

6-18-2015

Board of Trustees Meeting Minutes 2015-06-18

Bowling Green State University

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MINUTES
Board of Trustees
Bowling Green State University
June 18, 2015

Notice having been given in accordance with the Board of Trustees Bylaws, the following members met in the Bowen-Thompson Student Union Room 308 at the Bowling Green campus on June 18, 2015: Fran Voll, Chair; James Bailey, Meg Burrell, Stephen Daley, Daniel Keller, David Levey, Megan Newlove, and Rolf Ritchie. Trustees Betty Montgomery and Karen Morrison were not present.

Also present: Mary Ellen Mazey, President; Patrick Pauken, Secretary to the Board; Rodney Rogers, Provost and Senior Vice President; Sean FitzGerald, General Counsel; Sherideen Stoll, Vice President for Finance and Administration; Jill Carr, Vice President for Student Affairs; Shea McGrew, Vice President for University Advancement; Mike Ogawa, Vice President for Research and Economic Development; William Balzer, Vice President, Faculty Affairs and Strategic Initiatives; Rebecca Ferguson, Chief Human Resources Officer; Dave Kilmeyer, Interim Chief Communications Officer; Steve Krakoff, Vice President for Capital Planning and Campus Operations; Lisa Mattiace, Chief of Staff; media representatives; and a number of observers.

Mr. Voll called the meeting to order at 10:08 a.m. The Board Secretary called the roll and announced that a quorum was present (five trustees).

PRESIDENT'S REPORT

President Mary Ellen Mazey welcomed newly appointed Trustees Meg Burrell and Rolf Ritchie. She updated the Board on several items including enrollment, partnerships with Toledo Public Schools, state support of higher education, and transitions in Cabinet positions.

INFORMATION ITEM

Sheri Stoll presented the FY 2016 budget recommendations to the Board of Trustees. The presentation provided a budget planning context for FY 2016 and FY 2017 and included a history of SSI formula changes, the Governor's Budget as introduced, BGSU price comparisons for FY 2016, current challenges for FY 2016, steps to address challenges, and enrollment and SSI trends. Budgets for the Bowling Green and Firelands Campuses were outlined.

MINUTES

No. 49-2015 Ms. Newlove moved and Mr. Levey seconded that the minutes of the May 8, 2015 meeting be approved as written.

All signified in affirmative. Motion carried.

ACTION ITEMS

Approval of Fiscal Year 2016 Instructional and General Fee Revisions

No. 50-2015 Mr. Daley moved and Mr. Levey seconded that:

WHEREAS, Boards of Trustees at public colleges and universities in Ohio are responsible for establishing the fees to be charged for instructional and other educational services; and

WHEREAS, the State of Ohio's biennial budget (H.B. 64) for Fiscal Year 2016 and 2017 has proceeded through the Ohio House and into the Ohio Senate, and

WHEREAS, it is most likely that the final, approved version of HB 64 will not permit an increase of in-state undergraduate tuition for FY 2016 or FY 2017; and

WHEREAS, we anticipate that the state of Ohio will make every effort to recognize the financial impact to public colleges and universities and provide additional state support (SSI), and

WHEREAS, the timing of the work of the BGSU June Board of Trustees' meeting and the work of the Ohio Legislature overlap in such a way as to require our Board to consider this proposed action without the benefit of knowing the final outcome of the State's budget deliberations; and

WHEREAS, in the event the final budget bill language does not permit the action authorized by the Board of Trustees, any tuition or general fee increases approved by virtue of this resolution will be revised as necessary to conform with the final Fiscal Year 2016 and 2017 budget bill as enacted;

NOW, THEREFORE BE IT RESOLVED, if circumstances permit, that the Bowling Green State University Board of Trustees hereby approves, contingent upon the final authorization permitted in the pending State of Ohio biennial budget bill for FY 2016 and FY 2017, an annual increase to in-state undergraduate instructional fees for the Bowling Green (2.00 percent) and Firelands (2.00 percent) Campuses and an annual increase of 2.00 percent in general fees for all students, and other adjustments and increases as reflected in the attached Schedule 1 to be effective for Fall Semester 2015.

The Board Secretary conducted a roll call vote with the following results: Voting “yes” – Mr. Daley, Mr. Keller, Mr. Levey, Ms. Newlove, and Mr. Voll. The motion was approved with five affirmative votes.

Approval of Fiscal Year 2016 Budgets – Bowling Green and Firelands Campuses

No. 51-2015 Ms. Newlove moved and Mr. Levey seconded that:

WHEREAS, an annual budget is prepared to provide a financial plan to guide the University for the next fiscal year; and

WHEREAS, the University’s Educational and General (unrestricted) Budgets reflect expected state appropriations in Fiscal Year 2016 of \$64.1 million for the Bowling Green Campus and \$4.3 million for the Firelands Campus; and

WHEREAS, the University’s revenue estimates for total tuition and general fees to include an approximate 1.1 percent decrease for the Bowling Green Campus, reflecting the impact of enrollment fluctuations, in addition to a planned 2.0 percent tuition rate change explained in greater detail within the attached background; and

WHEREAS, the University’s revenue estimates for total tuition and general fees include an approximate 7.7 percent decrease for the Firelands Campus reflecting overall declining enrollment expectations from the prior fiscal year, in addition to a planned 2.0 percent increase in tuition or general fee rates; and

WHEREAS, both campus budgets include merit compensation, promotion/tenure, a market adjustment pool with associated benefits, as well as modest additions, reductions or reallocations in operating expenses as described more fully in the background to the resolution; and

WHEREAS, the Bowling Green Campus Educational and General Budget with total expenditures of \$280,817,763 as fully described in the detailed budget provided in the *BGSU FY 2016 Proposed Budgets Book* have been proposed; and

WHEREAS, the Firelands Campus Educational and General Budget with total expenditures of \$12,861,802 as fully described in the detailed budget provided in the *BGSU FY 2016 Proposed Budgets Book* have been proposed; and

WHEREAS, the General Fee and related Auxiliary Budgets with total revenues of \$36,997,296 as fully described in the detailed budgets provided in the *BGSU FY 2016 Proposed Budgets Book* have been proposed; and

WHEREAS, the Miscellaneous Auxiliary Budgets with total revenues of \$14,856,629 as fully described in the detailed budgets provided in the *BGSU FY 2016 Proposed Budgets Book* have been proposed; and

WHEREAS, the Residence Hall Budget with total revenues of \$33,037,354 as fully described in the detailed budget provided in the *BGSU FY 2016 Proposed Budgets Book* have been proposed; and

WHEREAS, the Dining Hall Budget with total revenues of \$24,106,778 as fully described in the detailed budget provided in the *BGSU FY 2016 Proposed Budgets Book* have been proposed;

NOW, THEREFORE BE IT RESOLVED, that the Bowling Green State University Board of Trustees

approves the Fiscal Year 2016 Educational and General Budgets, the General Fee and Related Auxiliary Budgets, the Miscellaneous Auxiliary Budgets, the Residence Hall Budget, and the Dining Hall Budget as fully described in the detailed budgets provided in the proposed *BGSU FY 2016 Proposed Budgets Book* for Fiscal Year 2016 for the Bowling Green and Firelands Campuses.

The Board Secretary conducted a roll call vote with the following results: Voting “yes” – Mr. Daley, Mr. Keller, Mr. Levey, Ms. Newlove, and Mr. Voll. The motion was approved with five affirmative votes.

Approval of Proposed Collective Bargaining Agreement with the International Union of Police Association (IUPA), Local No. 103; Contract Period July 1, 2015 – June 30, 2018

No. 52-2015 Mr. Daley moved and Ms. Newlove seconded that:

WHEREAS, the University and the IUPA Local No. 103 have been engaged in negotiations for the purpose of concluding a Collective Bargaining Agreement for the period from July 1, 2015 – June 30, 2018; and

WHEREAS, the University and the IUPA negotiating teams reached a tentative agreement that was approved by the IUPA membership on June 4, 2015; and

WHEREAS, a background to this resolution summarizing the proposed contract revisions is attached to and included in this resolution; and

WHEREAS, the Board has reviewed the proposed background and terms and has determined that it is both reasonable and equitable to the parties; and

WHEREAS, the Board expresses its appreciation to all concerned parties for their efforts to bring this matter to a successful resolution;

NOW, THEREFORE BE IT RESOLVED, that pursuant to its authorities under Chapter 3341 and Chapter 4117 of the Ohio Revised Code, the attached Collective Bargaining Agreement is hereby approved and ratified by the Board; and

BE IT FURTHER RESOLVED, that the appropriate officers and managers of the University are hereby authorized and directed to execute and to deliver the Collective Bargaining Agreement to the lawful representatives of the IUPA Local No. 103 and, upon full execution of the same, to timely deliver a copy of the Agreement to the State Employment Relations Board; and

BE IT FURTHER RESOLVED, that the Board hereby ratifies and confirms any and all actions taken by the officers and managers of the University and their representatives prior to the date of this Resolution to negotiate the Collective Bargaining Agreement and to present it to the Board for its consideration.

The Board Secretary conducted a roll call vote with the following results: Voting “yes” – Mr. Daley, Mr. Keller, Mr. Levey, Ms. Newlove, and Mr. Voll. The motion was approved with five affirmative votes.

Approval of Appointing Authority for Classified Civil Service Employees

No. 53-2015 Mr. Keller moved and Mr. Levey seconded that:

WHEREAS, Bowling Green State University (BGSU) has employees who are in the classified service of the Ohio civil service system;

WHEREAS, the University must designate an individual to be the “appointing authority” for persons in the classified service;

WHEREAS, Rebecca Ferguson, the Chief Human Resources Officer, is the “appointing authority” for classified employees at BGSU;

WHEREAS, Rebecca Ferguson will be retiring from BGSU effective, June 30, 2015; and she will be

succeeded in that position by Viva McCarver; and

WHEREAS, the Board wishes to appoint Viva McCarver to be the appointing authority for BGSU;

NOW, THEREFORE, BE IT RESOLVED, by the Bowling Green State University Board of Trustees that Viva McCarver is designated as the appointing authority for BGSU employees in the classified service of the Ohio civil service system.

All signified in affirmative. Motion carried.

Approval of Design and Pre-Construction Services: University Hall – Admissions and High Impact Programs

No. 54-2015 Ms. Newlove moved and Mr. Daley seconded that:

WHEREAS, \$2,160,620 from future long-term debt has been identified to perform design and pre-construction services for the renovation of University Hall; and

WHEREAS, these services are being undertaken to prepare detailed project cost estimates without losing valuable time necessary to keep the project on schedule; and

WHEREAS, upon completion of the design and pre-construction work, a detailed project proposal will be brought back to the Board of Trustees for consideration; and

WHEREAS, the design, bidding, and pre-construction services will follow all applicable state laws and regulations;

NOW, THEREFORE BE IT RESOLVED, that the Bowling Green State University Board of Trustees hereby authorizes the Vice President for Finance and Administration to proceed with this project as described above.

The Board Secretary conducted a roll call vote with the following results: Voting “yes” – Mr. Daley, Mr. Keller, Mr. Levey, Ms. Newlove, and Mr. Voll. The motion was approved with five affirmative votes.

Authorization for FCC Spectrum Auction Participation

No. 55-2015 Mr. Keller moved and Mr. Levey seconded that:

WHEREAS, the Bowling Green State University Board of Trustees holds an FCC broadcast license in the 600 Megahertz (MHz) spectrum that is used to broadcast the WBGU television station; and

WHEREAS, the Federal Communications Commission (“FCC”) has identified the need to reorganize the 600 MHz spectrum band on a nationwide basis and to reallocate this spectrum for wireless use; and

WHEREAS, to accomplish this spectrum reorganization, the FCC has announced that it intends to conduct a reverse and forward auction of broadcast licenses in the 600 MHz spectrum in 2016 and to take applications from license holders to participate in the auctions in 2015; and

WHEREAS, the FCC has described the auctions as providing license holders like BGSU with “a unique opportunity to unlock value” in their broadcast licenses and the FCC has described the revenue potential for license holders as “highly attractive” and “robust”; and

WHEREAS, the FCC auctions afford BGSU the opportunity to assess the continued operation of a television station by the University for consistency with the University’s core mission and the goals that are set forth in the University’s Strategic Plan; and

WHEREAS, the FCC auctions afford BGSU with a significant potential source of new revenue which the University must consider; and

WHEREAS, the FCC auctions will be a complicated process that will require rapid, timely and flexible decision-making by the University; and

WHEREAS, the Board of Trustees wishes to delegate to the University President the authority to have the University participate in the auctions while also providing the President with general guidance about how this delegated authority is to be exercised;

NOW, THEREFORE BE IT RESOLVED, that the Bowling Green State University Board of Trustees authorizes the University President and her designees to participate in the FCC incentive auction and make recommendations to the Board of Trustees for its final approval.

BE IT FURTHER RESOLVED, the President's exercise of this delegated authority should be guided and informed by consideration of the following factors:

1. Whether the continued operation of a television station by the University is consistent with the core mission of the University and the goals of the University as outlined in the University's Strategic Plan;
2. The potential financial benefit to the University as a whole from the license auction;
3. The input and opinions of constituencies that may be affected by the decision;
4. Expert financial and legal advice;
5. Such other factors as the President determines are necessary to best serve the University's interests.

All signified in affirmative. Motion carried.

Approval of Emeriti Faculty

No. 56-2015 Ms. Newlove moved and Mr. Levey seconded that:

that approval be given to the emeritus status of the following faculty members who have retired or will be retiring by the end of the summer term, as recommended by the appropriate department, the college dean, the Committee on Honorary Degrees and Commemoratives, the Senior Vice President and Provost, and the University President.

Emerita Professor

Ellen E. Berry, English and American Culture Studies

Emerita Senior Lecturer

Rona F. Klein, English

The Board Secretary conducted a roll call vote with the following results: Voting "yes" – Mr. Keller, Mr. Levey, Ms. Newlove, and Mr. Voll. The motion was approved with four affirmative votes. Mr. Daley was not present for the vote on this action item.

Approval of Academic Charter Amendment – Academic Honesty Policy

No. 57-2015 Mr. Levey moved and Ms. Newlove seconded that:

WHEREAS, consistent with its core values, Bowling Green State University (BGSU) strives to build, enhance, and sustain an environment of ethical and principled intellectual pursuit;

WHEREAS, to that end, the University has enacted and administered an Academic Honesty Policy (the Policy);

WHEREAS, the Policy is designed, in part, to communicate to all members of the University community the conviction of the University and its faculty that cheating, plagiarism, and other forms of academic dishonesty are destructive of the mission of the University and are universally disapproved;

WHEREAS, the Policy states procedures for accomplishing this objective through the work of students, faculty, academic deans, and the Academic Honesty Committee;

WHEREAS, periodically, it is necessary to revisit the Policy and its procedures to ensure that the Policy is successfully administered;

WHEREAS, an ad hoc committee of the BGSU Faculty Senate was convened to discuss and draft amendments to the Policy to ensure efficient and effective administration;

WHEREAS, the ad hoc committee proposed amendments to the Policy to streamline the process of handling academic honesty cases by housing them in one location, the Office of the Dean of Students;

WHEREAS, these proposed amendments will not alter academic decision-making authority contained within the Policy, but will make the administration of the Policy easier for students, faculty, and administration; and

WHEREAS, at its April 7, 2015, meeting, the BGSU Faculty Senate approved the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED that the Bowling Green State University Board of Trustees approve the amendments to the Academic Honesty Policy, Part B-I.G of the Academic Charter.

All signified in affirmative. Motion carried.

Approval of Academic Charter Amendment – Creation of an Adjunct Faculty Committee

No. 58-2015 Mr. Levey moved and Mr. Daley seconded that:

WHEREAS, the Bowling Green State University (BGSU) Faculty Senate recently convened an ad hoc committee to discuss the needs of adjunct faculty at BGSU;

WHEREAS, the ad hoc committee presented a report to the Senate Executive Committee, in which it proposed the creation of an Adjunct Faculty Committee;

WHEREAS, an Adjunct Faculty Committee of the Faculty Senate would advise the Senate about the needs, issues, and concerns of adjunct faculty at BGSU;

WHEREAS, the proposed committee would be composed of faculty members from each of the degree-granting colleges and the University Libraries, and when available, representatives from the Honors College and the Graduate College;

WHEREAS, the members of the proposed committee would elect two of its members to serve as Faculty Senators and represent adjunct faculty in shared governance at BGSU;

WHEREAS, creation of the proposed Adjunct Faculty Committee would require an amendment to BGSU's Academic Charter; and

WHEREAS, at its April 28, 2015, meeting, the BGSU Faculty Senate approved the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED that the Bowling Green State University Board of Trustees approve the amendments to the Academic Charter to create an Adjunct Faculty Committee of the Faculty Senate.

All signified in affirmative. Motion carried.

Board of Trustees 2016-17 Meeting Schedule

No. 59-2015 Ms. Newlove moved and Mr. Levey seconded that:

Approval be given to the Proposed Board of Trustees Schedule of Meetings for 2016-17, as listed below.

September 15-16, 2016
December 8-9, 2016
February 16-17, 2017

May 4-5, 2017
June 22-23, 2017

All signified in affirmative. Motion carried.

Approval of Reappointment of National Trustee – Mr. James Bailey

No. 60-2015 Mr. Keller moved and Mr. Daley seconded that:

WHEREAS, on September 28, 2012, the Bowling Green State University (BGSU) Board of Trustees approved the appointment of Mr. James Bailey to a three-year term as a National Trustee;

WHEREAS, pursuant to Article I, Section 2(e), of the Bylaws of the BGSU Board of Trustees, National Trustees may be appointed to two consecutive terms for a total of six years; and

WHEREAS, in his first term as a National Trustee, Mr. Bailey has served on several important Board committees and has provided professional expertise and experience in numerous ways.

NOW, THEREFORE, BE IT RESOLVED that the Bowling Green State University Board of Trustees, in recognition of Mr. James Bailey's contributions to the Bowling Green State University community and to the Board of Trustees, appoint Mr. Bailey to a second three-year term as a National Trustee.

The Board Secretary conducted a roll call vote with the following results: Voting "yes" – Mr. Daley, Mr. Keller, Mr. Levey, Ms. Newlove, and Mr. Voll. The motion was approved with five affirmative votes.

Election of Officers

No. 61-2015 Mr. Daley moved and Mr. Keller seconded that:

that approval be given to the election of the following persons as officers of the Bowling Green State University Board of Trustees for 2015-2016.

Chair, David Levey
Vice-Chair, Megan Newlove
Secretary, Patrick Pauken

All signified in affirmative. Motion carried.

EXECUTIVE SESSION

At 11:31 a.m., Mr. Voll announced that in keeping with the provisions of the state's "sunshine law" and Amended Section 121.22 of the Ohio Revised Code, the Board members would meet in an executive session to discuss personnel matters and to discuss pending or imminent litigation with Legal Counsel. He requested that members meet in the President's Suite.

No. 62-2015 Mr. Voll moved and Mr. Levey seconded that members of the Board meet in an executive session under divisions (G)(3) and (5) of the Ohio Open Meetings Act (Ohio Revised Code Section 121.22) to consider a personnel matter with respect to employment, evaluation, and compensation.

The Board Secretary conducted a roll call vote with the following results: Voting "yes" – Mr. Daley, Mr. Keller, Mr. Levey, Ms. Newlove, and Mr. Voll. The motion was approved with five affirmative votes.

The regular meeting was recessed and the members moved into executive session in the President's Suite.

Mr. Voll reconvened the regular meeting at 11:54 a.m. and The Board Secretary called the roll and announced that a quorum was present (five trustees).

After reconvening the meeting, Mr. Voll announced that no action would be taken.

ADJOURNMENT

At 12:11 p.m. Mr. Daley moved and Mr. Voll seconded that the meeting be adjourned.