

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES OF OHIO UNIVERSITY**

Friday, February 14, 2003

**Caucus Room, Academic Center
Ohio University Southern Campus
Ironton, Ohio**

THE OHIO UNIVERSITY BOARD OF TRUSTEES
MINUTES OF February 14, 2003 MEETING

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PROLOGUE

Prior to the start of the morning session, Ohio University Southern Campus Dean Dan Evans introduced, by video, a message from Vice President for Regional Higher Education Charles Bird. Dr. Bird, who was unable to attend due to recent surgery, provided an overview of the regional campus system, highlighting the Southern Campus.

Kim Larson, director of enrollment services reviewed the makeup of the campus student body between 1992 and 2002:

	<u>2002</u>	<u>1992</u>
<u>AVERAGE AGE</u>	28	31
% 24 AND YOUNGER	54	40
% 25 AND OLDER	46	60
% MINORITY	4	1
AVERAGE HIGH SCHOOL RANK	50.8	55.3

A series of introductions by faculty members followed by presentation of former and current students highlighted the profile of students and served to illustrate the strong ties between learning, teaching, service, and community on the Southern Campus. A list of those introducing and presenting are as follows:

Faculty Members

Mary Virgin, director, Human Services Technology
Don Moore, media production coordinator
Connie Mays, instructor, Mathematics
Miki Crawford, assistant professor, Communication
Becky McNeer, assistant professor, Arts and Sciences
Charles Jarrett, assistant professor, Arts and Sciences

Students

Blanche Hunter
Emeri D. Scott
Katie Kelch
Katie Garrett
Jed Utsinger II
Erwin Scott

I. ROLL CALL

Seven members were present — Chairman Gordon F. Brunner, Patricia A. Ackerman, R. Gregory Browning, C. Daniel DeLawder, M. Lee Ong, Larry L. Schey, and Robert D. Walter. This constituted a quorum. Trustees C. David Snyder and Marnette Perry were unable to attend.

Student Trustees Barry Spurlock and Tara Stuckey attended, as did President Robert Glidden, Secretary Alan H. Geiger, and David Wilhelm, chairman of the Ohio University Alumni Board of Directors, who sits by invitation of the Board.

II. APPROVAL OF THE MINUTES OF THE MEETING Of December 5, 2002 (Previously distributed)

Mr. Browning moved approval of the previously distributed minutes. Mr. DeLawder seconded the motion. All agreed.

III. COMMUNICATIONS, PETITIONS, AND MEMORIALS

Secretary Geiger stated there were no communications, petitions, or memorials.

IV. ANNOUNCEMENTS

President Glidden congratulated Trustee Larry Schey on his election as the President of the Board of Directors of the Athens Area Chamber of Commerce.

V. REPORTS

President Robert Glidden provided Trustees with two updates. The first report gave the current status of plans to balance the state budget and its possible impact on higher education. The second report was a follow-up to issues discussed at the December 5, 2002 Board of Trustees Retreat.

State Budget Situation

President Glidden reported Governor Taft had proposed a series of budget reductions and tax increases to balance the State's budget by June 2003. The House passed budget correction bill has eliminated the "sin taxes" proposed by the Governor (an increase of 6 cents on a bottle of wine and 10 cents on a six-pack of beer) creating a total difference of \$179 million less than the Governor says he needs to balance the budget. The Governor has said without the additional \$179 million he will be forced to cut higher education by \$39 million. That would result in a reduction of state aid to Ohio University of \$2.7 million. President Glidden stated the \$2.7 million represents approximately 67 non-faculty positions.

President Glidden indicated the University would find its way through the \$2.7 million reduction should it come, but he stated this is a base reduction with dire consequences for the upcoming budget year.

The President also reviewed Governor Taft's recommended budget for the next biennium which proposes an increase in state share of 2% in 2004 and 5% in 2005. However, the Governor is also proposing a 6% tuition cap and further reductions in other line items. President Glidden described the overall budget picture as "grim."

Trustees asked about ways of increasing advocacy for higher education including marshalling student and parent support, trustees contacting their area legislators, working with alumni and others, all so that higher education did not receive a disproportionate share of the revenue shortfall burden. It was agreed that people, rather than programs, could be the first to be eliminated and that there were no guarantees with future funding. All hoped the state and national economies would improve soon.

Retreat Follow-Up

President Glidden briefly reviewed the themes from the past retreat: 1) provide undergraduates with a distinctive education, 2) emphasize distinctiveness in graduate education, 3) maintain excellence in research, 4) maximize the learning opportunities afforded by a residential campus, and 5) expand service to the region.

President Glidden stated more details about each would be forthcoming from Provost Kopp regarding learning initiatives, as well as others, and that a program providing \$3,000 per year tuition assistance for high-achieving non-residents was in place.

VI. UNFINISHED BUSINESS

Secretary Geiger reported no unfinished business.

VII. NEW BUSINESS

BUDGET, FINANCE, PHYSICAL PLANT, AND AUDIT COMMITTEE/ COMMITTEE OF THE WHOLE

Vice President Richard Siemer briefly reviewed financial reports and materials previously distributed. He and Committee Chairman DeLawder noted the new reporting format (GASB) for financial reporting was more readable and management friendly in addition to allowing better comparison of data between public and private institutions.

Mr. Siemer reported the Oracle System is to come on line April 1 and that the system will enhance the mid-year reporting to Trustees of budget to expenditures. Mr. Siemer also commented we maybe using up resources, i.e., reserves, at an accelerated rate. Committee Chairman DeLawder indicated his committee will study the matter and report back to the Trustees in April.

Trustees asked Mr. Siemer to normalize benchmarking data with Miami University and others so as to better understand the data.

Copies of Mr. Siemer's reports are included with the official minutes.

Chairman DeLawder and Vice President for Administration Gary North presented the four resolutions before the Committee.

Mr. DeLawder moved, and Mr. Schey seconded the motion to approve by consensus the following resolutions. All voted in the affirmative.

Naming of Soccer Field, Resolution 2003 – 1856

Consultant Approval for Basic Renovations, Resolution 2003 – 1857

Consultant Approval for Eastern Campus – Science/Fine Arts Renovations,
Resolution 2003 – 1858

Consultant Approval for Lancaster Campus – Brasee Hall & Herrold Hall
Connector, Resolution 2003 – 1859

**A NAMING GIFT OF THE SOCCER FIELD
AT THE ATHLETICS MALL
IN THE NAME OF CHESSA BLOWER**

RESOLUTION 2003 – 1856

WHEREAS, Mr. and Mrs. Scott Blower generously donated funds in support of Ohio University Athletics, making it the university's largest private gift to women's athletics.

WHEREAS, Mr. Scott Blower being employed by the University as the Athletics and West Green grounds supervisor, and his wife Mrs. Crista Beegle Blower being a 1985 graduate of Ohio University, believe in carrying forward the strong tradition and progressive spirit of Ohio Athletics.

WHEREAS, to recognize the Blower Family, the soccer field be named in honor of their daughter, Chessa Blower.

NOW, THEREFORE, BE IT RESOLVED that the soccer field at The Athletics Mall henceforth be named Chessa Field.



*Mid-American Conference
Charter Member*

February 5, 2003

President Robert Glidden
108 Cutler Hall
Ohio University
Athens, Ohio 45701

Dear Bob,

A number of renovations have taken place at the Ohio soccer facility. These projects were made possible, in part, by a generous contribution from Scott and Crista Blower. Scott is the Athletics and West Green Grounds Supervisor and his wife Crista, is a 1985 graduate of Ohio University. With your permission, and that of the Board of Trustees, the department of athletics, on behalf of the Blower Family, recommend that the playing field be named in honor of their daughter, Chessa.

The Blower Family's donation, which is the university's largest private gift given to women's athletics, funded the installation of a state-of-the-art laser-leveled and widened grass playing surface. This renovation includes a state-of-the-art underground drainage system, an irrigation system and sod playing surface.

Mr. Blower feels that this is just a way for his family to show their appreciation to the people here at Ohio University, including the coaches and athletes. Soccer is a new sport at Ohio and the program did not have wealthy alumni to turn to for support, so they decided to step forward in support of this project. This field is just one significant aspect of the progressive growth of Ohio Soccer.

We are hopeful that this honor granted to the Blower Family will show the university's appreciation for their continued support of Ohio Athletics. If I may provide additional materials, please advise. Thank you for your consideration.

Best personal regards,

Thomas C. Boeh
Director of Athletics

enclosure

Department of Intercollegiate Athletics
Ohio University • Convocation Center • Athens, Ohio 45701-2979
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**PROJECT APPROVAL AND AUTHORIZATION TO HIRE CONSULTANTS
FOR THE BASIC RENOVATIONS FUNDING IN FY 2003-2004**

RESOLUTION 2003 — 1857

WHEREAS, the 124th General Assembly, Regular Session, 2001-2002 has introduced and approved House Bill Number 675, a capital improvements bill for the FY 2003-2004 funding period, and

WHEREAS, the same General Assembly in the same Regular Session has introduced and approved House Bill Number 524, a capital re-appropriation bill, and

WHEREAS, the two House Bills propose Basic Renovation Appropriations that will make \$5,455,179 available for the Athens Campus and \$1,050,367 available for the Regional Campuses, and

WHEREAS, discussions with University Personnel and with the Ohio Board of Regents has identified the following Basic Renovation Projects:

- A. Athens Campus – Basic Renovation Projects
 - 1. Alden Library Second Floor Renovation - \$ 250,000
 - 2. Alden Library Substation Replacement - \$ 450,000
 - 3. Bicentennial Park - \$ 350,000
 - 4. Classroom Improvements - \$ 400,000
 - 5. Convocation Center Main Floor Replacement - \$ 200,000
 - 6. Elevator Improvements - \$ 280,000
 - 7. Fire Alarm System Upgrade - \$ 250,000
 - 8. Golf Course Completion - \$ 420,000
 - 9. Haning Hall Improvements - \$ 50,000
 - 10. Lausche Heating Plant Improvements - \$ 500,000
 - 11. Masonry Improvements - \$ 100,000
 - 12. Morton Hall Chiller Replacement - \$ 400,000
 - 13. Parking Facility and Roadway Paving - \$ 100,000
 - 14. Ridges Renovation - \$250,000
 - 15. Roof Improvements - \$ 400,000
 - 16. Seigfred Hall Primary Electric - \$ 350,000
 - 17. Tunnel Section Rehabilitation - \$ 600,000
 - 18. Contingency - \$105,179

B. Regional Campuses – Basic Renovation Projects

1. Parking Improvements-Eastern - \$192,413
2. Brasee Hall Chiller Replacement – Lancaster - \$255,635
3. Elson Hall Roof Replacement – Zanesville - \$243,268
4. Bennett Hall Improvements – Chillicothe - \$227,923
5. Campus Improvements – Southern - \$131,128

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby authorize the expenditure of Basic Renovation funds for the purposes described above.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby empower the President, or his designee to hire consultants where applicable and authorizes the preparation of construction documents for the aforementioned Basic Renovation Projects.

BREN0304.RES



Vice President for Administration
Cutler Hall 209
Athens OH 45701-2979

tel 740.593.2556
fax 740.593.2124

February 4, 2003

Dr. Robert Glidden
Office of the President
Cutler Hall 108

CAMPUS MAIL

Dear Bob,

Attached please find a list of recommended basic renovation projects for approval by you and members of the Board of Trustees.

The projects were reviewed and approved by a campus committee and are intended to address essential infrastructure problems and deferred maintenance.

John Kotowski, Director of Facilities Planning, is seeking Board approval of the recommended projects so he may submit them to the Ohio Board of Regents.

I recommend approval.

Sincerely,

Gary B. North
Vice President for Administration

GN:jt

Xc: John Kotowski

INTEROFFICE MEMORANDUM

OHIO UNIVERSITY
FACILITIES PLANNING OFFICE
Building 19, The Ridges
Athens, Ohio 45701
TELEPHONE: (740) 593-2727
FAX: (740) 593-4081

John Kotowski
ASSISTANT VICE PRESIDENT FOR FACILITIES PLANNING
E-MAIL: kotowski@ohio.edu



TO: Dr. Gary B. North, Vice President for Administration

DATE: February 4, 2003

SUBJECT: RESOLUTION FOR PROJECT APPROVAL AND AUTHORIZATION
TO HIRE A CONSULTANT AND DEVELOP CONSTRUCTION
DOCUMENTS FOR BASIC RENOVATION PROJECTS ON THE
ATHENS AND REGIONAL CAMPUSES

House Bill Number 675, which was passed and approved by the Governor in December 2002 contains a basic renovations appropriation available for use on the main campus of \$4,882,180. In addition, there is \$572,999 in basic renovation funding in House Bill Number 524, the capital re-appropriations bill, which is uncommitted and available for use. Therefore, the total funding available for distribution on the main campus is \$5,455,179. The five regional campuses each received basic renovation appropriations in House Bill Number 675. Those campuses received the following: the Eastern Campus, \$192,413; the Lancaster Campus, \$255,635; the Zanesville Campus, \$243,268; the Chillicothe Campus, \$227,923; and the Southern or Ironton Campus, \$131,128. This, then, makes \$1,050,367 available for use on the regional campuses. Following discussions with representatives of the Provost's Office, directors in Administration, the Dean's of the Regional Campus System, the Office of the Vice President for Regional Higher Education and the Ohio Board of Regents, I would like to recommend the expenditure of the basic renovation funds in the following manner:

A. ATHENS CAMPUS – Basic Renovation Projects

1. ALDEN LIBRARY SECOND FLOOR RENOVATION (\$250,000)

This project will renovate the second floor of Alden Library to accommodate an array of student-centered library services, including consolidation of the reserve, periodicals, an interlibrary loan and Information Delivery Center; creation of an Information Commons; provision of more group study rooms; and creation of a Writing Center.

This project is projected to cost just under \$1,400,000. The basic renovation funds will be combined with money raised by the library.

2. ALDEN LIBRARY SUBSTATION REPLACEMENT (\$450,000)

The existing substation is antiquated and has failed on numerous occasions. In each instance many man-hours were spent in restoring the system. Further, the equipment does not allow certain areas of the building to be shut down for maintenance. This is a safety hazard. This project will install a new switchboard and re-feed the entire existing panels throughout the building to the new breakers using the existing cables. Additional capacity will be provided to take care of any new renovations.

3. BICENTENNIAL PARK (\$350,000)

This project involves the creation of a park in which a sculpture is being developed by Maya Lin as a part of the Ohio Percent for Art mandate. This park will be mostly turf with tree landscaping, walkways and lighting. Also included will be necessary drainage and irrigation systems.

4. CLASSROOM IMPROVEMENT (\$400,000)

This funding will provide the second biennium of support for a five-biennium effort to renovate and upgrade commonly scheduled classroom space. Targeted classrooms for the entire ten-year program were identified in a formal study completed in 1999. Buildings with targeted classrooms for this appropriation include Clippinger Laboratories, Ellis Hall, Lindley Hall, McCracken Hall, Morton Hall and Stocker Center

5. CONVOCATION CTR MAIN FLOOR REPLACEMENT (\$200,000)

This project involves the removal and replacement of the existing wood basketball court. The existing floor was installed in 1968 when the Convocation Center was completed. This floor has reached the end of its useful life, the surface has been sanded so many times that the groove portion of the tongue and groove system is so thin it continues to split and create a hazard.

6. ELEVATOR IMPROVEMENT (\$280,000)

The work to be undertaken with this project is the upgrading of the passenger elevator at the Music Building. Should funds be sufficient, the elevator at Lasher Hall will also be improved. Included will be the installation of new machines and controllers, plus upgrading the cab interiors on both units to meet requirements of the Americans with Disabilities legislation. Both elevators are original building equipment. And in both instances, constant break downs are the norm.

7. FIRE ALARM SYSTEM UPGRADE (\$250,000)

This project will deal with the replacement of fire alarm systems in two buildings. Both Morton Hall and the Music Building have antiquated

panels and devices. Environmental Health and Safety in conjunction with the Facilities and Auxiliaries Department has determined both buildings possess safety concerns to students and faculty. The existing systems are original to the buildings and have not been replaced since their installation more than thirty years ago.

8. GOLF COURSE COMPLETION (\$420,000)

This is part of an on-going effort to expand recreation and instructional opportunities on the southern edge of the campus along the Hocking River. The work is actually completed on the course. Two years ago, when the strategy was put together for funding the improvements, a commitment was made to use an internal loan so that work could be completed during last construction season. At the time the strategy was put in place, it was determined that basic renovations would pay half the cost or the \$420,000 recommended here. These funds will be used to pay the internal loan.

9. HANING HALL IMPROVEMENTS (\$50,000)

These funds will be used to plan several improvements to the building that will make the facility more accessible. The planning will take place to add an elevator to this three-story building. In addition, restrooms will be designed for compliance with the Americans with Disabilities Act. These funds will be used to design what is believed to be about a \$600,000 project.

10. LAUSCHE HEATING PLANT IMPROVEMENTS (\$500,000)

These funds will be used to plan and develop a strategy that will facilitate the renovation and expansion of a plant that is more than forty years old. The project will upgrade the three existing coal-fired boilers. An addition will be constructed on the existing facility to house a new gas boiler. We will be installing new PRV stations and relocating electrical substation number two to accommodate the plant's expansion. The project will also upgrade the flue gas pollution control system and the electrostatic precipitator will be replaced with a dry scrubber system. In addition to developing plans for the work described above, the consultant will be asked to put together a phasing plan that will allow the plant to remain in operation throughout the refurbishing process.

11. MASONRY IMPROVEMENTS (\$100,000)

This is a part of an ongoing effort to address the aging masonry on buildings and grounds. These funds will be used to tuck point and re-set masonry on the South face of Wilson Hall on the West Green. The work area on Wilson Hall is the portion of the building being utilized by Biological Sciences. If funding will permit, the next task will be to make repairs to the site walls in the plaza area at the entrance to Irvine Hall

12. MORTON HALL CHILLER REPLACEMENT (\$400,000)

The current absorption chiller is a 300-ton machine that was installed in 1969. The water tubes inside have rusted to the point that has plugged approximately thirty percent of the machine. This machine will be replaced with two 200 ton chillers. The total cost of the project is estimated to be about \$790,000. These funds will complete a first phase that will re-configure piping, replace pumps and other associated equipment. One 200-ton chiller will be installed in this first phase.

13. PARKING FACILITY AND ROADWAY PAVING (\$100,000)

This project will deal with the repair and rehabilitation of the pavement on West Green Drive at the intersection of Richland Avenue. If funding permits, the intent will be to resurface the parking facility adjacent to Parks Hall, a building on the West Green. The University has in excess of two million square feet of parking surfaces. The requested funding will rehabilitate about three percent of the paved area

14. RIDGES RENOVATION (\$250,000)

This appropriation will be used to provide a portion of the funding necessary to renovate Building's No. 16 and No. 17 at the Ridges. When completed, the space will be used to accommodate a needed laboratory space for the College of Fine Arts and also to permit the continued off loading of Building No. 20.

15. ROOF IMPROVEMENTS (\$400,000)

These funds will be used to make improvements to the roof on Ellis Hall, located on the College Green. The focus will be to work on the pitched roof. The pitched roof work will require two phases. This project will replace existing, deteriorated structural members and sheeting. The second phase will replace damaged tile, gutter and down spouting.

16. SEIGFRED HALL PRIMARY ELECTRIC (\$350,000)

This building is in desperate need of electrical capacity. The existing system is inadequate and must be replaced to provide the necessary service the School of Art and the School of Visual Communications need. This project will replace the existing 2400-volt service with 12,470-volt service. A larger substation will be installed to provide the power necessary for a building of this size.

17. TUNNEL SECTION REHABILITATION (\$600,000)

This project will replace a section of tunnel top for the heating plants main feeder from the old heating plant facility to the Richland Avenue Bridge. This segment of top has been shored to assure that it does not collapse. Right now the tunnel is nearly unserviceable.

18. CONTINGENCY (\$105,179)

B. REGIONAL CAMPUSES – Basic Renovation Projects

1. **PARKING IMPROVEMENTS-EASTERN (\$192,413)**
These funds will be used to renovate the existing parking facility and entrance drive to Shannon Hall. The paved services will be examined for drainage problems and improved as required. Once sub-base and drainage issues are corrected, the work area will be over laid with a new wearing course.
2. **BRASEE HALL CHILLER REPLACEMENT-LANCASTER (\$255,635)**
This appropriation will be used to replace the existing chiller in Brasee Hall. The chiller system is original equipment that was installed when the building was built in the 1960's.
3. **ELSON HALL ROOF REPLACEMENT-ZANESVILLE (\$243,268)**
This project will be used to continue the replacement of the roof on Elson Hall. The roof work was started with funding in the previous capital bill. These funds will allow us to complete the replacement of a roof that has served the structure since its installation when the building was built in the mid 1960's.
4. **BENNETT HALL IMPROVEMENTS-CHILLICOTHE (\$227,923)**
These funds will be used to pay down a loan that was issued as a part of a performance contract to make improvements to the heating, ventilating and air conditioning improvements and the roof at Bennett Hall. The University used funds in the previous capital bill for this project and in order to get started earlier, a loan was used for bridge funding.
5. **CAMPUS IMPROVEMENTS-SOUTHERN (\$131,128)**
These funds will be used to replace the roof on the Collins Center, the first building constructed on the campus. In addition, exterior improvements to the Dingus Center will also be undertaken. The Collins Center roof was installed when the building opened in the late 1970's or early 1980's. The Dingus Center, which was recently completed, did not have the resources to do everything that was envisioned on the building's exterior. Involved will be improvements to the foundation wall, site grading and landscaping on the south face of the building.

I would like to proceed with the projects identified above. Toward that end, I have enclosed a resolution for consideration by the Board of Trustees at their regular meeting of February 14, 2003, which seeks approval to expend the funds as described

Page Six
Dr. Gary B. North
February 4, 2004

above. This resolution, if approved, will also permit the University to interview and hire consultants to prepare construction documents (as required) for the work outlined.

JKK/slw/BREN0304.GBN

enclosure

pc: Dr. Stephen Kopp J. Kopp
Dr. Charles P. Bird
Dr. Alan H. Geiger
Mr. Richard P. Siemer
Mr. Sherwood G. Wilson

**CONSULTANT APPROVAL FOR THE SCIENCE/
FINE ARTS FACILITIES PROJECT
EASTERN CAMPUS**

RESOLUTION 2003--- 1858

WHEREAS, the 124th. General Assembly, Regular Session, 2002-2003 has introduced House Bill Number 675, and

WHEREAS, House Bill Number 675 has been approved, and includes a line item in the amount of \$725,213.00 for the planning of the improvements of the Science and Fine Arts Facilities at the Ohio University Eastern Campus, and

WHEREAS, the University wishes to hire an architectural consultant to examine how best to incorporate up-to-date laboratory and teaching facilities for Science and Fine Arts. The Sciences will include space for Chemistry, Physics, Biology, Botany and their associated prep areas. The Fine Arts facilities will include Ceramics, Sculpture, Painting, Print Making, Photography and Metal Working, and

WHEREAS, Ohio University has the support of the Ohio Board of Regents and the Department of Administrative Services to develop the program and the design and construction documents for the project.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does authorize the President or his designee to interview and select a consultant for the development of a Science and Fine Arts Facilities Project as long as the procedures used to procure these services are in accordance with those of the University and the State of Ohio's Office of General Services Administration.

BE IT FURTHER RESOLVED, that the Ohio University Board of Trustees does hereby authorize the preparation of plans and specifications for the Science and Fine Arts Facilities Project.

EASTERNSCIENCE.FINEARTS.2003.RES



Vice President for Administration
Cutler Hall 209
Athens OH 45701-2979

tel 740.593.2556
fax 740.593.2124

February 4, 2003

Dr. Robert Glidden
Office of the President
Cutler Hall 108

CAMPUS MAIL

Dear Bob,

John Kotowski, Director of Facilities Planning, is seeking authorization to conduct interviews and hire a consultant for planning the renovation of the Ohio University Eastern Campus Science/Fine Arts Building. John will work with the Dean of the Eastern Campus and staff to finalize plans. A request for authorization to seek constructions bids will be presented to you and the Board of Trustees when the planning process is completed and approved.

I recommend approval.

Sincerely,

Gary B. North
Vice President for Administration

GN:jt

xc: John Kotowski
Dr. Charles Bird
Dr. James Newton

INTEROFFICE MEMORANDUM

OHIO UNIVERSITY
FACILITIES PLANNING OFFICE
Building 19, The Ridges
Athens, Ohio 45701
TELEPHONE: (740) 593-2727
FAX: (740) 593-4081

John Kotowski
Assistant Vice President For Facilities Planning



TO: Dr. Gary B. North, Vice President for Administration

DATE: February 3, 2003

SUBJECT: APPROVAL OF CONSULTANT SELECTION FOR THE
SCIENCE/FINE ARTS FACILITIES PROJECT - EASTERN CAMPUS

House Bill Number 675, the approved capital improvements bill for FY 2003-2004, will be making \$725,213.00 available to the University for the Science/Fine Arts Renovation Project on the Ohio University Eastern Campus. This funding will be used to develop safe and more useful Science and Fine Arts space on the Eastern Campus.

This project is under the four million dollar threshold for local administration and Ohio University has the support of the Ohio Board of Regents and Department of Administrative Services to locally administrator this project.

University Facilities Planning and Construction is seeking the authority to move forward with this project. I have enclosed a resolution for consideration by the Board of Trustees at their meeting of February 14, 2003 that seeks the approval to select a consultant and develop construction documents for the next segment of the Eastern Campus upgrade.

If I can be of further assistance with this matter, please let me know. Thank you.

RJS/sw/easternscience.finearts.2003.GBN

pc: Dr. Stephen J. Kopp
Dr. Alan H. Geiger
Dr. Charles P. Bird
Dr. James W. Newton
Mr. Richard J. Shultz

**CONSULTANT APPROVAL FOR THE
BRASEE HALL RENOVATIONS
LANCASTER CAMPUS**

RESOLUTION 2003 --- 1859

WHEREAS, the 124th. General Assembly, Regular Session, 2002-2003 has introduced House Bill Number 675, and

WHEREAS, House Bill Number 675 has been approved, to include funding totaling \$1,113,097.00; \$70,000.00 for Elevator Completion and \$1,043,079 for Brasee Hall Interior Renovations on the Ohio University Lancaster Campus, and

WHEREAS, this renovation project for Brasee Hall will design a connector between Brasee Hall and Herrold Hall and reconfigure the main entrance to the first floor. This project includes an ADA compliant Elevator that will replace the existing North Elevator, and

WHEREAS, the Ohio University has the support of the Ohio Board of Regents and the Department of Administrative Services to interview and select an Associate Architect to develop construction documents for the Brasee Hall Renovation Project, and

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does authorize the President or his designee to interview and select a consultant for the project so long as procedures used to procure these services are in accordance with those of the University and the State of Ohio's Office of the General Services Administration.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize the preparation of construction documents for the Brasee Hall Renovations Project.

BRASEE/HERROLD.2003.RES



Vice President for Administration
Cutler Hall 209
Athens OH 45701-2979

tel 740.593.2556
fax 740.593.2124

February 4, 2003

Dr. Robert Glidden
Office of the President
Cutler Hall 108

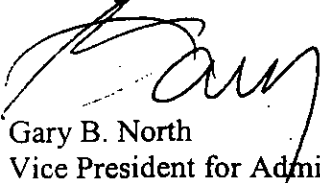
CAMPUS MAIL

Dear Bob,

John Kotowski, Director of Facilities Planning, is seeking authorization to conduct interviews and hire an architectural consultant for planning renovation work in Brasee Hall and Herrold Hall on the Ohio University Lancaster campus.. John will work with the Dean of the Lancaster Campus and staff to finalize plans. A request for authorization to seek constructions bids will be presented to you and the Board of Trustees when the planning process is completed and approved.

I recommend approval.

Sincerely,



Gary B. North
Vice President for Administration

GN:jt

xc: John Kotowski
Dr. Charles Bird
Dr. Bari Watkins

INTEROFFICE MEMORANDUM

OHIO UNIVERSITY FACILITIES PLANNING OFFICE

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TELEPHONE: (740) 593-2727
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John Kotowski
Assistant Vice President For Facilities Planning



TO: Dr. Gary B. North, Vice President for Administration

DATE: February 3, 2003

SUBJECT: APPROVAL OF CONSULTANT SELECTION FOR THE
BRASEE HALL RENOVATIONS PROJECT - LANCASTER CAMPUS

House Bill Number 675, the approved capital improvements bill for FY 2003-2004, will be making \$1,043,079 available for renovation work at Brasee Hall and \$70,000 for the elevator completion in the building. These funds will be combined and \$1,113,097 used to continue renovations in Brasee Hall at the Lancaster Campus.

This project is under the four million dollar threshold for local administration and Ohio University has the support of the Ohio Board of Regents and the Department of Administrative Services to manage this project in house.

University Facilities Planning and Construction is seeking the authority to move forward with this project. I have enclosed a resolution for consideration by the Board of Trustees at their meeting of February 14, 2003 that seeks the approval to select a consultant and develop construction documents for the next segment of the building's upgrade.

If I can be of further assistance with this matter, please let me know. Thank you.

RJS/sw/brasee/herrold.2003.GBN

pc: Dr. Stephen J. Kopp
Dr. Alan H. Geiger
Dr. Charles P. Bird
Dr. Bari J. Watkins
Mr. Richard J. Shultz

EXECUTIVE SESSION

12:30 pm, Friday, February 14, 2003

1804 Room, Collins Center

Ohio University Southern Campus

On a motion by Chairman Brunner, and a second by Mrs. Ong, the Ohio University Trustees resolved to hold an executive session to consider personnel matters under Section 121.22(G) (1), real estate matters under Section 121.22(G) (2), and litigation or the threat thereof under Section 121.22(G) (3) of the Ohio Revised Code on the 14 day of February, 2003.

On a roll call vote Dr. Ackerman, Mr. Browning, Mr. Brunner, Mr. DeLawder, Mrs. Ong, Mr. Schey, and Mr. Walter voted aye. This constituted a quorum.

Also attending the session were President Glidden, Board Secretary Geiger, Student Trustees Barry Spurlock and Tara Stuckey, and Alumni Board President David Wilhelm.

Personnel

1. Following months of general discussion, Trustees agreed to pursue the establishment of two "National Trustees" who would be invited to sit with, offer advice, and generally consult with Trustees during their meetings and at other times. The format to be followed in the identification and selection of the National Trustees shall be as follows:

Title/Number of Appointments/Terms: National Trustee. One for a two year-term and the other for a three-year term beginning July 2003. Following initial appointments, terms will be three years with consideration given to one three year reappointment.

Rationale: To provide a broad, national perspective as the University aspires to make itself more of a "national university" in quality and perspective.

Candidate Pool:

- a) Recruit from Alumni Board, Foundation Board, college Boards of Visitors, or others,
- b) Identify unknown or new alumni blood from across the country.
- c) Consider other alumni who are federal, state, or regional governmental leaders as well as business and industry leaders.

Rationale: Seek individuals with proven track record of success.

Selection Criteria:

- a) Nonresident of State of Ohio preferred.
- b) Successful in chosen field or business.
- c) Willingness and ability to offer counsel.
- d) Ability to be an energetic public and private advocate for higher education.
- e) Have national or state prominence.
- f) Strong preference that individual be alumnus.

Rationale: Some of the factors suggesting effectiveness and strength of involvement.

Appointment Process: By Board of Trustees with information to Governor.

Board/Administration Committee offers opportunity to serve following a consultation with full Board and President and commitment from candidate that he or she will actively participate. Formal letter of appointment from Board Chairperson.

Rationale: Board/Administration represents senior Trustee leadership.

It is expected that nominations for these positions will be considered at the April 2003 meetings.

In addition, the President of the National Alumni Board of Directors will continue to sit, by invitation, with the Board of Trustees.

2. President Glidden reported on the status of the reorganization of the current College of Osteopathic Medicine's Clinical Practice Plan to one of a 501-C-3 non-profit entity.
3. Those present briefly reviewed the status of President Glidden's contract which is to expire in June of 2004.

Real Estate

No real estate issues were considered.

Litigation

Matters of litigation were not discussed.

**EDUCATIONAL POLICIES COMMITTEE/
COMMITTEE OF THE WHOLE**

Provost Stephen Kopp's report on "Organizing Ohio University for Learning" began at the start of the afternoon session. Given pending weather conditions, and the effect on air travel, Trustees asked the Provost to summarize his report and return in April with a full presentation.

Provost Kopp presented Trustees with the "Executive Summary" noting the planning elements and progress indicators of his initiative.

A copy of the summary is included only with the official minutes.

Chairwoman Ackerman noted two resolutions were before her committee and recognized Ms. Dorothy Anderson, chairwoman of Administrative Senate, and Provost Kopp as resource persons should there be questions.

On a motion by Dr. Ackerman and a second by Mr. DeLawder, the Trustees voted unanimously to approve the following resolutions:

Revisions to Administrative Senate Constitution and By-Laws

Resolution 2003 – 1860

Name Change for the Department of Classics, Resolution 2003 – 1861

Revisions to Administrative Senate Constitution and Bylaws

Resolution 2003 – 1860

WHEREAS, a committee of the Ohio University Administrative Senate has updated and revised its constitution and bylaws to:

Change the status of three committees (Elections, Outstanding Administrator Awards, and Service Awards) from ad hoc to standing, and

Clarify election procedures and,

Eliminate duplications of information, and

WHEREAS, the Senate has reviewed and voted approval of the proposed changes,

NOW BE IT THEREFORE RESOLVED, that the Ohio University Board of Trustees accepts and approves, as amended, the new constitution and bylaws of the Administrative Senate.



Vice President for Administration
Cutler Hall 209
Athens OH 45701-2979

tel 740.593.2556
fax 740.593.2124

PRESIDENT'S OFFICE

OCT 7 2002

October 3, 2002

Dr. Robert Glidden
Office of the President
Cutler Hall #108

CAMPUS MAIL

Dear Bob:

The Administrative Senate made a number of revisions in their constitution and are seeking approval of the changes from the Board of Trustees. I have reviewed the proposed changes and support the request for approval. The changes and new language are highlighted in blue throughout the copy.

I will provide additional highlighted copies for distribution to the Board if you concur with the proposed changes.

I recommend approval and suggest this item be scheduled for consideration at the February Board agenda.

Sincerely,

Gary B. North
Vice President for Administration

GBN:jt

Enclosure

xc: Dorothy Anderson

Approved
Robert Glidden
10/14/02

**The Ohio University Administrative Senate's
Constitution and By-Laws**

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Constitution of the Administrative Senate of Ohio University

Preamble

We, the members of the administrative staff of Ohio University, concerned with the growth and development of the University; the broad scope of educational issues confronting the administration; the professional development of this administrative staff; and with the responsibilities delegated to the administrative staff by the Board of Trustees and the President of Ohio University, do hereby establish the Administrative Senate of Ohio University.

The purpose of the Administrative Senate is to promote and enhance the profession of university administration and specifically, the profession at Ohio University. The Administrative Senate will be committed to providing a collective and independent voice to those having administrative responsibilities in the conduct of the educational mission of the University. The Senate will provide the administrative staff of the University with a legitimate and necessary role in governance of the University through a public forum where the individual and representative voices of the staff will be heard, and will be one of equal participation with other representative groups in University decision-making.

The Administrative Senate holds the conviction that it can assist in the further growth and development of Ohio University through its own growth, development, and operation.

A UNIVERSITY SENIOR ADMINISTRATIVE OFFICER SHALL BE APPOINTED BY THE UNIVERSITY PRESIDENT TO MEET WITH THE SENATE REGULARLY. THE PRESIDENT OF THE UNIVERSITY SHALL HAVE A STANDING INVITATION TO MEET WITH THE SENATE.

Article I: Membership and Composition

Section 1. Membership

1. For the purpose of electing Senators, the University will be divided into Districts as described in the By-laws.

2. An "administrator" is defined as AN EMPLOYEE OF OHIO UNIVERSITY HOLDING A PRESIDENTIAL APPOINTMENT who spends more than 50% of his/her time in administrative duties. This shall exclude the President, Vice Presidents, Provost, Vice Provosts, the Secretary and Treasurer of the Board of Trustees, Deans, and those FACULTY WHOSE RESPONSIBILITIES ARE DEFINED AS MORE THAN 50% ADMINISTRATIVE, BUT WHO HAVE RETAINED FACULTY RANK BUT NOT FACULTY STATUS (SEE *OHIO UNIVERSITY FACULTY HANDBOOK, REVISED, SEPTEMBER 2000, SECTION II C, SS (6)*).

Section 2. Composition

The Administrative Senate will be composed of thirty-three (33) elected representatives APPROXIMATELY ONE-THIRD OF WHOM WILL BE ELECTED EACH YEAR. Thirty will be elected from the main campus with Senators elected from Districts and At-large. Three Senators will be elected from the Regional Campuses.

Article II: Amendments

The Constitution of the Administrative Senate may be amended by a majority vote of the representatives to the Administrative Senate and must be approved by the President of Ohio University and the Trustees of Ohio University.

By-Laws

Article I: Senators

Section 1. Eligibility

Any person who is an administrator on a Presidential appointment, WITH EMPLOYMENT OF NINE, TEN, ELEVEN, OR TWELVE MONTHS who spends more than 50% of his/her time in administrative duties is eligible to serve. This shall exclude the President, Vice Presidents, Provost, Vice Provosts, the Secretary and Treasurer of the Board of Trustees, Deans, and those FACULTY WHOSE RESPONSIBILITIES ARE DEFINED AS MORE THAN 50% ADMINISTRATIVE, BUT WHO HAVE RETAINED FACULTY RANK BUT NOT FACULTY STATUS (SEE *OHIO UNIVERSITY FACULTY HANDBOOK, REVISED, SEPTEMBER 2000, SECTION II C, SS (G)*).

Section 2. Districts

THE 33 SENATORS COMPRISING ADMINISTRATIVE SENATE, SHALL BE ELECTED FROM:

A) ATHENS CAMPUS (30 TOTAL):

15 SENATORS FROM DISTRICTS COMPOSED OF APPROXIMATELY EQUAL NUMBERS OF CONSTITUENTS

14 AT-LARGE SENATORS

1 SENATOR REPRESENTING PART-TIME ADMINISTRATORS ON ALL CAMPUSES.

B) REGIONAL CAMPUSES (3 TOTAL):

3 SENATORS REPRESENTING THE REGIONAL CAMPUSES

Section 3. Length and Conditions of Terms

1. Senators shall begin their terms of office with the FIRST regular Senate Meeting of the year held in JULY and shall continue in office for three years, except that Senators elected to fill positions vacated by resignation or for other reasons shall serve in office only for the length of the unexpired term of the Senator being replaced.

2. An alternate may be designated by any Senator who finds that attendance at a Senate meeting is not possible. Alternates must be chosen from the constituency represented by the Senator and must be identified to the Chairperson prior to the beginning of the meeting. An alternate so chosen and so identified may participate in discussion, initiate motions, and vote on all issues, save those involving amendment to the Constitution or the By-laws.

3. Positions vacated by resignation or for other reasons prior to the date of the annual election shall be filled by the Executive Committee by appointment from the constituency represented by the vacated position. Such appointments shall be ratified by the Senate, and shall continue until the next regular election.

4. Senators who are absent from two consecutive regular meetings, and who are absent from three of five consecutive regular meetings, and who have not offered for such absences reasons

acceptable to the Executive Committee, shall be designated by the Executive Committee as delinquent.

5. After the delinquent Senators have been notified by the Secretary of their designation as delinquent, their names shall be placed before all the Senators at any regular meeting. At that time, a vote of two-thirds of those present shall be sufficient to remove the delinquent Senator from office.

Section 4. Method of Election

TIMELINE:

- NOMINATIONS ACCEPTED FIRST TWO WEEKS IN APRIL
- ELECTIONS COMMITTEE CERTIFIES NOMINATIONS THIRD WEEK OF APRIL
- BALLOTS WILL BE AVAILABLE THE SECOND TUESDAY IN MAY
- DEADLINE FOR VOTING IS THIRD TUESDAY IN MAY
- COMMITTEE NOTIFIES EXECUTIVE COMMITTEE OF RESULTS BEFORE LAST WORKING DAY IN MAY
- EXECUTIVE COMMITTEE VALIDATES AND CERTIFIES ELECTION RESULTS AND NOTIFIES ALL NOMINEES OF RESULTS BEFORE JUNE MEETING

1. The Elections Committee will announce open positions AND PREPARE AND CIRCULATE APPLICATIONS FOR NOMINATIONS BY THE FIRST WORKING DAY IN APRIL. Applications will be made available at a central place and the Elections Committee will take the appropriate measures to inform all administrators of nomination and election procedures.

2. To be a candidate for Senator, an eligible administrator must complete and submit the application form authorized by the Elections Committee and must declare which district or at-large position he/she is seeking.

3. The Elections Committee shall certify each application submitted. Certification shall include insuring that the applicant is eligible to hold office under the provisions of the By-laws. Such certification shall be completed DURING THE THIRD WEEK OF APRIL.

4. The Elections Committee shall prepare the ballots to be distributed for ELECTIONS. The names of all candidates whose applications have been certified shall appear on each ballot.

5. BALLOTS WILL BE AVAILABLE THE 2ND TUESDAY IN MAY OF EACH YEAR.

6. THE ELECTIONS COMMITTEE IS CHARGED WITH ENSURING THAT EACH RETURNED BALLOT IS VALIDATED TO CONFIRM ADMINISTRATIVE STATUS OF VOTER.

7. DEADLINE FOR VOTING IS 5 P.M. ON THE 3RD TUESDAY IN MAY.

8. The Elections Committee shall count the votes cast and shall declare the results to the Executive Committee BEFORE THE LAST WORKING DAY IN MAY. The Executive Committee shall validate the conduct of the election and shall certify the election PRIOR TO THE JUNE MEETING. When the election is certified, the Elections Committee shall transmit a report containing the tabulation of votes cast to the Secretary of the Senate.

Article II: Officers

Section 1. Officers, designation of

The following officers shall be elected at the JULY meeting after the election of Senators is announced: Chairperson, Vice Chairperson, Secretary, and Treasurer. These officers, KNOWN AS THE EXECUTIVE COMMITTEE, shall serve for one year and may succeed themselves in office for one year.

Section 2. Duties of Officers

1. The Chairperson shall preside at meetings of the Administrative Senate, and act as Chairperson of the Executive Committee, which is made up of the elected officers. AD HOC COMMITTEES, SUCH AS GRIEVANCE COMMITTEES, MAY BE NEEDED FOR THE CONDUCT OF SPECIAL BUSINESS; the Chairperson AND/OR THE EXECUTIVE COMMITTEE OF THE SENATE shall appoint these.
2. The Vice Chairperson shall preside in the absence of the Chairperson, coordinate the standing and ad hoc committees established by the Senate, and carry out such additional duties as may be assigned by the Chairperson.
3. The Secretary shall be responsible for minutes of the Senate, keep a record of attendance and of votes where a roll call vote is requested, be responsible for correspondence, maintain the Senate archives, and carry out such additional duties as may be assigned by the Chairperson. The Chairperson and the Secretary may jointly hire a part-time employee to assist in these responsibilities.
4. The Treasurer, in consultation with the Executive Committee, shall supervise the operating budget and SHALL SUBMIT A REPORT TO THE SENATE AT EACH REGULARLY SCHEDULED MEETING. The Treasurer shall review expenditures of the Senate funds. The Chairperson may assign additional duties to be carried out by the Treasurer.

Section 3. Election of Officers

The Elections Committee shall administer the election of officers.

1. SENATORS WHO HAVE COMPLETED ONE FULL YEAR OF SERVICE ON SENATE ARE ELIGIBLE TO SERVE AS ADMINISTRATIVE SENATE OFFICERS.
2. THE EXECUTIVE COMMITTEE MAY CHOOSE TO PRESENT THE ELECTIONS COMMITTEE WITH A SLATE OF CANDIDATES FOR THE OFFICER POSITIONS.
3. Nominations and elections of officers shall be conducted in the following order: Chairperson, Vice Chairperson, Treasurer, and Secretary. The Elections Committee assumes the responsibility of submitting and verifying the names of persons eligible for Senate office. Nominations may be closed by a vote of a simple majority of Senators; CANDIDATES MAY THEN BE ELECTED BY ACCLIMATION. IN THE CASE OF ELECTION BY ACCLIMATION, A VOICE VOTE IS SUFFICIENT. IF THERE ARE MULTIPLE CANDIDATES FOR AN OFFICER POSITION, individuals nominated will be excused during discussion of their qualifications but will return to vote. Paper ballots will be used in any contested election.

4. To be elected, a candidate must have a majority of the votes cast. In case of an election where a candidate does not receive a majority, there will be a run-off vote between or among the candidates with the highest number of votes.

5. The votes will be counted and certified by the Elections Committee. If a member of this committee is a candidate for an office, the Chairperson shall appoint a substitute.

6. In case of a tie vote, a re-vote will be taken. If a tie occurs a second time, the winner will be determined by the toss of a coin.

Section 4. Resignation of Officers

In the event of resignation of an officer of the Administrative Senate, a special election to fill the unexpired term of office will be held at the first regular meeting after the effective date of the resignation.

Article III: Meetings

Section 1. Parliamentary Authority

ROBERT'S RULES OF ORDER (MOST RECENT EDITION) SHALL GOVERN PROCEDURE AT ALL MEETINGS OF THE ADMINISTRATIVE SENATE IN ALL CASES NOT OTHERWISE PROVIDED FOR IN THE CONSTITUTION OR BY-LAWS.

Section 2. Regular Meetings

1. Regular meetings will be held monthly from JULY - JUNE EXCEPT IN AUGUST and December. The time and location of such meetings will be determined by the Executive Committee.

2. EACH SENATOR IS EXPECTED TO BE PRESENT FOR EACH MEETING. IF A SENATOR MUST BE ABSENT, HE/SHE MUST NOTIFY THE SECRETARY OF HIS/HER EXPECTED ABSENCE *PRIOR TO THE MEETING*.

3. Senate meetings are open meetings unless specifically designated as executive sessions. ANY GUESTS ATTENDING MEETINGS MAY INTRODUCE THEMSELVES.

Section 3. Special Meetings

1. At the request of the Chairperson, Executive Committee, or five Senators (submitted in writing to the Chairperson), a special meeting may be called. The agenda for the special meeting shall be sent out with the notice of the meeting at least three days in advance of the meeting.

2. Emergency meetings CAN BE CALLED BY THE CHAIRPERSON, THE EXECUTIVE COMMITTEE, OR FIVE SENATORS with little or no advance notice. (See Article IV for Quorum and Voting Procedures.)

Section 4. Election Meetings

The officers of Senate shall be elected at the first meeting in JULY.

Article IV: Voting

Section 1. Quorum

FOR THE CONDUCT OF BUSINESS A QUORUM SHALL CONSIST OF A SIMPLE MAJORITY OF THE MEMBERSHIP OF THE SENATE.

Section 2. Voting by Members

Each member of the Senate, including the Chairperson, has one vote. Voting is normally done by voice vote. A request for a roll call vote or a written ballot may be made by any Senator on any motion on the floor. The RESULTS OF ALL VOTES shall be kept by the Secretary and included in the minutes.

Section 3. Voting on Motions

All substantive motions shall receive a reading at two consecutive meetings prior to voting. A vote of two-thirds of the members present is necessary to suspend this rule.

Section 4. Attendance for Voting

Voting on all substantive motions and on amendments to the Constitution and By-laws shall require the presence of a Senator unless otherwise specified. (SEE BY-LAWS ARTICLE I, SECTION 3, SUBSECTION 2.)

Article V: Committees and Their Duties

Section 1. Executive Committee

The Executive Committee shall be composed of the Chairperson, Vice Chairperson, Secretary, and Treasurer. THE IMMEDIATE PAST CHAIRPERSON AND/OR AN INDIVIDUAL DESIGNATED BY THE CHAIRPERSON MAY SERVE THE EXECUTIVE COMMITTEE IN AN ADVISORY CAPACITY.

The Executive Committee shall have the power and authorization to act for the Senate between Senate meetings and shall discharge those responsibilities and duties vested in the committee by the By-laws and by action of the Senate.

The Executive Committee shall act as or designate a liaison between the Senate and other campus governance groups, the University administration, and other related groups and agencies.

In cooperation with SENATE, the Executive Committee shall develop a statement of goals and priorities annually.

Section 2. Standing Committees

1. There shall be the following standing committees, with the chairperson and vice chairperson of each being a Senator: (a) Personnel/Policies, (b) Professional Development, (c) Compensation, (d) ELECTIONS, (e) OUTSTANDING ADMINISTRATOR AWARD, and (f) SERVICE AWARDS. The membership of each committee may include administrators who are not Senators.

2. The Executive Committee shall appoint the chairperson and vice chairperson of each committee. The chairperson shall, in consultation with the Executive Committee, appoint Senators and others to committee membership.

3. The duties and responsibilities of the standing committees shall be as follows:

a) Personnel/Policies Committee ADDRESSES the relationship between administrators and the University as an employer. In particular, the committee shall review, study, and recommend Senate action in regard to such matters as performance, evaluation, and policies and procedures which affect the ability of administrators to function in their positions.

b) Professional Development Committee ADDRESSES efforts to provide and encourage professional growth and development of administrators. In particular, the committee shall review, study, and recommend Senate action in regard to such matters as professional leave, continuing education, and recognition of professional achievement.

c) Compensation Committee ADDRESSES the annual review of compensation distribution, including recommending action in regard to fringe benefits. Administrative Senate representation on the University-wide Compensation Committee shall be drawn from this standing committee annually.

d) ELECTIONS COMMITTEE, COMPOSED OF THREE CONTINUING SENATORS APPOINTED BY THE EXECUTIVE COMMITTEE, MANAGES AND OVERSEES THE ANNUAL ELECTIONS PROCESS FOR SENATORS, AND FOR SENATE OFFICERS. IN ADDITION, THE COMMITTEE SHALL MONITOR THE NUMBER OF ADMINISTRATORS IN EACH SENATE DISTRICT TO ENSURE ADEQUATE AND EQUITABLE REPRESENTATION. IF IT IS NECESSARY TO RECONFIGURE THE COMPOSITION OF DISTRICTS (IN RESPONSE TO NEW BUILDINGS COMING ON-LINE, OLD BUILDINGS GOING OFF-LINE, OR CHANGES IN LOCATIONS OF PERSONNEL) THAT DUTY ALSO SHALL BE CARRIED OUT BY THE ELECTIONS COMMITTEE.

e) OUTSTANDING ADMINISTRATOR COMMITTEE MANAGES AND OVERSEES THE ANNUAL OUTSTANDING ADMINISTRATOR AWARD PROCESS. COMMITTEE MEMBERS ARE RESPONSIBLE FOR SOLICITING NOMINATIONS FOR THE AWARD, REVIEWING APPLICATIONS AND INTERVIEWING REFERENCES, AND FOR RECOMMENDING ONE, TWO, OR THREE AWARD RECIPIENTS TO THE UNIVERSITY PRESIDENT. THE COMMITTEE CHAIRPERSON OR HIS/HER DESIGNEE WORKS WITH REPRESENTATIVES OF THE SERVICE AWARDS COMMITTEE ON THE ANNUAL OUTSTANDING ADMINISTRATOR/SERVICE AWARDS CEREMONY.

f) SERVICE AWARDS MANAGES AND OVERSEES THE ANNUAL RECOGNITION OF ADMINISTRATORS' SERVICE MILESTONES (10-, 15- 20- 25- AND 30-YEAR SERVICE AWARDS) AND OF RETIREES. COMMITTEE MEMBERS ARE RESPONSIBLE FOR REVIEWING AND VERIFYING ADMINISTRATORS' SERVICE RECORDS AND SECURING APPROPRIATE MEMENTOES TO RECOGNIZE THEIR ACHIEVEMENTS. THE COMMITTEE CHAIRPERSON OR HIS/HER DESIGNEE WORKS WITH REPRESENTATIVES OF THE OUTSTANDING ADMINISTRATOR COMMITTEE ON THE ANNUAL OUTSTANDING ADMINISTRATOR/SERVICE AWARDS CEREMONY.

4. A written report of each committee's activities shall be prepared and submitted by the committee chairperson to the Senate during the last meeting OF THE YEAR.

Section 3. Ad Hoc Committees

There shall be such ad hoc committees as are needed for the conduct of special business; the Chairperson and/or the Executive Committee of the Senate shall appoint these.

Section 4. University Committees

With the advice and consent of the Administrative Senate, the Chairperson shall appoint representatives of the Senate to serve on the University Committee on Committees, the Budget Advisory Committee, and other major committees that require a representative from the Administrative Senate.

Article VI: Finances**Section 1. Budget**

The Treasurer, IN CONSULTATION WITH THE EXECUTIVE COMMITTEE, shall annually prepare the Administrative Senate budget according to the established University procedures, shall oversee the operating budget, and shall submit a report to the Senate at each regularly scheduled meeting.

Section 2. Approval of Expenditures

The Treasurer shall review and approve all expenditures of the Administrative Senate funds.

Article VII: Amendments

Amendments to the By-laws shall be presented in writing to the Senators at least one meeting in advance of a requested vote. A two-thirds vote of the Senators shall be necessary to amend the By-laws. The vote may be made by mail or at a regular meeting of the Senate.

NAME CHANGE FOR THE DEPARTMENT OF CLASSICS

RESOLUTION 2003 – 1861

WHEREAS, the faculty in the Department of Philosophy who teach courses in non-western cultures and religion will relocate to the Department of Classics, and

WHEREAS, the Department of Classics will comprise a diverse faculty with varied professional activities, and

WHEREAS, the current department designation will not adequately recognize the breadth of faculty and their professional activities; and

WHEREAS, relocation will permit the department to focus on the study of religion as one of its tracks, and

WHEREAS, the faculty have thoroughly discussed the desirability of a change of name for the department and the dean of the College of Arts and Sciences supports recommendation.

NOW, THEREFORE BE IT RESOLVED, that the Department of Classics be changed to the Department of Classics and World Religion.



OHIO
UNIVERSITY
Office of the Provost

Cutler Hall
Athens OH 45701-2979

T: 740.593.2600
F: 740.593.9191

DATE: January 24, 2003

TO: Robert Glidden, President

FROM: Stephen Kopp, Provost

SUBJECT: Name Change

The dean of the College of Arts and Sciences and the faculty of the Department of Classics are requesting a change in name from the Department of Classics to the Department of Classics and World Religions. This name change reflects the mission and a shift in interests of the department.

It seems to me that the rationale presented by the dean of the College of Arts and Sciences is sound and that the name change is in the best interests of the college. I therefore concur with the name change and recommend that it be approved.

SK/jt



Interoffice Communication

JAN 24 2003
Office of the Provost

DATE: January 21, 2003

TO: Barbara Reeves, Associate Provost, Cutler

FROM: *Jan* Chubb, Secretary, University Curriculum Council

RE: **Classics: Name Change/Additional MCF, to:
Classics and World Religion/CLWR**

Enclosed please find two copies of the above captioned proposal, which was presented by the Programs Committee and unanimously approved by the University Curriculum Council on Tuesday, January 14. These copies are being forwarded to you for implementation of this departmental name change/additional MCF.

Encl.

cc Leslie Flemming, Dean, College of Arts and Sciences
William Owens, Chair, Classics
Arthur Zucker, Chair, Philosophy

Request for Departmental Name Change

Current Name: Classics

Proposed Name: Classics and World Religions
Additional MCF: CLWR

Reason for Change:

The courses and faculty in the Philosophy Department which deal with Non-Western cultures and religions are being relocated to the Classics Department. The transfer will take place in July 2003, when three faculty members will move from Philosophy to Classics. These changes are supported by the Philosophy Department as a way of enabling the study of world religions to flourish in an appropriate context.

The study of Classics at Ohio University is characterized by a disciplinary approach that attempts to understand the ancient world through the study of ideas, ancient texts, and material remains. In particular, the department has focused on the study of religion as one of the most important elements in understanding the people who lived in the ancient Mediterranean. The study of the religions of the ancient Mediterranean is thus an important part of the department's course offerings. There are currently six Classics courses that focus wholly or significantly on religion. To some extent, this curricular focus reflects the research interests of the Classics faculty. Thomas Carpenter, a specialist in Greek religion, and Steve Hays, who teaches New Testament Greek, hold masters degrees from schools of divinity. Jaclyn Maxwell is a specialist in early Christianity. This curricular focus also reflects the interests of the students, many of whom are drawn to study Classics because of an interest in early Christianity. A number of these students have continued their study of religion at divinity school.

The Classics Department's existing courses on ancient religion, as well as the scholarly interests of many of its faculty and students, make it a suitable department in which to house an undergraduate program that focuses on the study of religion. With the addition of the religions faculty, the Classics Department hopes to develop a new major track in world religions which will stretch some of the department's offerings beyond the boundaries of the ancient Mediterranean. These new areas include ancient Judaism, Islam, and the study of religion in South Asian and Chinese cultures.

Recommend Approval:

William M. Owens
William Owens, Chair, Classics

Arthur Zucker
Arthur Zucker, Chair, Philosophy

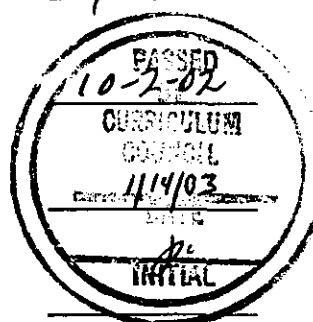
Leslie Flemoning
Leslie Flemoning, Dean, Arts and Sciences

Margret Appel
Margret Appel, Chair, University Curriculum Council

Stephen Kopp, Provost

10/2/02

10/2/02



User-Agent: Microsoft-Outlook-Express-Macintosh-Edition/5.02.2022

Date: Fri, 11 Oct 2002 15:08:15 -0400

Subject: Classics and World Religions Memo

From: "William M. Owens" <owensb@ohio.edu>

To: <butcherv@ohio.edu>

To: Vicki Butcher, Secretary, A&S Curriculum Committee

From: William M. Owens, Chair, Department of Classics

Re: Classics Department name change

I wholeheartedly support the attached proposal for a departmental name change from "Classics" to "Classics and World Religions." The name change reflects the augmentation of the Classics Department's mission and the incorporation of faculty in world religions from the Philosophy Department. Both departments are in agreement with the shift. Eventually, the name change will further reflect the addition of the study of world religion as one of the tracks of the Department of Classics and World Religions.

William M. Owens, Chair, Classics

--

William M. Owens

Department of Classics

Ohio University

Athens, OH 45701

(tel.) 740-597-2101



Interoffice Communication

Date: October 2, 2002

To: University Curriculum Council
Provost Stephen Kopp
Ohio University Trustees

From: Leslie A. Flemming, Dean, College of Arts and Sciences /LAF

Subject: Departmental Name Change

I wholeheartedly support the attached proposal for a departmental name change from "Classics" to "Classics and World Religions." The name change reflects a shift of faculty from the Department of Philosophy to the Department of Classics. Both departments are in agreement with the shift. The name change will permit Classics to focus on the study of religion as one of its tracks.



Interoffice Communication

Date: September 27, 2002

To: University Curriculum Council
Registrar's Office

From: Maureen Weissenrieder, Associate Dean, Arts and Sciences

Subject: New MCF Prefix

The courses in the Philosophy Department which deal with Non-Western cultures and religions need to be relocated to the Classics Department. This is due to the transfer in July 2003 of three faculty members from Philosophy to Classics, with its new name of Classics and World Religions. Since these courses constitute a distinctive type of study within the department, a new prefix designation is necessary.

We request the creation of the new MCF prefix "CLWR" for these courses.

Request for Departmental Name Change

Current Name: Classics

Proposed Name: Classics and World Religions
Additional MCF: CLWR

Reason for Change:

The courses and faculty in the Philosophy Department which deal with Non-Western cultures and religions are being relocated to the Classics Department. The transfer will take place in July 2003, when three faculty members will move from Philosophy to Classics. These changes are supported by the Philosophy Department as a way of enabling the study of world religions to flourish in an appropriate context.

The study of Classics at Ohio University is characterized by a disciplinary approach that attempts to understand the ancient world through the study of ideas, ancient texts, and material remains. In particular, the department has focused on the study of religion as one of the most important elements in understanding the people who lived in the ancient Mediterranean. The study of the religions of the ancient Mediterranean is thus an important part of the department's course offerings. There are currently six Classics courses that focus wholly or significantly on religion. To some extent, this curricular focus reflects the research interests of the Classics faculty. Thomas Carpenter, a specialist in Greek religion, and Steve Hays, who teaches New Testament Greek, hold masters degrees from schools of divinity. Jaclyn Maxwell is a specialist in early Christianity. This curricular focus also reflects the interests of the students, many of whom are drawn to study Classics because of an interest in early Christianity. A number of these students have continued their study of religion at divinity school.

The Classics Department's existing courses on ancient religion, as well as the scholarly interests of many of its faculty and students, make it a suitable department in which to house an undergraduate program that focuses on the study of religion. With the addition of the religions faculty, the Classics Department hopes to develop a new major track in world religions which will stretch some of the department's offerings beyond the boundaries of the ancient Mediterranean. These new areas include ancient Judaism, Islam, and the study of religion in South Asian and Chinese cultures.

Recommend Approval:

William M. Owens
William Owens, Chair, Classics

Arthur Zucker
Arthur Zucker, Chair, Philosophy

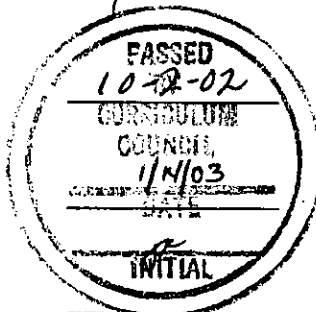
Leslie Flemming
Leslie Flemming, Dean, Arts and Sciences

Margret Appel
Margret Appel, Chair, University Curriculum Council

Stephen Kopp, Provost

10/2/02

10/2/02



User-Agent: Microsoft-Outlook-Express-Macintosh-Edition/5.02.2022
Date: Fri, 11 Oct 2002 15:08:15 -0400
Subject: Classics and World Religions Memo
From: "William M. Owens" <owensb@ohio.edu>
To: <butcherv@ohio.edu>

To: Vicki Butcher, Secretary, A&S Curriculum Committee
From: William M. Owens, Chair, Department of Classics
Re: Classics Department name change

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William M. Owens, Chair, Classics

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William M. Owens
Department of Classics
Ohio University
Athens, OH 45701
(tel.) 740-597-2101



Interoffice Communication

Date: October 2, 2002

To: University Curriculum Council
Provost Stephen Kopp
Ohio University Trustees

From: Leslie A. Flemming, Dean, College of Arts and Sciences /LAF

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INVESTMENT COMMITTEE/COMMITTEE OF THE WHOLE

Vice President Siemer briefly commented on the previously distributed "Investment Performance" report noting the plan to reduce, over three years, the maximum spending rate on the endowment for 6 to 5 percent. A copy of the report is enclosed with official minutes.

Chairman DeLawder reported there were three resolutions before his committee and that he and the committee had met earlier to review the matters.

Mr. William Elliot, Bank One Capital Markets, Inc., presented and reviewed with Trustees a series of refunding scenarios for the General Receipts Bonds, Series 1993. These are for the Ping/Convocation Center/Housing Bids.

Following review and discussion of 7 refinancing alternatives, the Trustees unanimously agreed to on a motion by Mr. DeLawder and a second by Mr. Brunner approved the following resolution:

Proposed Subordinated General Receipts Bonds, Fixed Rate Current Refunding
of Series 1993 PING/CONVOCATION CENTER/HOUSING Bonds –
Series 2003 (With MMD lock), Preliminary Summary of Financing –
Upfront Savings, Resolution 2003 – 1862
Series 2003 Bond Anticipation Notes/Working Capital Loan,
Resolution 2003 – 1863
Proposed Revisions to the Non-Endowment Invested Funds Policy
Resolution 2003 – 1864

The Ohio University

Proposed Subordinated General Receipts Bonds

Fixed Rate Current Refunding of Series 1993 PING / CONVOCATION CENTER / HOUSING Bonds - Series 2003 (With MMD Lock)

Preliminary Summary of Financing - Upfront Savings

BEFORE REFUNDING					AFTER REFUNDING										DEBT SERVICE SAVINGS
Fiscal Year	\$55,450,000 General Receipts Bonds, Series 1993 Dated December 1, 1993				\$55,450,000 General Receipts Bonds, Series 1993 Dated December 1, 1993				\$37,110,000 Series 2003A Dated September 1, 2003						
	PRINCIPAL (12/1)	RATE	INTEREST (6/1 & 12/1)	TOTAL	PRINCIPAL (12/1)	RATE	INTEREST (6/1 & 12/1)	TOTAL	PRINCIPAL (12/1)	RATE	INTEREST (6/1 & 12/1)	TOTAL			
2004	\$2,585,000	4.50%	\$1,786,818	\$4,371,818	\$2,585,000	4.50%	\$58,163	\$2,643,163	\$0	0.00%	\$851,124	\$851,124	\$877,531		
2005	\$2,710,000	4.60%	\$1,666,325	\$4,376,325					\$2,895,000	1.30%	\$1,116,014	\$4,011,014	\$385,311		
2006	\$2,835,000	4.70%	\$1,537,373	\$4,372,373					\$3,295,000	1.58%	\$1,071,168	\$4,366,166	\$6,207		
2007	\$2,975,000	5.00%	\$1,396,375	\$4,371,375					\$3,350,000	1.96%	\$1,012,306	\$4,362,306	\$9,070		
2008	\$3,125,000	5.00%	\$1,243,875	\$4,368,875					\$3,425,000	2.39%	\$938,547	\$4,363,547	\$5,328		
2009	\$3,290,000	5.00%	\$1,083,500	\$4,373,500					\$3,515,000	2.82%	\$848,057	\$4,363,057	\$10,444		
2010	\$3,015,000	5.00%	\$925,875	\$3,940,875					\$3,190,000	3.19%	\$747,615	\$3,937,615	\$3,261		
2011	\$3,170,000	5.00%	\$771,250	\$3,941,250					\$3,300,000	3.48%	\$639,314	\$3,939,314	\$1,936		
2012	\$3,335,000	5.00%	\$608,625	\$3,943,625					\$3,420,000	3.73%	\$518,111	\$3,938,111	\$5,514		
2013	\$1,285,000	5.00%	\$493,125	\$1,778,125					\$1,350,000	3.90%	\$428,003	\$1,778,003	\$122		
2014	\$1,350,000	5.00%	\$427,250	\$1,777,250					\$1,400,000	4.02%	\$373,538	\$1,773,538	\$3,712		
2015	\$1,420,000	5.00%	\$358,000	\$1,778,000					\$1,480,000	4.14%	\$315,176	\$1,775,176	\$2,824		
2016	\$1,495,000	5.00%	\$285,125	\$1,780,125					\$1,525,000	4.24%	\$252,624	\$1,777,624	\$2,501		
2017	\$1,570,000	5.00%	\$208,500	\$1,778,500					\$1,590,000	4.33%	\$185,871	\$1,775,871	\$2,630		
2018	\$1,650,000	5.00%	\$128,000	\$1,778,000					\$1,660,000	4.42%	\$114,761	\$1,774,761	\$3,239		
2019	\$1,735,000	5.00%	\$43,375	\$1,778,375					\$1,735,000	4.50%	\$39,038	\$1,774,038	\$4,338		
	\$37,545,000		\$12,963,390	\$50,508,390					\$37,110,000		\$9,451,262	\$46,561,262	\$1,303,965		

* The current rates used are solely estimates for discussion purposes, and are not intended to predict future rates for pricing results.

** Interest on bond proceeds assumed to be earned at 1.00% between closing date and call date (September 3 and December 1)

** Interest Earnings

Total Savings

Net Present Value Savings

\$89,057

\$1,393,022

\$1,340,243

RESOLUTION 2003- 1862

Providing for the authorization, issuance and sale of not to exceed \$53,000,000 Subordinated Variable Rate General Receipts Bonds, Series 2003, of The Ohio University, authorizing a Second Supplemental Trust Agreement securing such bonds, and authorizing matters related thereto

WHEREAS, The Ohio University (herein called the "University"), a state university of the State of Ohio created and existing under Chapter 3337 of the Ohio Revised Code, by Resolution No. 2000-1744 adopted by its Board of Trustees (herein called the "Board") on December 8, 2000 (herein called the "General Bond Resolution") and by a Trust Agreement dated May 1, 2001 (together with amendments and supplements thereto, the "Trust Agreement"), comprised in part of the General Bond Resolution, has provided for the issuance from time to time of Obligations (as defined in the General Bond Resolution) of the University, each such issue to be authorized by a Series Resolution adopted by the Board pursuant to the Trust Agreement; and

WHEREAS, the General Bond Resolution was adopted and the Trust Agreement was authorized by the Board pursuant to Sections 3345.11 and 3345.12 of the Ohio Revised Code, enacted by the General Assembly of Ohio under authority of the Constitution of Ohio, particularly Section 2i of Article VIII thereof, which authorizes the University to issue its Obligations from time to time to pay costs of certain capital facilities, defined as "auxiliary facilities" or "education facilities" in Section 3345.12 of the Ohio Revised Code and called "University Facilities" in the General Bond Resolution and in this Series Resolution, and to refund, fund or retire such Obligations or other obligations previously issued for such purpose; and

WHEREAS, the University has heretofore issued its \$48,025,000 principal amount of Bonds (as defined in the General Bond Resolution) under the Trust Agreement designated "Subordinated Variable Rate General Receipts Bonds, Series 2001" (the "Series 2001 Bonds"), pursuant to a First Supplemental Trust Agreement dated as of May 1, 2001 (the "First Supplemental Trust Agreement"); and

WHEREAS, the University has heretofore entered into an Interest Rate Hedge (as defined in Section 9.98 of the Ohio Revised Code) for a portion of the Series 2001 Bonds in the form of an ISDA Master Agreement, dated December 1, 2001 (which, together with the schedule and confirmations related thereto, are collectively referred to as the "Series 2001 Swap Agreement") in a maximum notional amount of \$31,020,000 with Morgan Guaranty Trust Company of New York, under the Trust Agreement with respect to amounts payable by the University under the Series 2001 Swap Agreement (other than any Early Termination Amount, as defined in the Series 2001 Swap Agreement, and any amounts payable pursuant to Section 11 of the Series 2001 Swap Agreement by the University); and

WHEREAS, the University has heretofore issued its General Receipts Bonds, Series 1993 dated as of December 1, 1993 (the "Series 1993 Bonds"), in the original principal amount of \$55,450,000 pursuant to the Prior Indenture, as defined in the General Bond Resolution, which are

presently outstanding in the aggregate amount of \$37,545,000, for the purpose of constructing, equipping and furnishing a recreation center and a heating plant boiler addition, and advance refunding certain then-outstanding general receipts bonds issued under the Prior Indenture; and

WHEREAS, the University has previously determined, and does hereby confirm, that it is necessary to acquire, construct, equip, furnish, reconstruct, alter, enlarge, remodel, renovate, rehabilitate or improve the following University Facilities at the respective currently estimated costs (being collectively referred to herein as the "2003 Projects"):

<u>Project Name</u>	<u>Description</u>	<u>Currently Estimated Cost</u>
University Center	Planning and initial project costs for the construction of a new approximately 180,000 square foot facility at the southern end of South Court Street which is expected to contain food service facilities, office and meeting space, a number of social/activity spaces, and an associated 300 automobile parking facility.	\$3,800,000
Lecture Hall/Classroom Facility	Final costs to complete construction of a 40,000 square foot facility including general lecture halls and a large public meeting room.	\$5,500,000
Pickerington Center	Acquisition costs of two 15,000 square foot buildings located on approximately 12 acres in Fairfield County. These facilities will be used for academic programming and training programs.	\$3,500,000
Avionics Engineering Center	Planning and project costs for the construction of a 10,500 square foot facility including office and lab space at Ohio University Bush Airport	\$1,600,000

; and

WHEREAS, the Board has previously adopted a resolution (the "2003 Note Resolution" authorizing the issuance of \$15,000,000 Subordinated General Receipts Bond Anticipation Notes, Series 2003 (the "2003 Notes") of the University in anticipation of the issuance of Bonds, as defined in the General Bond Resolution, to pay costs of the 2003 Projects; and

WHEREAS, the University has determined to issue not to exceed \$53,000,000 principal amount of Bonds under the Trust Agreement, to be designated "Subordinated General Receipts Bonds, Series 2003", or such other designation as authorized hereby (the "Series 2003 Bonds"),

to refund the 2003 Notes and the Series 1993 Bonds, and desires to provide therefor by this Resolution; and

WHEREAS, the Board finds that all conditions precedent to the authorization and sale of the Series 2003 Bonds have been or will be met by the time the Series 2003 Bonds are issued;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE OHIO UNIVERSITY, as follows:

Section 1. Definitions and Interpretations. All words and terms defined in the General Bond Resolution and elsewhere in the Trust Agreement and all interpretations therein provided shall have the meanings, respectively, and be subject to the same interpretations as therein provided where used in this Resolution, unless the context or use indicates another or different meaning or intent, except that this Resolution is sometimes herein called and may be known as the "Series 2003 Resolution", the Bonds authorized by this Resolution are referred to herein and in the Second Supplemental Trust Agreement hereby authorized as the "Series 2003 Bonds", and the terms "hereof", "herein", "hereby", "hereto" and "hereunder", and similar terms, mean this Resolution. All words and terms defined in the preambles hereto shall have the respective meanings provided in the preambles hereto.

In addition, when used in this Resolution and the Second Supplemental Trust Agreement hereby authorized, the following words shall have the indicated meanings:

"Authorized Denominations" means with respect to the Series 2003 Bonds, the denominations designated as such in the Series 2003 Certificate of Award.

"Beneficial Owner" means with respect to the Series 2003 Bonds, the Person owning the Beneficial Ownership Interest therein, as evidenced to the satisfaction of the Trustee.

"Beneficial Ownership Interest" means the right to receive payments and notices with respect to the Series 2003 Bonds held in a book entry system for which the Depository does not act on behalf of a Beneficial Owner with respect to the optional or mandatory tender for purchase of the Series 2003 Bonds pursuant to the Trust Agreement.

"Book entry form" or "book entry system" means, with respect to the Series 2003 Bonds, a form or system, as applicable, under which (i) the ownership of beneficial interests in such Bonds and Debt Service Charges may be transferred only through a book entry and (ii) physical Series 2003 Bond certificates in fully registered form are registered only in the name of a Depository or its nominee as Bondholder, with the physical Series 2003 Bond certificates "immobilized" in the custody of the Depository. The book entry system maintained by and the responsibility of the Depository and not maintained by or the responsibility of the University or the Trustee is the record that identifies, and records the transfer of the interests of, the owners of beneficial (book entry) interests in such Series 2003 Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record ownership of beneficial interest in the Series 2003 Bonds, and to effect transfers of book entry

interests in such Bonds, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Defeasance Obligations" means the investments defined as such in the Escrow Agreement sufficient to refund the Refunded Bonds pursuant to the Prior Indenture.

"Escrow Agreement" means the Escrow Deposit Agreement between the University and the Escrow Trustee of even date with the Second Supplemental Trust Agreement, securing the Refunded Bonds.

"Escrow Fund" means the fund by that name created by the Escrow Agreement in the custody of the Escrow Trustee as security for the Refunded Bonds. The Escrow Fund may be a sub-account in the "Bond Service Account" in the "General Receipts Bond Service Fund" created by the Prior Indenture.

"Escrow Trustee" means the bank or trust company serving as Escrow Trustee under the Escrow Agreement, being initially designated in the Series 2003 Certificate of Award.

"Fixed Rate Bonds" means Series 2003 Bonds that are not "Variable Rate Obligations", as defined in the General Bond Resolution.

"Interest Payment Date" means, as to the Series 2003 Bonds, each of the dates set forth as such in the Series 2003 Certificate of Award.

"Interest Rate Hedge" means an "interest rate hedge" as defined in Section 9.98 of the Ohio Revised Code.

"Interest Rate Mode" means any of those modes of interest with respect to the Series 2003 Bonds permitted by the Second Supplemental Trust Agreement and specified in the Series 2003 Certificate of Award.

"Mandatory Redemption Date" means, as to the Series 2003 Bonds, each of the dates set forth in the Series 2003 Certificate of Award for the retirement of a portion of the principal of the Series 2003 Bonds pursuant to any Mandatory Sinking Fund Requirements set forth therein.

"Mandatory Sinking Fund Requirements" means, as to the Series 2003 Bonds, the amounts required to be deposited in the Debt Service Fund for the purpose of redeeming Series 2003 Bonds (less the amount of any credit as provided in Section 4(c) of this Resolution) on each Mandatory Redemption Date, as may be set forth in the Series 2003 Certificate of Award.

"Maximum Rate" means twelve percent (12%) per annum or such lesser rate designated as such in the Series 2003 Certificate of Award.

"Memorandum of Instructions" means the Memorandum of Instructions Regarding Use of Proceeds, Investment Limitations and Rebate Requirements delivered to the University and the Trustee at the time of the issuance and delivery of the Series 2003 Bonds, as the same may be amended or supplemented in accordance with its terms.

"Original Purchaser" means, as to the Series 2003 Bonds, the purchaser or purchasers of the Series 2003 Bonds designated as such in the Series 2003 Certificate of Award.

"Pledged Bonds" means Series 2003 Bonds or Beneficial Ownership Interests registered in the name of the Series 2003 Financial Institution and securing the obligations of the University to reimburse the Series 2003 Financial Institution for advances made pursuant to the Series 2003 Credit Support Instrument as may be provided in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

"Rebate Fund" means the fund by that name referred to in Section 10 hereof.

"Refunded Bonds" means the certain Series 1993 Bonds, if any, designated in the Series 2003 Certificate of Award which are to be refunded with a portion of the proceeds of the Series 2003 Bonds and deemed paid and discharged pursuant to the Prior Indenture.

"Second Supplemental Trust Agreement" means the Second Supplemental Trust Agreement dated as determined in the Series 2003 Certificate of Award, by and between the University and the Trustee supplementing the Trust Agreement and securing the Series 2003 Bonds, as the same may be amended as provided therein.

"Series 2003 Certificate of Award" means the certificate of the Fiscal Officer establishing certain terms of the Series 2003 Bonds and authorized in Section 5 hereof.

"Series 2003 Closing Date" means the date on which the Series 2003 Bonds are delivered to the Original Purchaser for payment.

"Series 2003 Credit Support Instrument" means any Credit Support Instruments relating to the Series 2003 Bonds described in the Series 2003 Certificate of Award and issued by the Series 2003 Financial Institution for the benefit of the holders of the Series 2003 Bonds.

"Series 2003 Financial Institution" means the Financial Institution issuing the Series 2003 Credit Support Instrument described in the Series 2003 Certificate of Award.

"Series 2003 Expenses Account" means the account by that name created in the Facilities Fund pursuant to Section 6 hereof.

"Series 2003 Remarketing Agent" means the Remarketing Agent designated as such in the Series 2003 Certificate of Award.

"Taxable Series 2003 Bonds" means any Series 2003 Bonds other than Tax-Exempt Series 2003 Bonds.

"Tax-Exempt Series 2003 Bonds" means Series 2003 Bonds the interest on which is intended by the University at the time of initial issuance, to be exempt from federal income taxation under the Code, such intent to be conclusively evidenced by a determination to that effect contained in the Series 2003 Certificate of Award.

Section 2. Determinations by Board. The Board hereby finds and determines that (a) each of the 2003 Projects will constitute "auxiliary facilities" or "education facilities" as defined in the Act; (b) the issuance of the Series 2003 Bonds will be in the best interests of the University; and (c) this Resolution is adopted pursuant to the General Bond Resolution, the Trust Agreement, the Act and Section 2i of Article VIII of the Ohio Constitution.

The Board finds that the conditions stated in numbered subparagraphs (1) and (2) of Section 3(a) of the General Bond Resolution will be satisfied by the time of authentication of the Series 2003 Bonds. The Fiscal Officer shall confirm these findings by a certificate in form satisfactory to, and to be filed with, the Trustee prior to the authentication of the Series 2003 Bonds, and the Fiscal Officer may provide such other evidence with respect thereto as the Trustee may reasonably request.

Section 3. Authorization, Designation and Purpose of Series 2003 Bonds. It is hereby declared to be necessary and in the best interests of the University to, and the University shall, issue, sell and deliver, as provided and authorized herein not to exceed \$53,000,000 principal amount of Bonds of the University, on a parity with all other outstanding Obligations from time to time, which shall be designated "Subordinated Variable Rate General Receipts Bonds, Series 2003" if issued as Variable Rate Obligations, or "Subordinated General Receipts Bonds, Series 2003" if issued as Fixed Rate Bonds, or such other designation as may be specified in the Series 2003 Certificate of Award (the "Series 2003 Bonds"), for the purposes of (i) refunding the 2003 Notes, and (ii) refunding all or part of the Series 1993 Bonds upon the terms set forth herein in order to realize interest cost savings and other benefits which will inure to the benefit of the University. For such purposes, the proceeds from the sale of the Series 2003 Bonds shall be allocated and deposited as provided in Section 6 hereof. The principal amount of the Series 2003 Bonds to be issued shall be determined by the Fiscal Officer and specified in the Series 2003 Certificate of Award. The Series 2003 Bonds may be issued in one or more separate series of (i) Variable Rate Obligations bearing interest at, and convertible to, one or more Interest Rate Modes, (ii) Fixed Rate Bonds, or (iii) a combination thereof, as the Fiscal Officer may determine in the Series 2003 Certificate of Award. The Series 2003 Bonds may be issued in separate series of Tax-Exempt Series 2003 Bonds and Taxable Series 2003 Bonds as the Fiscal Officer may determine in the Series 2003 Certificate of Award.

Section 4. Terms and Provisions Applicable to the Series 2003 Bonds.

(a) **Forms, Denominations, Dates and Numbering.** The Series 2003 Bonds shall be negotiable instruments in accordance with the Act, shall be issued only in fully registered form, without coupons, shall be substantially in the respective forms thereof set forth in the Second Supplemental Trust Agreement, shall be in Authorized Denominations and shall express upon their faces the purpose for which they are issued and that they are issued pursuant to the Act. Each Series 2003 Bond shall have only one principal maturity date, except for interim certificates, receipts or temporary Series 2003 Bonds which may be issued pending preparation of definitive Series 2003 Bonds. The Series 2003 Bonds shall be dated and numbered as set forth in the Series 2003 Certificate of Award.

Subject to the provisions of this Resolution for the use of a book entry system, the Series 2003 Bonds shall be exchangeable for other Series 2003 Bonds in the manner and upon the terms set forth in the Trust Agreement.

(b) Execution, Interest Rates and Maturities. (i) The Series 2003 Bonds shall be executed by the Chairman of the Board or the President of the University and by the Fiscal Officer or the Secretary of the Board and may have the seal of the University affixed or printed thereon; provided that all of such signatures and such seal may be facsimiles.

(ii) The Series 2003 Bonds shall mature on the date or dates and in the amounts set forth in the Series 2003 Certificate of Award, provided that the final maturity of the Series 2003 Bonds shall be not later than December 1, 2019. Interest on the Series 2003 Bonds shall be calculated and payable as provided in the Series 2003 Certificate of Award. The interest rate payable by the University on the Series 2003 Bonds shall not exceed the Maximum Rate except that Pledged Bonds (or the economic equivalent thereof as may be determined in the Series 2003 Certificate of Award) may bear interest at a rate greater than the Maximum Rate as provided in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

(iii) At the University's option, portions of the Series 2003 Bonds issued as Variable Rate Obligations may be converted to or from one Interest Rate Mode to another as provided in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

(c) Mandatory Sinking Fund Redemption. The Series 2003 Bonds shall be subject to mandatory sinking fund redemption in part on each Mandatory Redemption Date, in the manner provided in the Trust Agreement, at a redemption price of 100% of the principal amount thereof to be redeemed plus accrued interest to the redemption date in such amounts and in the manner as may be set forth in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

(d) Optional Redemption. The Series 2003 Bonds shall be callable for redemption at the option of the University, in the manner provided in the Trust Agreement, in whole or in part, at such price or prices (but in any case not greater than 103% of the principal amount of Series 2003 Bonds to be redeemed plus accrued interest to the redemption date) at such times and in the manner as may be set forth in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

(e) Method and Notice of Redemption. If less than all of the outstanding Series 2003 Bonds of one maturity are to be called, the selection of such Series 2003 Bonds of such maturity to be called shall be made in the manner provided in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement. Notice of call for redemption of Series 2003 Bonds shall be given at the times and in the manner provided in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

(f) Place of Payment; Record Dates. Debt Service Charges on the Series 2003 Bonds when due shall be payable to the registered holders thereof at the places and in the manner provided in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

The Fiscal Officer may establish a Regular Record Date and a Special Record Date for the Series 2003 Bonds which shall be set forth in the Series 2003 Certificate of Award.

(g) Paying Agent and Registrar. The Trustee shall serve as Paying Agent and Registrar for the Series 2003 Bonds.

(h) Payment. Debt Service Charges with respect to the Series 2003 Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Trustee or the Paying Agent, in the manner provided in the Trust Agreement.

(i) Book Entry System. The Series 2003 Bonds shall only be originally issued to a Depository for use in a book entry system and: (i) such Series 2003 Bonds shall be registered in the name of the Depository or its nominee, as Bondholder, and immobilized in the custody of the Depository; (ii) there shall be a single Series 2003 Bond representing each maturity; and (iii) such Series 2003 Bonds shall not be transferable or exchangeable, except for transfer to another Depository or another nominee of a Depository or to the Series 2003 Financial Institution in order to obtain payment of principal of Series 2003 Bonds in accordance with the Trust Agreement and in exchange for any Series 2003 Bonds so transferred without further action by the University. The Beneficial Owners shall not have any right to receive Series 2003 Bonds in the form of physical certificates.

So long as a book entry system is in effect for the Series 2003 Bonds, the University and Trustee shall recognize and treat the Depository, or its nominee, as the Holder of the Series 2003 Bonds for all purposes, including payment of Debt Service Charges, giving of notices, and enforcement of remedies. The crediting of payments of Debt Service Charges on the Series 2003 Bonds and the transmittal of notices and other communications by the Depository to Beneficial Owners are the responsibility of the Depository and are not the responsibility of the University or the Trustee; provided, however, that the University and the Trustee understand that neither the Depository or its nominee shall provide any consent requested of Holders of Series 2003 Bonds pursuant to the Trust Agreement, and that the Depository will mail an omnibus proxy (including a list identifying the owners of the book entry interests in the Series 2003 Bonds) to the University which assigns the Depository's, or its nominee's, voting rights to the owners of the book entry interests in the Series 2003 Bonds (as credited to their accounts at the Depository as of the record date for mailing of requests for such consents). Upon receipt of such omnibus proxy, the University shall promptly provide such omnibus proxy (including the list identifying the owners of the book entry interests in the Series 2003 Bonds attached thereto) to the Trustee, who shall then treat such owners as Holders of the Series 2003 Bonds for purposes of obtaining any consents pursuant to the terms of the Trust Agreement.

As long as the Series 2003 Bonds are registered in the name of a Depository, or its nominee, the University and the Trustee agrees to comply with the terms and provisions of their agreement with the Depository including the provisions thereof with respect to any delivery of the Series 2003 Bonds to the Trustee which shall supersede the provisions of the Trust Agreement with respect thereto.

Notwithstanding any other provision of this Resolution or any provision of the General Bond Resolution, the Trust Agreement, the Second Supplemental Trust Agreement or any Series

2003 Bond to the contrary, with the approval of the Fiscal Officer, the Trustee may enter into an agreement with a Depository, or the nominee of a Depository, that is the registered owner of a Series 2003 Bond in the custody of that Depository providing for making all payments to that registered owner of principal of and interest and any premium on that Series 2003 Bond or any portion of that Series 2003 Bond (other than any payment of its entire unpaid principal amount) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Resolution, without prior presentation or surrender of the Series 2003 Bond, upon any conditions which shall be satisfactory to the Trustee and the Fiscal Officer. That payment in any event shall be made to the person who is the registered owner of that Series 2003 Bond on the date that principal and premium is due, or, with respect to the payment of interest, as of the applicable Regular Record Date or Special Record Date or other date agreed upon, as the case may be. The Trustee will furnish a copy of each of those agreements, certified to be correct by an officer of the Trustee, to other Authenticating Agents and Paying Agents for Series 2003 Bonds, if any, and to the University. Any payment of principal, premium, or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution and Trust Agreement.

(j) Change of Depository and Replacement Series 2003 Bonds. If any Depository determines not to continue to act as a Depository for the Series 2003 Bonds for use in a book entry system, the University may attempt to have established a securities depository/book entry system relationship with another qualified Depository under the Trust Agreement. If the University does not or is unable to do so, the University and the Trustee, after the Trustee has made provision for notification of the owners of book entry interests in the Series 2003 Bonds by appropriate notice to the then Depository, shall permit withdrawal of the Series 2003 Bonds from the Depository, and authenticate and deliver Series 2003 Bond certificates in fully registered form to the assignees of the Depository or its nominee. If the event is not the result of University action or inaction, such withdrawal, authentication and delivery shall be at the cost and expense (including costs of printing or otherwise preparing, and delivering, such replacement Series 2003 Bonds), of those persons requesting that authentication and delivery unless University action or inaction shall have been the cause of the termination of the book entry system in which event such cost and expense shall be borne by the University. Such replacement Series 2003 Bonds shall be in Authorized Denominations.

(k) Tender Options. Each Holder and Beneficial Owner shall have the option to tender Series 2003 Bonds for purchase upon such terms as may be set forth in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

(l) Mandatory Tender. The Series 2003 Bonds shall be subject to mandatory tender by the Holders and Beneficial Owners thereof for purchase upon such terms as may be set forth in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement. The Fiscal Officer shall determine in the Series 2003 Certificate of Award whether any obligation on the part of the University to purchase Series 2003 Bonds from their Holders upon the completion of the term of the Series 2003 Credit Support Instrument shall be treated for purposes of the third paragraph of Section 2 of the General Bond Resolution as the conclusion of the term of Series 2003 Bonds.

(j) Remarketing of Series 2003 Bonds. Series 2003 Bonds which have been tendered for purchase shall be remarketed by the Series 2003 Remarketing Agent in the manner set forth in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement.

Section 5. Sale of the Series 2003 Bonds; Series 2003 Certificate of Award. The Series 2003 Bonds shall be awarded and sold to the Original Purchaser at the price set forth in the Series 2003 Certificate of Award, such price for any maturity of the Series 2003 Bonds shall be not less than 95% of the principal amount thereof, plus accrued interest on the aggregate principal amount of the Series 2003 Bonds from their dates to the date of delivery to and payment by the Original Purchaser, all in accordance with, and subject to the terms and conditions of, the Original Purchaser's proposal contained in the hereinafter described bond purchase agreement. Such award and sale shall be evidenced by the execution of a Series 2003 Certificate of Award by the Fiscal Officer setting forth such award and sale, the other matters to be set forth therein referred to in this Resolution, and such other matters as the Fiscal Officer determines are consistent with this Resolution, the Trust Agreement and the Second Supplemental Trust Agreement. That the matters contained in the Series 2003 Certificate of Award are consistent with this Resolution, the Trust Agreement and the Second Supplemental Trust Agreement shall be conclusively evidenced by the execution of the Series 2003 Certificate of Award by such officer. The Series 2003 Certificate of Award shall be and hereby is incorporated into this Resolution and the Second Supplemental Trust Agreement.

The Fiscal Officer is hereby further authorized and directed to execute and deliver, in the name and on behalf of the University, a bond purchase agreement with the Original Purchaser (the "Bond Purchase Agreement") upon such terms as approved by such officer not inconsistent with this Bond Legislation and not substantially adverse to the University. The Bond Purchase Agreement may provide for delivery and purchase of the Series 2003 Bonds up to nine (9) months from the sale date. The approval of such officer, and that the Bond Purchase Agreement is consistent with this Resolution and not substantially adverse to the University, shall be conclusively evidenced by the execution of the Bond Purchase Agreement by such officer. The Fiscal Officer is hereby authorized to make arrangements with Peck, Shaffer & Williams LLP to serve as bond counsel and underwriter's counsel for the Series 2003 Bonds, and such firm is hereby appointed to serve in such capacities.

The Fiscal Officer, and any other appropriate officer of the University, are each hereby separately authorized to make arrangements for the delivery of the Series 2003 Bonds to, and payment therefor by, the Original Purchaser. It is hereby determined that the price for and the terms of the Series 2003 Bonds, and the sale thereof, all as provided in this Resolution, the Second Supplemental Trust Agreement and the Series 2003 Certificate of Award are in the best interest of the University and in compliance with all legal requirements.

Section 6. Allocation of Proceeds of Series 2003 Bonds. All of the proceeds from the sale of the Series 2003 Bonds shall be received and receipted for by the Fiscal Officer, and shall be deposited and allocated as follows:

(a) To the Bond Service Account in the General Receipts Bond Service Fund, the portion of such proceeds representing accrued interest and any capitalized interest directed to be deposited in the Bond Service Account by the Series 2003 Certificate of Award; and

(b) To the Note Payment Fund created by the 2003 Note Resolution, an amount sufficient to refund the 2003 Notes, which amount shall be determined in the Series 2003 Certificate of Award; and

(c) To the Escrow Fund, such amount as set forth in the Series 2003 Certificate of Award, as is necessary to provide for the purchase of Defeasance Obligations sufficient to refund any Refunded Bonds as set forth in the Escrow Agreement; and

(d) To the Series 2003 Expenses Account which is hereby created as a separate deposit account within the Facilities Fund (except when invested as hereinafter provided) in the custody of the University or the Trustee or other entity, as the Fiscal Officer shall determine, the balance of such proceeds.

Any such capitalized interest may be deposited in a separate sub-account of the Bond Service Account as the Fiscal Officer may determine. Upon a determination by the Fiscal Officer that any portion of such amount designated to be used for capitalized interest is not needed for such purpose, such portion may be transferred to the Series 2003 Expenses Account.

Such proceeds are hereby appropriated for the purposes of the respective funds and accounts into which such proceeds are deposited.

No provision shall be made for a Debt Service Reserve Account with respect to the Series 2003 Bonds, and there shall be no Required Reserve for the Series 2003 Bonds. The Series 2003 Bonds shall not be payable from, and the Series 2003 Bonds shall not be secured by, any moneys in or investments credited to the Debt Service Reserve Account, and therefore, Debt Service Charges on the Series 2003 Bonds shall not have access to or claims upon the Debt Service Reserve Account.

Section 7. Series 2003 Expenses Account; Recordkeeping; Application of Moneys. A record of each deposit into and disbursement from the Series 2003 Expenses Account shall be made and maintained by the party having custody of such account.

Moneys in the Series 2003 Expenses Account shall be used for the purpose of paying any costs associated with the issuance of the Series 2003 Bonds, the refunding of the 2003 Notes and the refunding of the Refunded Bonds, and shall be disbursed upon the written request of the Fiscal Officer on behalf of the University. The University covenants that it will proceed with due diligence to pay such costs. Upon the final payment of such costs, the University shall deliver to the Trustee a certificate of the Fiscal Officer on behalf of the University stating that fact and setting forth the amount, if any, then remaining in the Series 2003 Expenses Account which shall be transferred to the Debt Service Account of the Debt Service Fund pursuant to this Section.

Upon such certification, any moneys remaining in the Series 2003 Expenses Account and certified pursuant to the preceding paragraph shall be transferred by the party having custody of such Fund to the Debt Service Account of the Debt Service Fund as set forth in the immediately preceding paragraph.

Moneys in the Series 2003 Expenses Account may be invested in any lawful University investments in amounts maturing not later than the times when such amounts in the Series 2003 Expenses Account are required to pay any costs payable from such Fund. Any investment made by the Trustee shall be at the written or oral (and, if oral, promptly confirmed in writing) direction of the Fiscal Officer. The term "lawful University investments" shall mean those investments made in accordance with the *Statement of Objectives and Policies for Non-Endowment Invested Funds*, approved by the Board on October 2, 1998, as the same may be amended or supplemented from time to time. Such investments may include qualifying money market mutual funds for which the Trustee or any of its affiliates provide services for a fee, whether as an investment advisor, custodian, transfer agent, registrar, sponsor distributor, manager or otherwise.

Any investment of moneys in the Series 2003 Expenses Account shall constitute a part of the Series 2003 Expenses Account and the Series 2003 Expenses Account shall be credited with all proceeds of sale, and gain or loss, from such investment. Interest earnings on moneys in the Series 2003 Expenses Account shall be credited when received to the Series 2003 Expenses Account. For investment purposes only, moneys in the Series 2003 Expenses Account may be commingled with moneys from one or more funds held by the Trustee pursuant to the Trust Agreement; provided that separate records are maintained for each such fund, the investments made therefrom, and the interest earnings credited thereto.

Section 8. Second Supplemental Trust Agreement; Escrow Agreement. The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, a Second Supplemental Trust Agreement pursuant to the Trust Agreement in connection with the issuance of the Series 2003 Bonds and the Escrow Agreement, in forms not substantially adverse to the University as may be permitted by the Act and the Trust Agreement and approved by the officer or officers executing the same on behalf of the University. The approval of such forms by the Board and such officer or officers, and the fact that such forms are not substantially adverse to the University, shall be conclusively evidenced by the execution of the Second Supplemental Trust Agreement and the Escrow Agreement by such officer or officers.

Consistent with Section 8.02 of the Original Trust Agreement, the University and the Trustee, without the consent of or notice to any of the Bondholders, may enter into agreements supplemental to the Trust Agreement and the Second Supplemental Trust Agreement to the extent necessary or desirable to permit (i) the transfer of Series 2003 Bonds from one Depository to another, and the succession of Depositories or (ii) the withdrawal of Series 2003 Bonds issued to a Depository for use of a book entry system and the issuance of replacement Series 2003 Bonds in fully registered form to others than a Depository.

The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer are each separately authorized to execute and deliver, on behalf of the University, such other certificates, documents and instruments as are necessary in connection with the transactions authorized in this Resolution, and to do all other things required of them or the University pursuant to the Trust Agreement and this Resolution.

The appropriate officers of the University shall do all things necessary or proper to implement and carry out the orders and agreements set forth in or approved in this Resolution for the proper fulfillment of the purposes of the General Bond Resolution and this Resolution. The Secretary of the Board shall furnish to the Original Purchaser a true and certified transcript of all proceedings taken with reference to the authorization and issuance of the Series 2003 Bonds along with other information as is necessary or proper with respect to the Series 2003 Bonds.

Section 9. Tax Matters. The University hereby covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Tax-Exempt Series 2003 Bonds under Section 103(a) of the Code. Without limiting the generality of the foregoing, the University hereby covenants as follows:

(a) The University will not directly or indirectly use or permit the use of any proceeds of the Tax-Exempt Series 2003 Bonds or any other funds of the University, or take or omit to take any action that would cause the Tax-Exempt Series 2003 Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Code. To that end, the University will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Tax-Exempt Series 2003 Bonds. In the event that at any time the University is of the opinion that for purposes of this sub-section (a) it is necessary to restrict or limit the yield on the investment of any moneys held by the Trustee under the Trust Agreement, the Fiscal Officer shall so instruct the Trustee in writing, and the Trustee shall take such action as may be necessary in accordance with such instructions. The Fiscal Officer, or any other officer having responsibility with respect to the issuance of the Tax-Exempt Series 2003 Bonds, is authorized and directed to give an appropriate certificate on behalf of the University, on the date of delivery of the Tax-Exempt Series 2003 Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of such Sections 103(b)(2) and 148, and to execute and deliver on behalf of the University an IRS Form 8038G in connection with the issuance of the Tax-Exempt Series 2003 Bonds.

Without limiting the generality of the foregoing, the University agrees that there shall be paid from time to time all amounts required to be rebated to the United States pursuant to Section 148(f) of the Code. This covenant shall survive payment in full or defeasance of the Tax-Exempt Series 2003 Bonds. The University specifically covenants to pay or cause to be paid to the United States at the times and in the amounts determined under Section 10 hereof the Rebate Amounts, as described in the Memorandum of Instructions. The Trustee agrees to perform all tasks required of it in the Memorandum of Instructions.

Notwithstanding any provision of this sub-section (a), if the University shall provide to the Trustee an opinion of nationally recognized bond counsel to the effect that any action required under this Section and Section 10 of this Resolution is no longer required, or to the effect that some further action is required, to maintain the exclusion from gross income of the interest on the Tax-Exempt Series 2003 Bonds pursuant to Section 103(a) of the Code, the University and the Trustee may rely conclusively on such opinion in complying with the provisions hereof.

(b) So long as any of the Tax-Exempt Series 2003 Bonds, or any obligations issued to refund the Tax-Exempt Series 2003 Bonds, remain unpaid, the University will not operate or use, or permit the operation or use of, the 2003 Projects or any part thereof in any trade or business carried on by any person within the meaning of the Code which would cause the Tax-Exempt Series 2003 Bonds to be "private activity bonds" within the meaning of Section 141 of the Code.

Section 10. Rebate Fund.

(a) There has previously been created and ordered maintained in the custody of the Trustee (except when invested as herein provided), the Rebate Fund, which shall not constitute a Special Fund or Account securing the Series 2003 Bonds or other Obligations. There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Memorandum of Instructions. Subject to the transfer provisions provided in paragraph (d) below, all money at any time deposited in the Rebate Fund shall be held by the Trustee in trust, to the extent required to satisfy the Rebate Amount (as defined in the Memorandum of Instructions), for payment to the United States of America, and neither the University nor the owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section, by Section 9 of this Resolution and by the Memorandum of Instructions (which is incorporated herein by reference).

(b) The Trustee shall have no obligations to rebate any amounts required to be rebated pursuant to this Section, other than from moneys held in the funds created under the Trust Agreement or from other moneys provided to it by the University upon its request for said moneys from the University as set forth in the Memorandum of Instructions.

(c) The Trustee shall, at the direction of the University, invest amounts held in the Rebate Fund and deposit all earnings on such amounts as provided in the Memorandum of Instructions.

(d) The Trustee shall remit moneys in the Rebate Fund to the United States, as directed in the Memorandum of Instructions. Any funds remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor satisfactory to the Trustee shall be withdrawn and remitted to the University.

(e) Notwithstanding any other provision of this Resolution or the Trust Agreement, the obligation to remit the Rebate Amounts to the United States and to comply with all other requirements of this Section, Section 9 of this Resolution and the Memorandum of Instructions shall survive the defeasance or payment in full of the Bonds.

Section 11. Official Statement. The Fiscal Officer is hereby authorized to execute and deliver preliminary and final official statements on behalf of the University, in such forms as such officer may approve, and to deem such official statements to be "final" for purposes of Securities and Exchange Commission Rule 15c2-12, such officer's execution thereof on behalf of the University to be conclusive evidence of such authorization, approval and deeming, and copies thereof are hereby authorized to be prepared and furnished to the Original Purchaser for distribution to prospective purchasers of the Series 2003 Bonds and other interested persons.

The Fiscal Officer on behalf of the University is hereby authorized to execute and deliver a continuing disclosure certificate or agreement dated as set forth in the Series 2003 Certificate of Award (the "Continuing Disclosure Certificate") in connection with the issuance of the Series 2003 Bonds in such form as such officer may approve. The University hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Series 2003 Bonds; however, any holder or owner of the Series 2003 Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the University to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

The Fiscal Officer on behalf of the University is hereby authorized to furnish such information, to execute such instruments and to take such other actions in cooperation with the Original Purchaser as may be reasonably requested to qualify the Series 2003 Bonds for offer and sale under the Blue Sky or other securities laws and regulations and to determine their eligibility for investment under the laws and regulations of such states and other jurisdictions of the United States of America as may be designated by the Original Purchaser; provided however, that the University shall not be required to register as a dealer or broker in any such state or jurisdiction or become subject to the service of process in any jurisdiction in which the University is not now subject to such service.

Section 12. Series 2003 Credit Support Instrument. The Fiscal Officer is hereby authorized to apply for a Credit Support Instrument with respect to one or more series of the Series 2003 Bonds. The Fiscal Officer is hereby authorized to select a Financial Institution having qualifications and duties as set forth in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement to serve as the Series 2003 Financial Institution and to provide any Series 2003 Credit Support Instrument, and to accept the commitment of the Series 2003 Financial Institution therefor, and the payment of the fees, premiums and expenses relating to the Series 2003 Credit Support Instrument from sources described in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement is hereby authorized. The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, a reimbursement agreement or other agreement with the Series 2003 Financial Institution providing for the payment of the fees and expenses of the Series 2003 Financial Institution and the reimbursement, and security for the reimbursement, of the Series 2003 Financial Institution for advances made pursuant to the Series 2003 Credit Support Instrument, in such form as may be permitted by the Act and approved by the officer or officers executing the same on behalf of the University. The approval of such form by the Board and such officer or officers shall be conclusively evidenced by the execution of such agreement by such officer or officers.

Section 13. Series 2003 Remarketing Agent. The Fiscal Officer is hereby authorized to select a Remarketing Agent having qualifications and duties as set forth in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement to serve as the Series 2003 Remarketing Agent for one or more series of the Series 2003 Bonds, and the payment of the fees and expenses relating to the remarketing of the Series 2003 Bonds from sources described in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement is hereby

authorized. The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, an agreement with the Series 2003 Remarketing Agent providing for its services and the payment of the fees and expenses of the Series 2003 Remarketing Agent, in such form as may be permitted by the Act and approved by the officer or officers executing the same on behalf of the University. The approval of such form by the Board and such officer or officers shall be conclusively evidenced by the execution of such agreement by such officer or officers.

Section 14. Interest Rate Hedges. The Fiscal Officer is hereby authorized to (i) apply for one or more Interest Rate Hedges with respect to all or a portion of the Series 2003 Bonds, (ii) select a provider of such Interest Rate Hedge by negotiation or by a bidding process, based on the Fiscal Officer's best judgment as to which approach best serves the interest of the University, and (iii) accept the commitment of such provider therefor. The Fiscal Officer is authorized to retain such consultants and professional advisors as the Fiscal Officer deems necessary to accomplish the Interest Rate Hedge in the manner most beneficial to the University, and if a negotiated process is to be used, to select the counterparty and to approve the market-based terms for such Interest Rate Hedge. The payment of the fees and expenses of such consultants and advisors or otherwise related to any Interest Rate Hedge from the moneys in the Series 2003 Expenses Account, or other sources described in the Series 2003 Certificate of Award and the Second Supplemental Trust Agreement is hereby authorized.

Any Interest Rate Hedge may be secured by a pledge of the General Receipts, either on a parity basis with the outstanding Obligations payable from the same sources as the Series 2003 Bonds, or on a subordinated basis payable as provided in the documentation for the Interest Rate Hedge (the "Hedge Documents"). The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, any Hedge Documents, in such form as may be permitted by the Act and approved by the officer or officers executing the same on behalf of the University. The approval of such form by the Board and such officer or officers shall be conclusively evidenced by the execution of such Hedge Documents by such officer or officers.

Consistent with Sections 8.02 and 10.02 of the Original Trust Agreement, the University and the Trustee, without the consent of or notice to any of the Bondholders but with the consent of any applicable Financial Institutions, may enter into agreements supplemental or amendatory to the Trust Agreement and the Second Supplemental Trust Agreement to the extent necessary or desirable to permit an Interest Rate Hedge to take place upon terms acceptable to the University, particularly with respect to how the amounts to be paid by the University pursuant to the Hedge Documents are to be treated for calculating annual amounts payable on the Obligations. Any Authorized Officer is hereby authorized and directed, in the name and on behalf of the University, and as its corporate act and deed, to negotiate, execute and deliver amendments or supplements to the Trust Agreement and the Second Supplemental Trust Agreement determined by the Authorized Officer to be necessary and appropriate to accomplish any Interest Rate Hedge in such forms not substantially adverse to the University as may be permitted by the Act and approved by the Authorized Officer executing the same on behalf of the University. The approval of such forms by the Board and such officer or officers, and the fact that such forms are

not substantially adverse to the University, shall be conclusively evidenced by the execution of such amendments or supplements by such Authorized Officer.

Section 15. Temporary Series 2003 Bonds. Pending the preparation of definitive Series 2003 Bonds the University may execute and the Trustee shall authenticate and deliver temporary Series 2003 Bonds in printed or typewritten form. Temporary Series 2003 Bonds shall be issuable in fully registered form, of any denomination, and substantially in the form of the definitive Series 2003 Bonds but with such omissions, insertions and variations as may be appropriate for temporary Series 2003 Bonds, all as may be determined by the Fiscal Officer. Every temporary Series 2003 Bond shall be executed on behalf of the University, and be authenticated by the Trustee upon the same conditions and in substantially the same manner, and with like effect, as the definitive Series 2003 Bonds. If one or more temporary Series 2003 Bonds are issued, then without unnecessary delay the University shall execute and furnish to the Trustee in exchange therefor without charge, and the Trustee shall authenticate and deliver in exchange for such temporary Series 2003 Bonds an equal aggregate principal amount of definitive Series 2003 Bonds. Until so exchanged the temporary Series 2003 Bonds shall be entitled to the same benefits under the Trust Agreement as definitive Series 2003 Bonds.

Section 16. Prior Actions Approved. All actions hereto taken by officers and employees of the Board and the University in connection with the approval, authorization, sale, execution, delivery and issuance of the Series 2001 Bonds, Series 2001 Swap Agreement, the Series 2003 Bonds, or the security therefor, or any Interest Rate Hedge or Credit Support Instrument related thereto, are hereby approved, ratified and confirmed.

Section 17. Additional Special Funds and Accounts. The Fiscal Officer is hereby authorized to create such additional Special Funds and Special Accounts in connection with the Series 2003 Bonds and the security therefor and the remarketing thereof as the Fiscal Officer deems necessary. Any such Special Funds and Accounts and the permitted investment thereof shall be described in the Series 2003 Certificate of Award.

Section 18. Relationship of this Resolution to General Bond Resolution. It is understood and acknowledged by the University that the Series 2003 Bonds are being issued pursuant to the terms of the General Bond Resolution, as amended and supplemented by the terms of this Resolution; that the Series 2003 Bonds are subject to all of the terms and conditions of the General Bond Resolution, as amended, except as otherwise provided herein; and that all of the terms, conditions, covenants and warranties contained in the General Bond Resolution, as amended, except as otherwise provided herein, shall apply with like force and effect to the Series 2003 Bonds as if originally made in connection therewith. The General Bond Resolution, as amended and supplemented to date including by this Resolution, is hereby approved, ratified and confirmed.

Section 19. General. This Resolution is adopted pursuant to the General Bond Resolution and the Trust Agreement. The appropriate officers of the University shall do all things necessary and proper to implement and carry out the orders and agreements set forth in or approved in the General Bond Resolution and this Resolution for the proper fulfillment of the purposes thereof. Without limiting the generality of the foregoing, the Fiscal Officer and other appropriate officers of the University are hereby authorized to apply to the Ohio Board of

Regents for any required approvals with respect to the 2003 Projects or the Series 2003 Bonds. Should all the Series 2003 Projects or the Series 2003 Bonds not receive such approvals by the time the Series 2003 Bonds are sold, the Fiscal Officer shall set forth in the Series 2003 Certificate of Award the 2003 Projects and the amount of Series 2003 Bonds that have received such approvals. Thereupon, the Series 2003 Bonds shall be issued in a principal amount not exceeding the amount approved by the Ohio Board of Regents and the 2003 Projects shall include only the projects approved by the Ohio Board of Regents.

Section 20. Inconsistencies. All orders, resolutions and other official actions, or parts thereof, inconsistent herewith or with the documents hereby authorized, approved, ratified or confirmed are hereby repealed, but only to the extent of such inconsistency. This Resolution shall not be construed as otherwise revising any order, resolution or other official action, or part thereof.

Section 21. Open Meeting Determination. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

Section 22. Repeal of Prior Resolution. Resolution No. 2002-1826 adopted by the Board on June 28, 2002 is hereby repealed in its entirety.

Section 23. Effective Date. This Resolution shall take effect and be in force immediately upon its adoption.

Adopted: February __, 2003

On a motion by Mr. DeLawder and a second by Mrs. Ong the Trustees all agreed to approve the resolution.

RESOLUTION NO. 2003 -- 1863

PROVIDING FOR THE AUTHORIZATION, ISSUANCE AND SALE OF NOT TO EXCEED \$15,000,000 GENERAL RECEIPTS BOND ANTICIPATION NOTES OF THE OHIO UNIVERSITY

WHEREAS, The Ohio University (herein called the "University"), a state university of the State of Ohio created and existing under Chapter 3337 of the Ohio Revised Code, by Resolution No. 2000-1744 adopted by its Board of Trustees (herein called the "Board") on December 8, 2000 (herein called the "General Bond Resolution") and by a Trust Agreement dated May 1, 2001 (together with amendments and supplements thereto, the "Indenture"), comprised in part of the General Bond Resolution, has provided for the issuance from time to time of Obligations (as defined in the General Bond Resolution) of the University, each such issue to be authorized by a Resolution adopted by the Board pursuant to the Indenture; and

WHEREAS, the General Bond Resolution was adopted and the Indenture was authorized by the Board pursuant to Sections 3345.11 and 3345.12 of the Ohio Revised Code, enacted by the General Assembly of Ohio under authority of the Constitution of Ohio, particularly Section 2i of Article VIII thereof, which authorizes the University to issue its Obligations from time to time to pay costs of certain capital facilities, defined as "auxiliary facilities" or "education facilities" in Section 3345.12 of the Ohio Revised Code and called "University Facilities" in the General Bond Resolution and in this Resolution, and to refund, fund or retire such Obligations or other obligations previously issued for such purpose; and

WHEREAS, the University has previously determined, and does hereby confirm, that it is necessary to acquire, construct, equip, furnish, reconstruct, alter, enlarge, remodel, renovate, rehabilitate or improve the following University Facilities at the respective currently estimated costs (being collectively referred to herein as the "2003 Projects"):

<u>Project Name</u>	<u>Description</u>	<u>Currently Estimated Cost</u>
University Center	Planning and initial project costs for the construction of a new approximately 180,000 square foot facility at the southern end of south Court Street which is expected to contain food service facilities, office and meeting space, a number of social/activity spaces, and an associated 300 automobile parking facility	\$3,800,000
Lecture Hall/Classroom Facility	Final costs to complete construction of a 40,000 square foot facility including general lecture halls and a large public meeting room.	\$5,500,000
Pickerington Center	Acquisition costs of two 15,000 square foot buildings located on approximately 12 acres in Fairfield county. These facilities will be used for academic programming and training programs.	\$3,500,000
Avionics Engineering Center	Planning and project costs for the construction of a 10,500 square foot facility including office and lab space at Ohio University Bush Airport	\$1,600,000

WHEREAS, it is necessary and desirable to issue general receipts bond anticipation notes pursuant to Section 3345.12 of the Act in anticipation of the issuance of General Receipts Bonds of the University under the Indenture and the General Bond Resolution, and which such bond anticipation notes are to be secured as hereinafter provided;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PRESIDENT AND TRUSTEES OF THE OHIO UNIVERSITY, AS FOLLOWS:

SECTION 1. In order to obtain funds for the purpose of acquiring the 2003 Projects, the Board hereby determines that (i) it is necessary and in the best interests of the University to issue General Receipts Bonds of the University in a principal amount not to exceed \$15,000,000 bearing interest at the rate of approximately six per cent (6%) per annum, maturing in substantially equal annual or semiannual installments of principal and interest over a period not exceeding thirty (30) years after their issuance, and having an estimated annual principal and interest payment of approximately \$1,300,000, (ii) it is necessary and in the best interests of the University to issue notes in anticipation of the issuance of such bonds in a principal amount not to exceed \$15,000,000 (herein the "Notes") pursuant to the laws of the State of Ohio, and particularly the Act, upon the terms set forth herein; and (iii) the Project will constitute "auxiliary facilities" or "education facilities" as defined in the Act.

The Notes shall (i) be issued in a principal amount not to exceed \$15,000,000 in one or more series; (ii) be of the denominations, dated and numbered; (iii) bear interest at a rate or rates not exceeding six per cent (6%) per annum, based on a 360-day year comprised of twelve 30-day months, payable at maturity; and (iv) mature on a date not exceeding one year from the date of issuance; all as determined by the Vice President for Finance and Treasurer of the University (herein the "Treasurer"). The Notes may be subject to call for redemption prior to maturity, upon such terms as the Treasurer may determine. The principal of and interest on the Notes shall be payable upon presentation at maturity in lawful money of the United States of America at the office of the Treasurer or at such bank or trust company as may be designated by the Treasurer (herein the "Paying Agent"). The Notes may be issued in bearer or fully registered form, without coupons, as determined by the Treasurer, and the Paying Agent shall serve as Note registrar and transfer agent for any Notes issued as registered obligations. If the Notes are issued in registered form, principal and interest shall be paid only to the registered owner thereof as shown on the Note registration records maintained by the Paying Agent on behalf of the University.

Notes issued in registered form shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent upon presentation and surrender thereof to the Paying Agent. The University and the Paying Agent shall not be required to transfer any registered Note during the 15-day period preceding any interest payment date or preceding any selection of Notes to be redeemed, or after such Note has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor. The University and the Paying Agent may deem and treat the registered holders of registered Notes as the

absolute owners thereof for all purposes, and neither the University nor the Paying Agent shall be affected by any notice to the contrary.

SECTION 2. The Notes shall bear such designation to distinguish them from other obligations of the University as shall be made by the Treasurer, shall be negotiable instruments and shall express upon their face the purpose for which they are issued and that they are issued pursuant to general laws of Ohio, particularly the Act, and to this Resolution. The Notes shall bear the manual or facsimile signatures of the Chairman of the Board or the President of the University and the Treasurer and may bear the official seal of the University or a facsimile thereof, and shall bear the manual authenticating signature of the Paying Agent or an authorized representative of the Paying Agent.

SECTION 3. The Notes shall be awarded and sold to Banc One Capital Markets, Inc., Columbus, Ohio (the "Original Purchaser"), at a price determined by the Treasurer provided that such price shall be not less than 100% of the principal amount thereof, plus accrued interest on the aggregate principal amount of the Notes from their date to the date of delivery to and payment by the Original Purchaser, all in accordance with, and subject to the terms and conditions of, the Original Purchaser's proposal contained in the hereinafter-described note purchase agreement. The determinations and designations to be made by the Treasurer pursuant to this Resolution and such award and sale shall be evidenced by the execution of a certificate of award (the "Certificate of Award") by the Treasurer setting forth such award and sale, the other matters to be set forth therein referred to in this Resolution, and such other matters as the Treasurer determines are consistent with this Resolution, including without limitation, restrictions on the issuance of additional notes on a parity with the Notes and requirements for payments into the Note Payment Fund. That the matters contained in the Certificate of Award are consistent with this Resolution shall be conclusively evidenced by the execution of the Certificate of Award by such officer.

The Treasurer is hereby further authorized and directed to execute and deliver, in the name and on behalf of the University, a note purchase agreement with the Original Purchaser upon such terms as approved by such officer not inconsistent with this Resolution, and not substantially adverse to the University. The approval of such officer, and that such note purchase agreement is consistent with this Resolution and not substantially adverse to the University, shall be conclusively evidenced by the execution of such note purchase agreement by such officer. The Treasurer is hereby authorized to make arrangements with Carlile Patchen & Murphy LLP to serve as bond counsel for the Notes, and such firm is hereby appointed to serve in such capacity.

The Treasurer, and any other appropriate officers of the University, are each hereby separately authorized to make arrangements for the delivery of the Notes to, and payment therefor by, the Original Purchaser, to give all appropriate notices and certificates and to take all actions necessary to effect the due authorization, execution and delivery of the Notes pursuant to the provisions of the note purchase agreement. It is hereby determined that the price for and the terms of the Notes, and the sale thereof, all as provided in this Resolution, are in the best interest of the University and in compliance with all legal requirements.

SECTION 4. The proceeds from the sale of the Notes shall be deposited in the Facilities Fund referred to in the General Bond Resolution and used, along with other moneys deposited by the University in the Facilities Fund, to pay the costs of the 2003 Projects. Such

proceeds shall be used for the purposes set forth above and for no other purpose. Pending such use, the proceeds of sale of the Notes may be invested in lawful University investments approved by the Treasurer. Any of such proceeds remaining after the completion of the 2003 Projects shall be transferred to the Note Payment Fund and used to pay the principal of and interest on the Notes. Interest on such proceeds shall be deposited in such fund or account of the University as the Treasurer shall determine.

The Notes shall be payable from a special fund previously created in the custody of the University or the Paying Agent, as determined by the Treasurer (the "Note Payment Fund") which shall be used solely for the payment of the principal of and interest on the Notes. Moneys for the payment of the principal of and interest on the Notes, but only from the hereinafter-described sources, shall be deposited in the Note Payment Fund not later than the date on which payment the Notes is payable. Interest on such moneys shall be deposited in such fund or account of the University as the Treasurer shall determine.

SECTION 5. Principal of and interest on the Notes, together with the principal of and interest on any other notes that may currently be outstanding or that may hereafter be issued by the University on a parity therewith, shall be equally and ratably payable from and secured by a pledge of and a lien on, the "General Receipts" of the University as defined in Section 1 of the General Bond Resolution, but subject to the existing pledges thereof in favor of the University's General Receipts Bonds heretofore or hereafter issued pursuant to the General Bond Resolution and the Indenture. The principal of and interest on the Notes shall also be equally and ratably payable from, and secured by a pledge of and lien on, the moneys and investments in the Note Payment Fund and the proceeds of the sale of bonds or notes issued pursuant to the Act or other authorizing provisions of law to refund or retire the Notes which shall be deposited in the Note Payment Fund; provided that neither the State of Ohio, the University nor the Board shall be obligated to pay the principal of or interest on the Notes from any other funds or source, nor shall the Notes be a claim upon or lien against any property of the State of Ohio or any other property of or under the control of the University, and the Notes, as to both principal and interest, shall not be debts or bonded indebtedness of the State of Ohio, shall not constitute general obligations of the State of Ohio or the University, the full faith and credit thereof are not pledged thereto, and the owners of the Notes shall have no right to have any excises or taxes levied by the General Assembly of the State of Ohio for the payment of such principal or interest.

In consideration of the loan evidenced by the Notes, the University covenants and agrees that (i) it will use its best efforts to do all things necessary to effect the authorization, issuance and delivery, prior to the maturity of the Notes, of bonds or notes to refund or retire the Notes, pursuant to the Act, or other authorizing provisions of law, in such principal amount as shall be necessary together with other lawfully available funds, if any, to pay the principal of and interest on the Notes, (ii) it will do all things necessary to sell such bonds or notes at the time provided above and will accept such price and such interest rate or rates as shall be necessary in order to effect such sale, and (iii) it shall apply the proceeds of such bonds or notes to the extent necessary to make full payment of the principal of and interest on the Notes; such obligations are established as duties specifically enjoined by law upon the University and its officers, and resulting from their respective offices, trusts or stations within the meaning of Section 2731.01 of the Ohio Revised Code. In connection with the aforesaid covenant, it is the present intention of the University that such bonds as may be issued to retire the Notes will be issued as "General Receipts Bonds" pursuant to the General Bond Resolution.

SECTION 6. The foregoing pledges in favor of the Notes shall be released upon the deposit by the University, in the Note Payment Fund, of cash or noncallable direct obligations of the United States of America, or a combination thereof (which United States government securities mature on or before the maturity date of the Notes) in an amount sufficient fully to discharge the principal and interest requirements of the Notes at and prior to maturity.

SECTION 7. In the event any of the Notes shall not be presented for payment when the principal thereof becomes due, if moneys for the purpose of paying, and sufficient to pay, such Note shall have been made available to the Paying Agent therefor, it shall be the duty of the Paying Agent to hold such moneys in trust, without liability to the University or the owner of the Note for interest thereon, for the benefit of such owner, who shall, subject to the provisions of this Section, thereafter be restricted exclusively to such moneys for any claim of whatever nature on his part under this Resolution or on, or with respect to, such Note. Any moneys which shall be so held by the Paying Agent, and which remain unclaimed by the owner of the Note not presented for payment, for a period of three years after the date on which such Note shall have become payable as provided above, shall, upon request in writing by the University, be paid to the University, and thereafter the owner of such note shall look only to the University for payment and then only to the amounts, or to the extent of amounts, so received by the University without any interest thereon, and the Paying Agent shall have no further responsibility with respect to such moneys.

The moneys paid to the University pursuant to this Section shall be credited by it to a special fund of the University, as a trust fund separate and apart from other funds of the University, to be maintained in an account or accounts with a bank or banks that are members of the Federal Deposit Insurance Corporation. The University shall keep a record of the amounts so deposited in said special fund, and moneys in such fund shall be applied to payment of principal of the Note or Notes with respect to which such money is transferred to the University. Moneys in such special fund unclaimed for fifteen years after such moneys are paid to the University shall become the absolute property of the University free from all claims of any kind.

SECTION 8. The Board hereby covenants, for and on behalf of the University, that the University will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Notes under Section 103(a) of the Internal Revenue Code of 1986 and regulations promulgated thereunder (the "Code"). Without limiting the generality of the foregoing, the University hereby covenants as follows:

(a) The University will not directly or indirectly use or permit the use of any proceeds of the Notes or any other funds of the University, or take or omit to take any action that would cause the Notes to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Code. To that end, the University will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Notes, including any expenditure requirement, investment limitations or rebate requirements. The Treasurer, or any other officer having responsibility with respect to the issuance of the Notes, is authorized and directed to give an appropriate certificate on behalf of the University, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of such Sections 103(b)(2) and 148, and to execute and deliver on behalf of the University an IRS Form 8038G in connection with the issuance of the Notes.

Without limiting the generality of the foregoing, the University agrees that there shall be paid from time to time all amounts required to be rebated to the United States pursuant to Section 148(f) of the Code. This covenant shall survive payment in full or defeasance of the Notes. The University specifically covenants to pay or cause to be paid to the United States at the times and in the amounts determined under such section.

Notwithstanding any provision of this sub-section (a), if the University shall obtain an opinion of nationally recognized bond counsel to the effect that any action required under this Section is no longer required, or to the effect that some further action is required, to maintain the exclusion from gross income of the interest on the Notes pursuant to Section 103(a) of the Code, the University may rely conclusively on such opinion in complying with the provisions hereof.

(b) So long as any of the Notes, or any obligations issued to refund the Notes, remain unpaid, the University will not operate or use, or permit the operation or use of, the Project or any part thereof in any trade or business carried on by any person within the meaning of the Code which would cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code.

SECTION 9. For purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry, and (ii) physical Note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Notes "immobilized" to the custody of the Depository, and the book entry maintained by others than the University is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or principal and interest, and to effect transfers of Notes, in book entry form, and including and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

Upon a determination by the Treasurer, all or any portion of the Notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Notes, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of the Notes: (i) there shall be a single Note of each maturity; (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of the Notes in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book entry form shall be shown by book entry on the system maintained and operated by the

Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Board of Trustees. Debt service charges on the Notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in the University's agreement with the Depository to the Depository or its authorized representative.

The Paying Agent may, with the approval of the Treasurer (if the Paying Agent is an entity other than the Treasurer), enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Paying Agent and to the officer executing the same. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent, to other paying agents for Notes and to the Treasurer (if the Paying Agent is an entity other than the Treasurer). Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for the purposes of, this Resolution.

The Treasurer is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, a letter agreement with The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book entry system.

If any Depository determines not to continue to act as Depository for the Notes for use in a book entry system, the University and the Paying Agent may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If the University and the Paying Agent do not or are unable to do so, the University and the Paying Agent, after the Paying Agent has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by the University or the Paying Agent; of those persons requesting such issuance.

SECTION 10. This Resolution and the pledges and covenants of the Board made herein shall constitute a contract between the University and the owners of the Notes, and no alteration or variation of any of the provisions of this Resolution, which shall have, in the opinion of the Treasurer, a material adverse effect on the then current holders of said Notes shall be made so long as any of said Notes remain outstanding and unpaid, except with the written consent of all of such owners.

SECTION 11. The officers of the University and of the Board are hereby authorized to take any and all action necessary or proper to comply with the terms of this Resolution and to effect timely delivery of the Notes, and to execute all necessary and

appropriate certifications with respect to the Notes and the disposition of the proceeds of sale thereof.

SECTION 12. This Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

SECTION 13. The proper and appropriate officers of the Board and of the University, to the extent authorized by law, are hereby authorized to take such actions, and to execute and deliver appropriate closing certificates, and such other documents, certificates and statements, as may be required in connection with sale and delivery of the Notes. Without limiting the generality of the foregoing, the Treasurer and other appropriate officers of the University are hereby authorized to apply to the Ohio Board of Regents for any required approvals with respect to the Project or the Notes, and any such actions heretofore taken are hereby approved, ratified and confirmed.. Should all the Project or the Notes not receive such approvals by the time the Notes are sold, the Treasurer shall set forth in the Certificate of Award the portions of the Project and the amount of Notes that have received such approvals. Thereupon, the Notes shall be issued in a principal amount not exceeding the amount approved by the Ohio Board of Regents and the Project shall include only the portions approved by the Ohio Board of Regents. In addition, the Treasurer is hereby authorized to enter into an agreement with the Paying Agent for its services if the Paying Agent is an entity other than the Treasurer.

SECTION 14. The Treasurer is hereby authorized to execute and deliver preliminary and final official statements on behalf of the University, in such forms as such officer may approve, and to deem such official statements to be "near final" and "final" for purposes of Securities and Exchange Commission Rule 15c2-12, if such officer determines that doing so is in the best interests of the University, such officer's execution thereof on behalf of the University to be conclusive evidence of such authorization, determination, approval and deeming, and copies thereof are hereby authorized to be prepared and furnished to the Original Purchaser for distribution to prospective purchasers of the Notes and other interested persons.

The Treasurer on behalf of the University is hereby authorized to execute and deliver a continuing disclosure certificate or agreement dated as set forth in the Certificate of Award (the "Continuing Disclosure Certificate") in connection with the issuance of the Notes in such form as such officer may approve. The University hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Notes; however, any holder or owner of the Notes may take such action as may be necessary and appropriate, including seeking specific performance, to cause the University to comply with its obligations under this paragraph and the Continuing Disclosure Certificate

The Treasurer on behalf of the University is hereby authorized to furnish such information, to execute such instruments and to take such other actions in cooperation with the Original Purchaser as may be reasonably requested to qualify the Notes for offer and sale under the Blue Sky or other securities laws and regulations and to determine their eligibility for

investment under the laws and regulations of such states and other jurisdictions of the United States of America as may be designated by the Original Purchaser; provided however, that the University shall not be required to register as a dealer or broker in any such state or jurisdiction or become subject to the service of process in any jurisdiction in which the University is not now subject to such service.

SECTION 15. This Resolution shall take effect and be in force from and after its adoption.

Adopted: _____, 2003

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OHIO UNIVERSITY

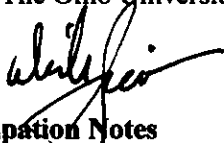
Office of the Vice President
for Finance and Treasurer

NDI Center 166
Athens, OH 45701-2979

T: 740.593.1892
F: 740.593.0025

DATE: February 5, 2003

TO: Members of The Ohio University Board of Trustees

FROM: Dick Siemer 

RE: Bond Anticipation Notes

The Board of Regents approved January 16th, subject to OU Board approval, the following projects to be included in the University's Bond Anticipation Notes issue to be marketed March, 2003 with a maturity to coincide with the forward refunding of the 1993 Series bond issue:

- Planning costs for the construction of a University Center 3.8 million
- Final costs to complete the construction of the Lecture Hall Facility 5.5 million
- Pickerington Center acquisition costs 3.5 million
- Avionics Engineering Center Building 1.6 million

Enclosure:

- Board of Regents information
- Bond Anticipation Notes resolution

Ohio University
**Submission of Ohio Board of Regents Requirements for Request to Approve a Pledge
of Student Fees in Support of a Bond Issuance**

The purpose of this document is to describe the initial information required to be submitted to the Board of Regents related to a request for approval of a pledge of student fees in support of the issuance of new debt.

1. A Single Campus Liaison or Contact

Janelle Gellermann
Assistant Treasurer
HDL Center Room 166
Athens, OH 45701

Telephone: 740-597-1381
Facsimile: 740-597-1561
Email: gellerma@ohio.edu

2. Project Description

(i) **Lecture Hall (\$5,500,000)**

This project involves the construction of a new 47,074 square foot, two story building. The building will be comprised of four large lecture halls, a governance room in which the University Board of Trustees, the faculty, student, administrative and classified senates and other university governing entities will be able to conduct meetings, two conference rooms, offices and a large rotunda.

The construction phase commenced in July 2002 and completion of the project is anticipated in December 2003. Annual operating costs are expected to be approximately \$270,675.

(ii) **University Center (\$3,800,000)**

The new 180,000 square foot University Center will be located south of the main college green next to Oxbow drive. The new center will become the physical connector between lower and upper campus. There are three goals that form the vision of the University Center: 1) promoting out-of-class learning and growth, 2) supporting classroom instructional activity and 3) contributing to the overall quality of campus life. The facility will have a 550 seat ballroom, dining facilities, student government offices, student organization offices, a small theater, and meeting and conference rooms.

The Ohio University Board of Trustees approved a resolution to hire an architect at their January 29, 2002 meeting. The Board of Trustees also approved a budget and funding sources at their April 12, 2002 meeting. The University began the design process in May of 2002 and will be ready to advertise for bids in January of 2004. Construction is scheduled to commence in March of 2004 and project completion is scheduled for September of 2006. Annual operating costs are expected to be approximately \$1,035,000.

(iii) **Avionics Building (\$1,600,000)**

The Avionics Engineering Center at Ohio University conducts research and develops navigation aids for the aviation industry. Due to growth in the program, limited space available in the current location, and the desire to have the bulk of the research and development occur at the airport, in harmony with the existing hangar facility, the Center is constructing a new office and lab building to be located at the Ohio University Bush Airport.

The new facility will contain 10,500 square feet of office and lab space on two floors. Construction is anticipated to begin in April of 2003, with completion in March of 2004. Annual operating costs are expected to be approximately \$41,500.

(iv) **Pickerington Center (\$3,500,000)**

Two office buildings and 12 acres located in Fairfield County were purchased in November of 2001. The purchase solidified the University's visibility and access to the market for academic and training programs. Annual operating costs are expected to be approximately \$172,500.

3. **Schedule of Project Capital Costs and Resources** - SEE ATTACHED WORKSHEET

Difference,
Total Costs - Total Resources: \$ 14,400,000

The difference amount should equal amount to be financed.

4. **Debt Service Schedule**

A debt service schedule is needed to describe the terms of the financing and the nature of the debt service charges, in detail, by year, for the term of the bond. The debt service schedule should include all relevant interest rates. If there are separate financing components (e.g., 30-year term for the facility itself, 15-year term for the equipment), please provide separate schedules for each.

SEE ATTACHED WORKSHEET

The following summary information is also requested. Not all categories may be relevant to your project.

Project Costs to be Financed:	
Construction Costs:	\$ 14,400,000
Debt Service Reserve:	\$ 0
Capitalized Interest:	\$ 0
Underwriting Discount:	\$ 43,860
Costs of Issuance:	\$ 119,500
Insurance Premium:	\$ 44,625
Other Costs of Issuance (itemize):	
Liquidity Facility Annual Fee	\$ 7,317

Additional Proceeds	\$ 4,698
Total Bond Issuance:	
[Sum of the above]	\$ 14,620,000

5. Proforma Analysis

Finally, a proforma analysis should be included that details all projected operating revenues and expenditures, including transfers, dedicated and nondedicated student fee revenues, and debt service costs for at least 10 years. The proforma should identify all critical assumptions about revenues and expenditures, including, where relevant, assumptions about staffing levels, inflation, and facility utilization. Generally, all of this information can be provided in a 1-2 page spreadsheet - SEE ATTACHED WORKSHEET

If you plan to levy a special student fee to retire the debt or operate the facility associated with this project, please inform us of the amount of the fee, when it will be levied, and the amount of revenue the fee is expected to generate. Also, please let us know if you plan to request that this fee increase be exempt from the legislative fee caps.

NOT APPLICABLE

6. University Bond Rating

Please provide the most current university bond rating from Standard and Poor's and Moody's.

Moody's A1
Standard & Poor's A+

7. Audited Financial Reports

Please submit your institution's audited financial report for the two most recent years.

Ultimately, the staff of the Board of Regents is required to assess the financial viability of the project, and to come to a judgment as to whether the pledged student fees (not including fees levied specifically for this project) are indeed secure from invasion by bondholders. The information requested here will be used to make that determination.

Please feel free to include any other information you feel is relevant to your request.

Campuses will have an opportunity to review draft versions of the analysis and recommendation, and will be informed of any problems or issues that arise.

Schedule of Project Capital Costs and Resources

	<u>Lecture Hall</u>	<u>University Center</u>	<u>Avionics Building</u>	<u>Pickerington Center</u>	<u>Total</u>
PROJECT COSTS					
Construction	10,806,119	42,500,000	1,500,000	-	54,806,119
Moveable Equipment	760,286	8,200,500	141,350	135,000	9,237,136
Architects & Engineers	1,264,732	5,050,000	200,000	-	6,514,732
Land Acquisition/Preparation	-	-	180,000	-	180,000
Capitalized Interest	-	-	-	-	-
Contingency	801,486	3,187,500	133,600	-	4,122,586
Other Costs:					
Administrative Fee	159,627	535,625	25,050	-	720,302
Bicentennial Park Contribution	140,000	-	-	-	140,000
Chiller Capacity Upgrade	150,000	-	-	-	150,000
Bid Advertising	5,476	-	-	-	5,476
Miscellaneous Site Preparation	7,274	-	-	-	7,274
Special Study by RVC	-	50,000	-	-	50,000
Project Management Fee	-	476,375	-	-	476,375
Communication Network Services	-	-	20,000	-	20,000
Acquisition	-	-	-	3,900,000	3,900,000
Renovation/Refurbishing	-	-	-	351,000	351,000
Total Project Costs	<u>14,095,000</u>	<u>60,000,000</u>	<u>2,200,000</u>	<u>4,386,000</u>	<u>80,681,000</u>
PROJECT RESOURCES					
Funds, Grants, etc. (non-state only)	1,000,000	-	-	-	1,000,000
State Capital Appropriations	-	16,200,000	-	-	16,200,000
Transfers from Existing Resources	95,000	-	600,000	886,000	1,581,000
Other Revenue:					
2001 Bond	7,500,000	-	-	-	7,500,000
2004 Bond	-	40,000,000	-	-	40,000,000
Total Project Resources	<u>8,595,000</u>	<u>56,200,000</u>	<u>600,000</u>	<u>886,000</u>	<u>66,281,000</u>
DIFFERENCE,					
TOTAL COSTS - TOTAL RESOURCES	<u>5,500,000</u>	<u>3,800,000</u>	<u>1,600,000</u>	<u>3,500,000</u>	<u>14,400,000</u>

Debt Service Schedule

<u>Period Ending</u>	<u>Principal</u>	<u>Coupon</u>	<u>Interest & Fees</u>	<u>Debt Service</u>
06/30/2003	-		154,043.03	154,043.03
06/30/2004	675,000	3.500%	538,241.72	1,213,241.72
06/30/2005	705,000	3.500%	512,135.60	1,217,135.60
06/30/2006	735,000	3.500%	484,900.94	1,219,900.94
06/30/2007	760,000	3.500%	456,627.23	1,216,627.23
06/30/2008	790,000	3.500%	427,311.10	1,217,311.10
06/30/2009	820,000	3.500%	396,857.77	1,216,857.77
06/30/2010	855,000	3.500%	365,173.29	1,220,173.29
06/30/2011	890,000	3.500%	332,171.39	1,222,171.39
06/30/2012	920,000	3.500%	297,941.68	1,217,941.68
06/30/2013	955,000	3.500%	262,480.82	1,217,480.82
06/30/2014	990,000	3.500%	225,693.83	1,215,693.83
06/30/2015	1,030,000	3.500%	187,486.93	1,217,486.93
06/30/2016	1,070,000	3.500%	147,765.05	1,217,765.05
06/30/2017	1,115,000	3.500%	106,438.80	1,221,438.80
06/30/2018	1,155,000	3.500%	64,364.77	1,219,364.77
06/30/2019	215,000	3.500%	39,203.63	254,203.63
06/30/2020	220,000	3.500%	30,977.43	250,977.43
06/30/2021	230,000	3.500%	22,464.22	252,464.22
06/30/2022	240,000	3.500%	13,573.39	253,573.39
06/30/2023	250,000	3.500%	4,531.28	254,531.28
14,620,000			5,070,383.90	19,690,383.90

**Ohio University - March 2003 Bond Issuance
10 Year Proforma Analysis**

	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013
Expenses:											
Debt Service:											
Lecture Hall	58,827	485,157	489,280	487,934	486,207	489,008	486,336	488,189	489,479	485,297	485,639
University Center	40,656	336,766	334,295	336,537	338,406	334,991	336,289	337,209	337,752	337,917	337,704
Avionics Building	17,117	139,722	141,598	143,290	139,887	141,385	142,695	143,821	139,851	140,783	141,527
Pickerington Center	37,443	251,597	251,963	252,140	252,128	251,927	251,538	250,955	255,090	253,945	252,611
Total Debt Service	154,043	1,213,242	1,217,136	1,219,901	1,216,627	1,217,311	1,216,858	1,220,173	1,222,171	1,217,942	1,217,481
Additional Operating Costs*:											
Lecture Hall	-	135,338	270,675	278,795	287,159	295,774	304,647	313,787	323,200	332,896	342,883
University Center	-	-	-	-	776,250	1,035,000	1,066,050	1,098,032	1,130,972	1,164,902	1,199,849
Avionics Building	-	10,375	41,500	42,745	44,027	45,348	46,709	48,110	49,553	51,040	52,571
Pickerington Center	172,500	177,675	183,005	188,495	194,150	199,975	205,974	212,153	218,518	225,073	231,826
Total Operating Costs	172,500	323,388	495,180	510,036	1,301,587	1,576,097	1,623,380	1,672,081	1,722,244	1,773,911	1,827,128
Total Expenses	326,543	1,536,629	1,712,316	1,729,937	2,518,214	2,793,408	2,840,238	2,892,254	2,944,415	2,991,853	3,044,609
Revenues:											
Capital Appropriations	99,483	821,923	823,575	824,471	824,613	823,998	822,625	825,398	827,231	823,214	823,343
Avionics Research Operating	17,117	150,097	183,098	186,035	183,914	186,733	189,404	191,930	189,404	191,823	194,098
Regional Higher Ed Operating	209,943	429,272	434,968	440,635	446,278	451,902	457,512	463,108	473,608	479,018	484,437
General Operating	-	135,338	270,675	278,795	1,063,409	1,330,774	1,370,697	1,411,818	1,454,173	1,497,798	1,542,732
Total Revenues	326,543	1,536,629	1,712,316	1,729,937	2,518,214	2,793,408	2,840,238	2,892,254	2,944,415	2,991,853	3,044,609
Net	-	-	-	-	-	-	-	-	-	-	-

Mr. DeLawder stated he and Mr. Siemer have reviewed the proposed changes to the non-endowment investment policy following submission of the agenda and have agreed to a substitute resolution.

Following a review of the changes by Mr. DeLawder, Mr. Walter moved to approve the substitute resolution. Mr. Schey seconded the motion and all voted aye.

NON-ENDOWMENT INVESTMENT POLICY
RESOLUTION 2003 - 1864

WHEREAS, the Board of Trustees has developed and recommended a non-endowment investment policy that complies with Section 3345.05 of the Revised Code.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees recommends a change to Section E of the non-endowment investment policy to replace the asset allocation table and related text with the following language:

“For the Diversified Investment Pool portion of non-endowment funds, the Board of Trustees has agreed to recommend adoption of the asset allocation as set forth in The Ohio University Foundation Investment Policy and Procedure for Institutional Funds, except that the Diversified Investment Pool will not have an allocation to fixed income securities.”

In addition, all references to the Diversified Investment Pool and investments in fixed income securities and their respective benchmarks will be stricken from the text of the non-endowment investment policy.

BE IT FURTHER RESOLVED, that the Board of Trustees recommends a change to Section H, item 2.k. of the non-endowment investment policy as follows:

“The investment managers are precluded from using derivatives to affect a leveraged portfolio structure. Subject to other provisions in this investment policy statement, investment managers are permitted to use Collateralized Mortgage Obligations (CMO’s), and the components of CMO’s, provided that these instruments are not used to affect a leveraged portfolio structure.”

This resolution shall take effect immediately upon its adoption.



OHIO UNIVERSITY


Office of the Vice President
for Finance and Treasurer

HDL Center 166
Athens, OH 45701-2979

T: 740.593.1892
F: 740.593.0025

DATE: February 5, 2003

TO: Members of The Ohio University Board of Trustees

FROM: Dick Siemer 

RE: Revisions to Non-Endowment Investment Policy

Please find enclosed the Non-Endowment Investment Policy revised to include language which permits our investment manager to use some non-leveraged derivative instruments consistent with the investment guidelines for Bank One's Core Bond Fund (item k, page 7 of 8). The policy language also has been revised so that investment of the Diversified Pool in the Endowment's asset allocation strategy does not include an investment in fixed income securities (bottom of page 3 of 8). The rationale here is that we already have a fixed income strategy for 75% of the non-endowment assets and the Endowment strategy is being accessed for its equity and alternative investments.

The page that follows defines terms relevant to the suggested policy change. I will bring to the meeting copies of both the current policy and revised policies with the appropriate sections highlighted for our discussion.

Enclosures

Selected Derivative Definitions:

1. **Structured Notes**—Intermediate term debt securities which provide investors with an opportunity to implement strategies based on their views about the direction of interest rates, the shape of long-term rates vs. short-term rates and the direction of equity and commodity prices. On occasion, some of these structured notes meet certain criteria which provide some tax relief and allow investors to get around some regulatory issues.
2. **Collateralized Mortgage Obligations (CMO's)**—A pool of mortgage pass-through securities or mortgage loans which are used as collateral for a multiclass security offering. The different classes of securities in a CMO offering are known as “tranches”, from the French word for “slice”. The CMO structure enables the issuer to direct the principal and interest cash flow generated by the collateral to the different tranches in a prescribed manner, as defined in the offering's prospectus, to meet different investment objectives.
3. **Principal Only Strips (PO's)**—A zero coupon mortgage-backed security. These securities are created by stripping the coupon interest from the underlying mortgage. PO's are sold at a deep discount to face value. Because there is no coupon, the financial performance of the PO is extremely sensitive to prepayment rates. Higher prepayments leads to a more rapid return of principal and higher return.
4. **Interest Only Strips (IO's)**—The securities representing the coupon payments from an underlying pool of mortgages. IO's can represent the interest from an entire pool of mortgages or they can be tranches within a CMO. In their pure form, IO's are sold at a deep discount to their notional principal amount. IO performance is highly sensitive to prepayments rates, but IO's increase in value when prepayments rates decline.
5. **Inverse Floating Securities**—A type of structured note who interest rate moves inversely with market interest rates. The interest rate is generally tied to an index, such as LIBOR (London Inter-Bank Offered Rate).
6. **Futures Contracts**—A term used to designate all contracts covering the purchase and sale of financial instruments or physical commodities for future delivery on a futures commodity exchange.

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Statement of Objectives and Policies for Non-Endowment Invested Funds

DATE ISSUED
February 17, 2003

DATE APPROVED
February 14, 2003

ISSUED BY
Treasurer

APPROVED BY
Board of Trustees

Purpose: The Board of Trustees of Ohio University is vested by statute (Sec. 3345.05 of the Revised Code) with the following responsibility: "Notwithstanding any provision of the Revised Code to the contrary, the title to investments made by the board of trustees of a state-supported university or college with funds derived from revenues described in this section¹ shall not be vested in the state but shall be held in trust by the board." This statement of investment objectives and policies governs the management of these funds which are described herein as the University's non-endowment invested funds. This policy was "adopted by the board in public session (and) requires all fiduciaries to discharge their duties with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims."²

A. INVESTMENT OVERVIEW

1. The University has two primary pools of invested funds - cash and pooled investments, as shown on the balance sheet, and endowment funds. The primary objective for the cash and pooled investments ("non-endowment funds") is to enable the University to meet its financial obligations as they come due. A secondary objective is to achieve prudently managed investment returns.
2. The endowment funds are governed by The Ohio University Foundation Investment Policy as it pertains to endowment funds, and are administered in conjunction with The Ohio University Foundation Endowment funds. [Board of Trustees Resolution dated 9/13/2002]

B. INVESTMENT OBJECTIVE

The primary objectives, in priority order, of the University's non-endowment investment activities shall be:

1. **Safety:** Safety of principal is the foremost objective of the investment program. Investments of the University shall be undertaken in a manner that ensures, over time, the preservation of capital in the overall portfolio.
2. **Liquidity:** The University's investment portfolio will remain sufficiently liquid to enable the University to meet all its operating requirements.

Portfolio liquidity is defined as the maturity or ability to sell a security on a short notice near the purchase price of the security. To help retain the desired liquidity, no issue shall be purchased that is likely to have few market makers or poor market bids. Additionally, liquidity shall be assured by keeping an adequate amount of short-term investments in the portfolio to accommodate the cash needs of the University.

¹ "All registration fees, nonresident tuition fees, academic fees for the support of off-campus instruction, laboratory and course fees when so assessed and collected, student health fees for the support of a student health service, all other fees, deposits, charges, receipts, and income from all or part of the students, all subsidy or other payments from state appropriations, and all other fees, deposits, charges, receipts, and income received by each state-supported university and college... shall be held and administered by the respective boards of trustees of the state-supported universities and colleges; provided, that such fees, deposits, charges, receipts, and income, to the extent required by resolutions, trust agreements, indentures, leases, and agreements adopted, made, or entered into under Chapter 154. or section 3345.07, 3345.11, or 3345.12 of the Revised Code, shall be held, administered, transferred, and applied in accordance therewith." (Sec. 3345.05 (A))

² Sec. 3345.05 (C)

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Board of Trustees

3. Return on Investments: The University's non-endowment portfolio shall be structured with the objective of attaining the highest possible "total return" for the investment portfolio while adhering to the restraints and obligations inherent in the current legal construct of a prudent fiduciary [Third Restatement of Trusts (1990) and the Uniform Prudent Investor Act of 1994].

C. INVESTMENT STRUCTURE

The cash and pooled investments shall be divided into three funds:

	Pool Allocation	
	Target	Expected Range
Cash Pool	25%	20 – 30%
Liquidity Pool	50%	40 – 60%
Diversified Investment Pool	25%	20 – 30%

D. GENERAL OBJECTIVES

1. The objective of the **Cash Pool** shall be to meet the day to day obligations of the University. It shall be invested in highly liquid instruments with little or no risk of principal loss (e.g., STAR Ohio).
2. The objective of the **Liquidity Pool** shall be to provide a high quality, marketable source of funds in the event the Cash Pool is insufficient to meet the University's cash needs. The investment strategy opportunity for this pool is that its time horizon, and flexibility, is such as to permit investment in permitted instruments that offer substantially greater total return than money market yields. The duration of this pool shall be no greater than +/- 20% of the Lehman Brothers Aggregate Bond Index.
3. There will be sufficient investments at all times to meet the legal stipulation that investment be made only in publicly traded securities averaging at least twenty-five per cent of the average amount of the investment portfolio over the course of the previous fiscal year, invested in securities of the United States government or of its agencies or instrumentalities, the treasurer of state's pooled investment program, obligations of this state or any political subdivision of this state, certificates of deposit of any national bank located in this state or State of Ohio chartered bank, written repurchase agreements (collateralized with permissible securities having a market value of at least 102% of the investment) with any eligible Ohio financial institution that is a member of the federal reserve system or federal home loan bank, money market funds, or bankers acceptances maturing in two hundred seventy days or less which are eligible for purchase by the federal reserve system, as a reserve.³

³ Sec 3345.05 (C)(1)

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4. The objectives of the **Diversified Investment Pool** shall be to provide:

- ☐ the University's programs a flow of financial support that will grow at least as fast as the rate of inflation (as measured by the Higher Education Price Index), and
- ☐ a source of funds in the very unlikely event that the Cash Pool and Liquidity Pool are insufficient to meet the University's day to day obligations.

Up to 25% of the target amount for the **Diversified Investment Pool** funds can be utilized in the University's Investment Loan Program (Policy and Procedure No. 50.002).

E. ASSET ALLOCATION

Deliberate management of the asset mix among classes of investments is both a necessary and desirable responsibility. In the allocation of assets, diversification of investments among asset classes that are not similarly affected by economic, political, or social developments is a highly desirable objective.

Cash Pool

The **Cash Pool** may be managed by one or more short-term investment managers, each maintaining a portfolio with an average weighted maturity between one day and one year. Investments in STAR Ohio are permitted without regard to the qualification on average weighted maturity.

Liquidity Pool

The **Liquidity Pool** shall be managed by one or more fixed income managers, each maintaining a portfolio with a duration no greater than +/- 20% of the Lehman Brothers Aggregate Bond Index.

Diversified Investment Pool

The University's general policy towards the **Diversified Investment Pool** shall be to diversify investments among equity securities so as to provide a balance that will enhance total return, while avoiding undue risk concentrations in any single asset class or investment category. The diversification does not necessarily depend upon the number of industries or companies in a portfolio or their particular location, but rather upon the broad nature of such investments and of the factors that may influence them.

The **Diversified Investment Pool** funds not utilized in the University Investment Loan Program shall be invested consistent with provisions of this policy. In making asset allocation judgments, it is not expected that the University Treasurer, or investment managers, will necessarily seek to "time" subtle changes in financial markets, or that frequent or minor adjustments would be needed. Instead, the University Treasurer is expected to develop, and the Board of Trustees is expected to adopt, expressed guidelines for broad allocations on a long-term basis, in light of current and projected investment environments.

For the **Diversified Investment Pool** portion of non-endowment funds, the Board of Trustees has agreed to recommend adoption of the asset allocation as set forth in The Ohio University Foundation Investment Policy and Procedure for Institutional Funds, except that the **Diversified Investment Pool** will not have an allocation to fixed income securities.

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The University's Treasurer will monitor the asset allocation structure of the **Diversified Investment Pool** and will attempt to stay within the ranges allowed for each asset class. If the portfolio becomes over weighted or exceeds the range of percentage for that asset class, the University Treasurer will develop a plan of action, either for immediate rebalancing of the portfolio or a rebalancing that will occur over the subsequent few months.

F. MONITORING OF OBJECTIVES AND RESULTS

Due to the inevitability of short-term market fluctuations, it is intended that the following performance objectives will be achieved by the investment manager(s) over a **5-year moving period, net of investment management fees**. Nonetheless, the University Treasurer reserves the right to evaluate and make any necessary changes regarding the investment manager over a shorter term using the criteria established in the "Evaluation of Investment Manager" section of this statement.

The moving 5-year period performance objectives shall be as follows:

1. Market Benchmark

- a. The total return for the **Cash Pool** and for each **Cash Pool investment manager** shall exceed the rate of return on 3-month U.S. Treasury Bills.
- b. The total return for the **Liquidity Pool** and for each **Liquidity Pool investment manager** shall exceed the Lehman Brothers Aggregate Bond Index.
- c. The total return for the **Diversified Investment Pool** shall exceed a target Balanced Index composed of the allocable percentages of the: S&P 500 Index, the Russell 2000 Index, the EAFE Index, and STAR Ohio. Furthermore, the total return for each active **Diversified Investment Pool investment manager** shall exceed the relevant benchmark (*Domestic Large Cap - S&P 500 Index; Domestic Small Cap - Russell 2000 Index; and Core International - EAFE Index*). Passive **Diversified Investment Pool** investment managers shall approximate the return of the relevant benchmark.

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Board of Trustees**2. Variability**

- a. The standard deviation for each **Cash Pool investment manager** shall not exceed the standard deviation of 52-week Treasury Bills.
- b. The standard deviation for each **Liquidity Pool investment manager** shall not exceed 1.2 times the standard deviation of the Lehman Brothers Aggregate Bond Index.
- c. The beta (volatility) for each active **Diversified Investment Pool equity investment manager** shall not exceed 1.2 times that of the relevant equity benchmark. Furthermore, each active equity investment manager is expected to achieve a positive alpha (risk-adjusted return). Passive investment managers shall approximate the risk level of the relevant benchmark.

3. Peer Group Ranking

- a. The total return for each **Liquidity Pool investment manager** shall rank in the top half of the Intermediate-Term Fixed Income Universe.
- b. The total return for each active **Diversified Investment Pool investment manager** shall rank in the top half of the appropriate universe (*Large Cap Equity, Small Cap Equity, Small Cap Growth, International Equity and Alternative Investment*).

G. EVALUATION OF INVESTMENT MANAGERS

The investment managers will be reviewed on an ongoing basis and evaluated based upon the following additional criteria:

1. Ability to exceed the performance objectives stated in this Investment Policy Statement.
2. Adherence to the philosophy and style which were articulated to the University at, or subsequent to, the time the investment manager was retained.
3. Ability to exceed the performance of other investment managers who adhere to the same or similar style.
4. Continuity of personnel and practices at the firm

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Board of Trustees**H. INVESTMENT MANAGER GUIDELINES**

1. In today's rapidly changing and complex financial world, no list or types of categories of investments can provide continuously adequate guidance for achieving the investment objectives. Any such list is likely to be too inflexible to be suitable of the market environment in which investment decisions must be made. Therefore, it is the process by which investment strategies and decisions are developed, analyzed, adopted, implemented and monitored, and the overall manner in which investment risk is managed, which determines whether an appropriate standard of reasonableness, care and prudence has been met for these investments.
2. The requirements stated below apply to investments in non-mutual and non-pooled funds, where the investment manager is able to construct a separate, discretionary account on behalf of the University. Although the University cannot dictate policy to pooled/mutual fund investment managers, the University's intent is to select and retain only pooled/mutual funds with policies that are similar to this policy statement. All managers (pooled/mutual and separate), however, are expected to achieve the performance objectives.
 - a. **Cash Pool investment managers** must invest at least 50% of the portfolio in U.S. Government Securities and/or U.S. Government Agency issues.
 - b. No more than 10% of the portfolio, at cost, can be invested in any single issue, except the investments in U.S. Government Securities and/or U.S. Government Agency issues.
 - c. The weighted average credit quality is to be no less than "AAA" (or its equivalent rating by two national rating agencies) for the **Cash Pool accounts**, "AA" for the **Liquidity Pool accounts** and "A" for the **Diversified Investment Pool accounts**. In addition, the minimum acceptable credit quality at the time of purchase for individual securities shall be "AA" for the **Cash Pool accounts**, "BBB" for the **Liquidity Pool accounts**, and "B" for the **Diversified Investment Pool accounts**. In the event that an investment drops below investment grade, the manager will immediately notify the Treasurer who will confer with the Investment Committee.
 - d. Portfolio holdings will be sufficiently liquid to ensure that 10% of the portfolio can be sold on a day's notice with no material impact on market value.
 - e. Commercial paper must be, at the time of purchase, rated within the highest classification established by not less than two national rating services.
 - f. Eligible instruments for the Cash Pool are those permitted by the Treasurer of the State of Ohio and/or other like investments with similar risk/reward relationships.
 - g. For each **Liquidity Pool investment manager**, the duration of the portfolios they manage shall be no greater than +/- 20% of the duration of the Lehman Brothers Aggregate Bond Index.
 - h. Bankers' Acceptances are to be rated within the top two rating classifications by any one national rating service. Foreign bank issues are capped at 10% of the total investment in this category.

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- i. Certificates of deposit shall not be invested with any one bank in excess of FDIC limitations without appropriate collateralization.
- j. Investments in non-marketable securities shall not exceed this policy's guidelines.
- k. The investment managers are precluded from using derivatives to affect a leveraged portfolio structure (if options and futures are specifically approved by the University, such positions must be offset in their entirety by corresponding cash or securities). The investment managers shall not utilize derivative securities to increase the actual or potential risk posture of the accounts. Subject to other provisions in this investment policy statement, investment managers are permitted to use primary derivatives, including but not limited to, Structured Notes, tranches of Collateralized Mortgage Obligations (CMO's), Principal Only (PO) or Interest Only (IO) Strips, Inverse Floating Securities, futures contracts, options and similar specialized investments, provided that these instruments are not used to affect a leveraged portfolio structure.
- l. The investment manager shall handle the voting of proxies and tendering of shares in a manner that is in the best interest of the University and consistent with the investment objectives contained herein.
- m. For diversification purposes, each equity portfolio manager should have in excess of 20 positions.
- n. The investment manager shall immediately notify the University in writing of any material changes in its investment outlook, strategy, portfolio structure, ownership, or senior personnel.

(CONTINUED ON NEXT PAGE)

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Board of Trustees**I. MANAGEMENT OF INVESTMENTS**

Except as provided herein, the Treasurer shall be authorized to implement and administer this policy on behalf of the Board of Trustees and manage the non-endowment funds in accordance with this Policy.

This statement of investment policy shall be reviewed annually. The investment performance will be reviewed on a quarterly basis, aligned with the Board of Trustees' meeting schedule, and the report will be provided by an independent third party. The investment managers may provide any suggestions regarding appropriate adjustments to this statement or the manner in which investment performance is reviewed.

Acknowledged _____
On Behalf of Ohio University

Date: _____

Acknowledged _____
On Behalf of Investment Advisor

Date: _____

Acknowledged _____
On Behalf of Investment Manager

Date: _____

BOARD ADMINISTRATION COMMITTEE/COMMITTEE OF THE WHOLE

Chairman Walter commented the proposed National Trustee positions would add great perspective by adding distinguished alumni to the Trustees' deliberations

There was no business before the committee.

VIII. GENERAL DISCUSSION - CALL OF MEMBERS

Members, in turn, thanked and congratulated Ohio University Southern Campus Dean Dan Evans, his faculty, staff, and students for hosting the Trustees. Each noted the warm reception given and the excitement and enthusiasm shown by all participants for their work and study. Trustees noted as well the good feelings shown by former and current students in their presentations in which they cited and thanked numerous faculty and staff members by name.

Chairman Brunner and others noted this sense of community and warm hospitality enable the Trustees to experience a part of the University not regularly available to them. All stated this added to a most productive meeting.

Mr. DeLawder reminded members we are not in a recession.

Mr. Walter suggested to Dean Evans he employ Blanche Hunter, a student presenter, to promote the campus.

Dr. Ackerman noted she has now visited all five of Ohio University's regional campuses.

Mr. Wilhelm stated his support for the advocacy programs and the proposal for National Trustees.

President Glidden reminded Trustees that in addition to the programs showcased at this meeting, the Southern Campus programs in Equine and International Studies also are outstanding.

IX. ANNOUNCEMENT OF NEXT STATED MEETING

Chairman Brunner announced the Board of Trustees would meet next on Thursday, April 10 for committee/study sessions and Friday, April 11, 2003 for the formal board meeting.

X. ADJOURNMENT

Determining there was no further business to come before the Board, Chairman Brunner adjourned the meeting at 2:20 p.m.

CERTIFICATION OF SECRETARY

Notice of this meeting and its conduct was in accordance with Resolution 1975 - 240 of the Board, which resolution was adopted on November 5, 1975, in accordance with Section 121.22(F) of the Ohio Revised Code and of the State Administration Procedures Act.

Gordon B. Brunner
Chairman

Alan H. Geiger
Secretary