

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

Tuesday, January 29, 2002

Ohio University, Athens Campus

THE OHIO UNIVERSITY BOARD OF TRUSTEES
MINUTES OF January 29, 2002 MEETING

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I. ROLL CALL

Nine members were present—Chairwoman M. Lee Ong, Patricia A. Ackerman, Gordon F. Brunner, Larry L. Schey, R. Gregory Browning, Brandon T. Grover, C. Daniel DeLawder, Robert C. Walter, and C. David Snyder.

Student Trustees Barry S. Spurlock and Amy Vargas-Tonsi also attended, as did President Robert Glidden and Secretary Alan H. Geiger. William J. Burke, D.O., chairman of the Ohio University Alumni Board of Directors, who sits by invitation of the Board, was unable to attend.

II. APPROVAL OF THE MINUTES OF THE MEETING Of December 7, 2001 (Previously distributed)

Mr. Walter 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

Secretary Geiger stated there were no announcements.

V. REPORTS

Reports were given and reported to elsewhere in the minutes.

VI. UNFINISHED BUSINESS

Secretary Geiger reported no unfinished business.

VII. NEW BUSINESS

Chairwoman Ong reported that the Budget, Finance and Physical Plant Committee, meeting as a Committee of the Whole, discussed matters being presented to the Board. Items for action will be presented by the committee chairman or a committee member as designated by the chairman.

BUDGET, FINANCE, AND PHYSICAL PLANT COMMITTEE

Vice President for Student Affairs Michael Sostarich reviewed for Trustees the University Center Project, which is now estimated to cost approximately \$60 million. He noted that studies have been completed on site costs, utilities, and operating cost and that the resolution before the Board of Trustees authorizes the selection of an architect to prepare plans and specifications.

Committee Chairman Snyder presented and moved approval of the resolution. Mr. Browning seconded the motion. Following discussion, the original resolution was amended to reflect the one herewith approved. The question was called and all Trustees voted aye.

CONSULTANT FOR THE UNIVERSITY CENTER PROJECT

RESOLUTION 2002 - 1811

WHEREAS, a committee of students, faculty and staff met to discuss the need for a University Center, the types of space needs that exist, and the cost of such a facility, and

WHEREAS, the committee approved the program and concepts for the proposed University Center, and

WHEREAS, the Student Senate unanimously passed "A Resolution to Endorse the University Center project and to encourage the University to take the necessary steps to build a new University Center with the support of a student fee" at their May 16, 2001 meeting, and

WHEREAS, Ohio University is working with the Department of Administrative Services, Division of Public Works Office of the State Architect and the Ohio Board of Regents to identify a list of Architectural consultants for this project, and

WHEREAS, the University has identified a roster of consultants to be interviewed, and will be conducting those interviews later this month.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby empower the President or his designee to interview and select an associate architect for the University Center Project.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize the preparation of construction plans and specifications for this same Project.



Vice President for Administration
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January 11, 2002

Dr. Robert Glidden
President
Ohio University
Cutler Hall
Campus

Dear Bob,

Michael Sostarich, Vice President of Student Affairs, Jame Hintz, President of Student Senate and a host of faculty, staff and students have been working closely with John Kotowski, Director of Facilities Planning and outside consultants over the past two years to review site options, develop a concept rendering and project a program for a new University Center. Students have agreed to help support the capital construction and the building operation cost through assessment of a student fee. Capital Construction funds have also been pledged to support the project. Richard Siemer, Vice President for Finance and John Kotowski have advised the group on funding options which Vice President Siemer will review in greater detail with the Board of Trustees.

In order to maintain momentum for the project, John Kotowski has commissioned a soils study of the designated site, located at the south end of Court Street, and has advertised for architectural consultants to do project planning and develop construction documents.

If the members of The Board approve the funding plan, John seeks authorization to conduct interviews and employ an architectural firm to execute the planning documents.

Subject to the conditions stated above, I recommend approval.

Sincerely,


Gary North
Vice President for Administration

GN/ss

PRESIDENT'S OFFICE

JAN 11 2002

INTEROFFICE MEMORANDUM

OHIO UNIVERSITY

FACILITIES PLANNING OFFICE

Building 19, The Ridges

Athens, Ohio 45701

TELEPHONE: (740) 593-2727

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John Kotowski

Assistant V.P. For Facilities Planning

E-MAIL: kotowski@oak.cats.ohiou.edu

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

DATE: January 8, 2002

SUBJECT: APPROVAL TO HIRE CONSULTANT FOR THE
UNIVERSITY CENTER

Enclosed please find a resolution for consideration by the Ohio University Board of Trustees at their regular meeting of January 29, 2002.

In 1995, an initial study of Baker Center-Student Union identified a variety of facility and student life needs that could not be met at the current facility. The 1996 campus master plan identified a site for a new University Center. This site is located at the south end of Court Street and would serve as a link between the upper and lower campuses.

The University commissioned a program study in January of 2001 that defined specific needs of the proposed new University Center. The process of developing this program included extensive input from the students and staff as well as members of the broader campus community. The program specifies a center of approximately 180,000 gross square feet and a 300 car parking structure. The program and site concepts were completed by our consultant and approved by the review committee. The estimated cost of this project is between 50 and 60 million dollars.

The Student Senate unanimously passed a resolution to endorse the University Center project and to encourage the University to take the necessary steps to build a new Center with the support of a student fee at their May 16th meeting. The recently completed Capital Improvement Plan has committed 20 million dollars to the development of the new University Center.

Page two
Dr. Gary B. North
January 8, 2002

We are conducting phase II of the University Center study. This present study is developing soil, survey and utility infrastructure information to facilitate cost estimating. We have advertised for Architectural Consultants during the month of November for this project. We have developed a short list of six consultants and are schedule to hold interviews at the end of January of 2002.

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

UNIVERSITYCENTER2002.GBN

Student Trustee Amy Vargas-Tonsi presented and moved approval of the resolution. Mr. Grover seconded the motion. Approval was unanimous.

INTERNAL AUDIT OFFICE AMENDED CHARTER

RESOLUTION 2001— 1812

WHEREAS, the Trustees of Ohio University has established an independent, objective assurance and appraisal activity to evaluate and improve effectiveness of risk management and internal management controls, and

WHEREAS, the University Trustees recognize the benefit of an Internal Audit Office and having a charter that addresses the Internal Audit Office's role, authority, responsibility, scope, and accountability, and

WHEREAS, the Ohio University Internal Audit Office has proposed its current Charter be amended to reflect a reporting change from the Vice President of Finance to the Ohio University Board of Trustees' Budget, Finance and Physical Plant Committee chair, and

WHEREAS, the Ohio University Internal Audit Office has proposed its current Charter be amended to require all external audit engagements be performed in consultation with the University's Internal Auditors, and

WHEREAS, the Ohio University Internal Audit Office has proposed its current Charter be amended to specify required communications to the Board of Trustees concerning limitations placed or attempted to be placed upon any audit engagement.

NOW THEREFORE, BE IT RESOLVED, that the Ohio University Board of Trustees approves the amendments made to the Ohio University Internal Audit Office Charter presented formally this day to them.

It is found and determined that all formal actions of this Board concerning and in relation to the adoption of this resolution were adopted in open meeting of this Board's and that all deliberations of this Board and any of its committees that resulted in such formal action, where in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code.

This resolution shall take effect immediately upon its adoption.

OHIO UNIVERSITY INTERNAL AUDIT OFFICE

INTERNAL AUDIT CHARTER

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CHARTER: 1

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OHIO UNIVERSITY INTERNAL AUDIT OFFICE

INTERNAL AUDIT CHARTER

PURPOSE:

Internal audit, as defined by the Institute of Internal Auditors, is an independent, objective, assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve effectiveness of risk management, control, and governance processes.

The Ohio University Board of Trustees (Board) recognizes the benefit of an Internal Audit Office (Office) and has adopted the "Ohio University Internal Audit Charter". The charter addresses the Internal Audit Office's role, authority, responsibility, scope and accountability.

CHARTER:

1. Role of the Internal Audit Office:

The Ohio University Board of Trustees establishes the Internal Audit Office, and defines its responsibilities.

The Office shall report directly to the Secretary of the Board of Trustees (Secretary) for the purpose of the day-to-day direction needed by the office in the mediation of audit scope and scheduling, plus budgetary and personnel concerns.

The Office shall report directly to the Chair of the Board's Budget, Finance and Physical Plant Committee (BFPP) for the purpose of the direction needed by the office in the implementation and championing of its operational plans, plus authority and ethics concerns. The Director of Internal Audit (Director) shall have direct access to the Board's Trustees in any instance where the Director believes that such access is needed to fulfill the stated objectives of the department.

2. Authority:

The Director is authorized to oversee a broad and comprehensive, risk based program of internal auditing within Ohio University. The Board grants the Office authorization for full and complete access to any of Ohio University's records, in any form, and its activities, physical properties, and personnel relevant to a review. The Director is required to report any restriction placed upon such access, other than for established regulatory requirements, to the BFPP Committee.

Internal Auditors will handle documents and information given to them during a periodic review in the same prudent manner as by those employees normally accountable for them. Further, Internal Auditors understand that certain University items are confidential in nature and they will make special arrangements when examining and reporting upon such items.

3. Responsibility

The Office has no direct responsibility or any authority over any of the activities or operations it reviews. Internal Audit is a managerial control that functions by measuring and evaluating the effectiveness of other controls. Management is not relieved of any assigned responsibilities because Internal Auditors perform the evaluative reviews with which they have been charged.

OHIO UNIVERSITY INTERNAL AUDIT OFFICE

INTERNAL AUDIT CHARTER

4. Independence:

General:

Objectivity is an essential element of independence. The independence of the Office may be compromised if Internal Auditors participated directly in the development, installation, preparation or reconstruction of accounting systems, data, or records, or by engaging in activities that would normally be reviewed by Internal Auditors. Thus, Internal Auditors will serve only in an advisory capacity in performing their engagements.

It is imperative that Internal Auditors maintain independence in appearance as well as in fact. Internal Auditors will formally disclose business and personal interests in companies doing business with the University, annually, in accordance with the State of Ohio Ethics Bill.

Programming:

The Office shall be free from control or undue influence in the selection and application of audit scope, techniques, procedures, and programs. The Director is required to report any such control or influence placed upon the Office, other than for established regulatory requirements, to the BFPP Committee.

Reporting:

The Office shall be free from control or undue influence in the determination of facts revealed by the examination or in the development of recommendations or opinions as a result of the examination. The Director is required to report any such control or influence placed upon the Office, other than for established regulatory requirements, to the BFPP Committee.

Investigating:

The Office shall be free from undue influence in the selection of areas, activities, personal relationships, and managerial policies to be examined. No legitimate source of information is to be closed to the auditor. The Director is required to report any such influence placed upon the Office, other than for established regulatory requirements, to the BFPP Committee.

System Planning and Development:

The Office will participate, in an advisory capacity, in the planning, development, implementation, and modification of major computer-based and manual systems to ensure that:

- a. Adequate controls are incorporated in the system;
- b. A thorough testing of the system is performed at appropriate stages;
- c. System documentation is complete and accurate; and
- d. The intended purpose and objective of the system implementation or modification is met.

The Internal Auditor participating in such a review should ensure that the extent of participation does not affect independence, thus suggested audit trails or other controls will be transmitted through formal correspondence.

OHIO UNIVERSITY INTERNAL AUDIT OFFICE

INTERNAL AUDIT CHARTER

5. Scope:

The scope of internal auditing encompasses the examination and evaluation of the adequacy and effectiveness of the organization's system of internal control and the quality of performance in carrying out assigned responsibilities. It includes, but is not limited to:

- a. Reviewing the reliability and integrity of financial and operating information and the means used to identify, measure, classify and report such information;
- b. Reviewing the systems established to ensure compliance with those policies, plans, procedures, laws and regulations that could have a significant impact on operations and reports and whether the organization is in compliance;
- c. Reviewing the means of safeguarding assets and, as appropriate, verifying the existence of such assets;
- d. Reviewing and appraising the economy and efficiency with which resources are employed;
- e. Reviewing operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations or programs are being carried out as planned;
- f. Recommending operating improvements;
- g. Assisting in the deterrence of fraud by examining and evaluating the adequacy and effectiveness of control, commensurate with the extent of the potential exposure or risk in the various segments of the University's operations;
- h. Performing special reviews requested by University management or the Board of Trustees;
- i. Providing professional advice and internal control information across the University.

6. Reporting:

At the conclusion of each audit, the Director will hold an exit conference with the individual in charge of the department or activity under review, during which all findings, conclusions and recommendations will be discussed and any differences of opinion will be settled or so noted.

The Director will prepare and issue a draft audit report after the exit conference is held. The department or activity audited will be provided an opportunity to respond in writing to the findings, conclusions and recommendations of the Internal Auditors; and such response will be made part of the Internal Auditors' final audit report. The Internal Auditors will discuss the report with the senior administrator of the area under review prior to its issuance.

The Director will distribute all final audit reports to the relevant administrators of the area audited, and will make the reports available to the President, Provost, and Chair of the BFPP Committee. The Director will provide a summary of each audit report, and any significant audit findings, to the full Board at each of its meetings.

The Office will conduct follow-up reviews on audit reports, in the manner deemed necessary or as directed by the President or Board. It is important to note, however, that Internal Audit serves in an advisory capacity only, and, while the Office will report the status of issues, it has no authority over University administrators in the discharge of their duties and responsibilities over those issues.

The Office will provide consulting services to University administrators utilizing a process similar to that used in audit engagements, including the issuance of a formal report and follow-up review. The Director may conduct a formal audit following a consulting engagement, as deemed necessary.

OHIO UNIVERSITY INTERNAL AUDIT OFFICE

INTERNAL AUDIT CHARTER

7. Audit Plan:

The Director will formulate a proposed annual Internal Audit plan and submit it to the President and the Board of Trustees. Following Board approval, the Director will initiate audits pursuant to the plan.

Time will be made available in the annual plan for unexpected and/or requested audits. Further revisions to the plan will be administratively reviewed and approved by the Secretary and discussed with the President and the Board at the subsequent Board meeting.

8. Accountability:

The Director shall, at a minimum, meet in executive session with the Board, and outside the presence of University officials, at least annually, and shall meet with the President and the Secretary on a regularly scheduled basis to discuss:

- a. Internal Audit plans for the forthcoming year and areas of concern in subsequent years;
- b. Audit reports issued and audit project status;
- c. Annual time summary;
- d. Relationships between the Internal Auditors and external auditors; and
- e. Limitations placed by University administrators on the scope of Office engagements.

9. Cooperation with External Auditors:

The Director is responsible for coordinating the Office audit efforts with those of the Ohio Auditor of State and other external auditors that have business with the University. This coordination of audit efforts should be in the planning and definition of the scope of proposed audits so the work of auditing groups is complementary and will provide a comprehensive, cost-effective audit effort. University administrators must ensure external auditors have met with the Director of Internal Audit before permitting any such external audit to commence.

The Office shall assist the Board in the evaluation of the external auditors' examination of the University.

As used herein, the term "external" shall refer to representatives of or the activities of the Auditor of State for the State of Ohio, individual certified public accountants (the "CPA") and auditors from organizations, governmental or commercial, outside the University.

10. Detection, Investigation and Reporting of Fraud:

The Office shall be notified in all cases where the discovery of circumstances suggests a reasonable possibility that assets have, or are thought to have, been lost through defalcation or other security breaches in the financial and operating systems. Each University employee is responsible for notifying the Director of such circumstances. Further, University management is responsible for communicating such notification requirement to related and unrelated parties with whom the University does business, and for encouraging those parties to communicate those circumstances of which they have knowledge to the Director.

The Director will ensure that the proper authorities within the department are notified of the potential loss and that departmental authorities promptly notify other state departments as required by the Ohio Revised Code (ORC).

OHIO UNIVERSITY INTERNAL AUDIT OFFICE

INTERNAL AUDIT CHARTER

The Office will perform sufficient tests to identify the weaknesses in financial and operating procedures, both automated and manual, which permitted the loss and evaluate the impact the weaknesses have with respect to other activities of the institution. In addition, the Office will recommend improvements to correct the weaknesses and incorporate appropriate tests in future audits to disclose the existence of similar weaknesses in other areas of the institution.

11. Detection of Errors or Irregularities:

The Internal Auditor has a professional responsibility to conduct reviews with an attitude of professional skepticism, recognizing that the application of internal auditing procedures may produce evidential matter indicating the possibility of errors or irregularities. However, the Office cannot be solely responsible for the detection and prevention of all errors and irregularities that may occur within the University. All members of the University management team share that responsibility, as does each employee in the execution of his/her duties.

The Director shall be notified at once if an Internal Auditor believes that a significant error or irregularity may exist in an area under review or in any other area of the University. The Director Audit will consider the scope and implications of such an error or irregularity and discuss its disposition with the Secretary or President. If the Director believes that individual is involved, the Director will disclose the potential significant errors or irregularities directly to the Board.

12. Support:

The success of the internal auditing function is dependent, in part, on the support received from the University's Board, its President, and its Senior Administrators. Accordingly, to establish an environment of support and encourage the achievement of internal auditing goals, University management is responsible for:

- a. Acknowledging the auditing function as a diagnostic tool for identifying problems and assessing risk;
- b. Communicating the mission and charter of the Office with consistency and clarity to units for which they are responsible;
- c. Participating in the audit process and cooperating with the Internal Auditors;
- d. Providing effective, consistent and thorough written procedures for fiscal operations;
- e. Advising the Director of all matters affecting the fulfillment of audit responsibilities, including the distribution of new, approved policies and procedures (and deviations therefrom) within their respective units; and
- f. Providing the Director with suggestions for improving the audit process.

13. Administration:

The Director is responsible for the administration of this charter and for functionally directing internal audit activities throughout the University.

Adopted by the Ohio University Board of Trustees

January 29, 2002

EDUCATIONAL POLICIES COMMITTEE

No matters were presented for consideration.

BOARD ADMINISTRATION COMMITTEE/COMMITTEE OF THE WHOLE

The committee, as a committee of the whole, received a brief overview by Vice President Siemer of reports distributed with the agenda. A copy of the reports is included with the official minutes. The reports were Financial Viability Ratios, Treasurer's Report, and Capital Project Matrix.

Following additional comments by Vice President Siemer, the Trustees agreed to consider the establishment of an Investment Committee and asked that a recommendation for such be proposed to them at their April 2002 meetings.

Provost Gary Schumacher presented, in detail, the budget planning philosophy and critical factors which will affect the Trustees' budget and tuition deliberations at their April meeting.

Copies of the budget and tuition presentations are included with the official minutes. The budget and tuition presentation included:

- Context, Assumptions, and Strategies
- Tuition Options
- College of Osteopathic Medicine Tuition Options for 2002/03
- Unitary Fall Quarter Tuition Increase Option

Tuition options for the Athens campus included a two-tier fall increase totaling 9.2% for continuing undergraduate residents and non-resident students and 19.5% increase for new residents and non-residents for the next academic year. The second option presented included a spring quarter increase of 3% for all students and a fall increase of 9.7 % for all undergraduate students for the academic year 2002/2003. The third option included a spring quarter increase of 3% and a 6% increase for the academic year 2002/2003 for all continuing undergraduate students and a 16% increase for all new students.

Provost Schumacher answered Trustee questions during his presentation and upon conclusion of his remarks, Committee Chairman Walter asked for Trustees' reactions.

Trustee Snyder stated he preferred option #1 and that he liked the budget plan and where the University is headed. Trustee DeLawder noted his preference to Option #1 and the balance between tuition increase and expense reduction with the upcoming budget. Student Trustee Vargas-Tonsi asked how the budget planning affects the new diversity office, new faculty initiatives, and general education. Mr. Browning asked the size of the projected freshman class (3,735) and commented while he had respect for the budget plan he was concerned about moving toward an almost 20% tuition increase for new students and the effect on access, statewide, should others follow. Trustee Schey thought option #1 was an innovative approach to budget planning but did share the concern about escalating costs. President Glidden concluded option #1 moves the institution forward.

Committee Chairman Walter summarized comments by stating Trustee consensus supported Option #1, the two-tier tuition plan, and explained how it relates to the three-year budget plan being prepared. He asked that the April budget and tuition resolutions provide the principles behind the budget and tuition recommendations.

Following presentations and discussions of budget and tuition options for Athens Campus undergraduate students, Provost Schumacher presented tuition options for the College of Osteopathic Medicine, 2002/2003. OU-COM Dean John Brose, D.O., was introduced, and asked his opinion on the proposed two-tier versus the unitary tuition options. Dr. Brose noted that while the unitary option provided a short-term gain the two-tier option best serves the College. The two-tier option for 2002/2003 provides a 13% increase for continuing and a 19.5% increase for new students.

VIII. GENERAL DISCUSSION - CALL OF MEMBERS

Mr. Snyder commented he was excited with the committee's work on the proposed University Center Project.

Ms. Vargas-Tonsi noted she was in complete support of the University Center project and that the project would make the University more attractive to prospective students.

Dr. Ackerman stated she was proud the Trustees chose not to increase tuition spring quarter and the statement of commitment this made to continuing students. On the issue of student engagement she cited a recent article in the ABG publication and thanked President Glidden for focusing on this in his mission statement.

Mr. DeLawder indicated the task of Trustees and members of the General Assembly is not easy in these times and noted the continuing improvement of the institution's product comes with a cost. He thanked and commended Provost Schumacher for his report on the budget and tuition planning progress.

Mr. Schey complimented and thanked President Glidden for assisting him and other Trustees in understanding good trusteeship. He noted he was grateful for the Lipman Hearne effort to help us better understand what we want to be and how to get there. Mr. Schey thanked the President for his innovative approach to budget and tuition matters.

Mr. Grover commented that Trustees and the University took bold steps today by endorsing the two-tier tuition proposal.

Mr. Brunner stated he appreciated the Trustee discussions on the future direction of the University as well as budget and tuition issues and noted he liked where we are headed. He congratulated the Ongs on their new ambassador roles in Norway.

Mr. Spurlock thanked President Glidden for the development of the Mission Statement and commented the proposed University Center was a good way to support the statement.

Mr. Browning thanked President Glidden and his staff for their good work on budget planning and indicated that while what is being proposed makes sense, he has a continuing concern with its impact on accessibility.

Mr. Walter stated the Trustees' action today says we have a continuing responsibility to improve the quality of our product. He noted this will require adequate resources to meet our goals and not retrench. Mr. Walter stated it will be important to review our actions annually to see if we are meeting our goals.

President Glidden wished the Ongs well with their new roles in Norway. He thanked Trustees for their attention to marketing, budget and tuition issues, and complimented Provost Schumacher for his excellent presentation on budget and tuition planning. He stated he does not like to raise fees and regrets doing so, but he pledges to be a good steward of the additional resources.

Chairwoman Ong reflected on her time of service as Trustee and noted she will make every effort to attend future meetings while meeting her national responsibilities along with her husband John as United States Ambassador to Norway.

Mrs. Ong stated she appreciated the fact that all Trustees were present for today's meeting and their participation on all deliberations.

Mrs. Ong thanked President Glidden for the preparation of the Mission Statement and for the report by Lipman Hearne.

IX. ANNOUNCEMENT OF NEXT STATED MEETING

Chairwoman M. Lee Ong announced the Board of Trustees would meet next on Thursday, April 11 for committee/study sessions and Friday, April 12, 2002 for the formal board meeting.

X. ADJOURNMENT

Determining there was no further business to come before the Board, Chairwoman Ong adjourned the meeting at 11:30 a.m.

XI. 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.

M. Lee Ong
Chairwoman

Alan H. Geiger
Secretary

*****An Executive Session was not held.*****