



**BOARD OF TRUSTEES  
CLEVELAND STATE UNIVERSITY**

**MINUTES OF THE MEETING**

**BOARD OF TRUSTEES MEETING**

**DATE:** Wednesday, April 11, 2012, 8:30 a.m.  
**PLACE:** The Wolstein Center, Gerald H. Gordon Conference Pavilion,  
Weinberg Board Room

**PRESENT:** Chairman Robert H. Rawson, Jr., Vice Chairman Dan T. Moore

announced that a luncheon will be held in her honor following the June 25 Board of Trustees meeting. He thanked Trustee Florkiewicz for her service, and led the Board in applause.

Chairman Rawson was pleased to report that the Governor's appointments of Student Trustees Amber Alt and Alexander Butler were recently confirmed by the Ohio Senate. He officially welcomed them to the Board of Trustees.

Chairman Rawson reported that a meeting of the Executive Committee was held on March 28, 2012 (**Attachment A**). He noted that a substantial portion of the meeting was held in Executive Session, dealing with personnel and real property matters. The Committee approved the extension of the employment contract of the men's basketball coach during the public session of the meeting. The following resolution, passed by the Executive Committee, is entered into the record:

**EXECUTIVE COMMITTEE RESOLUTION 2012-01**

**APPROVAL OF ONE YEAR EXTENSION OF MEN'S  
BASKETBALL COACH'S CONTRACT**

**WHEREAS**, the Board of Trustees passed Amended Resolution 2008-92, approving Amendment A to the Employment Contract with Head Men's Basketball Coach Gary Waters, subject to the Board having the opportunity to review the Coach's performance and the rollover provision before March 31 of each year; and

**WHEREAS**, Athletic Director Parry has reviewed Coach Waters' performance for the 2011-2012 basketball season with President Berkman, who recommends approval of the extension;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Executive Board hereby approves the extension of Coach Waters' contract for one (1) additional year pursuant to the terms of his employment contract as amended, subject to ratification by publication in the Board of Trustees' minutes of its next meeting.

Chairman Rawson noted that the Bylaws of the Board of Trustees call for the annual election of officers. The question of multi-year terms for officers having also been raised, Chairman Rawson appointed Trustees Weinberg, Bowen and Moreno to serve on the

Nominating Committee (chaired by Trustee Weinberg) and asked them to make a recommendation about multi-year terms. He invited the Board members to contact him, or Trustee Weinberg, regarding their thoughts and suggestions.

### **HONORARY DEGREES**

Recognition Committee Chair Weinberg reported on the meeting of March 21, 2012 (**Attachment B**). He stated that Mayor Frank Jackson and Dr. Allan D. Waren, Professor

to require the two letters of support later in the process. The honorary degree nomination criteria and guidelines were discussed.

### **REPORT OF THE PRESIDENT**

President Berkman was pleased to share with the Board the inaugural publication, *Engaged Scholarship*, featuring CSU research and 30 faculty researchers (**Attachment D**). He acknowledged the outstanding efforts of the faculty, under the leadership of Dr. George E. Walker, Vice President for Research and Graduate Studies, which have a far-reaching impact in our region, nation, and world, and bring prestigious recognition to the University.

President Berkman reported that the capital bill budget appropriation was uniquely allocated by the university presidents. Cleveland State is awarded the capital request it submitted, focused on the renovation of the engineering building.

The President remarked that the Governor raised the issue of college completion in his State-of-the-State address, with college completion being a state and national imperative. President Berkman feels good about CSU having gotten in front of the issue with the work of the Student Success Committee now at the implementation stage. He and Ohio State University President Gordon Gee are senior presidents serving on the Regents' Completion Task Force. He noted that completion and funding will intersect, and currently, the only metric for completion are the number of freshmen who start and finish at the same university; it is no longer a viable



Following a discussion of the Postsecondary Option Program, Chairman Rawson expressed appreciation on behalf of the Board to President Berkman and Vice President Brown for monitoring what is happening externally, for providing the Board with a foundation and better understanding of financial aid, the challenges, and how to address the student burden.

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

Mr. Steven A. Minter, Chair of the CSU Foundation Board of Directors, reported on the recent and upcoming activities of the Foundation Board. He stated that at the June Board meeting, as many as ten new members will be added to the CSU Foundation Board of Directors (including Sally Florkiewicz as her longstanding service on the CSU Board of Trustees comes to an end).

In an effort to strengthen the connection between the visiting committees of the colleges and the CSU Foundation, Mr. Minter reported that each of the visiting committees is being asked to identify a representative to serve on the Foundation Board of Directors. The Student Trustees and Faculty Representatives to the Board of Trustees are also being asked to serve on the Foundation Board.

Mr. Adler, Co-Chair of the Radiance Steering Committee, reported that the development committees of the Board of Trustees and the CSU Foundation Board of Directors are working together on behalf of the University, and raising funds for scholarships. The Radiance event raised \$377,000 last year. Trustee Adler was pleased to report that \$419,000 has been raised so far this year, with a \$25,000 gift pending. This year's goal is to raise \$500,000.

It was reported that \$14.6 million was attained last year in cash gifts and pledges. Major gifts were received in each of the last few years, making it more challenging this year. The gift report for the third quarter of FY 2012 is part of the Consent Agenda.

**CONSENT AGENDA**

Chairman Rawson asked if there were consent agenda items that Board members wished to remove and discuss individually. There were none. He asked the administration to comment briefly on each of the items.

Chairman Rawson observed that Faculty Representative Joanne Goodell was promoted to full professor, and congratulated her on behalf of the Board. Trustee Adler moved, and Trustee Levin seconded, the motion to approve the consent agenda items: Faculty Promotion and Tenure Recommendations, 2012-2013 (**Attachment F**), Librarian Promotion Recommendations, 2012-2013 (**Attachment G**), Professional Leaves of Absence, 2012-2013 (**Attachment H**), Faculty Personnel Policies and Bylaws Revisions (**Attachment I**), Proposed Cleveland-Marshall Fund Allocation, FY 2013 (**Attachment J**), Gift Report for FY 2012, Third Quarter (**Attachment K**), Report of Sponsored Programs through FY 2012, Second Quarter (**Attachment L**), Voluntary 403(b) Retirement Savings Plan Amendment (**Attachment M**), Amended Bookstore Management Services Agreement (**Attachment N**), and Residential Meal Plan Rates, FY 2012-2013 (**Attachment O**) were considered as part of the Consent Agenda. The following resolutions were passed by voice vote.

**RESOLUTION 2012-8**

**PROMOTION AND TENURE RECOMMENDATIONS  
2012-2013**

**WHEREAS**, the individuals in the attached exhibit have been reviewed by the appropriate Department and College committees, the Chairperson, the Dean, the University Peer Review Committee (where appropriate), the Provost and the President; and

**WHEREAS**, they have fulfilled the requirements for prom

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby approves the promotions to the rank of Professor, the rank of Associate Professor with tenure, the rank of Clinical Associate Professor with tenure and the award of tenure at the rank of Associate Professor effective at the beginning of the 2012-2013 academic year for those individuals as recommended.

#### **RESOLUTION 2012-9**

##### **PROMOTION OF LIBRARIAN RECOMMENDATION**

**WHEREAS**, the individual in the attached exhibit has been reviewed by the appropriate Personnel Action Committee for Promotion of the Cleveland-Marshall College of Law Library, the Director of the Cleveland-Marshall College of Law Library, the Provost and the President; and

**WHEREAS**, the individual has fulfilled the requirements for promotion as set forth in Section 8.7.3 of the Librarians' Personnel Policies;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby approves the promotion to the rank of Associate Librarian, effective July 1, 2012, for this individual as recommended.

#### **RESOLUTION 2012-10**

##### **PROFESSIONAL LEAVES OF ABSENCE, 2012-2013**

**WHEREAS**, the individuals in the Professional Leaves of Absence Summary Report for the Academic Year 2012-2013 have been reviewed and approved by the appropriate committees and administrators; and

**WHEREAS**, they have fulfilled the requirements for professional leave as set forth in Article 19 of the Agreement between Cleveland State University and the CSU Chapter of the American Association of University Professors or, in the case of the College of Law faculty, of Section 8.1.8 of the CSU Faculty Personnel Policies;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees approves the granting of Professional Leaves of Absences for the academic year 2012-2013 to those individuals as outlined in the Summary Report.



**RESOLUTION 2012-11**

**FACULTY PERSONNEL POLICIES AND BYLAWS REVISIONS**

**WHEREAS**, revisions have been proposed to the Personnel Policies and Bylaws including Section 8.4.6 Article VI. Graduate Council; and

**WHEREAS**, the Cleveland State University Faculty Senate has approved these revisions at its meeting of March 7, 2012;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees approves these revisions to the Personnel Policies and Bylaws as indicated in the accompanying exhibit.

**RESOLUTION 2012-12**

**PROPOSED ALLOCATION OF  
CLEVELAND-MARSHALL FUND INCOME  
FY 2013**

**WHEREAS**, the value of the Cleveland-Marshall Fund as of December 31, 2011 was \$4,234,199, and it is projected that \$231,573 in spendable income will become available in FY 2013; and

**WHEREAS**, the proposed commitment of this accumulated income will contribute to the general enrichment of legal education at Cleveland-Marshall College of Law and provide scholarships.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Cleveland State University hereby directs Key Bank, as Trustee of the Cleveland-Marshall Fund, to remit the sum of \$231,573 to Cleveland State University to be used for the purpose of education and program enrichment at the Cleveland-Marshall College of Law in FY 2013 as proposed.

**RESOLUTION 2012-13**

**ACCEPTING GIFTS AND PLEDGE PAYMENTS  
FY 2012, THIRD QUARTER  
January 1, 2012 to March 31, 2012**

**RESOLVED**, that the gifts and pledge payments totaling \$597,692 received by the Cleveland State University Foundation during the period January 1, 2012 to March 31, 2012 are hereby accepted with thanks; and,

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

**RESOLUTION 2012-14**

**SPONSORED PROGRAMS REPORT FOR  
FY 2012, 1<sup>ST</sup> AND 2<sup>ND</sup> QUARTERS**

**RESOLVED**, that the Sponsored Programs funds totaling \$6,235,007 received by the Cleveland State University during the period July 1, 2011 to September 30, 2011, are hereby accepted with thanks; and,

**RESOLVED**, that the Sponsored Programs funds totaling \$669,875 received by the Cleveland State University during the period October 1, 2011 to December 31, 2011, are hereby accepted with thanks; and

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

**RESOLUTION 2012-15**

**REVISIONS TO CLEVELAND STATE UNIVERSITY VOLUNTARY 403(B)  
RETIREMENT SAVINGS PLAN**

**WHEREAS**, Cleveland State University (the "University") previously adopted and currently maintains the Cleveland State University Voluntary 403(b) Retirement Savings Plan (the "Plan"); and,

**WHEREAS**, the Board of Trustees of the University (the "Board") desires to amend the Plan to allow participants to make Roth 403(b) Contributions to the Plan, effective July 1, 2012; and,

**WHEREAS**, Section 8.2 of the Plan gives the University the ability to amend the Plan;

**NOW, THEREFORE, BE IT RESOLVED** that effective July 1, 2012, the Board adopts the Second Amendment to the Plan in substantially the form as attached hereto; and,

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



**RESOLUTION 2012-17**  
**APPROVING INCREASE IN FY 2012-2013**

employee contributions will increase under the proposed group benefit plans, they are less than the maximum aggregate of 20% negotiated in the collective bargaining agreements.

Trustee Adler moved, and Trustee Bowen seconded, the motion to approve the selection, renewal and contract terms for the University' health plans. The following resolution was passed by voice vote:

**RESOLUTION 2012-18**

**APPROVAL OF  
SELECTION, RENEWAL AND CONTRACT TERMS  
FOR THE UNIVERSITY'S HEALTH PLANS**

**WHEREAS**, the University's Human Resources Department undertook several initiatives to achieve significant cost avoidance in the University's benefits for FY2013 and FY2014; and

**WHEREAS**, the consensus was achieved with the University's Health Care Committee and subsequently the Bargaining Units for an innovative proposal allowing University Administration full flexibility in benefit plan design and vendor selection within a defined limit of no more than an aggregate twenty percent (20%) for employee contributions and a plan value proposition of no more than a ten percent (10%) reduction in benefits for FY13 and FY14; and

**WHEREAS**, The University has also committed to a wellness program intended to improve health and well-being of faculty and staff, and reduce the upward trending of health care costs affecting the ability of the University to continue to offer attractive and affordable health benefits; and

**WHEREAS**, subsequent to the issuance of a series of Requests for Proposals (RFPs), responses were received and evaluated based on financial quotes, services proposed and willingness to participate in the University's wellness programming initiatives, and vendors chosen for such services;

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby adopts the recommendations of the Department of Human Resources based on the evaluation and analysis of the University's benefits consultant, Findley Davies, with regard to the following actions:

- a. Renewal of the self- insured Administrative Services Only contract with Medical Mutual of Ohio for three years including Medco Pharmacy Management Services and Stop Loss Insurance as recommended; and
- b. Renewal of the fully Insured policy agreement with Kaiser Permanente for one year to provide HMO network benefits as recommended; and

- c. Contract with MetroHealth Hospital Systems to provide Exclusive Provider Network benefits as recommended; and
- d. Contract with MetLife Dental to provide fully insured dental benefits under the three year contract as recommended; and
- e. Contract with LiveHealthier Inc. to provide Wellness Support Services under the two year contract as recommended.

campus buildings. It is understood the price for parking in close proximity to the core campus buildings will be more expensive [premium locations] than the price for parking in areas located further away from said core [standard locations]. It is further understood that the public/visitor parking rate will be the most expensive price.

**BE IT FURTHER RESOLVED** that the University is authorized to implement the following rates for FY13, FY14, and FY15 upon final review and approval by the Executive Committee at its next meeting. Said review will include a summary of commentary received from constituent groups on proposed rates. It is understood that the rates for summer session parking, Recreation Center garage and meters operated by CSU will be established as a function of the rates below.

	FY12	FY13	FY14	FY15
<b>Standard Locations [a]</b>				
Student - Semester	\$ 205.25	\$ 190.88	\$ 194.70	\$ 200.54
Faculty Staff - Annual	\$ 816.00	\$ 816.00	\$ 856.80	\$ 882.50
Faculty Staff - Semester	\$ 312.00	\$ 312.00	\$ 312.00	\$ 321.36
Scratch Off - Pre Paid Daily	\$6.00	\$6.00	\$6.00	\$6.00
<b>Premium Locations [b]</b>				
Student - Semester	\$ 205.25	\$ 225.78	\$ 237.06	\$ 248.92
Faculty Staff - Annual	\$ 816.00	\$ 856.80	\$ 899.64	\$ 926.63
Faculty Staff - Semester	\$ 312.00	\$ 343.20	\$ 360.36	\$ 371.17
Scratch Off - PrePaid Daily	\$6.00	\$8.00	\$8.00	\$8.00
Student Surcharge for Overnight/semester	\$25.00	\$25.00	\$25.00	\$25.00
F/S Surcharge for Overnight/semester	\$0.00	\$25.00	\$25.00	\$25.00
F/S Surcharge for Limited Access Facility/semester [c]	\$0.00	\$25.00	\$25.00	\$25.00
F/S Surcharge for Reserved Space/semester [d]	\$0.00	\$100.00	\$100.00	\$100.00
Visitor - Cash Daily	\$6.00	\$10.00	\$11.00	\$11.00
[a] Standard Locations: non-core				
[b] Premium Locations: core locations				
[c] Current facilities: Prospect Garage and Student Center Garage				
[d] Reserved Space: Eligibility has not yet been fully determined.				
NOTE: Summer rates are established as a function of the semester rates.				

### **Campus Dining Management Services**

The University proposed amendments to the agreements for Campus Dining Management Services and Restaurant Services for Retail Liquor Establishments (**Attachment S**) to increase the profitability of the campus dining program and to renew the agreements for a two-year period with Compass Group USA, through its Chartwells Division. Trustee Levin moved, and Trustee

Florkiewicz seconded, the motion to approve the amendments, subject to the final review and approval of the Executive Committee of the Board. The following resolution was passed by voice vote:

**RESOLUTION 2012-20**

**APPROVAL OF CAMPUS DINING SERVICES AND RETAIL LIQUOR ESTABLISHMENT AGREEMENTS RENEWAL PERIOD**

**BE IT RESOLVED**, that the Board of Trustees hereby approves the amendments to the two agreements with Compass Group USA by and through its Chartwells Division to accept a renewal period of two years under the terms outlined below; and

**BE IT FURTHER RESOLVED** that the language of said amendments will be presented by University administration to the Executive Committee of the Board for its final review and approval before said amendments are executed by the University.

**Agreement for Campus Dining Management Services – Amendment Three**

1. Duration of Renewal Period: Two years; July 1, 2012 through June 30, 2014
2. Capital Investment into Retail Dining from Company: \$50,000 to be invested into specific retail locations
3. Fee Amount to Company: \$355,000/year; fee would be reduced if the University chose to reduce the scope of its dining program substantially.
4. If adopted, there will be two, two-year renewal periods remaining.

**Agreement for Restaurant Services for Retail Liquor Establishment Service – Amendment Two**

1. Duration of Renewal Period: Two years; July 1, 2012 through June 30, 2014
2. If adopted, there will be two, tw



managers, selected by Cleveland State University. The next steps involve developing financial forecasts and debt strategy to be discussed at the June 6 Financial Affairs Committee meeting, with a final proposal to issue bonds at the June 25 Board of Trustees meeting.

**FY 2012 Second Quarter Financial Results**

An overview of the financials for the second quarter of FY 2012 (**Attachment U**) was provided to the Board members as a matter of information.

**Miscellaneous Fees**

The University Miscellaneous Fee Schedule for FY 13 (**Attachment V**) was presented as a matter of information to the Board. No action was required, and there were no questions.

Trustee Florkiewicz moved that the Board adjourn into Executive Session for the purpose of discussing real property matters, confidential, privileged matters, and pending litigation with University General Counsel. Trustee Levin seconded the motion. A roll call vote was taken by the Secretary to the Board; voting in the affirmative were Mr. Adler, Mr. Bowen, Ms. Florkiewicz, Mr. Levin, Mr. Moore, Ms. Taylor, Mr. Weinberg, and Chairman Rawson.

Chairman Rawson excused everyone except the voting and community trustees present, President Berkman, Provost Mearns, Vice President McHenry, Assistant Vice President Rahm, Athletic Director Parry, Board Secretary Napier, General Counsel Wilson and Special Counsel. Executive Session began at 10:50 a.m.

Chairman Rawson announced that the Board had finished its business in Executive Session, and adjourned the meeting at 11:45 a.m.

Respectfully submitted,

**APPROVED ON JUNE 25, 2012**

William J. Napier  
Secretary to the Board of Trustees

**APPROVED ON JUNE 25, 2012**

Robert H. Rawson, Jr.  
Chairman, Board of Trustees