

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

Friday, June 25, 2004

Ohio University, Athens Campus

THE OHIO UNIVERSITY BOARD OF TRUSTEES
MINUTES OF June 25, 2004 MEETING

TABLE OF CONTENTS

Executive Sessions.....	230
Roll Call.....	231
Approval of April 16 and June 3, 2004 Minutes	231
Communications, Petitions, and Memorials	231
Announcements.....	231
Proposal to Provide Benefits to Same-Sex Domestic Partners – Resolution 2004 – 1934	232
Reports	232
Unfinished Business.....	234
New Business.....	234
Joint Sessions of the Audit, Finance, and Investment and Human Resources and Compensation Committees	
Instructional and General Fees 2004/2005, Part A – Resolution 2004 – 1935	236
Instructional and General Fees 2004/2005, Part B – Resolution 2004 – 1936	237
FY 2004/2005 Operating Budget Authorization – Resolution 2004 – 1937	238
FY 2004/2005 Residence and Dining Hall Fee Rates – Resolution 2004 – 1938.....	239
Approval of Construction Documents for Brasee Hall Renovations, Lancaster Campus – Resolution 2004 – 1939	244
Approval of Consultant for the Russ College of Engineering and Technology – Engineering Learning and Research Facility Project – Resolution 2004 – 1940	246
Approval of Construction Documents for the 2004 Airport Improvements Project – Resolution 2004 – 1941	248
Approval of Construction Documents for Shannon Hall and Ney Center HVAC Improvements – Resolution 2004 – 1942	250
Ratification of Labor Agreement AFSCME #1699 – Resolution 2004 – 1943	252
Ratification of Labor Agreement, Ohio University FOP – Resolution 2004 – 1944	255
Land Lease Agreement with Continuing Care Retirement Committee – Resolution 2004 – 1945	258
Naming of Richard H. McFarland Avionics Building – Resolution 2004 – 1946	261
Academic Quality Committee.....	262
Appointments to Regional Coordinating Council Lancaster Campus – Resolution 2004 – 1947	263
Regional Higher Education Bachelor of Technical and Applied Studies – Resolution 2004 – 1948	266
Student Code of Conduct Revision – Resolution 2004 – 1949	277

Executive Committee.....	298
Election of Treasurer – Resolution 2004 – 1950	299
Election of Secretary – Resolution 2004 – 1951	300
Election of Vice Chairman – Resolution 2004 – 1952.....	301
Election of Chairman – Resolution 2004 – 1953.....	302
Compensation for Executive Officers and President – Resolution 2004 – 1954	303
Meeting Dates through the Year 2004-05 – Resolution 2004 – 1955	304
Facility Naming and Emeritus Status – Resolution 2004 – 1956	305
Founders Citation Award for President Robert Glidden – 2004 – 1957	306
 Announcement of Next Stated Meeting.....	 307
 Other Matters	 307
 Adjournment	 307
 Certification of Secretary	 308

EXECUTIVE SESSION

3:00 p.m., Thursday, June 24, 2004

5:15 p.m., Thursday, June 24, 2004

7:30 a.m., Friday, June 25, 2004

Ohio University

Athens, OH

The Thursday Executive Sessions were held in Room 125, Walter M. Hall and the Friday Executive Session was held in the Wilson Room, Ohio University Inn, Athens, Ohio.

The first Executive Session was that of the joint Audit, Finance, and Investment and the Human Resources and Compensation committees.

On a motion by Mr. DeLawder, and a second by Dr. Ackerman the committee, by roll call vote, resolved to hold executive sessions to consider personnel matters as permitted by Section 121.22(G)(1) and real estate matters under Section 121.22(G)(2), of the Ohio Revised Code beginning on the 24th and 25th days of June 2004. Voting aye were Dr. Ackerman and Mr. DeLawder. As executive meetings continued, Trustees, upon arrival, voiced their approval of the executive sessions. The Trustees were Mr. Walter, Mr. Schey, Mr. Snyder, Mr. Kidder, and Dr. Browning.

President Glidden and President-Elect McDavis, attended parts of the sessions. Also attending were Student Trustees Stuckey and Wood, and National Trustees Lawrie and Konneker.

Personnel Matters: Trustees over the 3 sessions discussed two matters. First, the consideration of extending health benefits to same-sex partners of University employees. Second, compensation for executive officers, deans, and retiring President Robert Glidden

Real Estate Matters: Review issues relating to the development of University property, north of Stimson Avenue, for the location of a retirement and continuing care facility sponsored jointly by a group of local citizens and the National Church Residences. Trustees reviewed and discussed responses from the administrative staff and letters and petitions from concerned citizens in opposition to the project.

I. ROLL CALL

Seven Trustees were present – Chairman Robert D. Walter, Patricia A. Ackerman, R. Gregory Browning, C. Daniel DeLawder, C. Robert Kidder, Larry L. Schey, and C. David Snyder.

Student Trustees Tara Stuckey and Dustin Wood attended as did President Robert Glidden and Secretary Alan H. Geiger. Also present were President-Elect Roderick J. McDavis and National Trustee J. Michael Lawrie. National Trustee Will R. Konneker attended the June 24th sessions.

This was the final meeting for Trustee Patricia Ackerman who completed a nine-year term and Student Trustee Tara Stuckey, who completed a two-year term.

II. APPROVAL OF THE MINUTES OF THE MEETINGS Of April 16, and June 3, 2004 (Previously distributed)

Dr. Ackerman moved approval of the previously distributed minutes. Mr. Kidder seconded the motion. All agreed.

III. COMMUNICATIONS, PETITIONS, AND MEMORIALS

Secretary Geiger reported earlier that letters were received by Trustees and others from the Near East Side Neighborhood Association and a petition, with over 700 signatures, was delivered June 24th by Elizabeth Kralik of East Athens, Ohio, objecting to the proposed lease of university property on Stimson Avenue for use as a retirement and continuing care facility. Copies of each are included with the Official minutes.

IV. ANNOUNCEMENTS

Secretary Geiger stated there were no announcements, but that President Glidden wanted to make a statement.

Domestic Partners Benefits - President Robert Glidden

President Glidden reported that he and the Board of Trustees have been reviewing, for four years, the extension of health benefits to same-sex domestic partners. He stated the action he will propose is not being taken precipitously, but in the spirit of respect, civility,

diversity, and fairness we as a University embrace. President Glidden then announced to Trustees that he planned to administratively extend such benefits. Trustee Chairman Walter noted it was an appropriate issue to raise and that it had his support. He asked Trustees to affirm the President's action and on a motion by Dr. Ackerman with a second by Mr. Kidder, they all agreed to do so. Secretary Geiger then prepared the following resolution capturing the spirit of the discussion and affirmation.

**Proposal to Provide Benefits to Domestic Partners
Resolution 2004 - 1934**

WHEREAS, Ohio University is committed to principles of diversity and equity; and

WHEREAS, Ohio University views the extension of benefits to same-sex domestic partners of University employees as an issue of equity and economic fairness, and

WHEREAS, the University Faculty Senate and Student Senate have resolved that Ohio University should support activities that establish and implement domestic partner benefits.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees affirms the action of the president to extend benefits to same-sex domestic partners, effective July 1, 2004.

On other matters, President Glidden cited the recent Governor's awards given to our Global Learning Center and Diagnostic Hybrids, Inc. He thanked retiring Faculty Senate Chair Hugh Bloemer for outstanding leadership and support and recognized the new chair, Phyllis Bernt. President Glidden also announced the appointment of Paul Bibbins, Ph.D., as the Dean of the Eastern Campus.

In addition, President Glidden reported that first-year student enrollment for Fall 2004 looks healthy and that the size of the entering class might reach 100 more than originally projected.

V. REPORTS

Reports were given by Leonard Raley, Vice President for Advancement and Dale Tampke, assistant vice president for administration and Athens City Council member. A copy of each report is included with the official minutes.

Bicentennial Campaign Wrap-Up Report

Vice President Raley reported the campaign had exceeded its goal of \$200 M and now stands at \$216 M and counting. Mr. Raley noted the campaign was about more than money, citing the expansion of the University's resources, increased volunteerism, and infrastructure improvements. While the myriad of details of the campaign are included in the attachment, he specifically thanked retiring President Robert Glidden for his unwavering support and noted his appreciation for the time and commitment given by his staff to the successful completion of the campaign.

Civic Responsibility Task Force Report

Dr. Tampke reported the committee represented diversity interest within the city and University. He cited the principles guiding the committee's deliberation and outlined recommendations dealing with increased education, expectations for civil behavior (enforcement), improved communication strategies and a framework for improving collaboration among all interests and entities with the city and University.

In response to a question from Trustee Kidder, Dr. Tampke described several measures that might define success and noted this was the challenge the Task Force now faces.

VI. UNFINISHED BUSINESS

Secretary Geiger reported no unfinished business.

VII. NEW BUSINESS

JOINT SESSIONS OF THE AUDIT, FINANCE, AND INVESTMENT AND HUMAN RESOURCES AND COMPENSATION COMMITTEES

Trustee DeLawder, who chaired the joint committee meeting, reported they received two reports. Copies of each were distributed at the meeting and are included with the official minutes. Therefore, only a summary of the reports are included here. Vice President North introduced those presenting reports.

The Treasurer's report was given by Interim Treasurer Larry Corrigan and dealt with a review of investments, who manages, and how. He described the Foundation's investment committees and how they function, and noted recent changes to asset allocating, and the different allocation strategies employed by the Foundation and University. Chairman DeLawder stated the delegation to the Foundation of University investments deserve watching for possible changes to the University's investment strategy.

Mr. DeLawder thanked Treasurer Corrigan for his report of the financial condition of the University. He noted the reports were going in the right direction, i.e., similar to P/L Statements and Balance Sheets. Mr. DeLawder stated there were no surprises and that he hoped for continued reports in the future relating to University assets.

The second report dealt with debt capacity and capital needs and was given by Associate Vice President for Administration, Dr. Sherwood Wilson and John Kotowski, assistant vice president for Facilities Planning. Treasurer Corrigan also assisted with the presentation.

The purpose of the report was to update the Trustees on the University's capital needs and future debt capacity.

Mr. Kotowski reported the current capital plan is nearly completed and based on the institution's continuing need for new and updated facilities, the time is appropriate to study and prioritize future capital needs. He indicated he would return to the Trustees in September with a master planning proposal for their consideration.

Dr. Wilson spoke to the needs of the residence and dining auxiliary and identified those operations within the University's auxiliaries. His proposal was to undertake a complete renovation of the 42 residence halls at an estimated cost of \$121 M. His plan would be financed by a 25 year bond, funded in part by an annual increase in fee of 4%. Dr. Wilson described the conditions the plan would improve and noted this type of renovation was long overdue.

Treasurer Corrigan completed the report by reviewing current debt obligations and noting the University, following preliminary discussions with Moody, had additional debt capacity while maintaining current debt ratings.

Mr. DeLawder presented and moved approval of the resolution. Mr. Lawrie seconded the motion. All voted aye.

**FISCAL YEAR 2004-2005
INSTRUCTIONAL FEE, GENERAL FEE,
AND NON-RESIDENT SURCHARGE, Part A**

RESOLUTION 2004 – 1935

WHEREAS, Am. Sub. H.B. 95 prohibits Board of Trustees from authorizing instructional and general fee increases of more than six percent in a single vote.

NOW, THEREFORE, BE IT RESOLVED, that the board of Trustees authorizes a six percent increase in the Athens campus instructional and general fees, and the Regional Campus fees to be effective Fall Quarter 2004.

It is found and determined that all the formal actions of this Board of Trustees concerning and in relation to the adoption of this resolution were adopted in open meeting of this Board of Trustees' and that all deliberations of this Board of Trustees and any of its committees that resulted in such formal action, were 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.

Mr. DeLawder presented and moved approval of the resolution. Mr. Kidder seconded the motion. All agreed.

**FISCAL YEAR 2004-2005
INSTRUCTIONAL FEE, GENERAL FEE,
AND NON-RESIDENT SURCHARGE, Part B**

RESOLUTION 2004 – 1936

WHEREAS, the Ohio University 2004-2005 Current Funds Budget contains program enhancements as well as necessary cost increases, and

WHEREAS, appropriate planning and consultations within the University have been accomplished, resulting in a recommendation of an increase in Athens Campus undergraduate resident instructional and general fees of 9.0 percent,

WHEREAS, the Board of Trustees approved instructional and general fees, Part A, and

WHEREAS, Am. Sub. H.B. 95 requires that the Board of Trustees authorize instructional and general fee increases exceeding six percent, but not more than 9.9 percent, to do so by a second vote,

WHEREAS, the enclosed schedules of fees are constructed to be consistent with Am. Sub. H.B. 95, and

WHEREAS, the Provost, with the approval of the President is authorized to reduce fees in the event it is necessary to be in compliance with Am. Sub. H.B. 95.

NOW, THEREFORE, BE IT RESOLVED, that the Ohio University Board of Trustees adopts the schedules of fees included in Section F of the Current Funds Budget document, effective Fall Quarter 2004, including an increase in Athens Campus instructional and general fees and non-resident surcharge, an increase in College of Osteopathic Medicine instructional and general fees and surcharges, and an increase in Regional Higher Education instructional and general fees and surcharges. Percentage increases are detailed in Schedule D.3.

It is found and determined that all formal actions of the Ohio University Board of Trustees concerning and in relation to the adoption of this resolution were adopted in open meeting of the Ohio University Board of Trustees and that all deliberations of the Ohio University Board of Trustees and any of its committees that resulted in such formal action, were 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.

Mr. DeLawder presented and moved approval of the resolution. President Glidden in response to a question from Trustee Browning, noted the budget reduces current expenditures and funds new initiatives and cited specific examples. Mr. Kidder seconded the motion. Approval was unanimous.

**FISCAL YEAR 2004-2005
OPERATING BUDGET**

RESOLUTION 2004 –1937

WHEREAS, the Ohio University Board of Trustees has reviewed the Fiscal Year 2004-2005 Ohio University Current Funds Budget.

NOW, THEREFORE, BE IT RESOLVED that the Fiscal Year 2004-2005 budgets of expected resources and expenditures for the Athens Campus General Funds, Regional Higher Education and the College of Osteopathic Medicine as presented in Section E are hereby approved subject to the following provisions:

1. The Provost, with approval of the President, may make adjustments in instructional and general operating expense allocations, providing the total does not exceed available unrestricted resources.
2. Expenditures for restricted and designated funds shall be limited to the resources generated.

It is found and determined that all formal actions of the Ohio University Board of Trustees concerning and in relation to the adoption of this resolution were adopted in open meeting of the Ohio University Board of Trustees and that all deliberations of the Ohio University Board of Trustees and any of its committees that resulted in such formal action, were 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.

Mr. DeLawder presented and moved approval of the resolution. Mr. Schey seconded the motion. All voted in the affirmative.

**FISCAL YEAR 2004-2005
RESIDENCE AND DINING HALL FEE RATES**

RESOLUTION 2004 – 1938

WHEREAS, sustained effort has been made to achieve financial stability for Ohio University's Residence and Dining Hall Auxiliary while providing necessary services for students, and

WHEREAS, the Residence and Dining Hall Auxiliary has budgeted for all operating expenses and debt service obligations by means of fees which are collected from students who use the residence and dining hall facilities, and

WHEREAS, the Residence and Dining Hall Auxiliary has identified a need for substantial reinvestment to correct the deferred maintenance backlog in its aging facilities, and

WHEREAS, the Ohio University Board of Trustees has adopted a long range plan as a guideline for renovating the facilities, and

WHEREAS, the executive officers of the University have reviewed the Fiscal Year 2004-2005 budget and recommend its adoption.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby authorize an increase in Residence Hall and Dining Hall rates by 3 percent, and adopts the Fiscal Year 2004-2005 Residence and Dining Hall Fund budget as presented in Section G of the Current Funds Budget document.

It is found and determined that all formal actions of the Ohio University Board of Trustees concerning and in relation to the adoption of this resolution were adopted in open meeting of the Ohio University Board of Trustees and that all deliberations of the Ohio University Board of Trustees and any of its committees that resulted in such formal action, were 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
ATHENS GENERAL FUND
Fiscal Year 2004-2005 Budget Summary**

	FY 2004 Revised Planning 9.9 %	FY 2005 Planning 9.0 %	Change from FY 2004
Total Resources	\$279,883,000	\$293,324,000	\$13,441,000
Continuing Base Budget (from prior year)	\$267,139,000	\$283,083,000	\$15,944,000
<u>Additional Incremental Increases (Decreases) to Budget</u>			
Sub-total Scholarship & Fee Related	\$8,506,000	\$5,542,000	(\$2,964,000)
Sub-total Compensation	\$6,937,000	\$7,097,000	\$160,000
Sub-total Continuing Commitments	\$1,014,000	\$368,000	(\$646,000)
Sub-total Academic Investments	\$1,895,000	\$1,005,000	(\$890,000)
Sub-total New Commitments (Includes Technology)	\$5,522,000	\$5,802,000	\$280,000
Sub-total Accounting Changes	\$100,000	(\$883,000)	(\$983,000)
Less Base Reduction to Planning Unit Budgets	(\$8,030,000)	(\$4,490,000)	\$3,540,000
Net Change to Continuing Budget	\$15,944,000	\$14,441,000	(\$1,503,000)
Total Base Expenditures	\$283,083,000	\$297,524,000	\$14,441,000
Resources less Base Budget	(\$3,200,000)	(\$4,200,000)	(\$1,000,000)
Investment Earnings	\$3,200,000	\$4,200,000	\$1,000,000
Structural Surplus (Deficit)	\$0	\$0	\$0
 Central Early Retirement Program Costs (OTO)	 (\$10,400,000)	 \$0	 \$10,400,000
Planning Unit Reductions (OTO)	\$0	\$0	\$0
Central Resources (OTO)	\$0	\$0	\$0
Surplus (Deficit)	(\$10,400,000)	\$0	\$10,400,000
 Annual Cash from Reserve (Central)	 \$500,000	 \$1,608,000	 \$1,108,000

OHIO UNIVERSITY
ATHENS GENERAL FUND
Fiscal Year 2004-2005 Budget Plan

FY 2004 Revised Planning 9.9 %	FY 2005 Planning 9.0 %	Change from FY 2004
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DETAIL OF BUDGET RESOURCES

Tuition and Fees	\$153,298,000	\$164,135,000	\$10,837,000
Technology & Need Base Tuition	\$3,924,000	\$8,651,000	\$4,727,000
Subsidy Revenue	\$92,006,000	\$89,200,000	(\$2,806,000)
Success Challenge	\$5,608,000	\$5,944,000	\$336,000
Other Revenue	\$9,905,000	\$9,050,000	(\$855,000)
Transfers & Overhead	\$15,142,000	\$16,344,000	\$1,202,000
Total Resources	\$279,883,000	\$293,324,000	\$13,441,000

DETAIL OF BUDGET USES

Continuing Base Budget (from prior year)	\$267,139,000	\$283,083,000	\$15,944,000
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DETAIL OF INCREMENTAL INCREASES (DECREASES) TO BUDGET

Recapture Benefits from ERIP Abolished Positions	\$0	\$0	\$0
Administrative Cost Reductions (Printing, Meetings, Entertainment)	\$0	(\$401,000)	(\$401,000)
Reduction to Planning Unit Budgets	(\$8,030,000)	(\$4,089,000)	\$3,941,000
Total Reductions	(\$8,030,000)	(\$4,490,000)	\$3,540,000

<u>Scholarship & Fee Related Expenses</u>	9.9%	9.0%	9.0%
Undergraduate Financial Aid	\$409,000	\$368,000	(\$41,000)
ICA-Scholarship & Room & Board	\$479,000	\$307,000	(\$172,000)
Employee Fee Waivers	\$1,684,000	\$357,000	(\$1,327,000)
High Achiever Awards	\$1,308,000	\$478,000	(\$830,000)
Underrepresented Scholarships	\$170,000	\$102,000	(\$68,000)
Need Based Grants (OU Grant Program)	\$1,307,000	\$1,548,000	\$241,000
Non-Resident (Trustees Award)	\$400,000	\$400,000	\$0
ROTC Scholarships	\$0	\$196,000	\$196,000
Additional Tuition Scholarships for General Fee	\$200,000	\$200,000	\$0
Graduate Tuition Scholarships (@ 9%)	\$2,549,000	\$1,586,000	(\$963,000)
Sub-total Scholarship & Fee Related	\$8,506,000	\$5,542,000	(\$2,964,000)

<u>Compensation Related Expenses</u>	2%	3.5%	3.5%
Compensation	\$2,920,000	\$5,250,000	\$2,330,000
FY 2005 Equity Fund	\$0	\$750,000	\$750,000
Workers Compensation	\$700,000	\$200,000	(\$500,000)
Summer Rate Increases	\$50,000	\$98,000	\$48,000
Graduate Stipends	\$212,000	\$396,000	\$184,000
Competitive Graduate Stipend Enhancement	\$200,000	\$200,000	\$0
Faculty Promotions	\$193,000	\$293,000	\$100,000
Faculty Equity Compensation Adjustment	\$810,000	\$910,000	\$100,000
Health Insurance Increases	\$1,852,000	(\$1,000,000)	(\$2,852,000)
Sub-total Compensation	\$6,937,000	\$7,097,000	\$160,000

OHIO UNIVERSITY
ATHENS GENERAL FUND
Fiscal Year 2004-2005 Budget Plan

	FY 2004 Revised Planning 9.9 %	FY 2005 Planning 9.0 %	Change from FY 2004
<u>Continuing Commitments</u>			
Additional Plant Operations & Maintenance Costs	\$424,000	\$62,000	(\$362,000)
Additional Utility Costs	\$383,000	\$306,000	(\$77,000)
Additional Material (Perlite) Cost for Bag House	\$0	\$0	\$0
Dual Career	\$50,000	\$0	(\$50,000)
Honors Tutorial	\$12,000	\$0	(\$12,000)
Student Activities	\$45,000	\$0	(\$45,000)
Enterprise Software (URF Replacement)	\$100,000	\$0	(\$100,000)
Sub-total Continuing Commitments	\$1,014,000	\$368,000	(\$646,000)
<u>Academic Excellence Investments</u>			
New Faculty Initiative	\$1,000,000	\$500,000	(\$500,000)
Academic Quality Improvement Program Initiatives (including General Education)	\$400,000	\$250,000	(\$150,000)
Strategic Investment-(Research & Graduate)	\$495,000	\$255,000	(\$240,000)
Sub-total Academic Investments	\$1,895,000	\$1,005,000	(\$890,000)
<u>Other New Investments</u>			
ICA Funding	\$100,000	\$500,000	\$400,000
Technology	\$2,617,000	\$3,179,000	\$562,000
Other Technology	\$322,000	\$0	(\$322,000)
Finance Central Pool (Insurance, Membership, Hocking)	\$694,000	\$0	(\$694,000)
Diversity	\$100,000	\$50,000	(\$50,000)
Airport Auxiliary	\$0	\$215,000	\$215,000
Non-Resident Recruiting & Marketing	\$0	\$250,000	\$250,000
Provost OTO Investments	\$100,000	\$0	(\$100,000)
MCI Clinics Transition	\$200,000	\$0	(\$200,000)
Reserve	\$500,000	\$1,108,000	\$608,000
Crucial Program Needs (includes Library Acquisitions)	\$889,000	\$500,000	(\$389,000)
Sub-total New Commitments	\$5,522,000	\$5,802,000	\$280,000
<u>Accounting Changes</u>			
College Technology Fees	\$0	\$195,000	\$195,000
Research Indirect Cost Allocations	\$100,000	\$100,000	\$0
Re-estimation MBA Fee	\$0	(\$45,000)	(\$45,000)
School of Nursing Transfer to RHE	\$0	(\$743,000)	(\$743,000)
Accounting for Insurance Employees	\$0	\$208,000	\$208,000
VP Administration / Parking Accounting Change	\$0	(\$598,000)	(\$598,000)
Sub-total Accounting Changes	\$100,000	(\$883,000)	(\$983,000)
Total Change to Budget	\$15,944,000	\$14,441,000	(\$1,503,000)



OHIO
UNIVERSITY

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Mr. DeLawder presented and moved approval by consensus, the following 4 resolutions. Dr. Ackerman seconded the motion. All voted aye.

June 10, 2004

Approval of Construction Documents for Brasee Hall Renovations,
Lancaster Campus – Resolution 2004 – 1939

Dr. Robert Glidden
Office of the President
Cutler Hall 108

Approval of Consultant for the Russ College of Engineering and
Technology – Engineering Learning and Research Facility Project –
Resolution 2004 – 1940

Approval of Construction Documents for the 2004 Airport
Improvements Project – Resolution 2004 – 1941

CAMPUS MAIL

Approval of Construction Documents for Shannon Hall and Ney
Center HVAC Improvements – Resolution 2004 – 1942

Dear Bob,

John Kotowski is recommending the following projects for Board approval:

- 1) Approval of construction documents for the 2004 Airport Improvements Project.
- 2) Approval of construction documents for the Shannon Hall and Ney Center HVAC improvements.
- 3) Approval of construction documents for the Brasee Hall Renovation Project – Lancaster Campus.
- 4) Approval to hire a consultant for the Russ College of Engineering and Technology-Engineering Learning and Research Facility.

I support these recommendations and urge your approval.

Yours truly,

Gary B. North
Vice President for Administration and Finance

GN:jt

Attachments (5)

**APPROVAL OF CONSTRUCTION DOCUMENTS FOR
BRASEE HALL RENOVATIONS
LANCASTER CAMPUS**

RESOLUTION 2004 – 1939

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; \$70,000 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, Ohio University did select the firm of Miller Watson as the Associate Architect to develop construction documents for the Brasee Hall Renovation Project, and

WHEREAS, final plans and specifications have been prepared and are ready for the advertisement of construction contracts,

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby approve the plans and specifications for the Brasee Hall Renovation Project.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize the advertisement for and receipt of bids for the Brasee Hall Renovations Project, and does empower the President or his designee to accept and recommend award of construction contracts, provided total bids do not exceed available funds.



OHIO
UNIVERSITY

Facilities Planning and Construction
Building 19, The Ridges
Athens, OH 45701

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3- 2727/ fax: 3-4081 email: kotowski@ohio.edu

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

DATE: June 1, 2004

SUBJECT: APPROVAL OF CONSTRUCTION DOCUMENTS FOR THE BRASEE HALL RENOVATION PROJECT – LANCASTER CAMPUS

House Bill Number 675, the approved capital improvements bill for FY 2003-2004, is 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 will connect Brasee Hall and Herrold Hall together. This connector will become the new main entrance to Brasee Hall and encompasses an information/reception desk, lounge area and the new bookstore. The connector itself makes it possible to go directly, from the second floor library and lounge area, to Herrold Hall. The new entrance makes it possible to have two separate means of access to the auditorium and the gymnasium.

In February 2003 the Board of Trustees authorized the hiring of Miller Watson as the consultant to help with the development of this project.

The final plans and specifications are complete and the project is ready to advertise for construction contracts. I am writing to seek support to proceed. Towards that end, I have enclosed a resolution for consideration by the Board of Trustees at their regular meeting of June 25, 2004 that seeks approval of the plans and specifications and the authority to award construction contracts so long as the total bids received do not exceed the available funding.

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

JKK/sw/brasee/herrold.2004.GBN

enc:

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

CONSULTANT FOR THE RUSS COLLEGE OF ENGINEERING AND TECHNOLOGY – ENGINEERING LEARNING AND RESEARCH FACILITY PROJECT

RESOLUTION 2004 – 1940

WHEREAS, Ohio University has a need for additional learning and research spaces for the College of Engineering and

WHEREAS, after a conceptual study was completed it was felt that a facility containing approximately 55,000 gross square feet and costing approximately \$15,000,000 is what is necessary to address this need, and

WHEREAS, the College of Engineering, Development and the Office of the Provost have identified the funding necessary for a new Engineering Learning and Research Facility and,

WHEREAS, the funding identified will permit the University to hire a consultant to develop a program for the facility, design the building and prepare construction documents, and

WHEREAS, Ohio University has advertised for consultants through the Department of Administrative Services and will be evaluating each proposal received,

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 Engineering Learning and Research Facility.

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



OHIO
UNIVERSITY

Facilities Planning and Construction
Building 19, The Ridges
Athens, OH 45701

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3- 2727/ fax: 3-4081 email: kotowski@ohio.edu

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

DATE: June 3, 2004

**SUBJECT: APPROVAL TO HIRE A CONSULTANT FOR THE RUSS COLLEGE OF
ENGINEERING AND TECHNOLOGY-ENGINEERING LEARNING AND RESEARCH
FACILITY**

This project involves the design and construction of a learning and research facility for the Russ College of Engineering and Technology on Ohio University's Athens campus. This new facility is envisioned as a learning environment that will facilitate collaboration and innovation and serve as a center for the engineering student community. It is planned that this new facility will consist of an approximately 55,000 gross square foot addition to the northwest of the existing Russ College of Engineering that is housed in Stocker Center. In addition, approximately 10,000 gross square feet of space will be renovated in Stocker Center as a part of this project. The types of spaces included in this project include: learning environments, collaboration spaces, common spaces, support spaces, office space and future research laboratory space.

A design concept study for this project was completed in October of 2003 and shall be used as the foundation groundwork for this project. It will be the responsibility of the consultant being sought to verify the program contained in this study and to create a final, approved program of requirements. The consultant shall also be responsible for site surveying, site engineering, all phases of design, construction documents, bidding and negotiation and construction administration.

Funding for this facility has been identified by the College of Engineering, Development and the Office of the Provost and it is now an appropriate time to develop this concept further to better define the program and more specifically verify the cost to construct such a facility. It is expected that a facility of this nature will cost approximately \$15,000,000.

This project is currently being advertised statewide to seek interested consultants to provide programming, architectural and engineering services. The Department of Facilities Planning and Construction along with the College of Engineering will review qualifications from consultants and it is my desire to have a consultant selected by August of this year.

In order that I may proceed with the selection process and the development of this project, I have enclosed a resolution for consideration by the Board of Trustees at their regular meeting on June 25, 2004. This resolution seeks authority to interview and hire a consulting team, develop a defined program, and prepare construction documents for the Engineering Learning and Research Facility. If I can be of further assistance by providing additional information regarding this matter, please let me know.

P|WC/sw/EngineeringandResearchFac.GBN.06.02.04

enclosure

pc: Dr. Dennis Irwin
Dr. Stephen Kopp

APPROVAL OF CONSTRUCTION DOCUMENTS FOR THE 2004 AIRPORT IMPROVEMENTS PROJECT

RESOLUTION 2004 – 1941

WHEREAS, As part of continuing upgrades to the Ohio University Bush Airport, the Federal Aviation Administration has indicated that it will fund; through its discretionary funding: additional improvements to pavements, navigational aid equipment, and security, and

WHEREAS, the continued improvements to the airport infrastructure will promote economic development in the area as well as better support University academic and research programs, and

WHEREAS, this office, in conjunction with airport personnel, has done an assessment of needed improvements at the airport, and has submitted that assessment to the Federal Aviation Administration, and has received approval of the proposed improvements from the Administration, and

WHEREAS, the Federal Aviation Administration has committed \$1,300,000 to the airport, requiring a five percent match or \$68,500; which makes \$1,368,500 available for the improvements project, and

WHEREAS, Ohio University has retained the firm of R. D. Zande & Associates to provide plans and specifications for construction improvements, and

WHEREAS, final plans and specifications are being completed, and the University is preparing to advertise for construction contracts.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby approve the plans and specifications for the 2004 Airport Improvements Project.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize the advertisement for and receipt of bids for the 2004 Airport Improvements Project, and does empower the President or his designee to accept and recommend award of construction contracts, provided the total bids do not exceed the available funds.



OHIO
UNIVERSITY

Facilities Planning and Construction
Building 19, The Ridges
Athens, OH 45701

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3- 2727/ fax: 3-4081 email: kotowski@ohio.edu

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

DATE: June 1, 2004

SUBJECT: APPROVAL OF CONSTRUCTION DOCUMENTS FOR THE 2004 AIRPORT IMPROVEMENTS PROJECT

In a continuing effort of supporting General Aviation Airports, the Federal Aviation Administration has been providing grants for improvements to airport infrastructure and equipment. Ohio University Bush Airport has received two Air 21 Entitlement Grants of \$150,000 for the years of 2003 and 2004. In addition to these entitlement grants, the FAA has also indicated that it will award an additional \$1,000,000 in discretionary funds to the University for qualifying airport improvements.

The airport director, and the facilities planning office, submitted a list of projects to be funded by these grants, and the FAA has given verbal approval to the proposed projects. These projects include installation of security/wildlife fencing around the airfield, upgrades to aircraft pavements, improvements to drainage adjacent to pavements, upgrades to the navigation aids, construction of wetlands mitigation; not accomplished during the runway project, airspace obstruction removal, a runway safety area study, purchase of a new snow plow/maintenance vehicle, and an upgrade to the current Airport Layout Plan (ALP)/Master Plan. The plans and specifications for the construction work including: fencing, paving, drainage, navigation aids, wetlands mitigation, and obstruction removal have been prepared by R. D. Zande & Associates of Columbus.

The total grant monies anticipated from the FAA for the above work is \$1,300,000. The grant requires a five percent match or \$68,500 that has been identified by Airport Operations; through the office of the Vice President of Research.

I have enclosed a resolution for consideration by the Board of Trustees at their regular meeting on June 25, 2004, which seeks approval of plans and specifications and authorizes the advertisement, receipt of bids, and award of contracts for the 2004 Airport Improvements Project. If I can be of further assistance or provide additional information regarding this matter, please let me know.

JKK/dp/AIP2004CONST.GBN

enclosure

pc: Dr. Stephen Kopp
 Dr. Jack A. Bantle
 Mr. Larry Corrigan
 Ms. Linda Stroh

APPROVAL OF CONSTRUCTION DOCUMENTS FOR SHANNON HALL AND NEY CENTER HVAC IMPROVEMENTS

RESOLUTION 2004 – 1942

WHEREAS, on the Eastern Campus of Ohio University, the boilers in Shannon Hall are in need of replacement due to their age and deteriorating condition. Also, the existing HVAC system in the Ney Center has been under-performing and problems with certain equipment and the controls system have been identified as the underlying cause, and

WHEREAS, Ohio University has identified funds from its Basic Renovations apportionment from the State Capital Funds for the Eastern Campus; plus local funds remaining from previous projects to address these problems, and

WHEREAS, with a portion of the local funds, Ohio University did select the firm of Prater Engineering to develop plans and specifications for these improvements, and

WHEREAS, final plans and specifications are being completed, and the University is preparing to advertise for construction contracts.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby approve the plans and specifications for the Shannon Hall and Ney Center HVAC Improvements Project.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize the advertisement for and receipt of bids for the Shannon Hall and Ney Center HVAC Improvements Project and does empower the President or his designee to accept and recommend award of construction contracts, provided the total bids do not exceed available funds.

SHANNON-NEYCONSTRES



OHIO
UNIVERSITY

Facilities Planning and Construction
Building 19, The Ridges
Athens, OH 45701

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3- 2727/ fax: 3-4081 email: kotowski@ohio.edu

TO: **Dr. Gary B. North, Vice President For Administration and Finance**

DATE: June 1, 2004

SUBJECT: APPROVAL OF CONSTRUCTION DOCUMENTS FOR THE SHANNON HALL AND NEY CENTER HVAC IMPROVEMENTS

On the Eastern Campus of Ohio University, two buildings are in need of improvements to their HVAC systems.

In Shannon Hall (which was constructed in 1967), the six original electric boilers are old and deteriorating, and need to be replaced. The existing pumps and piping system are in good condition, so the proposed work will be limited to the boiler replacement and some minor associated work with controls, venting, and the natural gas service entrance.

The Ney Center has been experiencing some notable inefficiencies in its HVAC system affecting certain (but not all) areas of the facility. This has been attributed to some inefficiently configured VAV boxes, ductwork, and diffusers. Also, the existing controls system is not consistent throughout the structure, and in order to assure efficient operation of the building, this system needs to be replaced with one system that is consistent throughout. The new work will add some VAV's, alter others, reconfigure ductwork and diffusers, and tie all equipment to the new controls system.

Toward this end, Prater Engineering was selected to verify the extent of the problems, and to prepare plans and specifications to correct the problems in these two structures.

Construction funding for this project, in the amount of \$303,000 has been identified from Basic Renovation funding for the Eastern Campus, plus state and local funds remaining from the Ney Center Construction Project. The associate's contract of \$14,800 was funded with local funds, making the total project budget \$317,800.

I have enclosed a resolution for consideration by the Board of Trustees at their regular meeting on June 25, 2004, which seeks approval to advertise and receive bids for the Shannon Hall and Ney Center HVAC Improvements Project. If I can be of further assistance or provide additional information regarding this matter, please let me know.

JKK/dp/SHANNONNEYCONST.GBN
enclosure

pc: Dr. Charlie Bird
 Dr. Bill Willan
 Mr. Larry Corrigan

Mr. DeLawder presented and moved approval of the resolution. Mr. Snyder seconded the motion. Approval was unanimous.

**RATIFICATION OF LABOR AGREEMENT
RESOLUTION 2004 – 1943**

WHEREAS, Ohio University and Local 1699 and Ohio Council 8 of the American Federation of State, County, and Municipal Employees (AFSCME) have collectively bargained a new agreement effective June 1, 2004 to March 1, 2007.

WHEREAS, the Ohio University Board of Trustees, in accordance with Section 4117.10(B) of the Ohio Revised Code, must ratify the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby ratify the Agreement between the university and Local 1699 and Ohio Council 8 of AFSCME; and authorizes the president of the university to arrange for execution in accordance with Ohio Law.



OHIO
UNIVERSITY

Office of the Vice President
for Administration and Finance

Cutler Hall 209
Athens OH 45701-2979

T: 740.593.2556
F: 740.597.1765
[www.ohio.edu/vpadmin/
index.html](http://www.ohio.edu/vpadmin/index.html)

June 8, 2004

Dr. Robert Glidden
Office of the President
Cutler Hall 108

CAMPUS MAIL

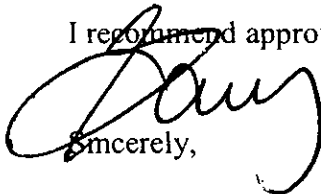
Dear Bob,

Linda Lonsinger, Director of Employee and Labor Relations, and Sherwood Wilson, Associate Vice President for Facilities Management met with Charles Adkins, President of AFSCME Local 1699 and his executive committee to discuss renewal of the union contract. The group negotiated a new contract that provides for the same level of wage increase as classified hourly staff and maintains the current level of benefits. The new contract will be effective June 1, 2004, upon approval by the University Board of Trustees, and will expire on March 1, 2007.

This agreement assures over two years of cooperative working relationship between the university and members of Local 1699. Moreover, it allows the new administration time to develop relationships with AFSCME leadership and employees before negotiating a new contract.

I want to commend both the union leadership and the university team for their good efforts. This contract will serve both employees and the university well.

I recommend approval.



Sincerely,

Gary B. North
Vice President for Administration and Finance

GN:jt

June 4, 2004

TO: Gary North, Vice President for Administration and Finance
FROM: Linda L. Lonsinger, Director, Labor and Employee Relations
RE: Support of Ratification Agreement

Enclosed is the Ratification of Labor Agreement Resolution that needs to be presented to the Ohio University Board of Trustees in June, 2004.

I have worked diligently with the AFSCME representatives to ratify the agreement. I am pleased to report that the contract passed by an overwhelming vote and I fully support the adoption of said resolution.

If you have any questions regarding the contract, please do not hesitate to contact me.

Mr. DeLawder presented and moved approval of the resolution. Mr. Kidder seconded the motion. All voted aye.

**RATIFICATION OF LABOR AGREEMENT
RESOLUTION 2004 – 1944**

WHEREAS, Ohio University and Fraternal Order of Police (FOP), Ohio Labor Council, Inc. have collectively bargained a new agreement effective July 1, 2004 to June 30, 2007

WHEREAS, the Ohio University Board of Trustees, in accordance with Section 4117.10(B) of the Ohio Revised Code, must ratify the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby ratify the Agreement between the university and the Fraternal Order of Police, Ohio Labor Council, Inc.; and authorizes the president of the university to arrange for execution in accordance with Ohio Law.



OHIO UNIVERSITY

Office of the Vice President
for Administration and Finance

Cutler Hall 209
Athens OH 45701-2979

T: 740.593.2556
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index.html](http://www.ohio.edu/vpadmin/index.html)

June 8, 2004

Dr. Robert Glidden
Office of the President
Cutler Hall 108

CAMPUS MAIL

Dear Bob,

The university team of Linda Lonsinger and Tony Camechis has successfully bargained a new contract with the FOP and a team of university police officers.

The new contract becomes effective, subject to approval by the Board of Trustees, July 1, 2004 and will terminate June 30, 2007.

The terms and conditions call for a wage adjustment of 3.5% in 2004-05; a 3.0% increase in 05-06 and 2.5% increase in 06-07. An equity adjustment will also be made to bring officers and lieutenants pay to par with the Athens City police wage scale. The officers will receive the same health benefits package as other university employee groups. I want to commend both the FOP bargaining team and the university team for their professionalism and their integrity throughout the process.

Tony Camechis deserves special mention for his efforts to assure an equitable pay scale for university officers and lieutenants in recognition of their extra effort to keep the campus and community safe. They have extended assistance to Athens City Police with patrol coverage and have worked extensive overtime hours to meet university needs. Our officers have put in an unexpectedly high amount of time and effort to assure student, staff and campus safety during Halloween, Time Change, Palmerfest, Highfest, Millfest and other special events. They and the leadership team of Tony Camechis and Mark Matthews are to be commended for their diligence and for the success they have achieved.

I recommend approval of the contract.

Sincerely,



Gary B. North
Vice President for Administration and Finance

GN:jt

June 4, 2004

TO: Gary North, Vice President for Administration and Finance
FROM: Linda L. Lonsinger, Director, Labor and Employee Relations
RE: Support of Ratification Agreement

Enclosed is the Ratification of Labor Agreement Resolution that needs to be presented to the Ohio University Board of Trustees in June, 2004.

I have worked diligently with the FOP representatives to ratify the agreement. I am pleased to report that the contract passed by an overwhelming vote and I fully support the adoption of said resolution.

If you have any questions regarding the contract, please do not hesitate to contact me.

Mr. DeLawder presented and moved approval of the resolution. He noted the resolution to lease was not without controversy and that the Trustees had in executive session fully considered the merits as well as the opposition to the proposed development. Mr. DeLawder reported the administrative staff had responded to concerns raised and that the Trustees were fully satisfied the project was of significant support to and needed by the Athens community. Mr. Schey seconded the motion. Approval was unanimous.

**LAND LEASE AGREEMENT WITH CONTINUING CARE
RETIREMENT COMMITTEE**

RESOLUTION 2004 – 1945

WHEREAS, Ohio University owns a 15 to 20 acre site north of Stimson Avenue in Athens, Ohio that has been identified as an optimal location for a retirement community.

WHEREAS, currently, part of the site is used for campus recreation and part of the site is open green space, and the site is not a part of the Ohio University's Master Plan for future development.

WHEREAS, An association called Continuing Care Retirement Community (CCRC) For Athens, in conjunction with National Church Residences (NCR) has proposed a plan for the construction of a Retirement Center that is consistent with University need and architectural design.

WHEREAS, we believe that the development of a Retirement Center will be a significant benefit to Ohio University, the Athens community and the region.

NOW THEREFORE BE IT RESOLVED, that the Ohio University Board of Trustees hereby declares the 15 to 20 acre site to be surplus property in accordance with Ohio Revised Code Section 123. 77 ; and, in accordance with Ohio law, hereby authorizes the leasing of this property for up to eighty (80) years to a legal entity created by the CCRC For Athens and NCR, for one (\$1.00) per year, with the condition that a lease must be signed within one year from the date of this resolution.

BE IT FURTHER RESOLVED, that the President of Ohio University is hereby authorized to give final approval to the terms and conditions of a lease, and to authorize his designee to arrange execution of the lease in accordance with Ohio law.



OHIO
UNIVERSITY
Legal Affairs

Interoffice Communication

Pilcher House
10 E. Union Street
Athens OH 45701-2979

T: 740.593.2626
F: 740.593.0200

Date: June 8, 2004

To: The President and Board of Trustees

From: John F. Burns, Director of Legal Affairs *John F. Burns*

Re: Proposal for Lease of 20 +/- Acre Site for an Athens Retirement Center

Ohio University has been working with a local group, CCRC For Athens (CCRC stands for continuing care retirement community), for over a year to assist the CCRC For Athens to develop a new retirement community in Athens. This assistance has involved some funds from The Ohio University Foundation for expenses, and the identification of an appropriate site on Ohio University property to be provided at no cost. A site east of Stimson Avenue in Athens has been identified, and a developer has been selected for the CCRC For Athens, National Church Residences (NCR); and an April 19, 2004 Agreement between the two parties was entered into to initiate the project through a long term eighty (80) year lease of the site from Ohio University under Section 123.77ORC.

Over the past year a number of sites were identified and carefully analyzed with a number of potential developers. The CCRC For Athens has concluded that NCR is the best developer for the job and the only usable site is the 20+/- acre site off Stimson Avenue (see attached drawing); and NCR has expressed a great amount of excitement regarding the site due to its location, aesthetic value, access to retail services and recreational areas; and the site is the only potentially available site that NCR determined is possible to develop for a new Retirement Center.

This site and the CCRC For Athens and NCR's plan have been publicly discussed and debated for the last few weeks, and there has been criticism of the site selection from certain neighboring residents and other Athens citizens regarding issues of available green space, flood control, recreational use, and other issues. NCR has revised its preliminary plan for addressing some of the criticisms, and a proposed plan will be presented to you at the upcoming meeting. NCR also, with Ohio University's permission, has done preliminary engineering studies regarding the site's feasibility for such a project. Also, the retirement center development will require careful consideration of the of the availability of Athens utility services, and the applicability of zoning, flood plain and other such regulatory issues.

It is the Ohio University staff's view and recommendation that the development of such a Retirement Center will be both provide significant benefit to the Athens community and a long-term benefit to Ohio University. Many emeritus faculty and staff, including former President Harry Crewson, have had to relocate from Athens and the Ohio University community due to the lack of such a facility; and there will also be many educational and clinical experience opportunities made available for Ohio University students in allied health and other programs as part of its operations.

The staff recommendation also includes the provision in the lease that Ohio University will have approval of the development plan, including the architectural design. Also, importantly, the no-cost assistance will result in lower costs to the future residents, with appropriate financial planning and a process of this plan to be approved by Ohio University.

The attached Resolution has been prepared for your consideration; and the staff will be available to answer any questions at the upcoming meeting.

Cc: Dr. Alan H. Geiger, Secretary of the Board of Trustees
Dr. Gary North, Vice President for Administration and Finance
Mr. John K. Kotowski, Assistant Vice President for Facilities Planning

JFB:jrw

Mr. DeLawder presented and moved approval of the resolution. Dr. Browning seconded the motion. All voted aye.

**NAMING OF RICHARD H. MCFARLAND AVIONICS BUILDING
RESOLUTION 2004 – 1946**

Whereas, Dr. Richard H. McFarland, BSMATH '50, Russ Professor Emeritus of Electrical Engineering and Director Emeritus of the Avionics Engineering Center, founded the Avionics Engineering Center in 1963, and

Whereas, Dr. McFarland continues to support Ohio University and the Avionics Engineering Center through his generous service and financial commitments, has initiated the Richard H. McFarland Scholarship for Electrical Engineering, and is an Emeritus Member of the Russ College Board of Visitors.

Whereas, he has been continually active in avionics engineering research and development related to navigation and landing systems, and

Whereas, Dr. McFarland currently serves as pilot-in-command of the DC-3 and other of the Center's flying laboratories, with more than 18,000 hours as pilot in command, and

Now, therefore, be it resolved that the new Avionics Engineering Center office building, located at the Ohio University Airport, be named the Richard H. McFarland Avionics Building.

ACADEMIC QUALITY COMMITTEE

Acting Chairman Schey reported the committee received two reports and had reviewed 3 action items.

Mr. Schey thanked Vice President Bantle and faculty members Hugh Richardson (Chemistry), Greg Van Patten (Chemistry), Art Smith (Physics), and Savas Kaya (Electrical Engineering) for their report on the University's Nano-Technology initiative. He described the merits of the research, citing the collaboration of five academic departments and the promise for the future this initiative offers. A copy of the presentation is included with the official minutes.

Mr. Schey reported that the Associate Provost for Academic Affairs, Barbara Reeves, reviewed those granted promotion in rank and tenure. Fifty-six faculty members were awarded promotion in rank, tenure or a combination thereof. A listing of the awardees is included with the official minutes.

Mr. Schey presented, and moved by consensus, all resolutions before the committee for approval. Mr. DeLawder seconded the motion. All voted aye.

Appointments to Regional Coordinating Council Lancaster Campus –
Resolution 2004 – 1947

Regional Higher Education Bachelor of Technical and Applied Studies –
Resolution 2004 – 1948

Student Code of Conduct Revision – Resolution 2004 – 1949

Appointment to Regional Coordinating Councils

RESOLUTION 2004 – 1947

BE IT RESOLVED BY the Board of Trustees of Ohio University that the following persons be appointed to membership on the Coordinating Council at the Regional Campus of Ohio University Lancaster.

Ohio University - Lancaster

Robert D. Clark

For a two-year term beginning July 1, 2004, and ending at the close of business June 30, 2006, vice Jerry Neff who resigned.

Mina H. Ubbing

For a nine-year term beginning July 1, 2004, and ending at the close of business June 30, 2013, vice Nancy George-Frick, whose term expired.

Robert D. Clark
Biography

Bob has served as a district representative for Congressman Dave Hobson since 1992. Prior to joining Hobson's staff, he worked for five years as a legislative assistant on Capitol Hill with former Congressman Clarence Miller and, before that, managed a state representative campaign. Bob is a 1985 graduate of Ohio University with a degree in interpersonal communications.

Bob has been a member of the Lancaster Kiwanis Club since 1993, serving on the Board of Directors from 1997 to 1998 and coaching a Kiwanis Little League team from 1993 to 1998. He is a Mason and a member of the Alladin Temple Shrine. Bob served as President of Habitat for Humanity of Fairfield County in 1996 and was a member of their Board of Directors from 1994 to 1998. He also served on the Board of Directors of Fairfield Industries, Inc. in 2000.

BIOGRAPHICAL SKETCH
MINA H. UBBING, FHFMA, FACHE

Employment:

2001 - Present President and CEO Fairfield Medical Center, Lancaster, Ohio
1987 - 2001 Vice President--Finance Fairfield Medical Center, Lancaster, Ohio
222 bed acute care facility with Acute Rehab, Home Care and Durable Medical Equipment (Was Acting CEO July - December 1996)
1996 - Adjunct Faculty--Franklin University, Columbus, Ohio--Healthcare Finance and Reimbursement
1990 - 1995 Adjunct Faculty--Ohio University-Lancaster--Materials Management and Purchasing
1986 - 1987 Accounting Manager--Lancaster-Fairfield Community Hospital
1979 - 1986 Controller/Internal Auditor--Mansfield General Hospital

Education:

Master of Business Administration--Ashland University, Ashland, Ohio
Bachelor of Business Administration (Major: Accounting)--Wheeling Jesuit College,
Wheeling, West Virginia
Certificate: Healthcare Executive Management--The Ohio State University

Skills/Experiences:

Managed care contracting, budgeting and financial analysis, patient accounting, purchasing and materials management, medical staff integration planning, physician practice acquisition, physician employment, medical practice management, real estate management, and reimbursement.

HFMA Activities:

Chapter Liaison Representative-Region 6 1997-98
Member of Matrix-Healthplans and Payors and Member Services Groups 1996-97
Chapter President-Central Ohio Chapter 1995-96
Committee Chairman for Task Force, Contact, Professional Affairs, and Program
Member for 15 years

Community Activities:

Treasurer United Way of Fairfield County for past 4 years
Vice President of the Board of Directors-MRDD of Fairfield County
Vice Chairman-Lancaster-Fairfield County Chamber of Commerce

In my spare time I enjoy golf and swimming.

**REGIONAL HIGHER EDUCATION
BACHELOR OF TECHNICAL AND APPLIED STUDIES**

RESOLUTION 2004 — 1948

WHEREAS, the Regional Higher Education program has proposed the inclusion of the Bachelor of Technical and Applied Studies degree in the curriculum, and

WHEREAS, the proposal has the support of the dean, faculty, and vice-president of Regional Higher Education, and

WHEREAS, the proposed program will allow Regional Higher Education to deliver a program that will add curricular strength to Ohio University, and

WHEREAS, the proposed program will provide the practical skills necessary for students with two-year technical degrees to complete a bachelor's degree within their chosen professions

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University approves offering a Bachelor of Technical and Applied Studies degree



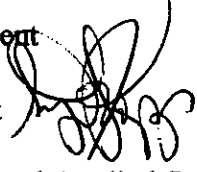
OHIO
UNIVERSITY
Office of the Provost

Cutler Hall 306
Athens OH 45701-2979

T: 740.593.2600
F: 740.593.9191

DATE: June 2, 2004

TO: Robert Glidden, President

FROM: Stephen Kopp, Provost 

SUBJECT: Bachelor of Technical and Applied Studies Degree
Regional Higher Education

This is written to express my support for the development of the new Bachelor of Technical and Applied Science (BTAS) degree through our Regional Higher Education Program. This program will provide an opportunity for students with associate degrees to further their education and advance in their chosen careers by integrating the technical skills attained within the associate degree with the professional skills of a bachelor's degree.

The BTAS degree will also support Ohio University's objective to enhance and extend cultural and educational opportunities throughout its five regional campuses and will provide opportunities for place-bound students to enhance their careers.

**UNIVERSITY CURRICULUM COMMITTEE
OHIO UNIVERSITY**

PROPOSAL FOR A NEW DEGREE OR NEW DEGREE PROGRAM

Title of Program: Bachelor of Technical and Applied Studies Degree

Degree to be Conferred: Bachelor of Technical and Applied Studies Degree

Administrative Unit Proposing Program: Regional Higher Education (RHE)

Date of Submission: February 2004

Signatures:

Recommended for Approval:

Lacey Curtiss / 1-27-04 Chair of Curriculum Committee / OUSC
Signature / Date

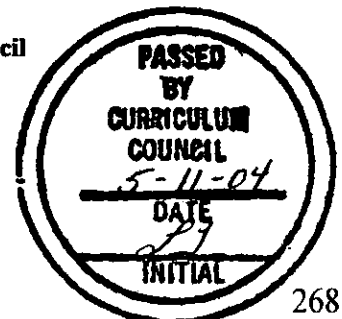
Alan Evans / 1-27-04 Dean / OUSC
Signature / Date

[Signature] / 2/2/04 Chair of Curriculum Committee / RHE
Signature / Date

[Signature] / 2/4/04 Vice-President / RHE
Signature / Date

Approved:

Marjett Appel / 5-13-04 Chair, University Curriculum Council
Signature / Date



BACHELOR OF TECHNICAL AND APPLIED STUDIES DEGREE PROPOSAL

Program Description

This new degree program leads to a Bachelor of Technical and Applied Studies (BTAS) through Regional Higher Education. The BTAS is primarily intended for students who have already completed a two-year degree program from an accredited community college, regional campus, or technical college program and who seek to further their educations by completing the requirements for a baccalaureate degree. The program provides students with knowledge, skills, and dispositions necessary for advancement in their chosen careers, and integrates the technical skills developed within technical associate degree programs with the professional skills inculcated in a bachelor's degree program. With appropriate and extensive advising, students will take a sequence of courses that will 1) meet Ohio University's general education and baccalaureate degree requirements, 2) follow naturally from and amplify the learning experiences in their associate degree subject areas, and 3) qualify them for advancement in their workplaces.

Location of the Program

Once the program is approved, it will be piloted with a cohort of 24 students at the Ohio University Southern Campus. Students will be admitted to other regional campuses of Ohio University after the pilot is successfully implemented. Since students in this program will primarily be attending classes in the evening and/or on weekends, the need for additional facilities will be minimal. Student support services such as advising, registration, financial aid, and food services should not require additional personnel. There are three new courses designed for this program; consequently, we estimate that each campus will need to devote approximately 1 FTE of instruction to teach the new courses. Existing full-time faculty will teach the courses from related disciplines. As enrollment increases, a need for additional faculty could develop.

Ohio University Regional Higher Education will be responsible for directing the BTAS degree. Admissions, advising, course scheduling, faculty assignments, and other administrative responsibilities will occur at individual regional campuses, but will be under the direction of Regional Higher Education. Program integrity and quality will be monitored by the Regional Higher Education Curriculum Committee and the University Curriculum Council.

Objectives

The fundamental objective of the BTAS Degree Program is to provide students with the knowledge, skills, and values necessary for advancement in their chosen careers and to integrate the technical skills developed within the associate degree with the professional skills, values, and dispositions of a baccalaureate degree.

The operational objectives of the undergraduate BTAS Degree are the following:

1. To provide an opportunity for students who have completed a two-year technical or applied professional degree program from an accredited regional campus, community college, or technical college to further their education by completing the requirements for a baccalaureate degree;

2. To provide students with knowledge, skills, and values necessary for advancement in their chosen careers;
3. To integrate and enhance the technical skills developed within the associate's degree with the professional skills of a bachelor's degree;
4. To provide a unique program which enables place-bound adult students to develop and enhance leadership skills;
5. To collaborate with business, industry, and health care providers in developing specialized employees with skills for the 21st Century;
6. To support Ohio University's obligation to enhance and extend cultural and educational opportunities through its five regional campuses.

Rationale and Need for the Program

Improving the access to higher education is explicitly stated in the Board of Regent's *Master Plan for Higher Education* as a core value to be emphasized. As new demands for higher levels of education have been made on the workforce, Ohio's higher education system has responded by creating new educational options. The *Master Plan* points out that "During the 1960s, a number of two-year community and technical colleges were formed to meet the growing demand for more affordable educational options and training for a greater range of specialized careers." As a result, Ohio has a comprehensive system of community and technical colleges and regional campuses of public universities that offer a wide variety of two-year programs leading to degrees such as the Associate of Applied Science, the Associate of Applied Business, the Associate of Technical Study, or similar applied technology degrees. The Ohio Articulation and Transfer Policy was established in 1989 to address the lack of access to baccalaureate education and the need for greater degree completion by students with associate degrees. It was determined that more technical and applied degrees at the baccalaureate level need to be made available in various regions. The Policy Review Committee of the Ohio Articulation and Transfer Advisory Council has recommended actions that will foster greater availability of completion programs at the baccalaureate level for applied degree holders. The new BTAS program addresses the recommendations of the Articulation and Transfer Advisory Council by meeting the needs of two-year technical graduates who want completion programs at the baccalaureate level, especially those who have followed a Tech Prep curriculum.

In planning for the future, the OBR *Master Plan* articulates a set of core values expected of all public universities. Included in these core values is the objective of improving student access. While Ohio has been very successful in creating geographic access for its citizens, improving vertical access from two-year technical programs to baccalaureate institutions remains a problem. The program proposed in this request provides a solution to the problem of effectively moving technical program graduates through to completion of a bachelor's degree.

In his *State of the University Address* in 2001, President Glidden shared the five goals of his *Presidential Mission Statement*, the fifth of which has direct application to the University's interest in developing a bachelor's completion program for graduates of two-year technical programs. That goal begins in the following manner:

Ohio University, located in the Appalachian area of Southeastern Ohio, has a unique opportunity and a special obligation to enhance and extend cultural and educational opportunities to the region. Through programs on the Athens campus and five regional campuses, and within units such as the College of Osteopathic Medicine (OUCOM) and the Institute for Local Government Administration and Rural Development (ILGARD), the University builds partnerships responsive to the needs and interests of the region. The University has a special mission to support and extend economic development and service to its geographic area.

Many two-year institutions offer programs leading to an Associate of Arts or Associate of Science degree that serve as pre-baccalaureate programs for students who intend to transfer to a four-year institution in order to complete a bachelor's degree program. Students enrolled in an Associates of Arts or Science degree program complete a block of course work that, under the Board of Regent's *Transfer Module* guidelines, is accepted by four-year institutions as satisfying their general education requirements. Consequently, the transition from a two-year community college or regional campus to a four-year school is both time and credit efficient in that the student does not have to repeat general education courses at the four-year institution and can quickly move into third year courses in their major of choice.

By contrast, students enrolled in applied technical programs typically do not complete a substantial block of course work that will allow a smooth transition into a baccalaureate program. The proposed program is intended to provide a means by which fully employed adults holding two-year technical degrees can complete a bachelor's degree program in the equivalent of two additional years of full-time study. Thus, such programs are often referred to as 2+2.

According to the 2000 Census, 15.5% of the U.S. population has achieved a bachelor's degree. Although Ohio, at 13.7%, is below the national average, the geographic area served by Ohio University's regional campuses fares much worse. The Appalachian region of Ohio, which comprises the major portion of the Ohio University regional campuses service areas, has a bachelor's degree attainment level of only 7.9%, well below Ohio as a state and only about half that of the nation as a whole.

The proposed BTAS will offer associate degree graduates from this region an opportunity to continue their education. Data obtained from the Ohio Appalachian Center for Higher Education indicates that in the Appalachia area of Ohio there are more than 50,000 persons aged 25 and older whose highest attainment level is the associate degree. This represents a huge pool of potential students for the proposed new degree program.

The populations targeted for this new bachelor's degree program are adult, place-bound graduates and future graduates of two-year degree programs. Specifically, graduates of the following two-year institutions would be targeted: Ohio University Regional Campuses, Belmont Technical College, Muskingum Area Technical College, Washington State Community College, Columbus State Community College, Southern State Community College, and Ashland Community and Technical College in Kentucky. Letters of support provided by these institutions and by area businesses such as Kenworth and Horizon Telcom call the program "a tremendous opportunity for students from two-year programs," "a welcomed option for adult learners," "particularly attractive," one that "will serve students as they 'retool' intellectually for a new society and economy."

The table below provides a conservative estimate of the number of new students expected to enroll in the program.

Enrollment Projections					
Bachelor of Technical and Applied Studies					
	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>	<u>2008-09</u>
Juniors	24	72	120	120	120
Seniors		19	58	96	96
Total	24	91	178	216	216

Although no identical programs exist within a fifty-mile radius of Ohio University Regional Campuses, there are similar degrees available in other regions of Ohio. Wright State University has addressed the completion need in its region with a Bachelor's of Science in Organizational Leadership, while Kent State University has developed a Bachelor of Science in Technology that is designed to serve the same purpose.

Curriculum

The curriculum provides students with knowledge, skills, and dispositions necessary for advancement in their chosen careers through the integration of the technical skills developed within their associate degree programs with the professional skills, theoretical orientations, and dispositions that are hallmarks of a bachelor's degree. The curriculum combines oral and written communication skills with the study of applied leadership theory and practice. Three core courses designed specifically for the program are sequenced to help students make the transition from technical to professional studies (BTAS 301, Introduction to Technical and Applied Studies), to learn research methods and technologies (BTAS 421, Research for Technical and Applied Studies), and to synthesize and apply what they have learned through a leadership skills project (BTAS 451, Technical and Applied Studies Capstone Seminar). In addition, students will improve their technological competencies and will focus on four subject areas: (1) Professional Skills; (2) Cultural, Political, and Social Issues; (3) Behavioral Sciences; and (4) Leadership and Organization. Since the curriculum is integrated and multi-disciplinary, the majority of courses required to complete the degree are already in existence and support other programs. Those courses also have minimal prerequisites, thereby avoiding hidden requirements. Through careful course selection in each area, the students will develop cognate strands related to business, communications, or the social sciences. A sampling of these "cognate strands" follows the table of curricular requirements below. Careful advising will also insure that all Ohio University general education requirements are met, and on-going consultation with the departments housing courses relevant to this degree will be conducted.

BACHELOR OF TECHNICAL AND APPLIED STUDIES DEGREE REQUIREMENTS

Technical requirement:

Associate Degree (completion or equivalent) 96 hrs
 Technical Component (36-45 hrs)

General Education requirements (beyond Associate's Degree) 24-36 hrs

BTAS Major requirements: 50-56 hrs

Area I – Professional Skills (choose 3 courses, two from A and one from B)

- A. BTAS Transition Course (required)
 BTAS Research for Technical and Applied Studies (required)
- B. See proposed course list below

Area II – Cultural, Political, and Social Issues (choose 5 courses, at least one each from A, B, and C)

- A. See proposed course list below
- B. See proposed course list below
- C. See proposed course list below

Area III – Behavioral Sciences (choose 2 courses, one each from A and B)

- A. See proposed course list below
- B. See proposed course list below

Area IV – Leadership and Organization (Choose 3 courses, one from A and two from B)

- A. BTAS Capstone Seminar (required)
- B. See proposed course list below

Electives to meet the minimum degree requirements 4-22 hrs

Course Lists

Area I – Professional Skills (choose 3 courses, two from A and one from B):

A.	BTAS	301	Introduction to Technical and Applied Studies	4
	BTAS	421	Research for Technical and Applied Studies	4
B.	COMS	205	Techniques of Group Discussion	4
	COMS	206	Communication in Interpersonal Relationships	4
	COMS	304	Principles and Techniques of Interviewing	4
	JOUR	270	Introduction to Public Relations	4
	PSY	221	Statistics for the Behavioral Sciences	5

Area II: Cultural, Political, and Social Issues. Five courses, at least one each from A, B, & C:

A.	BUSL	255	Business Law	4
	COMS	410	Cross-Cultural Communication	4
	ECON	340	International Trade	4
	ECON	350	Economic Development	4
	GEOG	320	American Ethnic Geography	4
	PHIL	330	Ethics	5
	PSY	378	Psychology of Gender	4
	SOC	329	Race and Ethnic Relations in the United States	4

B.	ECON	320	Labor Economics	4
	GEOG	325	Political Geography	4
	PBIO	311	Biology and Human Affairs	4
	POLS	306	Politics of Appalachia	5
	POLS	488	Public Dispute Resolution	4
	SOC	331	Class and Social Inequality	4
C.	ECON	304	Macroeconomics	4
	GEOG	201	Environmental Geography	
	GEOL	215	Environmental Geology	4
	HIST	315D	African Americans in American History, 1940-Present	4
	HRM	324	Managing the Employment Relationship	4
	PHIL	235	Business Ethics	4
	PSY	337	Social Psychology of Justice	4
	SOC	309	Sociology of Appalachia	4

Area III: Behavioral Sciences. Choose two courses, one each from A and B:

A.	AAS	254	History of Injustice in the United States	5
	COMS	304	Principles and Techniques of Interviewing	4
	COMS	306	Interpersonal Conflict Management	4
	COMS	342	Communication and Persuasion	4
	EDCE	410	Human Relations	3
	PSY	233	Psychology of Personality	4
	PSY	261	Survey of Industrial and Organizational Psychology	4
	SOC	340	Population and Society	4
B.	AAS	341	African American Personality	4
	COMS	406	Advanced Interpersonal Communication	4
	COMS	411	Communicating with People with Disabilities	4
	COMS	420	Gender and Communication	4
	EDCE	440	Foundations in Group Dynamics	4
	PSY	336	Social Psychology	4
	PSY	374	Psychology of Adulthood and Aging	4

Area IV: Leadership & Organization. Three courses, one from A and two from B:

A.	BTAS	451	Technical and Applied Studies Capstone Seminar	4
	COMS	405	Meeting and Conference Planning	4
	FIN	301	Introduction to Finance	4
	MGT	240	Introduction to Management and Organizations	4
	MKT	202	Marketing Principles	4
	OPN	300	Fundamentals of Operations	4
	POLS	210	Principles of Public Administration	4
	POLS	489	Nonprofit Management	4

BACHELOR OF TECHNICAL AND APPLIED STUDIES

FOUNDATION COURSES

12 credit hours; 4 credit hours each

BTAS 301 Introduction to Technical and Applied Studies

This course will introduce technical associate degree holders to professional studies through an examination of program requirements and goals. The historical overview of the development of various technologies and their influence on Western Civilization will lead to the consideration of the nature of technology and its many societal functions. Within that historical and theoretical context, students will be introduced to various management technologies and theories of leadership, and will be required to assess their individual beliefs and skills.

BTAS 421 Research for Technical and Applied Studies

Prereq: BTAS 301. This course emphasizes both an understanding of research methods and the development of the critical skills necessary to interpret and to convey research results. In addition to analyzing research methods, the students will examine current technological applications designed to aid the conduct and evaluation of research. Students will analyze research reports and methodologies, and apply their findings in order to complete research projects in areas of related interest.

BTAS 451 Technical and Applied Studies Capstone Seminar

Prereq: 301 and 421. A capstone for the BTAS Degree, this course requires the integration and application of professional knowledge, skills, and technologies in order to complete a professional project for a business, industry, or community organization.

Curriculum Paths for Prospective Bachelor of Technical and Applied Studies Majors

Examples of suggested advising "threads" for prospective BTAS majors are presented below. Other threads can be developed in consultation with an advisor. Specific soft skills that are necessary for professionals and managers in the 21st Century (e.g. ethics, interpersonal skills, diversity, business, and managerial) should also be developed in consultation with an advisor.

Business-related:

Area I:	A. BTAS 301 - BTAS 421 - B. PSY 221 -	Introduction to Technical and Applied Studies Research for Technical and Applied Studies Statistics for the Behavioral Sciences
Area II:	A. COMS 410 - B. ECON 320 - POLS 488 - C. PHIL 235 -	Cross-Cultural Communication Labor Economics Public Dispute Resolution Business Ethics
Area III:	A. PSY 261 - B. COMS 406 - or EDCE 440 -	Survey of Industrial and Organizational Psychology Advanced Interpersonal Communication Foundations in Group Dynamics
Area IV: (2 of 4)	A. BTAS 451 - B. FIN 300 - MGT 240 - MKT 202 - OPN 300 -	Technical and Applied Studies Capstone Seminar Introduction to Finance Intro to Management and Organizations Marketing Principles Fundamentals of Operations

Facilitation/Leadership-related:

Area I:	A. BTAS 301 - BTAS 421 - B. COMS 205 -	Introduction to Technical and Applied Studies Research for Technical and Applied Studies Techniques of Group Discussion
Area II:	A. COMS 410 - SOC 329 - B. PBIO 311 - POLS 488 - C. HRM 324 -	Cross-Cultural Communications Race and Ethnic Relations in the United States Biology and Human Affairs Public Dispute Resolution Managing the Employment Relationship
Area III:	A. COMS 304 - or COMS 306 - or EDCE 410 - B. COMS 411 - or COMS 420 - or EDCE 440 -	Principles and Techniques of Interviewing Interpersonal Conflict Management Human Relations Communicating with People with Disabilities Gender and Communications Foundations in Group Dynamics
Area IV:	A. BTAS 451 - B. COMS 405 - MGT 240 -	Technical and Applied Studies Capstone Seminar Meeting and Conference Planning Introduction to Management and Organizations

**Proposed Amendments to Student Code of Conduct:
Policy Section**

RESOLUTION 2004 - 1949

WHEREAS, *The Ohio University Student Code of Conduct: Review and Standards Committee* has completed a thorough review of the Ohio University Student Code of Conduct: Policy Section, and

WHEREAS, the Review and Standards Committee has proposed a number of revisions that ensure that the Student Code of Conduct: Policy Section is contemporary and sufficiently allows the University the ability to address the wide range of student conduct issues facing the University, and

WHEREAS, these proposed revisions ensure that the Student Code of Conduct: Policy Section provides clear notice of University expectations for student and student organization conduct and that these expectations are easily understandable to the broad range of constituents it is intended to serve, and

WHEREAS, the proposed revisions ensure that the Student Code of Conduct: Policy Section effectively balances legal requirements of fairness and due process with the philosophy of educational discipline.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees accepts and adopts the proposed revisions to the Student Code of Conduct: Policy Section for implementation for the 2004-05 academic year.



OHIO UNIVERSITY

Office of the Vice President
For Student Affairs

Date: June 14, 2004

To: Robert Glidden, President

From: Michael Sostarich, Vice President for Student Affairs *Michael Sostarich*

Subject: Proposed Amendments to Code of Conduct: Policy

Attached is a proposal from the Ohio University Student Code of Conduct: Review and Standards committee recommending revisions to the Ohio University Student Code of Conduct: Policy Section.

The proposal includes the current Student Code of Conduct Policy Section as well as the corresponding Proposed Student Code of Conduct Policy Section. The proposal also includes an associated document that details the rationale for substantive proposed revisions.

I concur with the recommendations of the committee and suggest that this proposal be presented to the Board of Trustees for action at their June meeting.

Attachments



OHIO

UNIVERSITY

Date: June 14, 2004

To: Michael Sostarich, Vice President for Student Affairs

From: Richard Carpinelli, Assistant Vice President for Student Affairs

Re: Proposed Amendments to Code of Conduct: Policy

The Ohio University Student Code of Conduct: Review and Standards Committee composed of students, administrators, faculty, and university legal counsel appointed by the President through the University Committee on Committees met weekly throughout the academic year to continue and complete a thorough review of the Student Code of Conduct that began during the 2002-03 academic year.

The committee approached its review with the simple goal of making the current Code of Conduct, which has served the University community well for more than 20 years, even better. Specifically, the committee focused on the following:

- Ensuring that Code Policy is contemporary and sufficient to allow the University the ability to address the wide range of student conduct issues currently facing the University;
- Ensuring that Code Policy provides clear notice of University expectations for student and student organization conduct and that it is easily understandable to the broad range of constituents it is intended to serve; and
- Ensuring that Code Policy effectively balances legal requirements of fairness and due process with the philosophy of educational discipline.

Attached for your review is a document that details the work of the Review and Standards Committee. For comparative purposes, the document is organized to include the current Student Code of Conduct Policy Section on the left and the corresponding Proposed Student Code of Conduct Policy

on the right. Also attached is an associated document that details the rationale for substantive proposed revisions.

Proposed revisions can be categorized into three levels. The first level involves simple grammatical revisions that do not impact the substance of policy. These proposed revisions, therefore, are not highlighted in the Proposed Code of Conduct Policy Section. The second level involves syntactical or word choice revisions and are highlighted in italics in the Proposed Student Code of Conduct Policy Section. The third level involves proposed revisions that are substantive in nature. These proposed revisions, too, are noted in italics in the Proposed Code of Conduct Policy Section and are detailed in the associated rationale document.

As chair of the Review and Standards Committee, I am pleased to report the committee's unanimous endorsement of the revisions in the attached Proposed Code Policy document. It is with this endorsement that I strongly recommend you accept this proposal and forward it to the President and the Board of Trustees for final approval and adoption for the 2004-05 academic year.

On behalf of the committee, I thank you in advance for your consideration of this proposal.

Attachments

- xc: Members of the Review and Standard Committee
- Michael Hess, Assistant Coordinator, Residence Life
 - Peter Johnson, Professor, Biomedical Sciences
 - Brandon Linville, Student
 - Barbara Nalazek, Assistant Director, Legal Affairs
 - Judith Piercy, Director, University Judiciaries
 - Dan Rye, Student
 - Jamie Walter, President, Student Senate
 - Katie Wells, Director, Students Defending Students

Current Student Code of Conduct- Policy Section

Purpose

The university has a clear responsibility in the area of student conduct to protect and promote the pursuit of the Ohio University goals. Students are expected to obey federal, state, and local laws, and in addition, must abide by the rules and regulations of the university. The Student Code of Conduct sets forth those acts which constitute unacceptable conduct for graduate and undergraduate students of the university while on university-owned or controlled property. All alleged violations of the Student Code of Conduct may result in referral to the director of judiciaries.

The university does, in addition, reserve the right, for educational purposes, to review any action taken by civil authorities regarding students. Although ordinarily the university will not impose further sanctions after law enforcement agencies have disposed of the case, it does have the obligation to introduce counseling and/or disciplinary action if the student's conduct has interfered with the university's exercise of its educational objectives or responsibilities to its members. Disciplinary action taken on this basis shall conform to the terms of the Student Code of Conduct, including appeal.

Ohio University supports the concept of educational discipline. When a student is not a danger to the university community, or when a repetition of misconduct is unlikely, the university will make an effort to educate the student through a sanction; but should the student demonstrate unwillingness to obey the rules governing conduct, he or she will be treated the same as one who has failed academically and may be separated from the university.

Proposed Student Code of Conduct- Policy Section

Section 1: Purpose

The university has a clear responsibility in the area of student conduct to protect and promote the pursuit of the Ohio University goals. *In keeping with Ohio University's commitment to the intellectual and personal growth of students within a learning-centered community, students and student organizations are expected to be responsible members of the community by complying with federal, state, and local laws, and in addition, must abide by the rules and regulations of the university.*

The Ohio University Student Code of Conduct sets forth community expectations for Ohio University students and *student organizations* as well as those behaviors, *occurring both on or off campus*, which constitute unacceptable conduct for graduate and undergraduate students of the university. *Students and student organizations* are responsible for conducting themselves in accordance with the student code of conduct at all times. The university does, in addition, reserve the right, for educational purposes, to review any action taken by civil authorities regarding students' *behavior*. All alleged violations of the student code of conduct may result in referral to the director of University Judiciaries.

The student code of conduct is rooted in the philosophy of educational discipline. The judicial process is a learning experience that spans a continuum beginning with understanding community expectations, to

being confronted for behaviors not in keeping with these expectations, through the formal adjudication of alleged violations, and, finally, through delivery and completion of sanctions as warranted. The university makes an effort to educate students and student organizations found in violation of the student code of conduct through a sanction while remaining at the university. However, when a student or student organization is assessed to be a danger to the university community or reputation of the university, or when a repetition of misconduct is likely to occur, the student or student organization will be treated the same as one who has failed academically and may be separated from the university.

Although the university will make every reasonable effort to make the published code of conduct available to students and student organizations, students and student organizations are equally responsible for becoming familiar with the expectations, policies, and procedures contained in the student code of conduct. Questions regarding the code of conduct can be addressed to University Judiciaries, Beckley Building - Suite D, 593-2629.

Community Expectations

Ohio University has long celebrated its commitment to being an academic community. This legacy includes care, cooperation, and an adherence to standards of behavior for all invited to be part of the community. In order for this community to flourish, the following expectations of behavior have been established:

- a. A residential university brings educational activity and living arrangements together as a coherent whole on a campus. Given this close and constant interaction, the life of Ohio University requires acceptance of responsible conduct by individuals in the community as a necessary condition for continued membership in the community.

Section 2: Community Expectations

Ohio University has long celebrated its commitment to being an academic community. This legacy includes care, cooperation, and an adherence to standards of behavior for all invited to be part of the community. In order for this community to flourish, the following expectations of behavior have been established:

1. *Ohio University and surrounding communities* bring educational activity and living arrangements together as a coherent whole. Given this close and constant interaction, Ohio University expects responsible conduct by *students and student organizations both on and off the campus* as a necessary

- b. Students are expected to be responsible members of a diverse community, and to honor and respect differences of culture, lifestyles, and religions.
- c. Academic integrity and honesty are basic values of the university. Students are expected to follow standards of academic integrity and honesty.
- d. The university community is an open forum involving the free exchange of ideas and opinions. For exchange to occur, there must be a continuous acceptance of freedom of expression and civility in disagreement.
- e. The campus, its grounds, facilities, and equipment are provisions largely from the people of Ohio for students at Ohio University. Students are expected to protect and guard these resources of the library, residence halls, classroom buildings, laboratories, and the campus as a whole.

The Student Code of Conduct Policy and Procedure as described in the Student Handbook, provides the mechanism by which failure to meet these expectations will be addressed. Questions regarding the Code of Conduct can be addressed to University Judiciaries, Beckley Building - Suite D, 593-2629.

Student Code of Conduct

The following acts are defined by The Ohio University Board of Trustees to be unacceptable. A student who commits several offenses at one time will have one hearing.

Code A Offenses. A student found to have violated any of the following regulations will be subject to a maximum sanction of expulsion, or any sanction not less than a reprimand. Being under the

condition for continued membership *at Ohio University*.

- 2. Students and student organizations are expected to be responsible members of a diverse community, and to honor and respect differences of culture, lifestyle, and religion.
- 3. Academic integrity and honesty are basic values of the university. Students and student organizations are expected to follow *student code of conduct* standards of academic integrity and honesty.
- 4. The university community is an open forum involving the free exchange of ideas and opinions. For exchange to *occur* there must be a continuous acceptance of freedom of *ideas and* expression and civility in disagreement.
- 5. The *Ohio University* campus, its grounds, facilities, and equipment are provisions largely from the people of Ohio for students at Ohio University. Students and student organizations are expected to *respect and use responsibly* these resources of the library, residence halls, classroom buildings, laboratories, and the campus as a whole.

Section 3: Student Code of Conduct

The following acts are defined by The Ohio University Board of Trustees to be unacceptable.

A. Code A Offenses

A student or student organization found to have violated any of the following *offenses* will be subject to *the full range of sanctions*

influence of drugs and/or alcohol does not diminish or excuse a violation of the Student Code of Conduct.

(This section was originally in a different numerical order. It is reordered for easier comparison. The original number is in parentheses after the title of the offense.)

Academic Misconduct (1) - Includes cases of cheating and plagiarism. Cheating implies dishonesty or deception in fulfilling academic requirements. Plagiarism involves the presentation of some other person's work as if it were the work of the presenter. A faculty member has the authority to grant a failing grade in cases of academic misconduct as well as referring the case to the director of judiciaries.

Dishonesty (2)- (a) Furnishing false information to the university by forgery, alteration, or misuse of, among other things, university documents or records; (b) furnishing to the university a written or oral false statement; (c) furnishing false identification to a university official.

Mental or Bodily Harm (6)* - Acts covered by this section include but are not limited to: (i) intentionally inflicting mental or bodily harm upon any person; (ii) taking any action for the purpose of inflicting mental or bodily harm upon any person; (iii) taking any reckless, but not accidental, action from which mental or bodily harm could result to any person; (iv) causing a person to believe that the offender may cause mental or bodily harm; (v) sexual assault; (vi) any act which demeans, degrades, disgraces any person, e.g., hazing; (vii) abuse of alcohol or other drugs in a manner which contributes to mental or bodily harm. (*"any person" as used in this section may include one's self.)

(reprimand, disciplinary probation, suspension, or expulsion). Being under the influence of drugs and/or alcohol does not diminish or excuse a violation of the student code of conduct.

1. **Academic Misconduct** - *Dishonesty or deception in fulfilling academic requirements. It includes, but is not limited to cheating, plagiarism, unpermitted collaboration, forged attendance (when attendance is required), fabrication (e.g., use of invented information or falsification of research or other findings), using advantages not approved by the instructor (e.g., unauthorized review of a copy of an exam ahead of time), knowingly permitting another student to plagiarize or cheat from one's work, or submitting the same assignment in different courses without consent of the instructor. Note: An instructor may impose a grade penalty for academic misconduct and/or file a judicial referral.*
2. **Dishonesty** - Conduct covered by this offense includes but is not limited to:
 - a. furnishing false information to the university by forgery, alteration, or misuse of documents or records;
 - b. furnishing to the university a written or oral false statement;
 - c. furnishing false identification to a university or civic official.
3. **Mental or Bodily Harm to Self** - *Conduct that causes harm or has the potential to harm one's self. Conduct covered by this offense includes but is not limited to:*
 - a. *intentionally inflicting mental or bodily harm upon one's self;*
 - b. *taking reckless, but not accidental, action from which mental or bodily harm could result to ones self, (e.g., abuse of alcohol or other drugs).*

Discrimination (7)- Intentional unequal treatment of a person on the basis of race, age, sex, creed, religion, national origin, disability, or sexual orientation.

Disruption/Obstruction (4)- Obstructing or interfering with university functions or any university activity.

Civil Disturbance (5)- Any conduct which involves disturbing the peace of the university and/or the City of Athens community during or in conjunction with a civil disturbance. Disturbing the peace under such circumstances can be defined as, but is not limited to, disorderly conduct, failure to comply with the directives of law enforcement or university officials, failure to comply with an order of dispersal and other such conduct which can reasonably be construed to involve disturbing the peace and good order of the university and City of Athens community during such an occurrence.

4. ***Mental or Bodily Harm to Others*** - Conduct that causes harm or has potential to harm another. Conduct covered by this offense includes but is not limited to:
- a. *intentionally inflicting mental or bodily harm upon any person;*
 - b. *attempting to inflict mental or bodily harm upon another person;*
 - c. *taking any reckless, but not accidental, action from which mental or bodily harm could result to another person;*
 - d. *causing a person to believe that the offender may cause mental or bodily harm;*
 - e. *sexual assault;*
 - f. *any act which demeans, degrades, disgraces any person;*
 - g. *coercing another to engage in an act of membership in a student organization that causes or creates a risk of mental or bodily harm to any person (e.g. hazing).*

5. **Discrimination** - *Civilly, criminally, or administratively prohibited* unequal treatment of a person on the basis of race, age, gender, creed, religion, national origin, ability, veteran status, or sexual orientation.

6. **Disruption/Obstruction** - Obstructing or interfering with university functions or any university activity.

7. **Civil Disturbance** - Conduct which involves disturbing the peace in conjunction with a civil disturbance. Disturbing the peace under such circumstances can be defined as, but is not limited to, disorderly conduct, failure to comply with the directives of law enforcement or university officials, failure to comply with an order of dispersal and other such conduct which can reasonably be construed to involve disturbing the peace and good order of the community during such an occurrence.

False Report of Emergency (12)- Causing, making or circulating a false report or warning of fire, explosion, crime, or other catastrophe.

Destruction of Property (8)- Intentionally or recklessly, but not accidentally, damaging, destroying, defacing, or tampering with university property or the property of any person or business.

Theft (9)- Theft of property or services of the university, or any other person or business.

Possession of Stolen Property (10)- Possessing property known to be stolen that may be identified as property of the university, or any other person or business.

Forcible Entry to Trespass (11)- Forcible or unauthorized entry into any building, structure, or facility or unauthorized entry to or use of university grounds.

Possession of Dangerous Weapons or Materials (14)- Unauthorized possession of a dangerous weapon or material of any type or description, including, but not limited to, firearms, compressed-air guns, pellet guns, BB guns, illegal knives, explosive devices, incendiary devices, fireworks, ammunition, or any other dangerous "ordinance" as defined by Ohio law.

Manufacture, Distribution, Sale, Offer for Sale, or Possession of Drugs or Narcotics (15)- The manufacture, distribution, sale, offer for sale, or possession of any illegal drug or narcotic, including barbiturates, hallucinogens, amphetamines, cocaine, opium, heroin, or marijuana except as defined by Section B6.

8. **False Report of Emergency -** Causing, making or circulating a false report or warning of fire, explosion, crime, or other catastrophe.

9. **Destruction of Property -** Intentionally or recklessly, but not accidentally, damaging, destroying, defacing, or tampering with university property or the property of any person or business.

10. **Theft or Possession of Stolen Property or Service - Conduct covered by this offense includes but is not limited to:**
a. taking without consent the property or service of the university, another person, business, or organization;
b. possessing property that can reasonably be determined to have been stolen from the university, another person, business, or organization.

11. **Trespassing -** Forcible or unauthorized entry into any university, public, or private facility, room, or grounds.

12. **Possession of Dangerous Weapons or Materials -** Unauthorized possession of a dangerous weapon or material, including, but not limited to, firearms, compressed-air guns, pellet guns, BB guns, illegal knives, explosive devices, incendiary devices, fireworks, ammunition, or any other dangerous ordnance as defined by Ohio law.

13. **Manufacture, Distribution, Sale, Offer for Sale, Possession, or Misuse of Drugs or Narcotics - Conduct covered by this offense includes but is not limited to:**
a. manufacture, distribution, sale, offer for sale, possession, or use of any illegal drug or narcotic, including but not limited

Violation of Criminal Law (16)- Alleged violation of any criminal law where the student's conduct interferes with the university's exercise of its educational objectives or responsibilities to its members.

Misuse or Abuse of Computers (18)- Misuse or abuse of any computer system, service, program, data, network, cable television network, or communication network.

Misuse of Safety Equipment (13)- Unauthorized use or alteration of firefighting equipment, safety devices, or other emergency safety equipment.

Aiding or Abetting (17)- Helping, procuring, or encouraging another person to engage in the violation of a Code A offense.

Violation of Probation (3)- Violation of the Student Code of Conduct while on probation, or violation of the terms of that probation.

to barbiturates, hallucinogens, amphetamines, cocaine, opium, heroin, or marijuana except as defined by *offense B-6*;

- b. *misuse or abuse of legal drugs or narcotics;*
- c. *possession of a device (drug paraphernalia) that has been used to ingest an illegal drug or narcotic, other than marijuana as defined in offense B-6.*

14. Violation of Criminal Law - Alleged violation of any *federal, state, or local* criminal law where the conduct of a student or *student organization* interferes with the university's exercise of its educational objectives or responsibilities.

15. Misuse or Abuse of Computers or Computer Networks - Misuse, alteration, tampering with, or abuse of any computer, computer system, service, program, data, network, cable television network, or communication network including telephone or computer lines and wireless networks. (*See Ohio University Policy and Procedures 91.003: Computer and Network Use Policy.*)

16. Misuse of Safety Equipment - Unauthorized use or alteration of firefighting equipment, safety devices, or other emergency safety equipment.

17. Aiding or Abetting - Helping, procuring, or encouraging another person to engage in the violation of a Code A offense.

18. Violation of *Disciplinary* Probation - Violation of the student code of conduct while on *disciplinary* probation, or violation of the terms of one's probation.

Code B Offenses. A student found to have violated any of the following regulations will be subject to a maximum sanction of disciplinary probation, or any sanction not less than a reprimand. Being under the influence of drugs and/or alcohol does not diminish or excuse a violation of the Student Code of Conduct. (See policy regarding misuse of drugs and alcohol and use of illegal drugs.)

1. **Unauthorized Use of Property or Service** - Unauthorized use of property or services or unauthorized possession of university property or the property of any other person or business.
2. **Disturbing the Peace**- Disturbing the peace and good order of the university by, among other things, fighting, quarreling, or being intoxicated.
3. **Failure to Comply or Identify** - Failure to comply with directions of university officials, police, or any other law enforcement officers acting in the performance of their duties, or to identify one's self to these persons when requested to do so.
4. **Unauthorized Use of University Keys** - Unauthorized use, distribution, duplication, or possession of any key(s) issued for any university building, laboratory, facility, or room.
5. **Misuse of Identification** - Transferring, lending, borrowing, or altering university identification.
6. **Possession of Marijuana** - Possession of marijuana when such possession would constitute a minor misdemeanor.

B. Code B Offenses

A student or student organization found to have violated any of the following *offenses* will be subject to a sanction of *reprimand* or disciplinary probation. Being under the influence of drugs and/or alcohol does not diminish or excuse a violation of the student code of conduct.

1. **Unauthorized Use of Property or Service** - Unauthorized use of property or service or unauthorized possession of university property or the property of any other person, organization, or business.
2. **Disturbing the Peace** - Disturbing the peace and good order of the university *and surrounding communities*.
3. **Failure to Comply** - *Conduct covered by this offense includes but is not limited to:*
 - a. failure to comply with *legitimate directives* of university officials (*including residence life staff*), law enforcement or emergency personnel in the performance of their duties (e.g. failure to identify one's self when so requested);
 - b. *violation of the terms of a disciplinary reprimand.*
4. **Unauthorized Use of University Keys or Other Access Devices** - Unauthorized use, distribution, duplication, or possession of any key or *other access device* issued for any university building, *structure, room, or facility*.
5. **Misuse of Identification** - Transferring, lending, borrowing, or altering university identification.
6. **Possession or Use of Marijuana** - *Conduct covered by this offense includes but is not limited to:*

- a. possession of marijuana when such possession would constitute a minor misdemeanor;
- b. *use of marijuana*;
- c. *possession of a device (drug paraphernalia) that has been used to ingest marijuana.*

7. Unauthorized Use of Alcoholic Beverages - (a) Possession or consumption of alcoholic beverages except during events or in circumstances authorized by university officials; (b) failure to comply with state or university regulations regarding use or sale of alcoholic beverages.

8. Violation of Rules Regarding Residence Halls and Dining Facilities - Violation of the Housing Contract or published rules and regulations of university residence halls and dining facilities, including visitation and quiet hours.

9. Aiding or Abetting - Helping, procuring, or encouraging another person to engage in a Code B offense.

Sanctions

A student admitted to Ohio University accepts the responsibility to conform to all Ohio University rules and regulations. Proven failure to meet this obligation will justify appropriate disciplinary sanctions, including expulsion, suspension, disciplinary probation, or reprimand. Although the university will make every reasonable effort to make the rules and regulations available, students are responsible for becoming familiar with them. The various misconduct sanctions are defined as follows:

1. **Expulsion** prohibits the student from ever attending Ohio University and from being present without permission on the property of the main campus or any regional campus of Ohio

7. Unauthorized Use of Alcoholic Beverages - *Violation of state law or university regulations in accordance with the use or sale of alcoholic beverages. (See Ohio University Policy and Procedure 24.001: Use/Sale of Alcoholic Beverages on Ohio University Property and in Fraternity/Sorority Housing Units).*

8. Violation of Rules Regarding Residence Halls and Dining Facilities - Violation of the Ohio University Housing Contract, Guide to Residential Living, or other published rules and regulations of university residence halls and dining facilities.

9. Aiding or Abetting- Helping, procuring, or encouraging another person to engage in a Code B offense.

Section 4: Sanctions

Students *and student organizations* of Ohio University accept the responsibility to *abide by* all Ohio University *policies*. Proven failure to meet these obligations will justify appropriate disciplinary sanctions. *Disciplinary* sanctions are defined as follows:

1. **Reprimand** is an official notification of *unacceptable* behavior and a *violation of the student code of conduct*. Any further misconduct may result in *more serious* disciplinary *sanctions*.

University. Expulsion will be noted on the student's permanent record.

2. Suspension prohibits the student from attending Ohio University and from being present without permission on the property of the main campus or any regional campus for the duration of the sanction, which shall not exceed a period of more than one calendar year following its effective date. The director of judiciaries will determine the effective date of the sanction. If required by the sanction, students who have been suspended must petition for reenrollment through the director.
3. Disciplinary Probation indicates to a student that his or her behavior has resulted in a sanction close to suspension. It is imposed for a definite period of time. Any further misconduct on the student's part when on probation may result in his or her suspension from the university. Disciplinary probation may place specific restrictions and extra requirements on the student. These conditions will vary with each case and may result in restriction from participating in intercollegiate athletics, extracurricular and residence life activities, or involve requirements not academically restrictive in nature and which are consistent with the philosophy of educational discipline. A student may be required to meet periodically with a person designated by the director.
4. Other Sanctions. Hearing authorities may impose appropriate sanctions with or without probation, including restrictions on right of access to campus facilities, reasonable monetary fines, monetary payments for purposes of restitution because of damage or misappropriation of university or university community member's property, or a disciplinary room change.

2. **Disciplinary Probation** is a conditional status imposed for a designated period of time. Further violation of the student code of conduct while on probation will be viewed not only as a violation based upon the act itself, but also as an A-18 (Violation of Disciplinary Probation) which may result in further action up to and including suspension or expulsion. Disciplinary probation may place specific restrictions on the student or student organization. These may vary with each case and may include restriction from participating in intercollegiate athletics, extracurricular and/or residence life activities.

3. **Suspension** is the loss of privileges of enrollment at Ohio University for a designated period of time and prohibits a student from being present without permission on the property of any campus of Ohio University. A student's suspension shall not exceed one calendar year following the effective date of the sanction.

A student organization's suspension is a temporary revocation of university recognition. A student organization suspension will not exceed five years.

Suspension may be considered for A level offenses.

4. **Expulsion** is the permanent loss of privileges of enrollment at Ohio University and prohibits a student from ever being present without permission on the property of any campus of Ohio University. Expulsion will be noted on the student's permanent record.

A student organization's, expulsion is the permanent revocation of university recognition.

5. Reprimand is an official notification to the student that his or her behavior has been unacceptable. Any further misconduct may result in further disciplinary action.
6. Statements of Concern. Resident directors and other authorized officials of the residence life staff may issue statements of concern, without a hearing, to a student for violation of Code B offenses. Such statements will be placed in the student's official disciplinary file and may be a basis for further disciplinary referrals. This sanction is subject to review by the green coordinator and/or the director of judiciaries.

Note: In any case a hearing authority may impose a sanction less than that specified for a given code category.

Presidential Interim Suspension

1. At any time when the actions of a student(s) threaten the good order and discipline of the university, the dean of students will

Expulsion may be considered for A level offenses.

The sanction of expulsion is the only judicial sanction reflected on a student's official academic transcript.

Note: Other areas of the university, such as academic units, student employment, and student activities, may place specific restrictions on students or student organizations who are on disciplinary sanctions. Notification of a sanction will be made in accordance with Ohio University Student Code of Conduct Section 12: Release of Disciplinary Records.

Section 5: Conditions of Sanction

As a component of a disciplinary sanction, hearing authorities may impose conditions that are educational in nature and reflect the nature and gravity of the offense. Conditions of a sanction may include, but are not limited to, educational seminars, reflective essays, restrictions on right of access to campus facilities and programs, restitution for damage, and room changes.

Section 6: Statement of Concern

Hearing authorities may issue a statement of concern for alleged violations of the student code of conduct in lieu of filing a formal judicial referral. A student or student organization has the right to respond in writing to the statement of concern. Such statements will be placed in the disciplinary file and may be a basis for further disciplinary referrals.

Section 7: Presidential Interim Suspension

When the actions of a student threaten the good order and discipline of the university, the president may interinely suspend the student,

provide the president with information of (a) the events causing the threat to exist, (b) the name(s) of student(s) and actions allegedly violating university regulations, and (c) a statement of the university regulations allegedly violated by the student(s).

2. Thereafter, the president may intermily suspend the student(s), pursuant to Section 3345.24(B) of the Revised Code, pending a prompt hearing by the University Hearing Board. The president will also determine whether the intermily suspended student(s) may or may not remain on university property pending the completion of the hearing process.
3. If the president suspends a student(s), the director of judiciaries will immediately notify the student(s) of his or her interim suspension and his or her hearing, according to the policies and procedures of the University Hearing Board, including (a) a statement of the rules and/or regulations the student(s) allegedly violated, (b) a specific statement of the facts constituting the alleged violation, (c) the time and place of the hearing, and (d) a statement of the policies and procedures of the University Hearing Board.
4. A hearing shall be held within a reasonable time of the receipt of the interim suspension notice, with extensions granted to the student(s) by the director of judiciaries for good cause. If an accused student fails to appear at a scheduled hearing and his or her absence is not excused, the hearing may proceed without him or her.
5. If the decision is to suspend or expel the student(s), the sanction takes effect from the time of the president's decision to intermily suspend him or her. The student(s) has the right to appeal the decision of the hearing board as provided for in the Student Code of Conduct Procedures. If the decision is a lesser sanction, for

pursuant to Section 3345.24(B) of the Ohio Revised Code, pending a prompt hearing by a University Hearing Board. The president will also determine whether the intermily suspended student may or may not remain on university property pending the completion of the hearing process.

1. The *vice president for student affairs* initiates a *presidential interim suspension* by providing the president with information of: a) the events causing the threat to exist; b) the name of the student and actions allegedly violating university regulations; and c) a statement of the university regulations allegedly violated by the student.
2. If the president suspends a student, the director of University Judiciaries will immediately notify the student of the interim suspension and an upcoming procedural interview. The judicial process shall occur expeditiously in accordance with the Ohio University Student Code of Conduct Procedures.
3. If the *final* decision is to suspend or expel the student, the sanction takes effect from the *date* of the *presidential interim suspension*. If the decision is a *reprimand or disciplinary probation*, for purposes of the record, the interim suspension will be deemed not to have occurred. The student has the right to appeal the *final* decision in accordance with the *Ohio University Student Code of Conduct Procedure Section 7: Appeals*.

purposes of the record, the interim suspension will be deemed not to have occurred.

State of Emergency

Pursuant to Section 3345.26 of the Revised Code:

1. The board of trustees or president of a college or university which receives any state funds in support thereof, may declare a state of emergency when there is clear and present danger of disruption of the orderly conduct of lawful activities at such college or university through riot, mob action, or other substantial disorder, and may do any one or more of the following, as are necessary to preserve order and discipline at such college or university during such emergency:
 - Limit access to university property and facilities by any person or persons;
 - Impose a curfew;
 - Restrict the right of assembly by groups of five or more persons;
 - Provide reasonable measures to enforce limitations of access, a curfew, and restrictions on the rights of assembly imposed pursuant to this section.
2. Notice of action taken pursuant to division 1. of this section shall be posted or published in such manner as is reasonably calculated to reach all persons affected.
3. Division of 1.A and 1.B of this section shall not be construed to limit the authority of the board of trustees, president, or other proper official of a college or university to impose

Section 8: State of Emergency

Pursuant to Section 3345.26 of the *Ohio* Revised Code:

1. The board of trustees or president of a college or university which receives any state funds in support thereof, may declare a state of emergency when there is clear and present danger of disruption of the orderly conduct of lawful activities at such college or university through riot, mob action, or other substantial disorder, and may do any one or more of the following, as are necessary to preserve order and discipline at such college or university during such emergency:
 - a. Limit access to university property and facilities by any person or persons;
 - b. Impose a curfew;
 - c. Restrict the right of assembly by groups of five or more persons;
 - d. Provide reasonable measures to enforce limitations of access, a curfew, and restrictions on the rights of assembly imposed pursuant to this section.
2. Notice of action taken pursuant to division 1. of this section shall be posted or published in such manner as is reasonably calculated to reach all persons affected.
3. Division of 1.A and 1.B of this section shall not be construed to limit the authority of the board of trustees, president, or other proper official of a college or university to impose reasonable restrictions on use of and access to, and the hours of

reasonable restrictions on use of and access to, and the hours of use and access to university property and facilities, for purposes of regulating the proper operation of such university, and regardless of whether any emergency exists.

use and access to university property and facilities, for purposes of regulating the proper operation of such university, and regardless of whether any emergency exists.

Amendments to the Student Code of Conduct Policy

Proposed amendments shall be reviewed by the Student Code of Conduct Review and Standards Committee and then submitted to the dean of students for consideration and recommendation to the president. Any proposed change in code policy is subject to presidential approval and formal action by the board of trustees.

Section 9: Amendments to the Student Code of Conduct Policy

Any member of the Ohio University community may propose amendments to the student code of conduct. Proposed amendments shall be reviewed by the Student Code of Conduct: Review and Standards Committee in a timely manner. Amendments approved by the committee will be submitted annually to the vice president for student affairs for consideration and recommendation to the president. Any proposed change in code policy is subject to presidential approval and formal action by the board of trustees.

STUDENT CODE OF CONDUCT POLICY SECTION RATIONALE

6/14/04

<i>Page</i>	<i>Section</i>	<i>Rationale for Proposed Revision</i>
All	All	Throughout the code added, where appropriate, "student organizations" where the term "student" appears to make clear student organization responsibility to the code of conduct.
All	All	Throughout the code, dean of students was changed to vice president for student affairs to reflect the present administrative structure of the division of student affairs.
1-2	Section 1	Purpose more clearly reflects philosophy of Ohio University's judicial system. Includes a clearer description of expectations for off-campus student and student organization behavior.
3-8	Section 3:A	Reordered and clustered similar Code A offenses.
4	Section 3: A-1	Provides a clearer definition and examples of academic misconduct.
4	Section 3: A-3 & A-4	Separates current "Mental or Bodily Harm" offense into two separate violations, "A-3 Mental or Bodily Harm to Self" and "A-4 Mental of Bodily Harm to Others."
5	Section 3: A-5	Expands groups institutionally protected from discrimination.
5	Section 3: A-7	Removes "City of Athens" to broaden the university's ability to hold students accountable for off-campus misconduct beyond only the Athens community.
6	Section 3: A-10	Combines "Theft" and "Possession of Stolen Property offenses given their similarity.
6	Section 3: A-11	Changes "Forcible Entry to Trespass" to "Trespassing" to reflect the broader nature of the offense and expanded the definition of offense.
7	Section 3: A-13	Drug paraphernalia is not specified in current code. Proposed change prohibits drug paraphernalia used for drugs other than marijuana as defined in offense B-6. Also, adds "misuse or abuse of legal drugs or narcotics."

7	Section 3: A-15	Defines criminal law as federal, state or local laws and specifically references applicability of this offense to student organizations.
7	Section 3: A-15	References and hyperlinks to the university policy and procedure regarding computer and network use.
8	Section 3: A-18	Adds the word, "disciplinary" to avoid confusion with academic probation.
8	Section 3: B-2	Adds "surrounding communities" to clarify student and student organization responsibility for off-campus misconduct.
8	Section 3: B-3	Adds the phrase "legitimate directives" to clarify expectations of offense and adds "violation of disciplinary reprimand" to clarify a use of the offense not currently included in the code.
8	Section 3: B-4	Expands definition beyond traditional "keys" to include newer technologies.
9	Section 3: B-6	Drug paraphernalia is not specified in current code. Proposed change prohibits drug paraphernalia used to ingest marijuana. Also, expands offense to prohibit the "use" of marijuana.
9	Section 3: B-7	References and hyperlinks to the university alcohol policy to provide more specific information about its contents to students and student organizations.
9	Section 3: B-8	References and hyperlinks the <i>Housing Contract</i> and <i>Guide to Residential Living</i> to provide more specific information about their contents to students and student organizations.
9-11	Section 4	Sanctions are reordered and more clearly defined. Since "expulsion" is the only judicial sanction noted on a student's academic transcript, it is important to notify students of this procedure in writing in the code of conduct. Makes clear that student organization suspension is limited to a maximum of five years and that expulsion is a legitimate sanction for student organizations. Adds language that other areas of the university, with a "legitimate educational interest," as defined by the Family Educational Rights and Privacy Act, may review judicial records and, as a result, may place special restrictions on students.

11	Section 5	"Other Sanctions" is currently listed as a separate sanction, which is not the current practice. Makes clear that "other sanctions" are "conditions of sanctions" which are requirements designed to enhance educational outcomes of sanctions.
11	Section 6	"Statements of Concern" is currently listed as a separate sanction, which is not the current practice. Makes clear the use and purpose of the statement of concern.
12	Section 7	Provides a more concise description of "Presidential Interim Suspension."
14	Section 9	Clarifies the process for proposing amendments to the student code of conduct. Includes minimum expectations for meeting and reviewing the student code of conduct.

EXECUTIVE COMMITTEE

Board of Trustees and Committee Chairman Walter asked Board Secretary Geiger to review and present matters previously discussed by the committee including trustee appointments, compensation, meeting dates and special recognitions awarded retiring President Robert Glidden.

Mr. Walter moved approval, by consensus, of the resolutions before the committee. Mr. Kidder seconded the motion. Approval was unanimous.

Election of Treasurer – Resolution 2004 – 1950

Election of Secretary – Resolution 2004 – 1951

Election of Vice Chairman – Resolution 2004 – 1952

Election of Chairman – Resolution 2004 – 1953

Compensation for Executive Officers and President– Resolution 2004 – 1954

Meeting Dates through the Year 2004-05 – Resolution 2004 – 1955

Facility Naming and Emeritus Status – Resolution 2004 – Resolution 2004 – 1956

Founders Citation Award for President Robert Glidden – Resolution 2004 – 1957

ELECTION OF TREASURER

RESOLUTION 2004 – 1950

RESOLVED that Larry A. Corrigan be elected Treasurer of Ohio University for the period beginning July 1, 2004, and ending June 30, 2005.

ELECTION OF SECRETARY

RESOLUTION 2004 - 1951

RESOLVED that Alan H. Geiger be elected Secretary for the Board of Trustees for the year beginning July 1, 2004 and ending June 30, 2005.

ELECTION OF VICE CHAIRMAN

RESOLUTION 2004 - 1952

RESOLVED that C. Daniel DeLawder be elected as Vice Chairman of the Board of Trustees for the year beginning July 1, 2004 and ending June 30, 2005.

ELECTION OF CHAIRMAN

RESOLUTION 2004 - 1953

RESOLVED that Robert D. Walter be elected Chairman of the Board of Trustees for the year beginning July 1, 2004, and ending June 30, 2005.

**COMPENSATION FOR EXECUTIVE OFFICERS AND PRESIDENT
2004-2005**

RESOLUTION 2004 – 1954

WHEREAS, in executive session in Committee of the Whole there was a review of the performance of executive officers and a presentation of salary recommendations by the President based on this review, and a discussion of a transition agreement for retiring President Glidden, and

WHEREAS, the Ohio University Board of Trustees in appreciation of Robert Glidden's 10 years of outstanding services as President of Ohio University, grants him the traditional presidential retirement sabbatical through December 2004, and extends the opportunity to be engaged as a consultant for the University in the future if he so chooses.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorize the President to proceed with salaries for executive officers and the President for 2004-2005 as previously agreed.

MEETING DATES FOR SUCCEEDING YEARS

Designation of Stated Meeting Dates for Years Beginning July 1, 2004 and Ending June 30, 2005

RESOLUTION 2004 – 1955

RESOLVED that the following dates, which are Thursday and Friday, be designated the stated meeting dates for the year beginning July 1, 2004, and ending June 30, 2005.

September 9 and 10, 2004	COMMENCEMENT
December 10, 2004 (Retreat/Mini Meeting)	June 10 and 11, 2005
February 10 and 11, 2005	June 9 and 10, 2006
April 14 and 15, 2005	
June 23 and 24, 2005	

RESOLVED further that, if conditions dictate, the Board-Administration Committee be authorized to change the date of the stated meetings.

FACILITY NAMING AND EMERITUS STATUS

RESOLUTION 2004 – 1956

WHEREAS, Dr. Robert Glidden will retire as President of Ohio University on June 30, 2004, and

WHEREAS, Dr. Glidden has provided ten years of exemplary service and visionary leadership as the 19th President of Ohio University, and

WHEREAS, he has overseen significant initiatives including placing computers in every residence hall room; reform of General Education; campus renovations and new construction including Bentley Hall, Grover Center, the Life Sciences Building, Gordy Hall, and Walter Hall, and

WHEREAS, he provided remarkable leadership for the Bicentennial Campaign that surpassed its \$200 million goal and secured private gifts to endow chairs and professorships; fund scholarships and fellowships; ensure technological advancement; support innovative programs; and provide for capital facilities; and

WHEREAS, he is the founding chair of the Council on Higher Education Accreditation, chaired the Inter-University Council, and served on Ohio's Higher Education Funding Commission, and

WHEREAS, he is a gifted administrator, dedicated teacher, and skilled leader, as well as a talented musician

NOW, THEREFORE, BE IT RESOLVED that with gratitude for his outstanding service as President and esteem for his many contributions to Ohio University, the Board of Trustees hereby confers upon Robert Glidden, Ph.D., the status of President Emeritus and to commemorate his excellent work in perpetuity, hereby declares that the School of Music building shall henceforth be known as "Robert Glidden Hall."

FOUNDERS CITATION AWARD

Resolution 2004 – 1957

WHEREAS, the Ohio University Board of Trustees did on the 11th day of April, 2003 reinstitute the awarding of the Founders Citation as part of the planning for the University's Bicentennial year, and

WHEREAS, during this year of celebration, the Board of Trustees has awarded 13 such citations to deserving alumnus who have distinctively served Ohio University, and

WHEREAS, Robert Glidden, Ohio University's 19th President, has provided outstanding leadership over the past decade, including the successful conclusion of the Bicentennial Campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Ohio University Board of Trustees recognizes the exemplary service of Robert Glidden, President, with the presentation of the Founders Citation and Medallion.

BE IT FURTHER RESOLVED, that the Board of Trustees do as hereby declare Ohio University's Bicentennial Year Celebration concluded.

VIII. ANNOUNCEMENT OF NEXT STATED MEETING

Chairman Walter announced the Board of Trustees would meet next on Thursday and Friday, September 9 and 10, 2004 in Athens, Ohio. The inauguration of President Roderick J. McDavis will take place at 2:00 p.m. on Friday, September 10, 2004. Additional information will be forthcoming.

IX. OTHER MATTERS

Chairman Comments – Robert Walter

Chairman Walter closed by complimenting retiring Trustees Stuckey and Ackerman. He noted his appreciation for the appropriateness of Ms. Stuckey's leadership and thanked Dr. Ackerman for her dedication and service as a Trustee and for the forcefulness of her opinions.

Mr. Walter asked those present to stand and thanked retiring President Robert Glidden for his outstanding leadership. He stated no attempt will be made now to top last night's dinner and presentations honoring the Gliddens'. President Glidden responded he and René were grateful for the opportunity to serve Ohio University and that Ohio University will remain an important part of their lives.

X. ADJOURNMENT

Determining there was no further business to come before the Board, Chairman Walter declared the meeting adjourned at 11:35 a.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.

Robert D. Walter
Chairman

Alan H. Geiger
Secretary

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

10:30 a.m., Thursday, June 3, 2004

Ohio University, Athens Campus

Six Trustees were present: Chairman Robert D. Walter, Patricia A. Ackerman, R. Gregory Browning, C. Daniel DeLawder, Larry L. Schey, and C. David Snyder.

Student Trustees Tara Stuckey and Dustin Wood attended as did President Robert Glidden and Secretary Alan H. Geiger. Also present was David R. Wilhelm, chairman, National Alumni Association Board of Directors.

Special guests in attendance were Roderick J. McDavis and his wife, Deborah. Dr. McDavis has been identified by the Board of Trustees as Ohio University's 20th president, succeeding Robert Glidden who is retiring June 30, 2004.

Board of Trustees Chairman Robert Walter warmly thanked retiring President Robert Glidden for the outstanding service he and René have given the University over the past 10 years. The Chairman noted the Trustees were looking forward to properly thanking the Gliddens at the June 24 and 25 Board of Trustee's meeting.

Noting the purpose of the special meeting, Chairman Walter presented the resolution electing Roderick J. McDavis as the 20th president of Ohio University. The motion to second and the vote to elect were by acclamation!

Chairman Walter introduced Deborah McDavis and noted the Trustees' pleasure in having this partnership lead the University. President-elect McDavis then thanked the Trustees for their confidence in him and his election to the presidency. He stated he was deeply humbled and honored to be asked to serve Ohio University, his alma mater. He commented that he and Deborah were thrilled beyond words to have the opportunity to return to Ohio University and serve as the University's first family. He graciously complemented Bob and René Glidden for their exemplary service and noted with pleasure the opportunity to follow, as well as work with, great presidents like Vernon Alden, Charles Ping, and Bob Glidden.

Dr. McDavis pledged his commitment to move Ohio University forward and said he was looking forward to getting to know the members of the Board of Trustees, the campus, and the community. He closed by stating his total commitment to making everyone proud of Ohio University.

Chairman Walter adjourned the meeting at 11:00 a.m. and invited those present to join the reception welcoming Dr. and Mrs. McDavis back home.

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.

Robert D. Walter
Chairman

Alan H. Geiger
Secretary