, commission, committee, or similar decision-making body of a state agency, institution, or authority, and any legislative authority or board, commission, committee, agency, authority, or similar decision-making body of any county, township, municipal corporation, school district, or other political subdivision or local public institution.

(2) "Meeting" means any prearranged discussion of the public business of the public body by a majority of its members.

(3) "Regulated individual" means:

(a) Any student in a state or local public education institution;

(b) Any person who is, voluntarily or involuntarily, an inmate, patient, or resident of a state or local institution because of criminal behavior, mental illness or retardation, disease, disability, age, or other condition requiring custodial care.

(C) All meetings of any public body are declared to be public meetings open to the public at all times. A member of a public body must be present in person at a meeting open to the public to be considered present or to vote at the meeting and for purposes of determining whether a quorum is present at the meeting.

The minutes of a regular or special meeting of any such public body shall be promptly recorded and open to public inspection. The minutes need only reflect the general subject matter of discussions in executive sessions authorized under division (G) of this section.

(D) This section does not apply to a grand jury, to an audit conference conducted by the auditor of state or independent certified public accountants with officials of the public office that is the subject of the audit, to the adult parole authority when its hearings are conducted at a penal institution for the sole purpose of interviewing inmates to determine parole or pardon to the organized crime investigations commission established under section 177.01 of the Revised Code, to the state medical board when determining whether to suspend a certificate without a prior hearing pursuant to division (D) of section 4731.22 of the Revised Code, or to the board of nursing when determining whether to suspend a license without prior hearing pursuant to division (B) of section 4723.181 of the Revised Code.

(E) The controlling board, the development financing advisory board, the industrial technology and enterprise advisory board, and the minority development financing commission, when any of the boards or the commission meets to consider granting assistance pursuant to Chapters 122. and 166. of the Revised Code, in order to protect the interest of the applicant and the possible investment of public funds, may be unanimous vote of all board or commission members present close the meeting during

consideration of the following information confidentially received by the commission or board from the applicant:

- (1) Marketing plans;
- (2) Specific business strategy;
- (3) Production techniques and trade secrets;
- (4) Financial projections;
- (5) Personal financial statements of the applicant or members of his immediate family,

including, but not limited to, tax records or other similar information not open to public inspection.

The vote by the commission or board to accept or reject the application, as well as all proceedings of the commission or board not subject to this division, shall be open to the public and governed by this section.

(F) Every public body shall, by rule, establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings. A public body shall not hold a special meeting unless it gives at least twenty-four hours' advance notice to the news media that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.

The rule shall provide that any person may, upon request and payment of a reasonable fee, obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. Provisions for advance notification may include, but are not limited to, mailing the agenda for meetings to all subscribers on a mailing list or mailing notices in self-addressed, stamped envelopes provided by the person.

(G) The members of a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold such a session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of his official duties or for his removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

(2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use this division as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action;

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;

(5) Matters required to be kept confidential by federal law or rules or state statutes;

(6) Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law.

If a public body holds an executive session to consider any of the matters listed in divisions (G)(2) to (6) of this section, the motion and vote to hold that executive session shall state which one or more of the approved matters listed in those divisions are to be considered at the executive session.

(H) A resolution, rule, or formal action of any kind is invalid unless adopted in an open meeting of the public body. A resolution, rule, or formal action adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid unless the deliberations were for a purpose specifically authorized in division (G) of this section and conducted at an executive session held in compliance with this section.

(I)(1) Any person may bring an action to enforce the provisions of this section. Upon proof of a violation or threatened violation of this section in an action brought by any person, the court of common pleas shall issue an injunction to compel the members of the public body to comply with its provisions.

(2) If the court of common pleas issues an injunction pursuant to this section, the court may award to the party that sought the injunction all court costs and reasonable attorney's fees and also shall order the public body that it enjoins to pay a civil forfeiture of one hundred dollars. If the court of common pleas does not issue an injunction pursuant to this section and the court determines at that time that the bringing of the action was frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code, the court may award to the public body all court costs and reasonable attorney's fees.

(3) Irreparable harm and prejudice to the party that sought the injunction shall be conclusively and irrebuttably presumed upon proof of a violation or threatened violation of this section.

(4) A member of a public body who knowingly violates an injunction issued pursuant to this division may be removed from office by an action brought in the court of common pleas for that purpose by the prosecuting attorney or the attorney general.