6-25-1993

Board of Trustees Meeting Minutes 1993-06-25

Bowling Green State University

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MINUTES
Board of Trustees
Bowling Green State University
June 25, 1993

Notice having been given in accordance with the Board of Trustees Bylaws, the following members met in the Assembly Room of McFall Center, Bowling Green Campus on June 25, 1993: John C. Mahaney, Jr., Chair; C. Ellen Connally, Vice Chair; David A. Bryan; Alvin Heard; John A. Laskey; Delbert L. Latta; G. Ray Medlin, Jr.; Valerie L. Newell; Thomas W. Noe; and Kermit F. Stroh. Jodi Chappell was not present.

Also present were President Paul J. Olscamp; Lester E. Barber, Executive Assistant to the President and Secretary to the Board; Benjamin Muego, Chair, Faculty Senate, and 1993-94 Faculty Representative to the Board; Jason Jackson, 1993-94 Undergraduate Student Representative to the Board; Anupam Trivedi, 1993-94 Graduate Student Representative to the Board; Daniel Keller, 1993-94 Firelands College Representative to the Board; Greg Jordan, 1993-94 Administrative Staff Representative to the Board; Christine Stock, 1992-93 Classified Staff Representative to the Board; Eloise E. Clark, Vice President for Academic Affairs; J. Christopher Dalton, Vice President for Planning and Budgeting; Bob Arrowsmith, Interim Vice President for Student Affairs; Robert L. Martin, Vice President for Operations; Philip R. Mason, Vice President for University Relations; Gaylyn J. Finn, Treasurer; media representatives; and a number of observers.

Chair Mahaney called the meeting to order at 10:06 a.m.; the Board Secretary called the roll and announced that a quorum was present (nine Trustees).

MINUTES

Motion was made by Mr. Noe and seconded by Judge Connally that the minutes of the meeting of May 7, 1993, be approved as written. The motion carried.

PRESIDENT'S REPORT

Welcome

On behalf of the faculty, staff and students of Bowling Green State University - welcome to our newest board member: Mr. Kermit Stroh, president of Moulton Gas Service, Inc., a diversified propane energy company serving West Central Ohio. He is a member of the Charles Perry Society and the Gold University Circle and is President of the Falcon Club of West Central Ohio. Kerm is President of the Ohio Propane Gas Association and the Auglaize County Republican Central Committee and also serves on the Moulton School Board, the Wapakoneta Bank One Board of Directors, and the Auglaize County Regional Planning Commission. Kerm and his wife Mary Lu are the parents of three daughters: Tracey (Stroh) Wright ('77), Deborah Stroh, and Melissa (Stroh) Wansker ('82). We extend a hearty welcome to Kerm and look forward with great anticipation to working with him in the months and years ahead.

Student Trustees

On June 11, Governor Voinovich announced the appointment of two students to the Board - Ms. Jodi Chappell, a sophomore in the College of Arts and Sciences (Political Science/Asian Studies major), and Mr. Alvin Heard, a graduate student in the Department of Psychology. I understand that Ms. Chappell is unable to be here this morning because she has an internship in the Pentagon for the summer. Both of these young people have an impressive history on the campus both academically and in their service to the University and the surrounding community. I look forward to working closely with them in the months ahead.
On behalf of the entire University community - I would like at this time to say a special "thank you" to Jason Jackson who has done a superb job in the post as a student trustee and as President of the Undergraduate Student Government. I have appreciated his leadership in times of the stringent budget cuts as well as the good times. Jason, many thanks from all of us. We wish you the very best as you continue in your leadership role and President of the Undergraduate Student Government.

**Administrative Staff Council - Classified Staff Council**

We welcome the new officers of the Administrative Staff Council and the Classified Staff Council. Mr. Greg Jordan, Associate Director, Recreational Sports, is the Chair of the Administrative Staff Council, replacing Ann Bowers. Mr. Robert Kreienkamp, TV Engineer, WBGU-TV, is the Chair of the Classified Staff Council, replacing Christine Stock (effective July 1). On behalf of the Board, the faculty, staff and students, our special thanks to Ann and Chris for their leadership in the past and we look forward to working with Greg and Bob in the months ahead.

**Alumni Affairs and BGSU Foundation Board of Directors**

Mr. R. Max Williamson '60, Dublin, has been elected president of the Alumni Board of Trustees for 1993-94, and Luann Semler Alleman '58, Toledo is the new vice president.

Re-elected members for a four-year term on the Foundation Board are: Ashel Bryan '46, Thomas Fairhurst, James Poure. Elected to four-year terms include: Carolyn McMaster, Larry Miles '56, Herbert Moorehead, Jr. '57, and elected to fill an unexpired term is Elizabeth Anderson Hensien '77.

**Fall Semester 1993 Update**

To date we have received 9,172 applications from freshmen seeking admission to the 1993 Fall Semester, an increase of 180 or 2.00% from the number of freshmen applications for last year this time. Transfer applications number 857, which is a decrease of 69 or 7.45%, compared to last year.

As of June 12, 1993 there have been 311 new students admitted to Firelands College for Fall, 1993, which is down 13 or approximately 4% from the comparable 1992 figure. Currently, 678 continuing students have registered for Fall which represents a 4% increase over the number from last year's pre-registration.

As of June 18, 1993, 11,189 continuing students have registered for Fall, 1993 for the Main Campus and Off-Campus programs (excluding Firelands) compared to 11,652 during the same reporting period in 1992. This is a decrease of 504 students including 408 fewer undergraduates and 73 fewer graduate students. Most graduate students have not yet registered for fall. We anticipate that final graduate enrollment for Fall 1993 will be modestly higher than Fall 1992.

**Summer 1993 Registration Update**

As of June 11, 1993, 5,819 registrations have been received for the Main Campus for Summer Term, 1993 compared to 5,919 for the same reporting period in 1992. This is a decrease of 100 or 1.69%. The Firelands campus had 396 registrations for Summer Term compared to 385 registrations for Summer 1992 which represents an increase of 11 (2.86%). Registration for extension courses is 477, an increase of 63 or 15.2%.

**College of Musical Arts**

We have been notified that two of Bowling Green State University major musical ensembles, the Symphonic Band and the Men's Chorus, have been invited to perform at the Music Educators National
Conference biennial convention in Cincinnati next April. This invitation is a significant honor for the University, its students, and its faculty. The process is very competitive. Finalists represent the highest standards of excellence in musical abilities and achievements. The performance is attended by the best in the field from around the country.

Grants and Contracts Awarded

The comparative numbers for grants and contacts for July 1 through May 31, 1993 are as follows:


Congratulations to Dr. Douglas Neckers, The National Science Foundation has extended his three-year grant "Photoinitiated Polymerization with Visible Lasers," by another two years. The National Science Foundation cited the exceptional creativity shown in Dr. Necker’s research as a primary reason for the extension. This extension for special creativity is permitted by the NSF in exceptional cases.

Dr. Douglas Neckers has been named the first Harold and Helen McMaster Professor of Photochemical Sciences. The professorship has been created through the McMaster Endowment at the University to recognize an outstanding scientist and provide that individual with professional opportunities to enhance his or her scholarship. Honorees are chosen on the basis of established scientific reputation; a record of or potential for outstanding contributions to interaction between industry and academia; and leadership or potential leadership at the University. Professor Neckers is certainly deserving of this honor. Under his leadership, the chemistry department has received Program Excellence, Academic Challenge and Eminent Scholar awards from the Ohio Board of Regents in recognition of its academic excellence. The Center for Photochemical Sciences, which he founded and directs, is internationally known. Doug also was instrumental in establishing the Harold and Helen McMaster Institute on campus to develop programs to bridge the gap between business management and technology training. In addition to being the author or coauthor of nearly a dozen books and more than 175 journal articles, his research on polymer-assisted photochemical processes is directly related to 21 patents which have either been awarded or are pending.

Dr. Stuart R. Givens, a professor of history and University historian, has been elected president of the Ohio Academy of History. He will serve for one year as president of the organization which has 650 members. The membership includes professional historians, historical museum personnel, archivists and others. Stu has also been the recipient of the Ohio Academy of History’s Distinguished Service Award in recognition of his outstanding and continued service to Bowling Green State University and the Academy.

Dr. Glenn Varney, professor of management, is the 1992 recipient of the Organization Development Award for Excellence. The honor was presented to him in May by the American Society for Training and Development, the world’s largest organization in the field of employer-based training. Glenn was cited for his leadership within the organization and his service and leadership to the human resource development profession.

I understand from Trustee Valerie Newell that Professor Park Leathers, Department of Accounting and Management Information Systems was selected for the award of Outstanding Ohio Accounting Educator for 1993 by the American Accounting Association and the Ohio Society of CPAs. Congratulations to Park and thanks very much to Valerie for the nomination.
Student International Education Award Winners

The world will serve as the classroom for 42 Bowling Green State University students this year as they travel to far-off places such as Russia, France, Bali, Japan, China, Mexico, Italy and Austria. The students are recipients of International Education Awards that enable them to study in another country at or near the same cost as attending classes on the Bowling Green State University campus. The awards, presented the second time this year, were open to students of all majors, not just language concentrations. Interested students had to write proposals listing the country where they would study and how the program would enhance their major. Recipients of the awards will write an essay on their experiences to submit to the award committee following their study abroad.

Presentation of Video From Chung-Hsing University

Commencement

Summer Commencement will take place on Saturday, August 7, 9:30 a.m. in front of University Hall. Mr. Thomas Walton '65, Editor of The Blade, and immediate past president of the Alumni Board of Trustees will be the commencement speaker. Crystal Ellis '57, Superintendent of the Toledo Public Schools and the recipient of an honorary degree (Doctor of Educational Administration) from BGSU this past May, will receive the 1993 Distinguished Alumnus Award at the ceremonies. Mr. Ellis will be the 34th recipient of the Alumni Association's highest award.

Mr. Chairman, this concludes my report.

PERSONNEL/FACILITIES COMMITTEE

Mr. Medlin reported that the Personnel/Facilities Committee met on Thursday afternoon and reviewed nine action items and one discussion item.

Personnel Changes Since May 7, 1993, Meeting

No. 51-93  Mr. Medlin moved and Mr. Latta seconded a motion stating that the Board of Trustees has reviewed and ratified the Personnel Changes since the May 7, 1993, meeting. The motion was approved with no negative votes.

PERSONNEL CHANGES
ADMINISTRATIVE STAFF

ACADEMIC AFFAIRS

<table>
<thead>
<tr>
<th>Name</th>
<th>Title and Department</th>
<th>Effective Date</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Claudia Crowell</td>
<td>Alumni/Development Officer, College of Arts &amp; Sciences</td>
<td>6-30-93</td>
<td>Accepted another position</td>
</tr>
<tr>
<td>Jose Trevino</td>
<td>Director of Admissions and Marketing, Firelands-Enrollment Services</td>
<td>5-31-93</td>
<td>Personal reasons</td>
</tr>
</tbody>
</table>
Changes in Assignment, Rank and Salary

Sarah Bates from Director of Program Advisement to Director of Undergraduate Studies in Business, College of Business Administration, title change only, effective 5-12-93.

Joyce Blinn, Reading Specialist, Study Skills Center, Academic Enhancement, 1992-93 contract extended as follows: 6/1, 2, 11/93; 7/5, 6, 7/93; $678.

Guadalupe Galvan, Counselor, Student Support Services, Academic Enhancement, (grant funded) 1992-93 contract extended as follows: 5-26-93/8-17-93, $6,010.

Arlene Hazlett from Associate Director of Academic Services, Firelands College, $27,469 revised 1992-93 salary to Director of Admissions and Orientation, Firelands, Enrollment Services, Firelands College, $31,535 fyr, effective 6-1-93/6-30-93, promotion.

Mitchell Miller, Part-time Recording Services Manager, College of Musical Arts, 1992-93 contract extended as follows: 5-21-93/8-16-93, $2,556.

Victoria Tanner, Laboratory Technician, Biological Services, from $4,240 to $4,568 (externally funded), effective 5-3-93/7-30-93, adjusted salary for 4% increase over base.

OPERATIONS

<table>
<thead>
<tr>
<th>Name</th>
<th>Title and Department</th>
<th>Effective Date</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilbert Perez</td>
<td>Coordinator Furnishings,</td>
<td>5-31-93</td>
<td>Physical Plant</td>
</tr>
</tbody>
</table>

Changes in Assignment, Rank and Salary

James McArthur, Assistant University Architect, Architect's Office from $34,557.72 new annual base salary rate to $37,057.72 fiscal year rate, effective 5-1-93/6-30-93, salary increase in recognition of receiving the status of licensed architect.

Karen Woods from Systems Analyst, University Computer Services, $39,041 to HRS Administrator, Personnel Services, $39,041, effective 4-1-93/6-30-93, transfer.

PLANNING AND BUDGETING

<table>
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<tr>
<th>Name</th>
<th>Title and Department</th>
<th>Effective Date</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sue A. Windisch</td>
<td>Systems Analyst, University</td>
<td>5-24-93/6-30-94</td>
<td>$38,500 fyr</td>
</tr>
</tbody>
</table>
Leave of Absence

Susan L. Pugh, Director of Registration and Scheduling, Registration and Records, effective 4-9-93 and continuing until PERS disability retirement decision is received, leave without pay.

<table>
<thead>
<tr>
<th>Name</th>
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<th>Effective Date</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan L Pugh</td>
<td>Director of Registration and Scheduling,</td>
<td>5-1-93</td>
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</tr>
<tr>
<td></td>
<td>Registration and Records</td>
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PRESIDENT'S AREA

Resignations

Mark Hardaway  Assistant Volleyball Coach, Intercollegiate Athletics 5-21-93 Accepted another position

STUDENT AFFAIRS

New Appointments Full-Time

Kenneth M. Brown Assistant Director, Financial Aid and Student Employment 5-10-93/6-30-93 $26,500 fyr

Reappointments Part-time

Miriam Meyer Summer Lab Coordinator, Student Health Services 5-17-93/8-5-93 $13,244 (Supplemental Ret. Program)

Retirements

Jo Ann Miller Medical Technologist/HEW, Student Health Services 6-1-93

Resignations

Kimberlie Goldsberry Assistant Director of Small Group Housing/Greek Life, Residential Services 5-12-93 Accepted another position

Leave of Absences

Tonia Stewart, Director, Off-Campus Housing, effective 6/4, 9, 10, 21/93; and 7/14, 19, 20, 21, 22, 26/93, leave without pay.
Changes in Assignment, Rank and Salary

Katherine Ellis, Part-time Pharmacist, Student Health Services, employed beyond 1992-93 contract as follows: 4/2, 8, 9, 16, 22, 26, 30/93 (1 hour each day); 4/23/93 (3 hours); 5/3, 4/93 (1 hour each day) and 5/25, 26, 27/93, (4 hours each day), $455.52.

Susan Perkins, Nurse Clinician, Student Health Services, employed beyond 1992-93 contract as follows: 5/17-21/93 and 5/24-28/93, $1,477.40.

Janet Spieker, Part-time Pharmacist, Student Health Services, employed beyond 1992-93 contract as follows: 4/12/93 (8 hours); 4/19/93 (8 hours); 4/27/93 (7.5 hours); and 5/24/93 (6 hours), $560.79.

The following externally funded staff in the College Access Programs received market adjustments as follows:

Armando Bejarno, Counselor/Recruiter, from $21,370 to a revised 1992-93 salary of $24,200 retroactive to 10-1-92.

Terri Cook, Grant Assistant, from $19,845 to a revised 1992-93 salary of $23,000, retroactive to 9-1-92.

Mary Dunson, Assistant to the Director, from $21,370 to a revised 1992-93 salary of $23,000, retroactive to 10-1-92.

Joyce Jones, Director, from $33,975 to a revised 1992-93 salary of $38,400 retroactive to 10-1-92.

Kenneth Marable, Counselor/Recruiter, Talent Search, from $23,403 to a revised 1992-93 salary of $24,200, retroactive to 10-1-92.

Deborah Rice, Assistant Director, from $26,453 to a revised 1992-93 salary of $28,500, retroactive to 10-1-92.

Bonita Sanders, Assistant Director/Counselor Upward Bound, from $23,606 to a revised 1992-93 salary of $28,500, retroactive to 9-1-92.

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<tr>
<th>Name</th>
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<th>Effective Date</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bernadette Restivo</td>
<td>Assistant Director of Development-Major Gifts, Alumni &amp; Development</td>
<td>4-21-93/6-30-93</td>
<td>$39,000 fyr</td>
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<tr>
<td>Sharon Hanna</td>
<td>Development Associate, WBGU-TV</td>
<td>4-26-93/6-30-93</td>
<td>$23,000 fyr</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Externally funded)</td>
<td></td>
</tr>
<tr>
<td>Sharon Hanna</td>
<td>Project Equity Coordinator for the Northwest Ohio Educational Technology Foundation, WBGU-TV</td>
<td>4-23-93</td>
<td>Accepted another position within the University</td>
</tr>
<tr>
<td>Luther F. Lalendorf</td>
<td>Director of Corporate Support, WBGU-TV</td>
<td>5-14-93</td>
<td>Accepted another position</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Externally funded)</td>
<td></td>
</tr>
</tbody>
</table>
Changes in Assignment, Rank and Salary

The following employees received market adjustments as follows:

Alan Bowe, Assistant Chief Engineer, WBGU-TV (externally funded) from $37,918 new annual base salary rate to $43,398 fyr, retroactive to 7-1-92.
Gail Hanson, Assistant Director of Development-Research, Alumni and Development, from $27,485 new annual base salary rate to $33,485 fyr, retroactive 1-1-93.
Cheryl Joyce, Coordinator/Television Learning Services, WBGU-TV, from $28,605 new annual base salary rate to $29,067 fiscal year rate, effective 5-1-93/6-30-93.
Carl Peschel, Director of Foundation Accounts, Alumni and Development from $38,925 new annual base salary rate to $42,000 fiscal year rate, effective 5-1-93/6-30-93.
Cheryl Takata, University Publications Art Director, Public Relations from $30,916 new annual base salary rate to $31,416 fiscal year rate, effective 5-1-93/6-30-93.
Jeffrey Hall, University Photographer, Public Relations, from $25,735 revised 1992-93 salary to $27,235 effective 1-1-93/6-30-93; additional duties.

ACADEMIC AFFAIRS

ARTS AND SCIENCES

Retirements

Lawrence Friedman, Distinguished University Professor of History and American Studies; effective June 1, 1993.
James Graham, Professor of History; effective June 1, 1993.
Robert Graves, Professor of Biological Sciences; effective June 1, 1993.
Kathleen Kinawy, Associate Professor of Political Science with a joint appointment in the Women's Studies Program; effective June 1, 1993.
John Huffman, Professor of Journalism, School of Mass Communication; effective June 1, 1993.
Clifford Long, Professor of Mathematics and Statistics; effective July 1, 1993.
John Merriam, Associate Professor of Political Science; effective July 1, 1993.
David Roller, Professor of History; effective July 1, 1993.
Kirk Smith, Professor of Psychology; effective June 1, 1993.
Elmer Spreitzer, Professor of Sociology; effective July 1, 1993.
Cynthia Stong, Associate Professor of Biological Sciences; effective June 1, 1993.
Ralph Townsend, Interim Dean of the College of Arts and Sciences and Professor of Mathematics and Statistics; effective July 1, 1993.
Robert Warehime, Associate Professor of Psychology with a dual appointment in the Counseling and Career Development Center; effective June 1, 1993.

Resignations

Kendall Stiles, Assistant Professor of Political Science; effective June 25, 1993, accepted another position.
Michael Vrooman, Instructor of Romance Languages; effective May 18, 1993, accepted another position.

Changes in Assignment, Rank and Salary

Spencer Cunningham, part-time Instructor in School of Art; from $1,850 to $3,069; Spring Semester 1993; additional responsibilities.
BUSINESS ADMINISTRATION

Retirements

Edwin Tonnesen, Professor of Management; effective July 1, 1993.
Karl Vogt, Trustee Professor of Management; effective July 1, 1993.
Stephanie Yaworski, Assistant Professor of Business Education; effective June 1, 1993.

EDUCATION AND ALLIED PROFESSIONS

Retirements

Ron Cote', Associate Professor of Educational Administration and Supervision; effective July 1, 1993.
Bill Forisha, Associate Professor of Applied Human Ecology; effective June 1, 1993.
Darrel Fyffe, Associate Professor of Educational Curriculum and Instruction; effective June 1, 1993.
David Hayes, Associate Professor of Educational Curriculum and Instruction; effective July 1, 1993.
Elsa McMullen, Professor and Chair of Applied Human Ecology with a joint appointment in the College of Health and Human Services; effective July 1, 1993.
Sally Sakola, Associate Professor of Health, Physical Education and Recreation; effective July 1, 1993.
A. John White, Associate Professor of Health, Physical Education and Recreation; effective June 1, 1993.

FIRELANDS

Retirements

Kenneth Hille, Associate Professor of Biology, Natural and Social Sciences; effective June 1, 1993.
Julius Kosan, Associate Professor of Art and Humanities; effective June 1, 1993.

GRADUATE COLLEGE

Resignations

Denise Trauth, Associate Dean of the Graduate College and Professor of Telecommunication; effective July 1, 1993; accepted another position.

HEALTH AND HUMAN SERVICES

Retirements

Faith Jackson, Associate Professor of Communication Disorders; effective June 1, 1993.
Marilyn Perlmutter, Assistant Professor of Communication Disorders; effective June 1, 1993.

Resignations

Connie Schondel, Assistant Professor of Social Work; June 23, 1993; accepted another position.

MUSICAL ARTS

Retirements

Ivan Hammond, Professor of Music Performance Studies; effective June 1, 1993.
Robert Moore, Professor of Music Performance Studies; effective June 1, 1993.
David Pope, Professor of Music Performance Studies; effective June 1, 1993.
Robert Thayer, Dean of the College of Musical Arts and Professor of Music Education; effective July 1, 1993.

TECHNOLOGY

Retirements

Gerard Colgan, Associate Professor of Technology Systems; effective July 1, 1993.
Jerry Streichler, Trustee Professor of Visual Communication and Technology Education; effective July 1, 1993.

Proposed Emeritus Appointments

No. 52-93 Judge Connally moved and Mr. Noe seconded that approval be given to the appointment to emeritus status of the following faculty members who have retired recently or will retire by the end of June, as recommended by the appropriate college dean, the Committee on Honorary Degrees and Commemoratives, the Vice President for Academic Affairs, and the University President. The motion was approved with no negative votes.

Mr. Gerard Colgan, Associate Professor Emeritus of Technology Systems
Dr. Ronald Cote, Associate Professor Emeritus of Educational Administration and Supervision
Mr. Keith Dearborn, Associate Professor Emeritus of Music Education
Dr. Bill Forisha, Associate Professor Emeritus of Applied Human Ecology
Dr. Lawrence Friedman, Distinguished University Professor Emeritus of History
Dr. Darrei Fyffe, Associate Professor Emeritus of Educational Curriculum and Instruction
Mr. James Gordon, Professor Emeritus of Journalism
Dr. James Graham, Jr., Professor Emeritus of History
Dr. Robert Graves, Professor Emeritus of Biological Sciences
Mr. Ivan Hammond, Professor Emeritus of Music Performance Studies
Dr. David Hayes, Associate Professor Emeritus of Educational Curriculum and Instruction
Dr. Kenneth Hille, Associate Professor Emeritus of Biology and Natural and Social Sciences
Dr. John Huffman, Professor Emeritus of Journalism
Dr. Faith Jackson, Associate Professor Emeritus of Communication Disorders
Dr. Kathleen Kinawy, Associate Professor Emeritus of Political Science
Mr. Julius Kosan, Associate Professor Emeritus of Art and Humanities
Dr. Clifford Long, Professor Emeritus of Mathematics and Statistics
Dr. Elsa McMullen, Professor Emeritus of Applied Human Ecology
Dr. John Merriam, Associate Professor Emeritus of Political Science
Mr. Robert Moore, Professor Emeritus of Music Performance Studies
Dr. Arthur Neal, Distinguished University Professor Emeritus of Sociology
Dr. Reginald Noble, Professor Emeritus of Biological Sciences
Ms. Marilyn Perlmutter, Assistant Professor Emeritus of Communication Disorders
Mr. David Pope, Professor Emeritus of Music Performance Studies
Ms. Sally Sakola, Associate Professor Emeritus of Health, Physical Education and Recreation
Dr. Kirk Smith, Professor Emeritus of Psychology
Dr. Elmer Spreitzer, Professor Emeritus of Sociology
Ms. Cynthia Stong-Ilig, Associate Professor Emeritus of Biological Sciences
Dr. Jerry Streichler, Dean Emeritus of the College of Technology and Trustee Professor Emeritus of Technology
Dr. Robert Thayer, Dean Emeritus of the College of Musical Arts and Professor Emeritus of Music Education
Dr. Edwin Tonnesen, Associate Professor Emeritus of Management
Dr. Karl Vogt, Trustee Professor Emeritus of Management
Mr. A. John White, Associate Professor Emeritus of Health, Physical Education and Recreation

Proposed Appointment - Distinguished Research Professor

No. 53-93 Mr. Noe moved and Mr. Bryan seconded that approval be given to naming Charles Holland as a Distinguished Research Professor.

President Olscamp read the following citation on Dr. Holland:

The Department of Mathematics and Statistics, representatives of the faculty, the academic deans, and the administration enthusiastically recommend the appointment of Dr. Charles Holland, Professor of Mathematics and Statistics for the appointment of Distinguished Research Professor.

Dr. Holland has been a professor on the Bowling Green State University faculty since 1971 and, in the words of one international scholar, "he has made Bowling Green the Mecca for all research workers in the field." He is known as a gifted mathematician and a masterful teacher whose students have themselves become renowned mathematicians. Two of his former students, Stephen McCleary and Andrew Glass, are currently members of the BGSU faculty.

Scholars from the United States, Canada, England, Germany, Russia, and Czechoslovakia have written enthusiastically supporting Professor Holland's appointment. They cite the importance of his work in lattice ordered groups and the elegant simplicity with which he solves and explains complex mathematical problems. He is considered to be one of the best mathematicians in the United States and among the top 10% in the world in his field. He is praised for the derivation of new understandings of mathematical theory and for developing explanations and solutions that had previously eluded the best mathematical theorists. Scholars refer to Professor Holland's papers as "profound," "masterpieces," and "jewels."

It is a pleasure today to recommend to the Board of Trustees that Professor Charles Holland be appointed Distinguished Research Professor.

The motion was approved with no negative votes.

Proposed Naming of Computer Science Department Conference Room

No. 54-93 Judge Connally moved and Mr. Noe seconded that the Computer Science Department conference room in Hayes Hall be named in honor of Dr. David M. Krabill to acknowledge his efforts in establishing the Computer Science Department. The motion was approved with no negative votes.
Proposed Revision to Faculty Personnel and Conciliation Committee Grievance System in the Academic Charter

No. 55-93

Mr. Latta moved and Mr. Bryan seconded that approval be given to the proposed revision of the Faculty Personnel and Conciliation Committee (FPCC) Grievance System in the Academic Charter, as attached, except for provisions B.I.E.11.c.3. and B.I.E.12.e. that give legal counsel the right to conduct the hearing before the Board of Trustees. The motion was approved with no negative votes.

ABBREVIATIONS USED IN THE CHARTER

ASC = Administrative Staff Council
BGSU = Bowling Green State University
CAA = Committee on Academic Affairs
CAP = Committee on Academic Priorities
CCOB or COB = Committee on Collegiate Operating Budgets
Com/Com = Committee on Committees
CSC = Classified Staff Council
FPCC = Faculty Personnel and Conciliation Committee
FPCC-EC = Faculty Personnel and Conciliation Committee—Executive Committee
FPCC-SCC = Faculty Personnel and Conciliation Committee—Subcommittee on Conciliation
FPCC-SCH = Faculty Personnel and Conciliation Committee—Subcommittee on Hearings
FSBC = Faculty Senate Budget Committee
FWC = Faculty Welfare Committee
GSS = Graduate Student Senate
PERS = Public Employees Retirement System
SEC = Senate Executive Committee
STRS = State Teachers Retirement System
UBC = University Budget Committee
USG = Undergraduate Student Government
VPAA = Vice President for Academic Affairs
VPO = Vice President for Operations
VPPB = Vice President for Planning and Budgeting
VPSA = Vice President for Student Affairs
VPUR = Vice President for University Relations

APPENDIX A - FINANCIAL EXIGENCY PLAN

D. Rights of Faculty

4. Any faculty member who believes termination has resulted from a prejudicial use of the foregoing procedures shall have the right to FILE A GRIEVANCE—WITHIN TWENTY CLASS DAYS AFTER appeal within 15 days of the receipt of the notice and shall have the right to a timely hearing before a Board of WITH the Faculty Personnel and Conciliation Committee IN ACCORDANCE WITH B.I.E. WITHIN TWENTY CLASS DAYS AFTER RECEIPT OF THE NOTICE. No appeal can be heard which is based upon a challenge to the existence of exigency or to the procedures outlined in this document.
E. Financial Exigency Declared by State

If financial exigency should be declared by the Board of Regents or the State Legislature, the procedures described in this document shall be followed in their entirety at Bowling Green State University.

F. Short-term Financial Crisis

A short-term financial crisis involving a shortfall of funds within a single academic year or fiscal period is to be distinguished from a state of financial exigency. Because Contractual obligations of the University are fixed within a given contract period and should not be invalidated. There are little or no salary savings gained from a financial crisis requiring immediate action. The administration should share with the SEC its alterations and plans for reallocating the University’s financial resources without termination of probationary and tenured faculty contracts.

ARTICLE IV: THE FACULTY SENATE

4. Committee on Faculty Personnel and Conciliation (FPCC)
   a) Powers

   FPCC shall be empowered to resolve faculty disputes according to the conciliation and grievance procedures as set forth in B-I.E.:

   (1) dealing with general grievances;

   (2) Dealing with revocation of tenure in B-I.C.;

   (3) Dealing with the financial exigency plan in Appendix A;

   (4) Dealing with unlawful discrimination and dealing with all other policies including the Drug-Free Workplace Policy which affect the employment status of faculty grievance procedures, shall be followed. Report of the general deliberations of the FPCC shall be forwarded to SEC for disposition. The decisions of the FPCC on matters herein assigned may be appealed to the President and the Board of Trustees.

   b) Membership

   (1) The FPCC shall be composed of nineteen members:

   (a) the immediate past chair of the FPCC;

   (b) eighteen tenured faculty members, who need not be Senators, and who

   (i) may not be department Chairs or school Directors;

   (ii) may not have been either a appellant GRIEVANT or respondent in a GRIEVANCE case before the Committee in the preceding three years;
(iii) SHALL NOT BE EITHER A GRIEVANT OR RESPONDENT IN A GRIEVANCE WHILE SERVING ON THE COMMITTEE

(2) The eighteen faculty members shall be elected by the faculty members of the Senate for three-year terms in such manner that not more than six terms shall expire simultaneously.

Any Committee member who commences a case shall automatically become ineligible to serve.

c) Organization

(1) The FPCC shall be composed of three subcommittees:

(a) The FPCC Executive Committee (FPCC-EC) shall be composed of the FPCC chair, vice-chair-elect, and the immediate past chair; the chair of FPCC shall serve as chair of FPCC-EC (the nineteenth member of the FPCC); members of the Executive Committee shall not serve on either the Hearings or the Conciliation Subcommittees.

(b) The Subcommittee on Conciliation (FPCC-SCC) shall be composed of ten members; and

(c) The Subcommittee on Hearings (FPCC-SCH) shall be composed of eight members.

(2) The Executive Committee shall:

(a) At the beginning of each Faculty Senate Administrative Year, assign the other members of the FPCC to the subcommittees on Conciliation and on Hearings, where the members will serve one year;

(b) Appoint at least one member from the FPCC-SCC who has training or experience in Conciliation for the purpose of attempting Conciliation of each grievance; a second conciliator without experience may be appointed, and when needed, experienced faculty who are non-FPCC-SCC members may be appointed;

(c) Appoint a trained and experienced chair of a hearing board and a trained assistant chair to the Board of Appeal from the membership of FPCC-SCH for each grievance; when needed experienced faculty who are non-FPCC-SCH members may be appointed;

(d) Appoint three members from the FPCC-SCH who are trained or experienced to serve as the Board of Inquiry and appoint the most experienced of these members to serve as chair of the Board; when needed, experienced faculty who are non-FPCC-SCH members may be appointed;

(e) Conduct training sessions at the beginning of each academic year in order to train FPCC-SCH and FPCC-SCC members on how to conciliate and conduct the Boards of Inquiry and Boards of Appeal;

(f) Distribute and refine guidelines for conciliation and for Hearings to be used for training of FPCC-SCH and FPCC-SCC and for guiding the parties to a grievance;
MAKE AN INITIAL REVIEW OF ALL PETITIONS FILED BEFORE THE FPCC;

HEAR ALL MOTIONS MADE CONCERNING INDIVIDUAL GRIEVANCES, EXCEPT THOSE OCCURRING DURING THE HEARING;

CONSIDER ALL OTHER MATTERS CONCERNING THE FUNCTIONING OF THE FPCC; AND

FORWARD REPORTS OF GENERAL DELIBERATIONS OF THE FPCC-EC AND FPCC TO THE SEC FOR DISPOSITION, AND FILE REPORTS WITH THE SEC AT THE END OF EACH SUMMER, FALL AND SPRING TERM CONCERNING THE STATUS OF GRIEVANCES BEING PROCESSED.

PART B: DIVISION I

FACULTY PERSONNEL POLICIES AND PROCEDURES

SECTION E: FACULTY GRIEVANCE PROCEDURES

THE FACULTY PERSONNEL AND CONCILIATION COMMITTEE (FPCC) IV.F.4 IS EMPOWERED TO RESOLVE FACULTY DISPUTES BY CONCILIATION AND ADJUDICATION CULMINATING IN A RECOMMENDATION TO A SENIOR ADMINISTRATOR. SINCE THE ADJUDICATION IS ADVERSARIAL, IT IS PRECEDED BY A REQUIRED ATTEMPT AT CONCILIATION. FACULTY MEMBERS WITH GRIEVANCES ARE ENCOURAGED TO SEEK RESOLUTION OF THEM BY WHATEVER MEANS ARE AVAILABLE BEFORE FILING A GRIEVANCE WITH THE FPCC. THE PROCEDURES FOR HANDLING OF FACULTY GRIEVANCES BY THE FACULTY SENATE'S FPCC FOLLOW.

1. POWERS OF FPCC

THE FPCC SHALL:

a) CONSIDER GRIEVANCES BROUGHT BY FACULTY MEMBERS CONCERNING SALARY, RETENTION, RANK, TENURE, B-I.C.3.C. AND PROFESSIONAL PRACTICES, INCLUDING GRIEVANCES BROUGHT AGAINST INDIVIDUAL FACULTY MEMBERS OR ADMINISTRATORS AS A RESULT OF ALLEGED INFRACTIONS OF APPLICABLE POLICIES, PROCEDURES, RULES, REGULATIONS OR LAWS, RELATING TO THE OPERATION OF THE UNIVERSITY;

b) CONSIDER GRIEVANCES BROUGHT BY A DEPARTMENT CHAIR, A SCHOOL DIRECTOR, A DEAN, THE VPAA, OR THE PRESIDENT AGAINST INDIVIDUAL FACULTY MEMBERS;

c) CONSIDER GRIEVANCES BROUGHT BY FACULTY INVOLVING DISCRIMINATION BASED ON RACE, COLOR, RELIGION, AGE, NATIONAL ORIGIN, SEX OR HANDICAP;

d) CONSIDER GRIEVANCES ARISING FROM THE IMPLEMENTATION OF THE FINANCIAL EXIGENCY PLAN, APPENDIX A, D-4.

e) MAKE RECOMMENDATIONS CONCERNING THE IMPROVEMENT OF UNIVERSITY, COLLEGE, SCHOOL OR DEPARTMENT POLICIES, PROCEDURES, RULES OR REGULATIONS TO THE VPAA OR OTHER ADMINISTRATORS, PROVIDED DEFICIENCIES WERE DISCOVERED AS PART OF THE GRIEVANCE RESOLUTION PROCESS; AND

f) NOT CONSIDER GRIEVANCES FROM FACULTY ALSO HOLDING AN ADMINISTRATIVE APPOINTMENT IF THE GRIEVANCE FOCUSES PRIMARILY ON ADMINISTRATIVE ISSUES OR DUTIES.

See B.I.E.12.C) FOR A DEFINITION OF FACULTY TO BE USED ONLY FOR FPCC GRIEVANCE PROCEDURES.
2. APPOINTMENT OF FACILITATOR

a) AFTER THE CHAIR OF FPCC IS CONTACTED BY A FACULTY MEMBER WHO DESIRES TO FILE A GRIEVANCE, THE FPCC EXECUTIVE COMMITTEE (FPCC-EC) IV.F.4, SHALL WITHIN TWO CLASS DAYS APPOINT A FACILITATOR;


c) THE GRIEVANT MAY SELECT THE FACILITATOR TO BECOME HIS OR HER ACADEMIC ADVISOR B-IAE.12.D OR MAY SELECT ANOTHER FACULTY OR ADMINISTRATIVE STAFF MEMBER.

3. Types of FILING OF Grievances to be Considered

a) RIGHT TO FILE A GRIEVANCE

ANY FACULTY MEMBER MAY FILE A GRIEVANCE WITH THE FPCC INDIVIDUALLY OR COLLECTIVELY WITH OTHER FACULTY; THE COLLECTIVE GRIEVANCES SHALL ONLY BE FILED IF ALL GRIEVANTS CONSENT AND ALL GRIEVANCES SHARE SUBSTANTIALLY THE SAME FACTUAL BASIS.

Nature of Grievance:
(1) nonrenewal of probationary contract or denial of tenure;
(2) denial of promotion;
(3) inequitable treatment regarding salary, departmental responsibilities; or other professional assignments;
(4) termination of a probationary, or tenured appointment for cause—Some of the procedures regarding this type of grievance are different from procedures for grievances in (1), (2), and (3) above;
(5) all other cases set forth in IV.F.4.

b) Grounds for GRIEVANCES ARE petition may be any or all of the following allegations:

(1) failure to observe due process in decisions at the departmental, school, college, or higher administrative level (including failure to meet Charter provisions for evaluation of probationary, faculty or other failure to meet formal, professional commitments); THE CONCEPT OF DUE PROCESS REQUIRES THAT NOTICE BE GIVEN PRIOR TO IMPLEMENTING RULES, REGULATIONS, POLICIES, PROCEDURES HAVING AN ADVERSE EFFECT ON A FACULTY MEMBER, AND REQUIRES THAT FAIRNESS, IMPARTIALITY AND CONSISTENCY OCCUR IN IMPLEMENTING THEM;

(2) FAILURE TO ABIDE BY EXISTING POLICIES, PROCEDURES, RULES, REGULATIONS OR LAWS RELATING TO THE OPERATION OF THE UNIVERSITY;

(3) denial of academic freedom;

(4) inadequate or inequitable consideration of professional competence;
(5) unlawful discrimination because of race, color, national origin, religion, sex, age, or handicap;

(6) inadequate cause for termination of tenured or probationary any appointment.

(7) need for the assistance in implementing or failure in implementing the findings of a court or government agency.

(8) retaliation for:

(i) filing a grievance,

(ii) assisting either the grievant or respondent in the resolution of the grievance,

(iii) opposing any illegal, unethical or improper conduct of any chair, director, dean or administrator, or

(iv) reporting any illegal, improper or unethical conduct of any chair, director, dean or administrator to the appropriate authority.

c) The Appeal Content of Petition

The appeal petition shall include the following:

(1) a specific statement of identifying the FPCC power to resolve the grievance B-I.E.1. and specifying the nature of the grievance and the grounds for the grievance B-I.E.3.B.), including all available supporting evidence deemed relevant by the appellant. (The FPCC Executive Committee may require that the appellant revise the charges to sharpen specificity.) sufficient to establish that grounds for a grievance exists B-I.E.4.

(2) identification of a statement identifying the respondent. the individual who may be selected to be a respondent should understand that he or she is maybe the representative of an academic unit. (the FPCC Executive Committee (EC) reserves the right to determine the appropriate respondent on the basis of the charges and evidence):

(i) if the grievance results from an unreversed departmental decision or recommendation, the respondent shall be the department chair or other appropriate person designated by the FPCC Executive Committee on the basis of charges and evidence;

(ii) if the grievance results from a reversal or alteration of a departmental decision or recommendation by the school or college, the respondent shall be the Director or Dean or a representative of the Dean or Director;

(iii) if the grievance results from a reversal or alteration of a department, school, or college decision by the University, the respondent shall be the VPAA or a representative of the VPAA.

(3) evidence that in tenure cases all established review and appeal procedures within the unit where the grievance originated have been exhausted; or in all other cases that all established review and appeal procedures within the school, college, or University
administration have been exhausted; or that the appeal process has not been concluded within a reasonable time.

(4) A statement specifying the remedy the appellant GRIEVANT seeks.

(5) THE FINDINGS OF A COURT OR GOVERNMENT AGENCY IF THE GRIEVANT REQUESTS ASSISTANCE IN IMPLEMENTING SUCH FINDINGS OR ALLEGES FAILURE TO IMPLEMENT SUCH FINDINGS.

d. Petition-and-Conciliation Filing of Petition

(1) COMMENCEMENT OF GRIEVANCE

Commencement-of-a-Case:—A case the GRIEVANCE is commenced with the filing of a petition with the Chair of the FPCC. Each case GRIEVANCE shall be assigned a file and file number, with copies of the petition transmitted to members of the FPCC Executive Committee (FPCC-EC). The file shall be confidential and shall be referred to in all reports only by its file number.

(2) TIME OF FILING

Filing of the Petition: The appellant GRIEVANT shall send the petition, in writing, to the Chair of FPCC within twenty class days after being informed, in writing, of the final decision of the final review or appeal committee or board. B.I.E.2.e DEPARTMENT, COLLEGE OR ADMINISTRATOR, OR BOARD OR COMMITTEE, WHICHEVER THE GRIEVANT DESIRES TO GRIEVE.

4. REVIEW OF PETITION

a) CONTENT OF PETITION

Initial-Review. The petition shall be reviewed by the FPCC-Executive-Committee FPCC-EC within five (10) class days of its receipt in order to determine if it complies in all respects with B.I.E.

b) SELECTION OF RESPONDENT

The FPCC-EC shall determine the appropriate respondent on the basis of the charges and evidence according to these guidelines:

(1) IF THE GRIEVANCE RESULTS FROM AN UNREVERSED DEPARTMENT OR UNIT DECISION OR RECOMMENDATION, THE RESPONDENT SHALL BE THE DEPARTMENT CHAIR OR OTHER APPROPRIATE PERSON;

(2) IF THE GRIEVANCE RESULTS FROM A REVERSAL OR ALTERATION OF A DEPARTMENT OR UNIT DECISION OR RECOMMENDATION BY THE SCHOOL OR COLLEGE, THE RESPONDENT SHALL BE THE DIRECTOR OR DEAN OR A REPRESENTATIVE OF THE DEAN OR DIRECTOR;

(3) IF THE GRIEVANCE RESULTS FROM A REVERSAL OR ALTERATION OF A DEPARTMENT, UNIT, SCHOOL, OR COLLEGE DECISION BY THE UNIVERSITY, THE RESPONDENT SHALL BE THE VPAA OR A REPRESENTATIVE OF THE VPAA.

c) ACCEPTANCE, MODIFICATION OR DISMISSAL OF PETITION

The appellant shall be notified of the meeting and should be in attendance to answer whatever questions might arise concerning the petition. After reviewing the
petition, the FPCC Executive Committee FPCC-EC shall vote in closed-session to accept the petition, to reject the petition, or to accept the petition if modified. The decision of the FPCC Executive Committee may be appealed to the entire FPCC. The FPCC-EC may vote to consolidate the grievant's petition with other petitions that the grievant has filed or with other grievants' petitions as long as the petitions share substantially the same facts and as long as all grievants consent, provided the petitions are being processed as grievances by the FPCC.

Appointment of conciliators: The grounds for modifying or dismissing the petition are:

1. Repeated filings based upon allegations already addressed by the FPCC;
2. The appellant's tardiness in pursuing the grievance once it is filed;
3. Insufficient magnitude of the case to warrant further action, except in cases involving denials of tenure, promotion or termination;
4. Failure of the petition to meet the requirements set forth in the Charter; or
5. Insufficient evidence to support the allegations in the petition.

If the FPCC-EC determines that a problem exists with the petition, the grievant can voluntarily comply with the FPCC-EC's ruling or request a hearing with the FPCC-EC or FPCC on the matter.

d) Distribution of petition

After the petition is accepted by the FPCC-EC, the chair of FPCC-EC shall within two class days deliver it to the respondent. The respondent shall not respond to the petition until attempts at conciliation have failed. Copies of the petition shall also be sent to the VPAA, to the grievant's dean or chair who is not the respondent, the faculty senate office, and if the petition alleges unlawful discrimination due to race, color, religion, national original, sex, age, or handicap to the director of affirmative action.

e) Appeal of dismissal

All decisions of FPCC-EC under B-I.E.3 and 4 may be appealed to the entire FPCC. The FPCC's decision shall be final.

f) Withdrawal by respondent

The selected respondent may, upon notifying the chair of FPCC within five class days of receipt of petition, withdraw from representing the academic unit if the respondent does not agree with the unit's decision that is being grieved. Within five class days after receipt of notification of withdrawal, the academic unit shall suggest a new respondent after consultation with the FPCC-EC.

5. Process of conciliation

a) Role of chair of FPCC

If the petition is accepted, within five class days of its acceptance of the petition, the Chair of FPCC shall:
(1) APPOINTMENT OF CONCILIATORS

Appoint ONE OR two FPCC members IN ACCORDANCE WITH IV-F.4.c).(2),(b), who shall attempt conciliation-or-negotiation to resolve the grievance BY CONCILIATION AND TRANSMIT COPIES OF THE PETITION TO THEM. ONE CONCILIATOR MUST POSSESS A RANK EQUAL TO OR GREATER THAN THE GRIEVANT. WHEN NEEDED, THE FPCC-EC MAY APPOINT NON-FPCC MEMBERS WHO ARE FACULTY WITH DEMONSTRATED ABILITY TO CONCiliate.

(2) CHALLENGE OF CONCILIATORS

Inform the appellant GRIEVANT and the respondent of the appointment, which action may be challenged, within five class days after being informed of the appointment of the conciliators, for GOOD cause by either party. TO ESTABLISH GOOD CAUSE, THE PARTY SEEKING DISQUALIFICATION MUST PROVE THE CONCILIATOR IN QUESTION IS PERSONALLY BIASED OR LACKS QUALIFICATIONS OR IS INVOLVED IN A CONFLICT OF INTEREST. THE FPCC-EC SHALL DECIDE EACH CHALLENGE ON ITS MERITS AND SHALL REPLACE ANY CONCILIATOR FOR DEMONSTRATED GOOD CAUSE—and transmit a copy of the petition to the respondent, the conciliators, the appropriate Chair and Dean, the VPAA, and if the petition alleges unlawful discrimination because of race, creed, color, national origin, sex, age, or handicap, to the Director of Affirmative Action;

(3) PRODUCTION OF DOCUMENTS

Request the GRIEVANT AND RESPONDENT TO PRODUCE ALL RELEVANT DOCUMENTS CONSISTENT WITH B.I.E.12.l)—when appropriate, that the appellant’s department-Chair or school Director send to the FPCC Executive Committee copies of standard department or school criteria and procedures for faculty evaluation and a report of how such criteria and procedures were applied in the case in question. If reviews or appeals were conducted by the school, college, or department, the Chair of FPCC shall make a similar request of the Director, Dean, or VPAA;

(4) request the respondent to send to the FPCC Executive Committee within fourteen class days a written statement answering each of the allegations in the petition within fourteen (14) days.

 eb) Role of Conciliators

The conciliators shall meet INDIVIDUALLY OR COLLECTIVELY with the appellant GRIEVANT and the respondent. The purpose of the meeting(s) shall be to aid the parties in achieving a voluntary resolution of the grievance. The meeting(s) shall be informal and confidential. THE CONCILIATORS SHALL HAVE NO POWER TO DETERMINE WHAT FACTS ARE TRUE OR FALSE AND WHICH PARTY IS RIGHT OR WRONG.

fc) Report of Conciliators

Within thirty FIFTEEN class days of receiving the PETITION documents specified—in B.I.E.3.d)(2),(3), and (4), the conciliator shall report in writing to the Chair of FPCC, the appellant GRIEVANT, and the respondent AND FACULTY SENATE OFFICE, whether conciliation has been achieved. The thirty FIFTEEN-day time period may be extended BY THE CHAIR OF FPCC FOR TEN CLASS DAYS IF SUCCESSFUL CONCILIATION IS PROBABLE. IF NO TIMELY REPORTS ARE FILED, AFTER INVESTIGATION THE CHAIR OF FPCC MAY DETERMINE THAT CONCILIATION IS UNACHIEVABLE AND SO INFORM THE PARTIES. —with the written consent of the appellant and respondent. This consent may be withdrawn at any time. All documents received by the conciliators shall be returned to the Chair of FPCC at the conclusion of the conciliation and shall be destroyed.
6. REQUEST FOR HEARING DISPUTE RESOLUTION

a) ANSWER OF RESPONDENT


b) TIME FOR REQUEST

WITHIN TEN CLASS DAYS AFTER RECEIVING THE CONCILIATOR'S REPORT STATING CONCILIATION IS NOT POSSIBLE OR AFTER BEING INFORMED BY THE CHAIR OF FPCC THAT CONCILIATION IS UNACHIEVABLE, THE GRIEVANT MUST INFORM THE CHAIR OF FPCC WHICH TYPE OF HEARING THE GRIEVANT DESIRES TO PURSUE.

c) CHOICE OF DISPUTE RESOLUTION METHODS

IN AN EFFORT TO RESOLVE THE DISPUTE, THE GRIEVANT SHALL APPEAL TO ONE OF THE FOLLOWING:

(1) THE VPAA OR THE VPAA'S SUBSTITUTE
(2) THE BOARD OF INQUIRY
(3) THE BOARD OF APPEAL


Granting a Formal Hearing:

A request for a formal hearing shall be made in writing by the appellant to the FPCC Executive Committee within fifteen (15) CLASS days of the filing of the conciliators' report. After reviewing all supporting documents, the FPCC-Executive Committee shall decide after reviewing all supporting documents whether a sufficient ground exists for granting a hearing. A decision not to grant a hearing may be appealed to the entire FPCC.

7. DIRECT APPEAL TO VPAA

a) ACCEPTANCE OF GRIEVANCE

METHOD OR MUST SELECT THE BOARD OF INQUIRY OR BOARD OF APPEAL METHOD. THE RESPONDENT MAY CHALLENGE THE SELECTION OF THE PAST CHAIR OF FPCC FOR GOOD CAUSE. TO ESTABLISH GOOD CAUSE, THE RESPONDENT MUST PROVE THE CHAIR IS NOT QUALIFIED, IS PERSONALLY BIASED, OR INVOLVED IN A CONFLICT OF INTEREST.

b) SUBMISSION OF WRITTEN EVIDENCE AND LISTS OF WITNESSES

WITHIN FIFTEEN CLASS DAYS AFTER SELECTING THE DIRECT APPEAL OR AFTER BEING INFORMED THAT THIS METHOD HAD BEEN SELECTED, THE GRIEVANT AND RESPONDENT SHALL SUBMIT ONE COPY OF THEIR WRITTEN EVIDENCE AND LISTS OF WITNESSES TO BE INTERVIEWED BY THE VPAA TO THE CHAIR OF FPCC WHO SHALL WITHIN TWO CLASS DAYS DISTRIBUTE IT TO THE OPPOSING PARTY. WITHIN FIVE CLASS DAYS AFTER RECEIPT OF THE OPPOSING PARTY’S WRITTEN EVIDENCE, EACH PARTY MAY SUBMIT WRITTEN EVIDENCE REBUTTING THE OPPOSING PARTY’S WRITTEN EVIDENCE TO THE CHAIR OF FPCC WHO SHALL, WITHIN TWO CLASS DAYS, DISTRIBUTE IT TO THE OPPOSING PARTY. NO NEW EVIDENCE MAY BE SUBMITTED AND NO NEW WITNESSES MAY BE ADDED UNLESS PERMITTED BY THE VPAA OR **FPCC-EC B-I.E.12.K**. AFTER RECEIVING ALL WRITTEN EVIDENCE FROM THE PARTIES, THE CHAIR OF FPCC SHALL WITHIN TWO CLASS DAYS TRANSMIT ONE COPY OF IT TO THE VPAA AND FACULTY SENATE OFFICE.

c) ROLE OF VPAA OR SUBSTITUTE


d) FILING AND DISTRIBUTION OF REPORTS


8. APPEAL TO BOARD OF INQUIRY

a) SELECTION OF BOARD OF INQUIRY

WITHIN FIVE CLASS DAYS AFTER THE BOARD OF INQUIRY METHOD IS SELECTED, THE **FPCC-EC** SHALL SELECT THREE MEMBERS FROM THE FPCC SUBCOMMITTEE ON HEARING (**FPCC-SCH**) TO COMPRISE THE BOARD IN ACCORDANCE WITH **IV.F.4-c.)(2).(D).** THE BOARD MEMBERS SHALL POSSESS A RANK EQUAL TO OR GREATER THAN THE GRIEVANT AND SHALL ATTEND A FPCC TRAINING SESSION ON BOARD OF INQUIRY PROCEDURES. WHEN NEEDED, THE **FPCC-EC** MAY APPOINT NON-FPCC MEMBERS WHO ARE FACULTY WITH DEMONSTRATED ABILITY TO SERVE ON INVESTIGATIVE BOARDS. THE MOST EXPERIENCED MEMBER SHALL BE APPOINTED THE CHAIR OF THE BOARD OF INQUIRY.
b) CHALLENGE OF BOARD MEMBERS

Within five class days after being informed by the appointment of the board members by the Chair of FPCC, the Grievant and Respondent may challenge any board member for good cause. In order to establish good cause, the Grievant or Respondent shall prove that a board member is not qualified, is personally biased or involved in a conflict of interest. The FPCC-EC shall decide each challenge on its merits and shall replace any member only for demonstrated good cause.

c) SUBMISSION OF WRITTEN EVIDENCE AND LISTS OF WITNESSES

Within fifteen class days after selecting this method or within fifteen class days after being informed that this method has been selected, the Grievant and Respondent shall submit, within two class days, one copy of written evidence and list of witnesses to be interviewed by the Board to the Chair of FPCC who shall, within two class days, distribute it to the opposing party. Within five class days after receipt of the opposing party's written evidence, each party may submit written evidence rebutting the opposing party's written evidence to the Chair of FPCC who shall within two class days distribute it to the opposing party. After receiving all written evidence and lists of witnesses, the Chair of FPCC shall within two class days distribute them to the VPAA, board members, and faculty senate office. No new evidence or list of witnesses may be submitted at a later date, unless permitted by the FPCC-EC or board of inquiry.  B-I.E.12.k).

d) ROLE OF BOARD OF INQUIRY

After receipt of all written and rebuttal evidence, the Board of Inquiry shall in closed session conduct its own investigation by interviewing the parties and their witnesses, and by examining the written submissions. All decisions shall be made by majority vote; the minority shall have the right to file a minority report. B-I.E.10. The Chair of the Board of Inquiry shall write the majority report B-I.E.10 if the Chair votes with the majority. If the Chair votes with the minority, the Chair shall write the minority report and the most experienced member of the Board of Inquiry voting with the majority shall write the majority report.

e) FILING AND DISTRIBUTION OF THE REPORT

Within twenty class days after receipt of all evidence, the Board of Inquiry shall file the majority and minority, if any, reports with the VPAA. And they also shall distribute them to Grievant, Respondent, Chair of FPCC, and Faculty Senate Office and the Director of Affirmative Action if the petition alleges discrimination due to race, color, religion, national origin, sex, age or handicap.

9. b)-Selecting a APPEAL TO Hearing Board of APPEAL

a) APPOINTMENT OF BOARD OF APPEAL

If the FPCC-Executive Committee grants the request for a formal hearing, within seven ten class days of the decision the Committee after the Board of Appeal method is selected, the FPCC-EC shall select a Hearing Board of five members and at least two alternates in accordance with IV-F.4.c)(2)(c). Members of the FPCC Subcommittee on Hearings (FPCC-SCH) shall serve as the chair and Assistant Chair of the Hearing Board. The other four five members and Alternate Members of the Hearing Board shall be chosen by lot from the entire tenured faculty. The Secretary of the Faculty Senate Office shall conduct the lottery selection. All Board Members shall possess a
RANK EQUAL TO OR GREATER THAN THE GRIEVANT AND SHALL ATTEND A TRAINING SESSION ON FPCC BOARD OF APPEAL PROCEDURES. Any faculty member may decline to serve. Faculty members shall be excluded from serving who are department chairs or school directors; are members of the appellant’s GRIEVANT’s or respondent’s department; have filed a case before WITH THE FPCC within the past three years; ARE SPOUSES OF EITHER THE RESPONDENT, GRIEVANT, OR ANY OF THEIR WITNESSES; or have been involved in any way with the case GRIEVANCE. WHEN NEEDED, THE FPCC-EC MAY APPOINT A NON-FPCC MEMBER, WHO IS A FACULTY MEMBER WITH DEMONSTRATED ABILITY TO RUN HEARINGS, AS CHAIR OF THE BOARD OF APPEAL.

be) Challenges: OF BOARD MEMBERS

Within one-week FIVE CLASS DAYS after being informed by the Chair of FPCC of the composition MEMBERSHIP of the Hearing Board, the appellant GRIEVANT or respondent may challenge for good cause any member or alternate member of the Hearing Board. IN ORDER TO ESTABLISH GOOD CAUSE, THE GRIEVANT OR RESPONDENT SHALL PROVE THAT A BOARD MEMBER OR ALTERNATE IS NOT QUALIFIED, OR IS PERSONALLY BIASED OR INVOLVED IN A CONFLICT OF INTEREST. The FPCC-EC shall decide each challenge on its merits and may SHALL replace any member of the Hearing Board ONLY FOR DEMONSTRATED GOOD CAUSE.

d) Evidence to be Presented at the Hearing/Scheduling of the Hearing:

(1) All known written evidence which THAT the parties wish to present at the Hearing will SHALL be filed with the Chair of the FPCC before the scheduling of the meeting of the Hearing Board. The Chair of the FPCC will SHALL transmit copies to the appellant, the respondent, members of the Hearing Board, and the VPAA. One copy will SHALL remain in the Faculty Senate Office. The Hearing Board reserves SHALL RESERVE the right to limit the submission of new written evidence after that time.

c) SUBMISSION OF WRITTEN EVIDENCE AND LISTS OF WITNESSES

WITHIN FIFTEEN CLASS DAYS AFTER SELECTING THIS METHOD OR WITHIN FIFTEEN CLASS DAYS AFTER BEING INFORMED THAT THIS METHOD HAS BEEN SELECTED, THE GRIEVANT AND RESPONDENT SHALL SUBMIT ONE COPY OF WRITTEN EVIDENCE AND LISTS OF WITNESSES TO BE CALLED TO TESTIFY AT THE HEARING TO THE CHAIR OF FPCC WHO SHALL WITHIN TWO CLASS DAYS DISTRIBUTE IT TO THE OPPOSING PARTY. WITHIN FIVE CLASS DAYS AFTER RECEIPT OF THE OPPOSING PARTY’S WRITTEN EVIDENCE, EACH PARTY MAY SUBMIT WRITTEN EVIDENCE REBUTTING THE OPPOSING PARTY’S WRITTEN EVIDENCE TO THE CHAIR OF FPCC WHO SHALL PROMPTLY DISTRIBUTE IT TO THE OPPOSING PARTY. AFTER RECEIVING ALL WRITTEN EVIDENCE AND LISTS OF WITNESSES, THE CHAIR OF FPCC SHALL WITHIN TWO CLASS DAYS DISTRIBUTE THEM TO THE VPAA, FACULTY SENATE OFFICE AND BOARD MEMBERS. NO NEW EVIDENCE OR LISTS OF WITNESSES MAY BE SUBMITTED AT A LATER DATE, UNLESS THE FPCC-EC OR HEARING BOARD CONSENTS B-I.E.12.K).

d) SCHEDULING OF HEARING

e) HEARING, DELIBERATIONS AND REPORTS OF BOARD OF APPEAL

AFTER ALL EVIDENCE HAS BEEN PRESENTED, THE BOARD SHALL BEGIN DELIBERATIONS. ONLY
MEMBERS OF THE BOARD MAY BE PRESENT DURING DELIBERATIONS. ALL DECISIONS SHALL BE
BY MAJORITY VOTE; THE MINORITY SHALL HAVE THE RIGHT TO FILE A MINORITY REPORT B-I,E.10.
IF THE CHAIR VOTES WITH THE MAJORITY. IF THE CHAIR VOTES WITH THE MINORITY, THE CHAIR
SHALL AUTHOR THE MINORITY REPORT AND THE MOST EXPERIENCED MEMBER OF THE BOARD
VOTING WITH THE MAJORITY SHALL AUTHOR THE MAJORITY REPORT.

f) FILING AND DISTRIBUTION OF REPORTS

WITHIN FIVE CLASS DAYS AFTER THE HEARING, THE BOARD SHALL FILE THE MAJORITY AND
MINORITY REPORTS WITH VPAA AND DISTRIBUTE THEM TO GRIEVANT AND RESPONDENT, CHAIR OF FPCC, FACULTY SENATE OFFICE AND THE DIRECTOR OF AFFIRMATIVE
ACTION IF THE PETITION ALLEGES DISCRIMINATION DUE TO RACE, COLOR, RELIGION, NATIONAL
ORIGIN, SEX, AGE OR HANDICAP.

(2) Both the appellant and the respondent may request the aid of the FPCC Executive
Committee in securing documents or the attendance of persons who possess
information relative to the case.

(3) Normally, hearings will be held four to six weeks after the appointment of the
Hearing Board. The date shall be set by the Chair of the Hearing Board after
consultation with the appellant, respondent, and members of the Hearing Board. The
Chair of the Hearing Board shall notify the appellant, respondent, Hearing Board
members, VPAA, and Chair of the FPCC of the date of the hearing.

10. CONTENT OF REPORTS OF DISPUTE RESOLUTION BODIES

a) Deliberations and Opinions FINDINGS INVOLVING GROUNDS FOR GRIEVANCES

After all evidence has been presented, the Hearing Board shall recess for closed
deliberations. All decisions of the Hearing Board shall be by majority vote. With respect
to each ground for grievance, the report of the VPAA and the majority and
minority reports of the Board of Inquiry and Hearing Board of Appeal shall make
contain explicit findings of what facts are true and false and write an opinion as to
who is right and who is wrong or opinions with respect to each grievance charged as
alleged in the appellant's petition on the grounds cited therein. Whenever the
VPAA, Board of Inquiry or Hearing Board of Appeal shall find for the appellant rule in
favor of the grievant, the report shall make an explicit recommendations to the
VPAA as to what action shall be taken to redress the grievance with regard to each
ground for grievance ruled in favor of the appellant. The report shall be signed
by the VPAA or all members of the Board of Appeal or Board of Inquiry.
Recommendations evolving from salary disputes shall not specify monetary amounts.

b) FINDINGS INVOLVING DEFICIENCIES IN PROCEDURES

The VPAA and Board of Inquiry or Board of Appeal shall report any findings of
deficiencies in procedure of a department, school, college, board or committee to
the Academic Unit, Sec, VPAA and Chair of FPCC. The Sec may determine whether
there is cause to initiate action to improve the procedures and processes
employed by the department, school, college, administration, committee or board.
The reports shall be signed by the VPAA or all members of the Board of Appeal or
Board of Inquiry.
c) FINDINGS OF CHARTER VIOLATIONS

THE VPAA, BOARD OF INQUIRY OR BOARD OF APPEAL SHALL REPORT ANY FINDINGS OF VIOLATIONS OF THE ACADEMIC CHARTER BY ANY FACULTY OR ADMINISTRATOR TO THE FACULTY MEMBER OR ADMINISTRATOR WHO IS CHARGED WITH THE VIOLATION, HIS OR HER ACADEMIC UNIT, CHAIR OF FPCC, SEC, VPAA, AND THE PRESIDENT. THE SEC SHALL DETERMINE WHETHER THERE IS SUFFICIENT CAUSE TO PURSUE THE ALLEGED VIOLATION. THE REPORTS SHALL BE SIGNED BY THE VPAA OR ALL MEMBERS OF THE BOARD OF APPEAL OR BOARD OF INQUIRY.

11. REVIEW OF THE REPORT OF DISPUTE RESOLUTION BODIES

ba) Hearing Board’s Recommendations Appeal of DECISIONS OF VPAA, BOARD OF INQUIRY AND BOARD OF APPEALS Procedural-Defects:

(1) REVIEW OF GRIEVANT OR RESPONDENT


(2) HEARING OF REVIEW


(3) Objections to FPCC-EC Decision

If the grievant, respondent, or members of the board of inquiry or Board of Appeal object to the decision of the FPCC-EC, he, she or they may file, within five class days after receiving the FPCC-EC’s decision, a written report containing the objections with the VPAA. The report shall be distributed to the other parties, Chair of FPCC, and board members.

b) ROLE OF VPAA:

(1) REVIEW OF REPORTS OF VPAA’S SUBSTITUTE, BOARD OF INQUIRY, AND BOARD OF APPEAL, FPCC-EC, and Director of Affirmative Action.

The findings, opinions, and recommendations, if any, of the Hearing Board shall be transmitted in writing to. After the appeal period has expired or after EC has rejected the appeal, the VPAA, who shall accept them as constituting the judgment of the faculty. IN REVIEWING THE REPORTS OF THE VPAA’S SUBSTITUTE, BOARD OF INQUIRY OR
BOARD OF APPEAL, THE VPAA SHALL NOT DISCUSS THE GRIEVANCE OR THE REPORTS WITH THE GRIEVANT, RESPONDENT, OR MEMBERS OF THE BOARD OF INQUIRY OR HEARING BOARD OR THE VPAA'S SUBSTITUTE. THE REVIEW SHALL BE CONDUCTED SOLELY ON THE WRITTEN EVIDENCE, AUDIO TAPES OF THE HEARING AND WRITTEN REPORTS OBJECTING TO THE FPCC-EC'S DECISION ON SERIOUS DEFECTS IN PROCEDURE OR IN APPLYING DISCRIMINATION LAW, IF ANY. IF THE VPAA HAS QUESTIONS CONCERNING THE HEARING, THE VPAA SHALL SUBMIT WRITTEN QUESTIONS TO ALL MEMBERS OF THE BOARD OF APPEAL OR BOARD OF INQUIRY OR TO THE VPAA'S SUBSTITUTE WITH COPIES TO THE GRIEVANT, RESPONDENT AND CHAIR OF FPCC.

(2) REPORT OF VPAA

WITHIN TWENTY CLASS DAYS AFTER THE EXPIRATION OF THE TIME PERIOD FOR APPEALING PROCEDURAL DEFECTS, IF ANY, OR FOR OBJECTING TO THE FPCC-EC'S REPORT ON PROCEDURE DEFECTS, IF ANY, THE VPAA SHALL PREPARE AND DISTRIBUTE THE WRITTEN REPORT CONTAINING THE VPAA'S RECOMMENDATIONS AS TO HOW TO RESOLVE THE GRIEVANCE, WITH RESPECT TO EACH GROUND FOR GRIEVANCE ALLEGED. NORMALLY, THE VPAA SHALL ACCEPT THE REPORT OF THE VPAA'S SUBSTITUTE OR THE MAJORITY REPORT OF THE BOARD OF INQUIRY OR BOARD OF APPEAL AS CONSTITUTING THE JUDGMENT OF THE FACULTY, BUT THE VPAA IS NOT REQUIRED TO FOLLOW THESE REPORTS. IN CASES WHERE THE VPAA REVERSES A DECISION OF THE VPAA'S SUBSTITUTE, THE BOARD OF INQUIRY OR BOARD OF APPEAL, THE VPAA'S REPORT SHALL CONTAIN A DETAILED WRITTEN EXPLANATION OF THE REVERSAL. THE VPAA'S REPORT SHALL BE DISTRIBUTED TO THE GRIEVANT AND RESPONDENT, CHAIR OF FPCC, CHAIR OF THE BOARD OF INQUIRY OR BOARD OF APPEAL, THE VPAA'S SUBSTITUTE, IF ANY, FACULTY SENATE OFFICE, AND DIRECTOR OF AFFIRMATIVE ACTION IF THE PETITION ALLEGES DISCRIMINATION DUE TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, AGE OR HANDICAP - member by peer-in-the-case. COPIES also shall be sent to the appellant, the respondent, and the FPCC Executive Committee within one week after the close of the formal hearing. A finding of deficiencies in procedure or of violation of Charter provisions may be separately reported to the SEC. Such a report shall not include identification of the appellant nor fix blame upon the respondents. The SEC, however, may determine whether there is cause to initiate faculty or committee action to improve the procedures and processes employed by the department, school, college, or administrator involved.

c) ROLE OF THE PRESIDENT AND THE BOARD OF TRUSTEES:

(1) SUBSTITUTE FOR VPAA

IF THE VPAA IS A PARTY TO THE GRIEVANCE OR CHOSEN TO RESOLVE THE DISPUTE UNDER B-I.E.7, THE PRESIDENT SHALL RECEIVE THE DOCUMENTS AND PERFORM THE FUNCTIONS DESCRIBED IN B-I.E.10.A) AND B') AND 11 A), B), AND C) ABOVE IN PLACE OF THE VPAA.

(2) APPEAL TO THE PRESIDENT

WITHIN FIVE CLASS DAYS OF RECEIVING THE VPAA'S REPORT, THE GRIEVANT SHALL HAVE THE RIGHT TO APPEAL THE VPAA'S DECISION TO THE PRESIDENT ONLY IN GRIEVANCES INVOLVING REVOCATION OF TENURE, OR DISCRIMINATION OR HARASSMENT BASED ON RACE, COLOR, SEX, NATIONAL ORIGIN, AGE, RELIGIOUS OR HANDICAP. THE GRIEVANT, WITH THE CHAIR OF FPCC AND THE CHAIR OF THE BOARD OF INQUIRY OR BOARD OF APPEAL OR THE VPAA'S SUBSTITUTE PRESENT AND PARTICIPATING ALONG WITH THE VPAA, SHALL PRESENT THE RATIONALE FOR THE DECISION OF THE BOARD OF INQUIRY OR BOARD
OF APPEAL TO THE PRESIDENT. THE PRESIDENT’S DECISION IN THESE MATTERS SHALL BE FINAL, EXCEPT FOR REVOCATION OF TENURE GRIEVANCES.

c) VPAA/President Meeting with the Hearing Board

(3) APPEAL TO THE BOARD OF TRUSTEES:


In cases involving tenure or promotion where the VPAA or the President reverses a decision of the FPCC Hearing Board, a detailed written explanation of the reversal shall be conveyed to the FPCC Hearing Board within fifteen class days. With the consent of the appellant, the FPCC Hearing Board shall have the option of presenting the rationale for its decision at any appeal hear by the Board of Trustees.

d) VPAA’s Recommendations:

The VPAA shall inform the President and the Chair of the Board of Trustees in writing of the VPAA’s recommendations on the case, with copies to the appellant, the respondent, the Chair of FPCC, and the Chair of the Hearing Board within thirty class days of receiving the findings, opinions, and recommendations of the Hearing Board.

e) President’s Recommendation:

If the VPAA is a party to the case, the President shall receive the documents and perform the functions described in B.I.E.6.a) and b) above in place of the VPAA.


a) Time Limits:

(1) The time limits stated in the foregoing procedures are approximate and may vary somewhat according to the particular needs/demands of individual cases. The central intention is that the grievance shall be processed as promptly, efficiently, and systemically as circumstances permit.

(2) All time limits may be extended with the mutual written consent of both the appellant and the respondent, subject to review by the FPCC Executive Committee.

b) File and Records:

12.e) General Procedures:

a) KEEPING OF RECORDS

Each grievance submitted to the FPCC shall be assigned a file and a file number. Only three COMPLETE copies FILES of the file GRIEVANCE shall be kept, ONE IN THE OFFICE OF THE CHAIR OF FPCC, one in the Faculty Senate Office and one in the VPAA’s office. ALL other FILES SHALL BE DESTROYED AFTER COMPLETION OF THE GRIEVANCE EXCEPT THOSE OF THE GRIEVANT, and RESPONDENT AND VPAA. The file in the office of the chair of FPCC shall
BE DESTROYED ONE YEAR AFTER COMPLETION OF THE GRIEVANCE AND THE FILE in the Faculty Senate Office shall be destroyed after three years. THE CHAIRS OF THE BOARDS OF INQUIRY AND APPEAL SHALL COLLECT THE FILES OF THE BOARD MEMBERS AND DELIVER THEM TO THE CHAIR OF FPCC. THE CHAIR OF FPCC SHALL HAVE THIS RESPONSIBILITY OF DESTROYING ALL FILES. In all reports the grievance shall be referred to only by file number. ALL GRIEVANCE FILES SHALL BE DEEMED CONFIDENTIAL.

B) PHOTOCOPYING OF DOCUMENTS

ALL PHOTOCOPYING NEEDED BY THE GRIEVANT TO PURSUE A GRIEVANCE OR BY THE RESPONDENT TO DEFEND A GRIEVANCE MAY BE DONE WITHOUT CHARGE BY THE FACULTY SENATE OFFICE.

C) DEFINITION OF FACULTY

FOR FPCC PURPOSES, THE TERMS FACULTY AND FACULTY MEMBER INCLUDE ALL INDIVIDUALS HOLDING THE RANK OF LECTURER, INSTRUCTOR, ASSISTANT, ASSOCIATE, OR FULL PROFESSOR, REGARDLESS OF WHETHER THE INDIVIDUAL MAY ALSO SERVE AS AN ADMINISTRATOR. THE TERM ALSO INCLUDES FULL-TIME, PART-TIME, TEMPORARY AND VISITING FACULTY.

(4d) Academic Advisor

AFTER THE PETITION IS FILED, the appellant GRIEVANT and respondent each may have SHALL SELECT, and be represented by, an academic advisor of the faculty member's choice. Only a member of the faculty or administrative staff at BGSU may serve as an academic advisor.

(3e) Legal Counsel

Both the appellant and respondent may have legal counsel in attendance at the hearing to advise, but such counsel shall not conduct the case or otherwise participate in the proceedings unless the legal counsel acts as the appellant's GRIEVANT'S OR RESPONDENT'S ACADEMIC advisor in a grievance involving termination of appointment for cause. IN ALL GRIEVANCES INVOLVING TERMINATION OF TENURE, THE GRIEVANT AND RESPONDENT SHALL HAVE THE RIGHT TO HAVE LEGAL COUNSEL CONDUCT THE HEARING OR ACTIVELY PARTICIPATE IN THE HEARING.

f) RESOLUTION OF PROCEDURAL DISPUTES

THE FUNDAMENTAL OBJECTIVE OF RESOLVING DISPUTES SHALL BE THAT OF DUE PROCESS AND FAIRNESS IN ORDER TO ACHIEVE SUBSTANTIAL JUSTICE AND PREVENT UNFAIR SURPRISE CAUSED BY INTRODUCING PREVIOUSLY UNDISCLOSED EVIDENCE OR WITNESS AT A FPCC DISPUTE RESOLVING PROCESS. PRIOR TO THE HEARING WITH THE BOARD OF APPEAL, AND PRIOR TO SUBMITTING ALL WRITTEN AND REBUTTAL EVIDENCE TO THE VPAA OR TO THE BOARD OF INQUIRY, THE FPCC-EC SHALL HAVE JURISDICTION TO RESOLVE ALL PROCEDURAL DISPUTES BETWEEN THE GRIEVANT AND RESPONDENT. ONCE THE HEARING HAS COMMENCED, THE BOARD OF APPEAL HAS JURISDICTION TO RESOLVE PROCEDURAL DISPUTES. ONCE ALL WRITTEN EVIDENCE, INCLUDING REBUTTAL EVIDENCE, HAS BEEN SUBMITTED TO VPAA OR BOARD OF INQUIRY, IT HAS JURISDICTION TO RESOLVE ALL PROCEDURAL DISPUTES. AFTER THE VPAA AND BOARD OF INQUIRY OR BOARD OF APPEAL SUBMIT THEIR REPORTS, THE FPCC-EC SHALL ACQUIRE JURISDICTION TO RESOLVE ALL PROCEDURAL DISPUTES BETWEEN THE GRIEVANT AND RESPONDENT.

(1) Hearing Board's Right to Establish Procedures:
g) PROCEDURES OF VPAA, BOARD OF INQUIRY AND BOARD OF APPEAL

The VPAA, Hearing Board of APPEAL AND BOARD OF INQUIRY may establish such procedures as it deems necessary in order to ensure substantial justice to conduct their investigation or hearing provided they are consistent with B.I.E. AND THE FPCC GUIDELINES. The fundamental objective of all procedures followed by the Hearing board shall be that of due process and fairness. IN ORDER TO ENSURE SUBSTANTIAL JUSTICE IS DONE, and it shall not be the intention of the board that its procedures THE ESTABLISHED PROCEDURES NEED NOT follow those used in a courtroom.

(2h) Closed/Openness of Hearings

The ALL hearings shall be in closed session AND RECORDED BY A COURT REPORTER OR TAPE RECORDER. IN TERMINATION OF TENURE CASES, A COURT REPORTER SHALL BE PRESENT. However, the appellant/grievant or respondent shall have the right to MAY REQUEST an open hearing ONLY FOR THE BOARD OF APPEAL METHOD PROVIDED if the appellant/grievant or respondent requests the same in writing at least one-week TEN CLASS DAYS prior to the scheduled time of the hearing. except that the Hearing Board shall reserve the right to. The EC may require that a hearing be held in closed session if such is deemed necessary for the orderly conduct of the hearing. THE DECISION OF THE EC MAY BE APPEALED TO FPCC. THE FPCC'S DECISION IS FINAL.

i) Production of Documents and Witnesses

Both the grievant and the respondent may request the aid of EC in securing written evidence, documents and the appearance and testimony of witnesses before the Board of Inquiry, Board of Appeal or VPAA, provided the written evidence, documents and testimony of the witnesses are relevant to the grievance. In the event of a dispute as to whether any written evidence or documents should be made available to the grievant or respondent, the release or non-release and the manner in which such documents or written evidence shall be released will be determined by a panel consisting of the VPAA (or his/her designee), the Chair of FPCC and the Chair of the Board of Appeal or the Chair of the Board of Inquiry or the VPAA's Substitute in B-I.E.7.

(5) Right to Testify/Present Witnesses:

j) Role of Witnesses

The appellant grievant and respondent shall have the right to testify and to present witnesses relevant to their cases grievance. The names of witnesses shall be given in writing to the Chair of the Hearing Board and to other parties five class days in advance of the hearing FPCC AND TO THE OPPOSING PARTY AT THE SAME TIMES THAT THE WRITTEN EVIDENCE AND REBUTTAL EVIDENCE IS SUBMITTED TO THE CHAIR OF FPCC FOR DISTRIBUTION TO THE VPAA, THE BOARD OF INQUIRY AND BOARD OF APPEAL. The Hearing Board may choose to accept and read aloud at the hearing TAPES OR written statements from witnesses who cannot be present at the hearing OR WHO CANNOT BE INTERVIEWED BY THE BOARD OF INQUIRY OR VPAA ARE NOT ALLOWED UNLESS THE OPPOSING PARTY CONSENTS. THE WITNESSES SHALL BE PRESENT AT THE HEARING ONLY TO TESTIFY. HOWEVER, THE ADVISORS TO THE GRIEVANT AND RESPONDENT, EVEN THOUGH ALSO WITNESSES, SHALL BE PERMITTED TO BE PRESENT THROUGHOUT THE HEARING. THE GRIEVANT, RESPONDENT, AND THEIR ADVISORS SHALL HAVE THE RIGHT TO QUESTION ALL PERSONS WHO TESTIFY BEFORE THE BOARD OF APPEAL.

(6) When Witnesses may be Present:
Right to Question Witnesses:

k) INTRODUCTION OR EVIDENCE AND TESTIMONY OF WITNESSES

In order to eliminate unfair surprise, new evidence or new witnesses, not previously contained in written evidence or rebuttal evidence or list of list of witness submissions, shall not be introduced as evidence or permitted to testify at the hearing, or investigations by the VPAA or board of inquiry. The EC, board of appeal, board of inquiry or VPAA shall waive this rule if the evidence is newly discovered after the previous written submissions were filed. Written statements of presentation at the hearing and charts for the hearing may be prepared and disseminated at the hearing provided they contain no new evidence not previously submitted in the written evidence or rebuttal evidence. At the hearing, new evidence can only be introduced to rebut comments made during the hearing by the opposing party or witnesses of the opposing party. At the end of the hearing, the written statements and charts, if any, shall be collected by the chair of the hearing board and not used during deliberations.

l) PRESUMPTION OF CORRECTNESS

After conciliation, the VPAA, board of inquiry and board of appeal shall presume that the decision of the department, school, college, administration, committee or board which is being grieved is correct. In order to win the grievance, the grievant must prove that the decision is more incorrect than correct.

m) EVIDENCE OF TRIALS AND HEARINGS

The findings of a court of law or a government agency that federal or Ohio law or university rules, regulations, procedures, or policy have been violated shall be considered conclusive evidence of inadequate or inequitable consideration of professional competence of a faculty member.

n) FILING OF LEGAL CLAIMS

The FPCC grievance process shall continue regardless of whether the grievant has filed a claim in a state or federal court or administrative agency.

o) TIMELINESS

The time limits stated in the foregoing procedures are approximate and may vary somewhat according to the particular demands of individual grievance. The central intention is that the grievance shall be processed as efficiently as circumstances permit. All time limits may be extended by the EC.

p) WAIVER OF GRIEVANCE

Signing a contract for additional employment at BGSU while the grievance is pending shall not be considered as a waiver of any rights of the grievant.

q) IMPOSITION OF SANCTIONS

The EC may impose sanctions up to dismissing the grievant’s grievance or finding against the respondent whenever the grievant or respondent repeatedly violates the grievance procedure or repeatedly ignores the time deadlines imposed by these procedures. Prior to imposing the ultimate sanction of dismissing the grievance or finding against the respondent, the EC shall warn in writing that such action is imminent and probable if such conduct continues.
r) APPEAL OF DECISIONS

UNLESS OTHERWISE STATED, ALL DECISIONS MADE BY THE CHAIR OF FPCC MAY BE APPEALED TO EC, THEN TO THE FPCC, THEN TO THE VPAA. APPEAL TO THE PRESIDENT CAN BE MADE ONLY IN GRIEVANCE INVOLVING REVOCATION OF TENURE, AND DISCRIMINATION AND HARASSMENT BASED ON RACE, COLOR, SEX, NATIONAL ORIGIN, AGE RELIGION OR HANDICAP. ONLY REVOCATION OF TENURE DECISIONS MAY BE APPEALED TO THE BOARD OF TRUSTEES.

s) CONSENT OF PARTIES MODIFYING PROCEDURES

ANY FPCC PROCEDURE CONTAINED IN B-I.E CAN BE MODIFIED WITH THE CONSENT OF ALL GRIEVANTS AND RESPONDENTS NAMED IN THE GRIEVANCE.

5.—Alternate Procedure to a Formal Hearing

a) By written agreement of appellant and respondent, the Hearing Board may make its decision solely on the basis of the written evidence without a formal hearing.

b) By written agreement of the appellant and respondent, an informal hearing may be held. Under this type of hearing, the appellant and respondent shall be called to testify, but may not make a formal presentation nor have a right to be present while the other party or a witness is testifying. The proceedings of the Hearing Board shall be devoted to questions that the Hearing Board may have regarding the case.

6.—Findings and Dispositions

c) Motion to Dismiss, Modify Petitions, or to Deny a Request for a Hearing:

The FPCC Executive Committee shall have the power to dismiss or modify the petitions or to deny a request for a hearing in all cases filed before the FPCC. The motion may be made by the appellant, the respondent, a member of the FPCC. The motion may be made by the appellant, the respondent, a member of the FPCC Executive Committee, or a conciliator of the case. All motions shall be made in writing and sent to all parties in the case. The appellant, and in an appropriate case the respondent, shall have an opportunity to be heard before action is taken on the motion.

The grounds for modifying or dismissing the petition or denying a request for a hearing are:

(1) repeated filings based upon allegations already addressed by the FPCC;
(2) the appellant's tardiness in pursuing the case once it is filed;
(3) insufficient magnitude of the case to warrant further action, except in cases involving denials of tenure or promotion;
(4) failure of the petition to meet the requirements set forth in the Charter; or
(5) insufficient evidence to support the allegations in the petition.

The FPCC Executive Committee's decision may be appealed to the entire FPCC. The FPCC's decision shall be final.

d) Obtaining Documentary Evidence:

(1) If documentary evidence other than that specified in B-I.E.3.d)(1), (2), and (3) is needed by the appellant or the respondent in preparing the case, by the conciliators or by the Hearing Board, application for the access to such documents shall be made in writing to the FPCC Executive Committee which shall determine if the evidence
requested is relevant and under the authority of the FPCC. All such evidence that is
deemed admissible shall be transmitted to the FPCC Executive Committee, which
shall take the necessary steps to ensure the confidentiality of such evidence. The
decision of the relevance of the evidence requested may be appealed to the entire
FPCC.

(2) The FPCC Hearing Board is vested with authority by the Board of Trustees to
require production of any University records deemed relevant and material to the
issues. Privileged documents and communications shall be released to the Hearing
Board only with the written consent of the parties directly involved and affected.

(3) The VPAA, with the advice of University legal counsel, shall categorize the types of
University documents and communications to be considered as public, as restricted in
availability, or as privileged.

e) Grievance After Acceptance of Contract:

Should the appellant be offered and sign an annual contract during the time that the petition
is under consideration, such signature shall not be considered as evidence that the appellant
is satisfied and that the grievance has been redressed; nor shall such contract preclude an
adjustment of terms of employment as a result of these procedures.

8. Petitions Alleging Denial of Equal Opportunity

The findings of a court of law or a government agency that Federal or Ohio law or University
policy on equal opportunity has been violated shall be considered conclusive evidence of
inadequate or inequitable consideration of professional competence. If the court of law or
government agency does not specify a form of redress, then the appellant may petition in the
following manner:

a) The appellant shall file a petition requesting redress within thirty class days of the ruling of
the court or government agency. The petition shall include the materials upon which the
court or governmental ruling was based.

b) Upon receipt of the petition, the Chair of FPCC shall appoint a three-person committee
from the membership of FPCC whose function will be limited to recommending redress to
the appropriate University administrator.

c) Within fifteen class days of the receipt of the petition, the appointed committee shall
forward its recommendations for redress to the Chair of FPCC, who shall forward them
to the appropriate administrator.

9. Dismissal of Tenured Faculty

The University Policy on Faculty Appointment and Tenure and when appropriate, the Financial
Exigency Plan, shall apply to all cases of dismissal of tenured faculty. B.I.C. and Appendix A

Proposed Revision to Academic Charter: Membership of the Committee on Academic Affairs

No. 56-93 Mr. Stroh moved and Judge Connally seconded that approval be given to the
proposed revision to Article IV.F.2.a. of the Academic Charter: Membership of
the Committee on Academic Affairs. The motion was approved with no
negative votes.
IV.F.2. Committee on Academic Affairs (CAA)

a) Membership

The CAA shall be composed of twelve members:

1) ONE five faculty MEMBER FROM EACH UNDERGRADUATE COLLEGE, at least three of whom shall be Senators, elected for three-year staggered terms, one of whom shall be SELECTED BY CAA elected to serve as CAA Chair for one year (these Faculty are exclusive of those named in (2) and (3) below);

2) ONE two faculty representativeS from the Undergraduate Council SELECTED elected by the Council for A two-year staggered terms;

3) ONE two faculty representativeS from the Graduate Council SELECTED elected by the Council for A two-year staggered terms;

4) one undergraduate student appointed by the USG for a one-year term, who may be reappointed;

5) one graduate student appointd by the GSS for a one-year term, who may be reappointed; and

6) the VPAA, who shall serve AS AN ex officio MEMBER with the right to vote.

Each college shall have at least one faculty representative within the first three categories of faculty representation.

Proposed Revisions to the Student Code

Mr. Medlin explained that the proposed revisions to the Student Code concerned our students' rights to be free from physical and sexual offenses, were developed by the University Sexual Violations Task Force, and were mandated by federal law.

Mr. Noe moved and Mr. Bryan seconded that approval be given to the proposed revisions to the Student Code, as outlined below. The motion was approved with no negative votes.

Proposed Changes to the Student Code - Sexual Offenses

I. STUDENT RIGHTS AND FREEDOMS

As citizens of this University community, and in recognition of these basic freedoms, students are assured of these rights:

2) the right to be free from physical and sexual offenses;

VI. A. Level A regulations - Maximum sanction of expulsion

4. Sexual Imposition Offense

B. Level B regulations - Maximum Sanction of Dismissal

14. Sexual imposition
VII. Procedures

B. Procedural Interviews for an Accused Student

C. Interview for the Accuser Under Section VI., subsection A.4., Sexual Offense.

1. If the director of standards and procedures has reason to believe that these facts constitute a violation of section VI., subsection A.4., Sexual Offense, the director shall contact the student to schedule an interview.

2. At the interview, the director will inform the student of his/her rights under Appendix G., Policies and Procedures for the Prevention and Response to Sexual Offenses.

Appendix B - Regulations

A. Level A Regulations

4. Sexual Imposition Offense

No person shall engage in sexual contact with another person when

a. the sexual contact is offensive to the victim;

b. the victim's ability to appraise the nature of or control the offender's conduct is substantially impaired; or

c. the offender knows the other person submits because he/she is unaware of the sexual contact.

B. Level B Regulations

14. Sexual Imposition

No person shall engage in sexual contact with another person when

a. the sexual contact is offensive to the victim;

b. the victim's ability to appraise the nature of or control the offender's conduct is substantially impaired; or

c. the offender knows the other person submits because he/she is unaware of the sexual contact.

Appendix G - Policies and Procedures for the Prevention of and Response to Sexual Offenses

Bowling Green State University recognizes the seriousness of sexual offenses and commits to preventing such offenses and treating students who allege a sexual offense has occurred with dignity. The University acknowledges the support services of the Student Health Service, Office of Public Safety, Counseling Center, Standards and Procedures, Residential Services, The Link, Sexual Violations Task Force, On-Campus Housing, Off-Campus Housing, Student Legal Services and Vice President for Student Affairs.

Many University offices provide programming aimed at the prevention of sexual offenses.
I. Awareness and Prevention of Sexual Offenses

A. Coordination of programming and information dissemination by the Sexual Violations Task Force, Student Affairs Division.

B. Provision of written materials to students and parents with discussion of issues at Pre-Registration and new student orientation.

C. Programming and information are provided by the following campus support services: Office of Public Safety, Prevention Center for Alcohol and Other Drug Abuse, Residential Services and the Off-Campus Student Center, Student Health Service, Student Wellness Center and the Vice President for Student Affairs.

D. Programming and information are provided by The Link, an off-campus crisis intervention and referral agency.

E. In addition, media communications, academic classes and campus organizations frequently focus on sexual assault prevention programming.

II. Procedures to be followed in cases of an alleged sexual offense.

A. The student who alleges that a sexual offense has occurred can seek assistance from a number of different resources: Office of Public Safety, Student Health Service, Counseling Center, Residential Service's First Responders, Bowling Green City Police, Wood County Hospital, Wood County Prosecutors Office and The Link. It is the option of the student whether to seek legal, medical and/or psychological services initially. If the student has suffered physical harm, the student should seek medical attention immediately.

B. Legal Issues

1. The student who alleges that a sexual offense has occurred has the right to full and prompt cooperation from Campus Police personnel and maintaining evidence as may relate to the proof in a subsequent legal proceeding of a criminal sexual violation.

2. Duty to Report

All University personnel with the exception of those providing mental health services are required to report that a felony has been or is being committed. Identified may be kept confidential at the request of the student. Based on the Ohio Revised Code 2921.22.

3. Reporting Procedures On and Off Campus

On-campus offenses should be reported to Campus Police. All off-campus offenses should be reported to city police.

III. Rights of a Student Who Alleges that a Sexual Offense has Occurred

A. Options and assistance in notifying proper law enforcement can be obtained through the Counseling Center, Student Health Services, Residential Services Staff, Student Legal Services and The Link.
B. Notification of counseling and other student services

1. Medical Care
   a. the appropriate medical examination and collection of medical evidence is available from the Student Health Service during regular hours of operation. Twenty-four hour medical service is available through area hospitals.
   b. as provided by State and Federal laws or regulations, a student who alleges that a sexual offense has occurred shall be informed of the option (under certain circumstances) to obtain the results of mandatory testing of suspects of a sexual offense for sexually-transmitted diseases.

2. Crisis Intervention/Emotional Support
   The student who alleges that a sexual offense has occurred has a right to receive mental health services from the Counseling Center or the Psychological Services division of the Student Health Service. The student seeking such assistance generally meets with a counselor for an initial assessment session. Based on the perceived needs of the student and the availability of counselors, this assessment may be followed by on-going counseling or by referral to appropriate community resources. Services are available off-campus through The Link, where information on intervention, referral and a Victim's Advocacy Program are provided.

3. Living and Academic Options
   The student who alleges that a sexual offense has occurred may request to be relocated to another living environment by contacting On-Campus Housing. The student shall be relocated as soon as possible based on space availability. Efforts will also be made through the Office of the Vice President for Student Affairs to assist the student with requests for changes in his/her academic schedule/responsibilities. Requests for academic changes and/or changes in living arrangements shall be given prompt attention.

IV. Procedures for On-Campus Disciplinary Proceedings Involving Alleged Sexual Offenses

A. In addition to procedures included in section VIII of the Student Code applicable to the accused, the following procedures and rights are applicable to the accuser in cases involving alleged sexual offenses which occur on University premises:
   1. To submit a written complaint of the alleged offense to the Director of Standards and Procedures.
   2. To be provided with an interview conducted by the Director of Standards and Procedures which shall describe the due process and hearing procedures for the accused and the rights of the accuser. Rights of the accuser include the following:
a) to receive written notification of the time and place of the hearing;
b) the accuser is entitled to the same opportunities as the accused to have other present during a campus disciplinary proceeding;
c) to receive explanation of the degree of the burden of proof, which is the “preponderance of evidence” in campus disciplinary proceedings, in contrast to “beyond a reasonable doubt” in off-campus criminal proceedings;
d) to remain present during the entire proceeding;
e) to present evidence and witnesses in his/her own behalf;
f) to hear and respond to evidence and testimony presented at the hearing; and
g) to make a “victim impact statement.”

3. Both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual offense.

B. Sanctions following an On-Campus Disciplinary Procedure

Following an on-campus disciplinary procedure, a finding of guilty against the accused for a sexual offense can result in a maximum sanction of expulsion. Refer to Section VI of the Student Code for Regulations A violations.

Appendix M - Policy on Posters, Notices, Handbills, Flyers and Banners

F. Information on kiosks and general bulletin boards will be removed every Monday. New material may be placed on boards on a first come, first accommodated basis. Material containing information pertinent to multiple events over more than one week, may qualify for extended display stickers. Qualification for extended display stickers is determined by the policy available in the Assistant Vice President of Student Activities and Orientation office.

Proposed James H. McBride Arboretum Lease Agreement

No. 58-93 Judge Connally moved and Mr. Latta seconded that approval be given to the following resolution:

WHEREAS, the President and Board of Trustees of Bowling Green State University have made a determination that certain premises owned by the State of Ohio, through its Department of Administrative Services (Lessor) for the benefit of Bowling Green State University (University) may be most advantageously utilized for the benefit of Bowling Green State University by continued development as an arboretum; and

WHEREAS, the development of the arboretum will make available increased passive use of park facilities to the residents of Erie County and surrounding areas, as well as to foster development, operation, and
maintenance of the Arboretum as a natural resource and educational center and to:

Provide educational opportunities in botanical, horticultural and natural history topics,
Provide a setting of natural beauty, peaceful respite and passive recreation,
Provide a site for artistic and cultural activities, and
Restore and demonstrate native plant communities of the area; and

WHEREAS, the Department of Administrative Services of the State of Ohio and the James H. McBride Arboretum Board (Board) have reviewed the development plan submitted by Erie MetroParks (Lessee) and has found that:

A. The best interests of the University will be promoted by entering into a lease with Erie MetroParks, and

B. Erie MetroParks has established its financial responsibilities and satisfactory plans for financing the proposed arboretum improvements.

NOW, THEREFORE, BE IT RESOLVED THAT: Pending approval from the Attorney General's Office, approval be given to the proposed lease with Erie MetroParks.

The motion was approved with no negative votes.

JAMES H. McBRIDE ARBORETUM LEASE AGREEMENT

Pursuant to the authority vested in the State of Ohio, Department of Administrative Services (the "State"), by Section 123.01(A)(9), Ohio Revised Code, the State hereby leases to Erie Metropark Board of Parks Commissioners ("EMP") the real property described as Parcel A and Parcel B on the attached Exhibit I, located on the Firelands Branch Campus of Bowling Green State University ("BGSU"), 901 Rye Beach Road, Huron, Erie County, Ohio 44839 (the "Arboretum Property"), and all fixtures and improvements thereon during the term hereof, upon the terms and conditions stated below. Prior to the commencement date of this Lease, the Arboretum Property has been under the jurisdiction of, and has been operated and managed as the James H. McBride Arboretum (the "Arboretum") by the Bowling Green State University Board of Trustees (the "BGSU Board") or its designee for such purpose, the James H. McBride Arboretum Board (the "Arboretum Board").

RECITALS

This Lease will make available increased passive use park facilities to the residents of Erie County, as well as foster development, operation, and maintenance of the Arboretum Property as a natural resource and educational center for the faculty, staff, students and other representatives of BGSU; and will also:
Provide educational opportunities in botanical, horticultural, and natural history topics.
Provide a setting of natural beauty, peaceful respite and passive recreation.
Provide a site for artistic and cultural activities.
Restore and demonstrate native plant communities of the area.

AGREEMENT

NOW, THEREFORE, in consideration of One Dollar ($1.00), the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. LEASE OF THE ARBORETUM PROPERTY: The State hereby leases the Arboretum Property to EMP, subject to all prior leases, easements or grants on any portion of the property, and to the renewal thereof.

Legal title and ownership of the Arboretum Property shall be retained by the State. No control, rights, or additional responsibility beyond the scope of this Lease is extended or transferred to EMP. No control of other State or BGSU property areas is intended or implied by this agreement.

The State reserves the right to grant to any other person or entity utility easements on or in the Arboretum Property. EMP shall be entitled to receive any portion of reimbursements paid by the utility company which is designated as compensation for damages to its leasehold interest and/or for damages to plantings or other improvements installed by EMP resulting from the installation, maintenance or removal of any utilities pursuant to any such easement granted.

2. ADMINISTRATION OF LEASE: The Arboretum Board shall serve as the advisor to the State, BGSU and EMP in the administration of the terms of this Lease. All amendments and/or revisions to this agreement to further develop the Arboretum Property shall be mutually agreed to by the Arboretum Board and EMP prior to submittal to the BGSU Board for approval. The Arboretum Board shall continue to be maintained pursuant to its Bylaws dated effective April, 1984, as same may be amended from time to time. A copy of the Bylaws is attached as Exhibit II.

3. TERM: The term of this Lease shall be for a period of twenty-five (25) years effective on the first day of June 1993, subject to the approval of the BGSU Board and the State as provided in Paragraph 20 hereof, and ending on the last day of May 2018, unless otherwise terminated in accordance with the termination provisions herein. If EMP has complied with all the terms and conditions of this Lease, the intent is for EMP to be entitled to at least one successive renewal for a term of twenty-five (25) years upon the same terms and conditions set forth herein, subject to the authority of the State under O.R.C. §123.01(A)(9).

4. RENT: EMP shall pay as annual rent for the Arboretum Property the sum of $1.00 per year during the term of this Lease, the first payment being due upon
execution of the Lease by all parties. The annual rent is to be paid each year in advance, on or before each anniversary of the commencement date of this Lease. Payment shall be made to the Office of the Bowling Green State University Treasurer, or at any other place as BGSU may from time to time designate.

BGSU agrees to subsidize the ordinary operating and maintenance expenses of the Arboretum in an amount not to exceed the annual net revenue actually received by BGSU from rental of adjacent farm lands owned by BGSU during the term of this Lease, as identified on the attached Exhibit III. The subsidy payment shall be paid to EMP on December 1 of each lease year.

Any fees or deposits charged for use of reservable facilities shall be determined by EMP and retained by it to offset the cost of ordinary operation and maintenance of the Arboretum Property and facilities.

If at any time the rentals received from adjacent farm lands and fees charged exceed the actual and foreseeable costs of ordinary operation and maintenance of the Arboretum, the balance shall be used for Arboretum development pursuant to Paragraph 7 hereof.

5. MAINTENANCE/OPERATIONS: EMP shall maintain and operate the Arboretum Property as an arboretum as stated herein. All maintenance and operating expenses of the Arboretum including, but not limited to, groundskeeping, trail up-keep, repair of vandalism and litter collection, shall be paid by EMP.

During the term of this Lease, EMP will maintain and equip the Arboretum Property with litter receptacles and other non-permanent site amenities. All public use, programming, facility reservation and coordination or supervision of volunteers for the Arboretum shall be the responsibility of, and determined solely by EMP in consultation with the Arboretum Board.

EMP shall properly prune trees when necessary, and replace in kind all trees, other plant life or man-made improvements which may be damaged or destroyed by EMP or any of EMP's agents.

Under no circumstances shall EMP destroy or obstruct any existing driveways, roads or other vehicular pathways.

EMP shall not deposit any debris on the adjacent BGSU property nor do anything that would interfere with the maintenance or use of any part of the adjacent BGSU lands.

EMP agrees not to permit the Arboretum Property to be used for any purpose inconsistent with any BGSU, local, state, or federal laws or regulations, and shall be liable to BGSU and the State for any and all costs or damages resulting from any such violation. Violation of this provision shall constitute a default under this Lease giving BGSU the right of cancellation of this Lease under the default provision herein.
6. **USE BY THE PUBLIC AND BGSU REPRESENTATIVES:** EMP and BGSU agree that the Arboretum Property shall only be used for public park purposes; and activities not within the spirit of this provision shall not be undertaken nor permitted by any party. EMP agrees that for the term of this Lease, the Arboretum shall be kept open to the public, subject only to reasonable maintenance and operating requirements, and that all members of the BGSU community, including faculty, staff, students and other representatives, shall be entitled to use all Arboretum facilities without fees or charges.

7. **ARBORETUM DEVELOPMENT:** BGSU through the Arboretum Board agrees to provide at no cost to EMP the Arboretum master plan, dated June 13, 1992. The master plan is to serve as a mutually agreed upon outline for future arboretum development and EMP implementation of the master plan shall be monitored by the Arboretum Board. Any modifications to the master plan and any development and/or park activities undertaken by EMP beyond the scope of the master plan shall be subject to the specific prior approval of the BGSU Board.

EMP agrees to use its best efforts to provide for the future development and improvement of the Arboretum, as set forth in the master plan as it may be amended. To the extent reasonably possible, EMP agrees to allocate additional capital funds for such future development and improvement.

At its sole discretion, the BGSU Board may elect from time to time to provide funding for selected capital improvements as may be mutually agreed before initiation of each such project.

8. **PERMANENT IMPROVEMENTS:** All permanent improvements made to the Arboretum Property during the term of this Lease shall remain on the site and shall become the property of the State upon termination of this Lease.

EMP may construct and maintain, upon written consent by the Arboretum Board and the BGSU Board, any structures or other improvements EMP considers appropriate to carry out the purposes set forth herein. All structures and permanent improvements shall first be approved by the BGSU Board, regardless of whether or not such structures and permanent improvements are in the master plan. The BGSU Board also reserves the right of final approval for any permanent changes to the Arboretum Property or construction of infrastructure and facilities thereon.

9. **ACCESS:** The State, BGSU and the Arboretum Board shall have access to the Arboretum Property at all reasonable times and in a manner which does not interfere with EMP's maintenance and operation of the Arboretum to determine whether EMP is complying with the terms of this Lease. BGSU shall allow reasonable public access to the Arboretum Property over adjacent BGSU lands.

10. **PROTECTION:** Public safety, protection of public property and preservation of natural resources in the Arboretum area shall be provided by EMP rangers with assistance from the Erie County Sheriff. In addition to the general criminal sections of the Ohio Revised Code and applicable Huron Township Ordinances, EMP Rules and Regulations adopted pursuant to Section 1545.09 of the Ohio
Revised Code shall be in full force and effect in the Arboretum area. Fines and damages collected for offenses cited under EMP Rules and Regulations shall be retained by EMP to offset the cost of ranger activities and repair of damaged facilities. EMP will coordinate ranger law enforcement and safety activities with Erie County Sheriff and BGSU, and shall provide copies of law enforcement reports to the Erie County Sheriff and BGSU as requested.

11. ASSIGNMENT/SUBLETTING: EMP shall not assign this Lease or sublet the Arboretum property or any part thereof without the written consent of BGSU and the State. This provision shall not apply to the temporary use in exchange for a fee of any reservable area or facility.

12. TERMINATION: This Lease may be terminated by the State, with the approval of BGSU, only if the Arboretum Property, or any part thereof, is needed for another public or quasi-public use or purpose for which no other site is reasonably available. BGSU shall give EMP at least one hundred eighty (180) days written notice prior to such termination. EMP shall have no claim against the State or BGSU for the value of any unexpired term of this Lease, or otherwise as a result of such termination.

13. DEFAULT: If any party breaches or defaults on any of the terms or conditions of this Lease, and if that breach or default is not remedied within thirty (30) days after written notification from another party of that breach or default, the non-defaulting party may terminate this Lease effective upon receipt by the defaulting party of written notice of termination. EMP shall have ninety (90) days from receipt of a written notice of termination, to remove all its personal property, and to restore the Arboretum Property to a condition satisfactory to BGSU. If such removals and restorations are not effected within the specified time, BGSU may restore the property at EMP's expense. Termination of this Lease is not a waiver by the State or BGSU of their right to take proper legal action to collect damages in a court of law.

14. LIABILITY: EMP shall indemnify and save harmless BGSU from and against any and all claims, demands, damages, actions, or causes of action, together with any and all losses, costs, or related expenses asserted by any person or persons for bodily injury, personal injury, wrongful death, or property damage arising from EMP's occupation or use of any portion of the Arboretum Property, or arising out of any act, omission or neglect by EMP or any of its employees, agents, or invitees.

During the term of this Lease, or any subsequent renewal hereof, EMP at its sole cost and expense shall carry and maintain a policy of Comprehensive General Liability with the broad form endorsement against claims for bodily injury, personal injury, wrongful death and property damage coverage together with all costs of defense.

Said policy shall designate as an additional named insured BGSU and the State of Ohio as their interests may appear. The policy limits shall be no less than the following:

<table>
<thead>
<tr>
<th>Liability Type</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bodily Injury</td>
<td>$250,000 per person</td>
</tr>
</tbody>
</table>
Property Damage        $100,000 per occurrence     $500,000 Aggregate

OR

Combined Single Limit        $1,000,000 per occurrence

Said policy shall contain a clause providing that thirty (30) days written notice of cancellation, non-renewal, or decrease in coverage will be given to BGSU. Said policy shall also contain a clause: (1) acknowledging that pursuant to Ohio law only the Attorney General, assistant Attorneys General or special counsel designated by the Attorney General can represent or defend the State or a state university or college in any legal proceeding; (2) providing that the insurer agrees to reimburse the State for the cost of legal expenses at an hourly rate to be agreed upon with the Office of the Attorney General; and (3) reserving the right to the insurer to settle any and all litigation, but only with the approval of the Office of the Attorney General on behalf of the State of Ohio, as provided by the Ohio Revised Code. A copy of the Certificate of Coverage shall be filed with and is subject to the approval of BGSU.

BGSU reserves the right but has no obligation to periodically review the liability limits for the insurance policies required. If at any time the BGSU Board reasonably determines that the required policy limits are insufficient to adequately protect BGSU's interests and/or do not meet current industry guidelines, BGSU may require an increase in the policy limits. EMP shall have one hundred eighty (180) days following notification by BGSU of the new policy requirements to obtain insurance meeting the new requirements and to file with BGSU proof of insurance conforming to the new requirements. Failure to comply with this clause shall constitute a breach of this lease.

15. **TAXES:** EMP shall be responsible for any federal, state and/or local taxes and assessments levied against the Arboretum Property or against BGSU resulting from this Lease of the Arboretum Property or EMP's operation of the Arboretum.

16. **QUIET ENJOYMENT:** The State covenants that if, and so long as, EMP pays the rent when due and performs the covenants hereof, EMP may quietly occupy the premises, during the term, without any hindrance by the State or any person or persons lawfully claiming under the State. The State will not warrant and defend against any claim asserted by any other person or entity. A taking by eminent domain shall not be deemed to be a breach of this covenant.

17. **OTHER SERVICES AND RESPONSIBILITIES:** Provision of services and materials or responsibilities for conditions and activities not contained in this Lease shall be determined by mutual agreement between BGSU and EMP on a case-by-case basis.

18. **MINERAL/TIMBER RIGHTS:** The State reserves all mineral and timber rights in, on or under the Arboretum Property. Timber on the Arboretum Property shall be the sole property of BGSU, to be utilized in whatever manner BGSU deems appropriate.
19. REPRESENTATIVES/AGENTS: Where this Lease refers to either the State, BGSU or EMP, those terms shall include the agents, employees, or authorized representatives of each party.

20. APPROVALS REQUIRED: This lease is contingent upon and subject to authorization and approval by the BGSU Board, the Ohio Attorney General and the State of Ohio Department of Administrative Services, and upon execution of this Lease by all parties set forth below. If any such party shall not so approve and execute this Lease, it shall be null and void and of no force or effect.

THE STATE OF OHIO
LESSOR

BY: GEORGE V. VOINOVICH
Governor of Ohio

Witness to Director
Dept. of Administrative Services

(1) __________________________
(2) __________________________
Date __________________________

Witness to President
Bowling Green State University

(1) __________________________
(2) __________________________
Date __________________________

LESSEE

BY: JONATHAN GRANVILLE,
Director, Erie MetroPark

Witness to Director
Erie MetroPark

(1) __________________________
(2) __________________________
Date __________________________

Witness to The
Arboretum Board

(1) __________________________
(2) __________________________
Date __________________________

THE ARBORETTUM BOARD
The James H. McBride Arboretum Board

BY: Title
Fiscal Years 1995-2000 State-Funded Capital Plan

Mr. Noe moved and Judge Connally seconded that the Proposed 1995-2000 State-Funded Capital Plan for Bowling Green State University be endorsed for forwarding to the Chancellor of the Ohio Board of Regents. The motion was approved with eight affirmative votes and one negative vote.

FY 1995-2000 CAPITAL BUDGET REQUEST - MAIN CAMPUS
Comprehensive Six-Year Capital Program and State-Funded Capital Request Summary

<table>
<thead>
<tr>
<th>Fiscal Years 1995-1996</th>
<th>State</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 South Hall Replacement - Phase II</td>
<td>$4,560,000</td>
<td></td>
</tr>
<tr>
<td>2 University Hall Rehabilitation</td>
<td>3,111,000*</td>
<td></td>
</tr>
<tr>
<td>3 Central Heating Plant Replacement - Phase I</td>
<td>5,000,000</td>
<td></td>
</tr>
<tr>
<td>4 Hanna Hall Rehabilitation</td>
<td>4,935,000</td>
<td></td>
</tr>
<tr>
<td>5 Central Heating Plant Replacement - Phase II</td>
<td>4,900,000</td>
<td></td>
</tr>
<tr>
<td>(Phase II of Heating Plant will become 1st priority in 97-98 if not funded in 95-96)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Moseley Hall Rehabilitation</td>
<td>5,100,000</td>
<td></td>
</tr>
<tr>
<td>7 Auxiliary Improvements</td>
<td>$7,000,000</td>
<td></td>
</tr>
<tr>
<td>8 Local Capital Improvements</td>
<td>300,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$27,605,000</strong></td>
<td><strong>$7,300,000</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Fiscal Years 1997-1998</th>
<th>State</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Johnston Hall Rehabilitation</td>
<td>$1,650,000</td>
<td></td>
</tr>
<tr>
<td>2 University Relations Annex</td>
<td>1,875,000</td>
<td></td>
</tr>
<tr>
<td>3 Child Care Facility</td>
<td>1,000,000</td>
<td></td>
</tr>
<tr>
<td>4 Fine Arts Building Rehabilitation</td>
<td>4,600,000</td>
<td></td>
</tr>
<tr>
<td>5 Social Philosophy &amp; Policy Center Addition</td>
<td>1,000,000</td>
<td></td>
</tr>
<tr>
<td>6 Central Services Warehouse Addition</td>
<td>1,000,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>7 Steam Distribution piping Rehabilitation</td>
<td>2,375,000</td>
<td></td>
</tr>
<tr>
<td>8 Health &amp; Human Svcs. Lab &amp; Research Ctr.</td>
<td>3,200,000</td>
<td></td>
</tr>
<tr>
<td>9 Auxiliary Improvements</td>
<td>7,000,000</td>
<td></td>
</tr>
<tr>
<td>10 Local Capital Improvements</td>
<td>300,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$16,700,000</strong></td>
<td><strong>$8,300,000</strong></td>
</tr>
</tbody>
</table>

*Revised 8/23/93
Fiscal Years 1999-2000
1. Technology Building Addition $8,500,000
2. Utility Service Tunnel Rehabilitation 1,320,000
3. Electrical Sub Station 4,600,000
4. Technology Annex Rehabilitation 2,550,000
5. Biotechnology Building 20,450,000
6. Moore Musical Arts Center Addition 5,900,000
7. Central Cooling Plant - Phase I 6,100,000
8. Photochem. Sciences/Material Sciences Bldg. 14,190,000
9. Auxiliary Improvements $7,000,000
10. Local Capital Improvements 300,000
Total $63,610,000 $7,300,000

FY 1995-2000 CAPITAL BUDGET REQUEST - FIRELANDS
Comprehensive Six-Year Capital Program and State-Funded Capital Request Summary

Fiscal Years 1995-1996
1. EPIC Lab Renovation $1,260,000

Fiscal Years 1997-1998
1. East/West Bldg. Addition $2,195,500

Fiscal Years 1999-2000
1. Laboratory Rehabilitation $610,000
2. Greenhouse Facility - Botany Lab 53,125

Mr. Medlin stated that the Personnel/Facilities Committee reviewed the status of state-funded capital projects, the University Health Care recommendations, the status of the in-house legal counsel search, and the proposed changes in parking fines.

FINANCE COMMITTEE

Mr. Noe reported that the Finance Committee met on Thursday afternoon and reviewed six action items.

Proposed 1993-94 Educational Budgets - Main Campus and Firelands College

No. 60-93
Mr. Noe moved and Mr. Medlin seconded that approval be given to the Revised 1992-93 Educational Budget (Main Campus) in the amount of $125,616,770, to the Proposed 1993-94 Educational Budget (Main Campus) in an amount that is determined by the increase in BGSU state instructional subsidy for 1993-94 and the final cap on tuition increases for 1993-94 set by the State of Ohio, which possible final caps on tuition increases and subsidy increases and the corresponding amounts of the Proposed 1993-94 Educational Budget (Main Campus) are set forth in Exhibit A attached hereto and made a part hereof, to the Revised 1992-93 Educational Budget (Firelands) in the amount of $5,468,491, and to the Proposed 1993-94 Educational Budget (Firelands) in an amount that is determined by the increase in BGSU state instructional subsidy for 1993-94 and the final cap on tuition increases for 1993-94 set by the State of Ohio, which
possible final caps on tuition increases and subsidy increases and the corresponding amounts of the Proposed 1993-94 Educational Budget (Firelands) are set forth in Exhibit B attached hereto and made a part hereof, and that the President, or his designee, is authorized to approve interfund transfers within the approved budgeted level for the 1993-94 fiscal year.

The Board Secretary conducted a roll call vote with the following results: Voting "yes"—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Mr. Medlin, Ms. Newell, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.

Exhibit A

Variation in 1993-94 Educational Budget & Salary Increases with Tuition Caps and Subsidy Increases

Main Campus

<table>
<thead>
<tr>
<th>State Subsidy Increase</th>
<th>Instructional Fee Increase*</th>
<th>Salary Increase (Pools)</th>
<th>Main Campus Educational Budget 1993-94</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.00%</td>
<td>4.00%</td>
<td>3.00%</td>
<td>$129,230,351</td>
</tr>
<tr>
<td>2.00%</td>
<td>4.45%</td>
<td>3.10%</td>
<td>$129,513,684</td>
</tr>
<tr>
<td>2.00%</td>
<td>5.00%</td>
<td>3.40%</td>
<td>$129,833,719</td>
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<tr>
<td>2.00%</td>
<td>5.32%</td>
<td>3.60%</td>
<td>$130,026,796</td>
</tr>
<tr>
<td>3.00%</td>
<td>4.00%</td>
<td>3.50%</td>
<td>$129,791,543</td>
</tr>
<tr>
<td>3.00%</td>
<td>4.45%</td>
<td>3.80%</td>
<td>$130,074,876</td>
</tr>
<tr>
<td>3.00%</td>
<td>5.00%</td>
<td>4.05%</td>
<td>$130,346,713</td>
</tr>
<tr>
<td>3.00%</td>
<td>5.32%</td>
<td>4.20%</td>
<td>$130,493,777</td>
</tr>
<tr>
<td>3.00%</td>
<td>4.00%</td>
<td>4.10%</td>
<td>$130,268,097</td>
</tr>
</tbody>
</table>

Exhibit B

Variation in 1993-94 Firelands Budget with Tuition Caps and Subsidy Increases

<table>
<thead>
<tr>
<th>State Subsidy Increase</th>
<th>Tuition Increase (Instr+Gen)</th>
<th>Firelands Educational Budget 1993-94</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.00%</td>
<td>4.00%</td>
<td>$5,622,321</td>
</tr>
<tr>
<td>2.00%</td>
<td>5.00%</td>
<td>$5,647,404</td>
</tr>
<tr>
<td>2.00%</td>
<td>5.76%</td>
<td>$5,666,698</td>
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<tr>
<td>2.00%</td>
<td>6.91%</td>
<td>$5,695,639</td>
</tr>
<tr>
<td>3.00%</td>
<td>4.00%</td>
<td>$5,668,585</td>
</tr>
<tr>
<td>3.00%</td>
<td>5.00%</td>
<td>$5,683,668</td>
</tr>
<tr>
<td>3.00%</td>
<td>5.76%</td>
<td>$5,702,962</td>
</tr>
<tr>
<td>3.00%</td>
<td>6.91%</td>
<td>$5,731,903</td>
</tr>
<tr>
<td>4.00%</td>
<td>4.00%</td>
<td>$5,694,849</td>
</tr>
</tbody>
</table>

NOTE: Firelands salary increases same as Main Campus

*Assumed to be equal to cap on tuition increases set by State of Ohio with comparable increases in nonresident surcharge and general fee.
### 1991-92 Final Income

<table>
<thead>
<tr>
<th>Source of Income</th>
<th>30-June-92</th>
<th>30-Apr-93</th>
<th>30-Apr-93</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instructional Subsidy</td>
<td>$58,138,552</td>
<td>$56,119,208</td>
<td>$57,802,784</td>
</tr>
<tr>
<td>Developmental Education</td>
<td>$0</td>
<td>$0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total State Funds</strong></td>
<td>$58,138,552</td>
<td>$56,119,208</td>
<td>$57,802,784</td>
</tr>
<tr>
<td>Student Instructional Fees</td>
<td>$46,627,128</td>
<td>$50,750,000</td>
<td>$52,338,017</td>
</tr>
<tr>
<td>Non-Resident Fee</td>
<td>$7,850,678</td>
<td>$8,700,000</td>
<td>$8,968,092</td>
</tr>
<tr>
<td>Misc./Off-Campus Fees</td>
<td>$1,625,000</td>
<td>$1,950,000</td>
<td>$2,047,500</td>
</tr>
<tr>
<td><strong>Total Student Fees</strong></td>
<td>$56,102,806</td>
<td>$61,400,000</td>
<td>$63,353,609</td>
</tr>
<tr>
<td>GSC - Auxiliaries</td>
<td>$4,510,699</td>
<td>$4,612,071</td>
<td>$4,935,564</td>
</tr>
<tr>
<td>GSC - Grants</td>
<td>$300,000</td>
<td>$360,000</td>
<td>$360,000</td>
</tr>
<tr>
<td>Interest Income</td>
<td>$1,256,634</td>
<td>$1,114,900</td>
<td>$1,040,000</td>
</tr>
<tr>
<td>Department Sales</td>
<td>$605,500</td>
<td>$625,000</td>
<td>$625,000</td>
</tr>
<tr>
<td>Application Fees</td>
<td>$385,000</td>
<td>$430,000</td>
<td>430,000</td>
</tr>
<tr>
<td>Miscellaneous Income</td>
<td>$270,000</td>
<td>$290,000</td>
<td>$290,000</td>
</tr>
<tr>
<td>Total Other Income</td>
<td>$7,327,833</td>
<td>$7,431,971</td>
<td>$7,680,564</td>
</tr>
<tr>
<td>Prior Year Carryover</td>
<td>$300,000</td>
<td>$665,591</td>
<td>$951,802</td>
</tr>
</tbody>
</table>

**Total Sources of Income**: $121,869,191 $125,616,770 $129,788,759

Subsidy for Academic Challenge (Round 2) $557,954
Total Income Including Academic Challenge $130,346,713

### 1992-93 Projected Income

<table>
<thead>
<tr>
<th>Source of Income</th>
<th>30-Apr-93</th>
<th>30-Apr-93</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instructional Subsidy</td>
<td>$56,119,208</td>
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<td>GSC - Auxiliaries</td>
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<tr>
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<td>430,000</td>
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<tr>
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<td>$290,000</td>
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<td>$7,680,564</td>
</tr>
<tr>
<td>Prior Year Carryover</td>
<td>$665,591</td>
<td>$951,802</td>
</tr>
</tbody>
</table>

**Total Sources of Income**: $125,616,770 $129,788,759

Subsidy for Academic Challenge (Round 2) $557,954
Total Income Including Academic Challenge $130,346,713

### BGSU Educational Budget 1993-94

**Personnel Expenses**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty</td>
<td>$40,557,172</td>
<td>$42,177,609</td>
</tr>
<tr>
<td>Admin. Staff</td>
<td>$8,463,581</td>
<td>$8,789,217</td>
</tr>
<tr>
<td>Class. Staff</td>
<td>$14,009,408</td>
<td>$14,548,420</td>
</tr>
<tr>
<td>Promotions</td>
<td>$0</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>Total Fac/Staff</strong></td>
<td>$63,030,151</td>
<td>$65,505,246</td>
</tr>
<tr>
<td>GA Stipends</td>
<td>$6,076,328</td>
<td>$6,651,689</td>
</tr>
<tr>
<td>GA Fee Waivers</td>
<td>$8,439,286</td>
<td>$9,783,864</td>
</tr>
<tr>
<td><strong>Total Graduate</strong></td>
<td>$14,515,614</td>
<td>$16,435,553</td>
</tr>
<tr>
<td>Retirement</td>
<td>$9,641,982</td>
<td>$10,020,606</td>
</tr>
<tr>
<td>STRS/PERS ERIP</td>
<td>$2,467,390</td>
<td>$2,467,390</td>
</tr>
<tr>
<td>Health Insurance</td>
<td>$6,297,027</td>
<td>$7,052,670</td>
</tr>
<tr>
<td>Hlth Insur Adjst Pool</td>
<td>$611,695</td>
<td>$0</td>
</tr>
<tr>
<td>Fee Waivers</td>
<td>$1,021,549</td>
<td>$1,072,626</td>
</tr>
<tr>
<td><strong>Total Benefits</strong></td>
<td>$20,039,643</td>
<td>$20,613,292</td>
</tr>
<tr>
<td><strong>Total Personnel</strong></td>
<td>$97,585,418</td>
<td>$102,554,092</td>
</tr>
</tbody>
</table>
## OPERATING EXPENSES

<table>
<thead>
<tr>
<th></th>
<th>1992-93 Budget Load</th>
<th>1993-94 Projected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities</td>
<td>$3,579,115</td>
<td>$3,758,071</td>
</tr>
<tr>
<td>Scholarships</td>
<td>$1,092,964</td>
<td>$2,152,663</td>
</tr>
<tr>
<td>MCOT Payments</td>
<td>$1,621,664</td>
<td>$1,402,747</td>
</tr>
<tr>
<td>Lib Acquisitions</td>
<td>$1,892,180</td>
<td>$1,892,180</td>
</tr>
<tr>
<td>General/Misc.</td>
<td>$12,522,806</td>
<td>$12,622,806</td>
</tr>
<tr>
<td><strong>Total Operating</strong></td>
<td><strong>$21,708,729</strong></td>
<td><strong>$21,828,467</strong></td>
</tr>
</tbody>
</table>

### December 1992 Personnel Decisions

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Budget Reserve</td>
<td>$1,644,194</td>
<td>$0</td>
<td>$1,710,764</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>$120,938,341</strong></td>
<td><strong>$126,093,343</strong></td>
<td><strong>$120,938,341</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Category</th>
<th>Revised 1993-94</th>
<th>Proposed 1993-94</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add'l Salary Incr. Pool</td>
<td>$2,755,806</td>
<td>$2,867,416</td>
</tr>
<tr>
<td>Increase in Summer Instruc. Salaries</td>
<td></td>
<td>$828,000</td>
</tr>
<tr>
<td><strong>Educ Budget Expense</strong></td>
<td><strong>$123,694,147</strong></td>
<td><strong>$129,788,759</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Category</th>
<th>Revised 1993-94</th>
<th>Proposed 1993-94</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Challenge Round II</td>
<td></td>
<td>$557,954</td>
</tr>
<tr>
<td>Ed. Budget Expense Includ. Acad. Challenge</td>
<td></td>
<td>$130,346,713</td>
</tr>
</tbody>
</table>

## FIRELANDS COLLEGE EDUCATIONAL BUDGET 1993-94

### REVENUE:

- **Instructional Subsidies**
  - Approved 1992-93: $2,439,696
  - Revised 1992-93: $2,490,181
  - Proposed 1993-94: $2,633,515
- **Developmental Education**: Approved: 0
- **TOTAL STATE APPROPRIATIONS**: Approved: $2,439,696

- **Instructional Fees**: Approved: $2,400,701
- **General Fees**: Approved: 199,984
- **Nonresident Fees**: Approved: 15,000
- **Lab Fees**: Approved: 13,000
- **Continuing Education**: Approved: 150,000
- **TOTAL STUDENT FEES**: Approved: $2,778,685

### OTHER INCOME:

- **Vending, rental, library fines**: Approved: $60,000
- **PRIOR YEAR UNENCUMBERED BALANCE**: Approved: $0
- **TOTAL PROJECTED REVENUE**: Approved: $5,278,381

### EXPENSES:

- **Salaries and Wages**
  - **Contract Salaries**: Revised: $2,402,888
  - **Classified Salaries**: Revised: 561,460
  - **Temporary**: Revised: 137,500
  - **Wage/Compensation Pool**: Revised: 0
  - **Health Care Adjustment**: Revised: 0
  - **Sub-Total Salaries and Wages**: Revised: $3,101,848

- **Staff Benefits**
  - **Retirement**: Revised: $430,385
  - **Other**: Revised: 378,530
  - **ERIP**: Revised: 202,030
  - **Sub-Total Staff Benefits**: Revised: $1,054,972

### Projekted Revenue

- **Approved 1992-93**: $5,278,381
- **Revised 1992-93**: $5,468,491
- **Proposed 1993-94**: $5,683,668
### Operating Supplies
- $94,920
- $98,920
- $106,365

### Travel
- 51,120
- 56,000
- 56,255

### Information & Communication
- 198,205
- 220,500
- 233,210

### Maintenance & Repair
- 81,845
- 90,000
- 87,140

### Utilities
- 220,000
- 220,000
- 220,000

### MCOT Transfer Payments
- 225,000
- 214,895
- 225,000

### BG Campus Transfer Payments
- 150,000
- 130,115
- 150,000

### Miscellaneous
- 261,185
- 75,000
- 80,090

### Equipment
- 44,410
- 67,000
- 40,470

### Contingency
- 147,921
- 95,611
- 84,798

### Subtotal Operating
- $1,474,606
- $1,268,041
- $1,283,328

### TOTAL PROJECTED EXPENSES
- $5,278,381
- $5,278,381
- $5,683,668

### Surplus/(Deficit)
- $0
- $190,110
- $0

---

**Proposed 1993-94 General Fee and Related Auxiliary Budgets**

Mr. Noe moved and Mr. Laskey seconded that approval be given to the Revised 1992-93 General Fee and Related Auxiliary Budgets and to the Proposed 1993-94 General Fee and Related Auxiliary Budgets in an amount that is determined by the final cap on tuition increases for 1993-94 set by the State of Ohio which possible final caps on tuition increases and the corresponding amounts of the Proposed 1993-94 General Fee and Related Auxiliary Budgets are set forth in Exhibit C attached hereto and made a part hereof, and that the President or his designee is authorized to approve interfund transfers with the approved budgeted level for the 1993-94 fiscal year.

The Board Secretary conducted a roll call vote with the following results: Voting *"yes"*—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Mr. Medlin, Ms. Newell, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.

**Exhibit C**

### Variation in 1993-94 General Fee and Related Budgets with Tuition Caps

<table>
<thead>
<tr>
<th>General Fee Increase*</th>
<th>Main Campus General Fee Budget 93-94</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.00%</td>
<td>$10,298,007</td>
</tr>
<tr>
<td>4.33%</td>
<td>$10,328,660</td>
</tr>
<tr>
<td>4.83%</td>
<td>$10,374,641</td>
</tr>
<tr>
<td>5.33%</td>
<td>$10,420,621</td>
</tr>
</tbody>
</table>

*Assumed to be equal to cap on tuition increases set by State of Ohio
III. Student Organizations
   Activities
   GSS/FM Radio/Fact Line
   420,877
   339,477
   353,160
   16,964
   17,434
   31,434

IV. St. Pub/Testing Svc.
   83,121
   87,051
   87,051

V. Gen. Fee Scholarships
   131,905
   137,181

VI. Recycling Program
   0
   48,000

VII. VPSA Contingency
   11,580
   11,580

VIII. Reserve
   155,925
   0
   158,361

TOTAL
   $9,300,737
   $9,676,503
   $10,297,587

Proposed Instructional Fees, Nonresident Surcharge, and General Fee, Effective Fall Semester 1993

No. 62-93

Mr. Noe moved and Judge Connally seconded that:

WHEREAS, the state legislature has yet to adopt and the Governor has yet to
sign a state budget for the next biennium,

NOW, THEREFORE, BE IT RESOLVED, That approval be given to the
Proposed Instructional Fees, Nonresident Surcharge, and General
Fee for the Main Campus, Off-Campus Centers and Firelands, listed
below, (in accordance with an assumed 4% cap on the increase in
instructional and general fees), effective Fall Semester, 1993, but
that if subsequently the appropriate state government body
approves a final cap on BGSU student fee increases for 1993-94
which is higher than the fee increases listed here, then the 1993-94
Instructional Fees, Nonresident Surcharge, and General Fee for the
Main Campus, Off-Campus Centers and Firelands for the 1993-94
academic year shall be increased to the maximum level allowed.

The Board Secretary conducted a roll call vote with the following results:
Voting "yes"—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney,
Mr. Medlin, Ms. Newell, Mr. Noe, Mr. Stroh. The motion was approved with nine
affirmative votes.
PROPOSED INSTRUCTIONAL and GENERAL FEES PER SEMESTER
Effective Fall Semester, 1993
For the Main Campus, Off-Campus Centers and Firelands

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Main Campus/Off Campus</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undergraduate Instructional Fee</td>
<td>$1,392</td>
<td>$1,448</td>
<td>$138.00</td>
<td>$144.00</td>
</tr>
<tr>
<td>Graduate Instructional Fee</td>
<td>$1,903</td>
<td>$1,980</td>
<td>$176.00</td>
<td>$183.00</td>
</tr>
<tr>
<td>Nonresident Surcharge</td>
<td>$1,987</td>
<td>$2,067</td>
<td>$189.00</td>
<td>$196.00</td>
</tr>
<tr>
<td>General Fee</td>
<td>$ 300</td>
<td>$ 312</td>
<td>$ 30.50</td>
<td>$ 32.00</td>
</tr>
<tr>
<td>General Fee--50 Mile Radius</td>
<td>$ 116</td>
<td>$ 120</td>
<td>$ 12.00</td>
<td>$ 12.50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Firelands</strong></th>
<th>Full-Time Rate 1992-93</th>
<th>Full-Time Rate 1993-94</th>
<th>Hourly Rate* 1992-93</th>
<th>Hourly Rate* 1993-94</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate Instructional Fee</td>
<td>$1,202</td>
<td>$1,304</td>
<td>$118.00</td>
<td>$128.00</td>
</tr>
<tr>
<td>Graduate Instructional Fee</td>
<td>$1,903</td>
<td>$1,980</td>
<td>$176.00</td>
<td>$183.00</td>
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<tr>
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<td>$189.00</td>
<td>$196.00</td>
</tr>
<tr>
<td>General Fee</td>
<td>$ 100</td>
<td>$ 50</td>
<td>$ 12.00</td>
<td>$ 6.00</td>
</tr>
</tbody>
</table>

* Hourly rates not to exceed full-time rates

Issuance of 1993-94 Contracts

Mr. Noe moved and Ms. Newell seconded that, in accordance with the guidelines established in the 1993-94 budgets as approved by the Board of Trustees for determining the size of the pools for salary increases once the state subsidy increase and the cap on tuition increases for 1993-94 are set by the State of Ohio, and after consultation with constituent groups regarding the proposed plan for distribution of salary increases, and with modifications in the proposed plan for distribution of salary increases that may result for good reasons from such consultations that do not increase the total size of the salary pools, the President, or his designee, is authorized to process and implement all faculty and administrative personnel contracts for 1993-94 except those of the Vice Presidents and President;

RESOLVED FURTHER: That the contract salaries for all faculty and administrative personnel shall be reported subsequently to the Board of Trustees;

RESOLVED FURTHER: That the appropriate members of the University (Area Heads/Dean/Vice Presidents) are hereby authorized in accordance with accepted policies in the Academic Charter and other governance documents to make changes to individual salaries resulting from changes in assignment or market adjustments; benefits, and administrative titles as may become necessary or appropriate as a result of subsequent events or circumstances occurring during such fiscal year; and that such adjustments be reported subsequently to the Board of Trustees for review and ratification.

The Board Secretary conducted a roll call vote with the following results: Voting "yes"—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Mr. Medlin, Ms. Newell, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.
Proposed Restructuring of University Health Care Benefit Plan

No. 64-93

Mr. Noe moved and Mr. Laskey seconded that approval be given to the proposed restructuring of the University Health Care Benefit Plan, as described in the below.

The Board Secretary conducted a roll call vote with the following results: Voting "yes"--Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Mr. Medlin, Ms. Newell, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.

BGSU HEALTH CARE PROPOSAL

The major change from the historical health care benefits package offered by BGSU is the opportunity for the employee to select one of three plans with varied employee contributions based on the option selected. Four significant benefit changes are being proposed, all of which were recommended by the Health Care Task Force and cross all three plans -- the replacement of the current vision benefit with an optional vision insurance program; the modification of the mental health/chemical dependency coverage; the limitation of chiropractic benefits; and the implementation of a non-compliance penalty of $200 where pre-admission certification does not occur. All three plans have a $2,000,000 lifetime maximum per individual as recommended by the constituency groups. The individual characteristics of the three plans are as follows.

Plan I replicates the current first dollar plan except for the four universal changes noted. Hospital charges for in and out patient services, in-hospital doctor care, surgery, diagnostic tests and lab work would be paid at 100% of reasonable and customary (R&C) with no deductible applied. Other charges would be paid at 80% up to the R&C limit after an individual deductible of $100. The maximum employee expense would remain at $1,000 per person, for charges not exceeding R&C, for the calendar year. As under the existing plan, an employee with three covered dependents could experience up to $4,000 in covered health care cost in a year.

Plan II is a comprehensive plan where all benefits would be paid at 80% of R&C after a calendar year deductible of $100 per individual. The maximum out-of-pocket per covered individual, for the calendar year, would be $1,000 for charges not exceeding R&C. Employees would pay the first $100 of charges plus 20% of the next $4,500 of charges at or below R&C for a maximum of $1,000. In addition any charges above the R&C limits not subsequently waived by the provider would be the responsibility of the individual. Co-pays would be used instead of deductibles to pay for emergency treatment with a charge of $25 for services at an urgent care center and $50 at a hospital emergency room. Charges above the co-pay would be paid on an 80/20% basis up to R&C.

Plan III is a comprehensive plan coupled with a primary care program. Primary care services by a primary care physician would be paid in full, with no deductible, up to R&C limits after a $15 per individual co-pay for each visit. Covered services would include charges for the office call, office lab work, injections, and minor in office surgery up to $100. All other benefit charges would be paid at 80% of R&C after a calendar year deductible of $200 per individual. An additional benefit of Plan III would be the implementation of family
maximums. The maximum family deductible would be $600. The maximum out-of-pocket expenses per covered individual, for the calendar year would be $1,000 for charges not exceeding R&C. Employees would pay the first $200 of charges and 20% of the next $4,000 of charges (for each covered family member) at or below R&C for a maximum of $1,000 ($3,000 for a family) plus any charges above the R&C limits not subsequently waived by the provider. Co-pays would be used instead of deductibles to pay for emergency treatment with a charge of $25 for services at an urgent care center and $50 at a hospital emergency room. Charges above the co-pay would be paid on an 80/20% basis up to R&C.

Based on the benefit cost of each of the three plans, Plan I would require the highest employee contribution while Plan III would require the lowest contribution. The University's contribution to the cost of each of the plans would be the same.

Proposed Long-term Goals and Objectives on Faculty Salaries and Compensation

Mr. Noe stated that the Board of Trustees wishes the faculty and staff of Bowling Green State University to know that it has been the policy of the Board and continues to be the policy of the Board of Trustees to achieve and maintain competitive salary levels for all employee groups. However, as recent history has amply demonstrated, it is not possible for the University to predict its revenue accurately and with a high degree of certainty. Therefore, it would be a violation of Board fiduciary responsibility to promise to achieve specific quantitative salary increases in the future until it is known each year what the University's revenue will be.

No. 65-93

Mr. Noe moved and Mr. Laskey seconded that the Board of Trustees adopt the following resolution on faculty and staff salaries and compensation:

WHEREAS, the Board of Trustees believes that the highest goal of a public university is to provide the best education for its students; and

WHEREAS, the Board has long believed that quality education can only be afforded to students by a university attracting and retaining qualified and talented individuals to its faculty and staff; and

WHEREAS, the Board further believes that the maintenance of competitive salaries and benefits for faculty and staff is necessary to attract and retain qualified individuals; and

WHEREAS, the Board of Trustees has regularly in the past expressed its long-term goals for faculty and staff salaries and compensation in informal terms,

NOW, THEREFORE, BE IT RESOLVED, that the Board states its long-term goals for BGSU as follows:

That the highest priority of the Board of Trustees, after ensuring that student academic needs are met, is providing competitive salaries and benefits for BGSU faculty and staff.

Mr. Mahaney added that this has been discussed continually over the seven years he has been on the Board, but unfortunately this is the first time that it has been put on record.
The Board Secretary conducted a roll call vote with the following results:
Voting "yes"—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Mr. Medlin, Ms. Newell, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.

Mr. Noe concluded his report by noting that the 1995-2000 State-funded Capital Plan was reviewed.

NEW ITEMS

Proposed Reappointments and New Appointment to the Firelands College Advisory Board

No. 66-93

Mr. Noe moved and Mr. Bryan seconded that the Board of Trustees confirm the reappointments of Jon Kiger and Richard Westhofen and the appointment of Joseph DeRose, nominated to fill the expired term of Gene Kleindienst, for membership to the Firelands College Advisory Board in accordance with action taken at the May 27, 1993, meeting of the Firelands Board. The motion was approved with no negative votes.

Proposed New Appointments and Reappointments to the Public Advisory Council for Television (PACT) - WBGU-TV

No. 67-93

Mr. Noe moved and Judge Connally seconded that approval be given to the new appointments and reappointments of the following persons to the Public Advisory Council for Television (PACT) - WBGU-TV, pursuant to Article II, Section I, of the revised Charter of Association. The motion was approved with no negative votes.

New Appointments
- Steve Boomer, Defiance
- Jean Hubbard, Defiance
- Marci Klumb, Sylvania
- Sam Litton, Bowling Green
- Helen Lloyd, West Unity
- Marva Stone, Bowling Green
- Keith Kahle, Ottawa

Reappointments
- Shirley Daley, Lima
- Judge Allan H. Davis, Findlay
- Barbara Doane Larick, Findlay
- Gordon Misch, Wapakoneta
- Robert Neville, Rudolph
- Linda Reiter, Bowling Green

REGULAR ITEMS

Sponsored Grants and Contracts Awarded: April and May 1993

No. 68-93

Mr. Laskey moved and Mr. Noe seconded that grants and/or contracts in the amount of $1,350,961.11, for the months of April and May, 1993, be accepted and expenditures applicable thereto in that amount be authorized. The motion was approved with no negative votes.

<table>
<thead>
<tr>
<th></th>
<th>Total for Period</th>
<th>Fiscal Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>April</td>
<td>$ 316,637.44</td>
<td>$15,001,985.00</td>
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<tr>
<td>May</td>
<td>1,034,323.67</td>
<td>16,036,308.67</td>
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### BOWLING GREEN STATE UNIVERSITY
COMPARATIVE SUMMARY OF GRANTS AND CONTRACTS AWARDED

July 1 through Apr. 30
Fiscal Years to Date

<table>
<thead>
<tr>
<th></th>
<th>1991-92</th>
<th>1992-93</th>
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</thead>
<tbody>
<tr>
<td><strong>Research</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Federally Sponsored</td>
<td>$1,462,546.00</td>
<td>$2,168,685.00</td>
</tr>
<tr>
<td>B. Privately and State Sponsored</td>
<td>427,978.00</td>
<td>313,811.29</td>
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<tr>
<td><strong>TOTAL RESEARCH GRANTS</strong></td>
<td>$1,890,524.00</td>
<td>$2,482,496.29</td>
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<tr>
<td>II. Institutes and Workshops</td>
<td>625,726.00</td>
<td>61,130.00</td>
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<tr>
<td>III. Public Service Grants and Contracts</td>
<td>1,453,826.72</td>
<td>1,885,958.06</td>
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<tr>
<td>IV. Program Development &amp; Innovation Grants</td>
<td>3,080,899.94</td>
<td>3,215,465.55</td>
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<tr>
<td>V. Equipment Grants</td>
<td>34,850.00</td>
<td>325,163.00</td>
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<td><strong>TOTAL SPECIAL PROJECTS, GRANTS &amp; CONTRACTS</strong></td>
<td>7,085,826.66</td>
<td>7,970,212.90</td>
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<tr>
<td>VI. Student Aid Grants</td>
<td>7,348,551.00</td>
<td>7,031,772.10</td>
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<td><strong>TOTAL ALL GRANTS &amp; CONTRACTS</strong></td>
<td>$14,434,377.66</td>
<td>$15,001,985.00</td>
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July 1 through May 31
Fiscal Years to Date

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<tr>
<th></th>
<th>1991-92</th>
<th>1992-93</th>
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</thead>
<tbody>
<tr>
<td><strong>Research</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Federally Sponsored</td>
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<td>B. Privately and State Sponsored</td>
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<td><strong>TOTAL RESEARCH GRANTS</strong></td>
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<td>II. Institutes and Workshops</td>
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<td>86,130.00</td>
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<td>III. Public Service Grants and Contracts</td>
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<td>IV. Program Development &amp; Innovation Grants</td>
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<tr>
<td>V. Equipment Grants</td>
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<td>367,133.00</td>
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<td><strong>TOTAL SPECIAL PROJECTS, GRANTS &amp; CONTRACTS</strong></td>
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<td>VI. Student Aid Grants</td>
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<td><strong>TOTAL ALL GRANTS &amp; CONTRACTS</strong></td>
<td>$14,851,442.68</td>
<td>$16,036,308.67</td>
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### REPORTS - CONSTITUENT REPRESENTATIVES

**Faculty Representative - Benjamin Muego**

Dr. Muego began by saying that it is an honor and privilege for him to be the faculty representative to the Board of Trustees. Since joining the Bowling Green State University faculty 13 years ago, he has been fascinated by the concept of shared governance -- its potential as a vehicle for the common good and as a conduit in a bridge among the university constituent groups. He said the Faculty Senate officers
are looking forward to working with the Board, the central administration and the rest of the university towards the common good and continued growth of BGSU.

He thanked the Board of Trustees and President Olscamp for their strong endorsement and approval of a salary increment for faculty and staff in 1993-94 and for their commitment to competitive salaries and benefits for BGSU faculty and staff. The faculty fully and wholeheartedly endorse the proposition that quality education can only be afforded to students by attracting and retaining qualified and talented individuals to the University faculty.

Dr. Muego commended President Olscamp for recommending approval and the Board of Trustees for approving the revised FPCC guidelines, which were the result of a five-year collaborative effort of the ad hoc Committee on FPCC Reform, the Amendments and Bylaws Committee, the Senate Executive Committee, the Faculty Senate and the central administration. In his view, the revised FPCC guidelines represent a significant qualitative improvement over former FPCC grievance procedures, and in general, offer more equitable and legal means of contract resolution. He claims, however, that as Faculty Senate Chair he would be less than candid if he did not take exception to the Board decision to excise the provision for assistance of counsel in termination for cause or revocation of tenure cases. He expressed his hope that the Board decide to leave the door open on this issue so that future Faculty Senates and Boards of Trustees will not be precluded from revisiting the issue in light of changing circumstances and conditions in faculty rights and prerogatives.

Dr. Muego concluded by saying that although there may not always be agreement on the nature and causes of the university's problems, as long as everyone continues to talk and listen to each other in mutual respect and trust, we should be able to surmount every difficulty and overcome any obstacle.

Undergraduate Student Representative - Jason Jackson

Mr. Jackson expressed his pleasure with the approval of the General Fee Budgets which include provisions for recycling services and for continuation of Fact Line. A great deal of planning is occurring this summer. The Students for Students Coalition Program will continue next year with more focus on the true concerns of students as a whole not just on USG concerns.

Graduate Student Representative - Anupam Trivedi

Mr. Trivedi reported that the Graduate Student Senate is planning programs for the upcoming year. His agenda for this summer and the coming year include: (1) issue of choice for graduate assistants to work outside their assistantships; (2) series of academic and non-academic speakers; (3) Cedar Point trip this summer; and (4) financial support for Graduate Student Professional Development Program to organize a mixer for incoming new graduate students.

Firelands College Board Representative - Daniel Keller

Mr. Keller reported that Firelands College is focusing on its 25th anniversary celebration which will begin September 24-25. The financial objective for the 25th anniversary is to raise $250,000 for (1) creating new scholarships and increasing existing scholarships, (2) program enrichment, and (3) enhancing the James McBride Arboretum. The BGSU Alumni Board will hold its winter meetings on Feb. 4, 1994 at Firelands College with a reception and dinner to follow. His primary objective during the coming year as President of the Firelands College Advisory Board is to more closely link up Firelands College with BGSU.
EXECUTIVE SESSION

Chair Mahaney announced that in keeping with the provisions of the state's "sunshine law" and Amended Section 121.22 of the Ohio Revised Code, he is proposing that members meet in an executive session for the purposes of considering public employee compensation. He requested that members meet in executive session in the Chart Room with the session expected to last approximately 15 minutes; the regular meeting to be reconvened at that time to take action if necessary and for the purposes of adjournment.

No. 69-93 Mr. Noe moved and Judge Connally seconded that members of the Board of Trustees meet in an executive session to consider public employee compensation.

The Board Secretary conducted a roll call vote with the following results: Voting "yes"—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Ms. Newell, Mr. Medlin, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.

The regular meeting was recessed at 11:30 a.m. and the members moved into the executive session in the Chart Room.

Chair Mahaney reconvened the regular meeting at 11:50 a.m. with the announcement that members had met in executive session for 20 minutes for the purposes of considering public employee compensation.

No. 70-93 Mr. Bryan moved and Mr. Laskey seconded that the following resolution be approved:

WHEREAS, President Paul J. Olscamp has gone without an increase in compensation since 1990; and

WHEREAS, President Olscamp refused to take the increase afforded all faculty and staff in January 1993,

NOW, THEREFORE, the Board resolves to adjust the compensation of President Olscamp to a level commensurate with faculty and staff adjustments granted in January 1993; and

The Board further resolves that the salary for the President of the University for fiscal year 1993-94 shall be determined in the same manner and on the same basis as the Board of Trustees has established for determining the salary of continuing University faculty for fiscal year 1993-94.

The Board Secretary conducted a roll call vote with the following results: Voting "yes"—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Ms. Newell, Mr. Medlin, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.

No. 71-93 Mr. Noe moved and Mr. Bryan seconded that the salary increases for the Vice Presidents of the University for the Fiscal Year 1993-94 shall be determined in the same manner and on the same basis as the Board of Trustees has established for determining the salary increases for faculty and administrative personnel at the University; and that the President, or his designee, is authorized to process and implement contracts for 1993-94 for the continuing Vice Presidents.
The Board Secretary conducted a roll call vote with the following results: Voting "yes"—Mr. Bryan, Judge Connally, Mr. Laskey, Mr. Latta, Mr. Mahaney, Ms. Newell, Mr. Medlin, Mr. Noe, Mr. Stroh. The motion was approved with nine affirmative votes.

ANNOUNCEMENTS

Chair Mahaney announced that Summer Commencement is Saturday, August 7, and the next Board of Trustees meeting is scheduled for Friday, October 1, 1993.

ADJOURNMENT

The meeting was adjourned at 12:00 noon.