



**BOARD OF TRUSTEES  
CLEVELAND STATE UNIVERSITY**

**MINUTES OF THE MEETING**

**BOARD OF TRUSTEES MEETING**

**DATE:** Monday, November 8, 2010, 9:00 a.m.  
**PLACE:** The Wolstein Center, Gerald H. Gordon Conference Pavilion  
4<sup>th</sup> Floor, Board Room

**PRESENT:** Board Chairman Ronald E. Weinberg; Board Vice Chairman Robert H. Rawson, Jr.; Board Treasurer Stephanie McHenry; Trustees Thomas W. Adler, Richard L. Bowen, Sally Florkiewicz; Morton Q. Levin, Rev. Dr. Marvin A. McMickle, Dan T. Moore, III, Community Trustee Richard A. Barone; Faculty Representatives Dr. Stephen F. Duffy and Dr. Mark Tebeau; Student Representative Ms. Janet M. Pitchford; President Ronald M. Berkman; and General Counsel and Board Secretary Sonali B. Wilson.

The Chairman called the meeting to order at 9:03 a.m. Trustee Levin moved and Trustee Bowen seconded the motion to approve the minutes from the September 20, 2010 meeting. The motion passed unanimously.

**REPORT OF THE CHAIRMAN**

Chairman Weinberg reported that the Board Officers met on October 4, 2010 (**Attachment A**) to approve the North Campus Project Development Agreement and Ground Lease with the Polaris group. The following resolution passed unanimously.

**BOARD OFFICERS RESOLUTION 2010-08**

**APPROVAL OF NORTH CAMPUS NEIGHBORHOOD PROJECT  
DEVELOPMENT AGREEMENT AND GROUND LEASE WITH POLARIS  
SEVEN ELEVEN, LLC**

**WHEREAS**, on April 8, 2010, the Cleveland State University Board of Trustees, by Amended Resolution 2010-24, delegated approval of the North Campus Neighborhood Ground Lease with the Polaris team to the Board Officers; and

**WHEREAS**, the University administration, with the assistance of the University General Counsel and appointed special counsel, has negotiated the terms of a Development Agreement and Ground Lease with Polaris, both as embodied in one document that has been submitted for the review and approval of the Board Officers;

**NOW, THEREFORE, BE IT RESOLVED** that the Board Officers hereby approve the North Campus Project Development Agreement and Ground Lease in principle with Polaris Seven Eleven, LLC, subject to further negotiation and agreement of the parties with respect to certain outstanding issues that have not been resolved, including addenda to the Development Agreement and Ground Lease.

The Chairman noted that some of the Trustees received the Memorandum of Understanding (MOU) between the University's Board of Trustees and the CSU Foundation Board of Trustees and they really have not had the time to consider the provisions of the MOU. The MOU is designed to codify the relationships and working processes between the two boards. All parties agree with the higher degree of collaboration specified in the MOU and how the relationships are going to work. He noted that there are new and active members on the Foundation Board which will make a difference in the relationships and outcome. The MOU needs editing and input from all of the trustees and should be brought back to the Board at its next meeting. The Chairman opened the floor to discussion.

Community Member and Foundation Chairman Barone stated that the MOU was in the midst of back and forth review between the parties and approval will be postponed pending the receipt of further comments. He asked that Trustees send their comments to the Board Secretary who will forward them to the Foundation. He concluded by commenting that the idea of the MOU is to codify the relationship so that the extent to which the Foundation Board can act is clear. Trustee Florkiewicz commented that she has been a trustee for several years and this is the first time that a formal document regarding the relationship between the parties has ever been prepared

for execution. In response to Trustee Moore's question regarding why the Board of Trustees is a signatory, Trustee Rawson stated that the Board acts through the Trustees and the President acts by delegation of the Board of Trustees.

### **REPORT OF THE PRESIDENT**

The President explained the origin of the two student posters outside of the Board room, which represent the students' research. The work is funded by the Provost's office and directed by Vice Provost Sutton. The projects represent over fifty collaborations between students and faculty over the summer months. The students are paid to assist with the research. The poster sessions explain the research. Two biology majors, Jerome McGinty and Katie Lemmeyer, explained their research using plants to remove arsenic from soil and groundwater. The proteins in the plants are being studied to determine the reason for their effectiveness. After the arsenic is removed from the soil, the plant can be recycled. This has proven to be a cheaper and safer way to remove arsenic as other methods cause more pollutants. This method has been used at a Washington munitions plant and in Bangladesh where the concentration of arsenic in the groundwater is very high and large segments of the population have sores and cancers on their bodies.

The second poster explains the Summer Stages program, which is the largest professional summer stock program in Cleveland. The students work with the professors after the summer in workshops doing playwriting, scene work, monologuing, and some technical work. The work is performed in the Factory Theatre, and the students receive points towards their equity cards. The program hires the largest number of equity actors in Cleveland. Graduates of the program are constantly working.

The President turned to his report and commented that it is filled with good news. He thanked all involved for the successful accreditation process, starting Sunday evening with the Board of Trustees dinner, which set the tone that prevailed throughout the week. The team seemed very impressed with the knowledge of the trustees. He also thanked those who participated in the lunch with the team the following day. The self-study document was lauded by the team; some wanted to use it as a model at their universities. The University received almost a perfect review from the team. They will send the University the review document for correction of any factual errors. The Commission will then meet to consider a full ten-year accreditation. The issues placed on the table were expected and the University administration had a plan to address each issue. For example, with respect to graduation rates, Interim Vice President Webb's work convinced them that the University knew and understood the problem and is taking remedial action. The draft will be sent to the President and he will check to determine if there is any prohibition on sharing it with the Trustees or administration. The key is the team's recommendation to the Commission of a full ten-year accreditation.

President Berkman thanked Interim Vice President Webb and Associate Vice President Spademan for a successful recruitment event Saturday past – Fall Visit Day. Last year, 250-300

Cleveland State University is ranked second in the nation with six Fulbright professors this year. The University is tied for second place with George Washington University, University of Florida, UCCH, and Washington University in St. Louis. Harvard and Stanford are in third place. Princeton is in first place with seven Fulbright professors. Trustee Moore stated that this accomplishment should be publicized more perhaps with a dinner program or colloquium – make it a widely publicized, self-funded event, similar to the innovation summit held by Cleveland Clinic. President Berkman agreed and noted that inviting Fulbright professors from other schools would attract more attention. Dr. Duffy added that former CSU Fulbright professors should also be invited.

President Berkman also noted that the Julka Hall dedication was a very nice event. The program featured taped messages from Monte Ahuja and Mayor Jackson and Armond Buddish spoke.

This fall's enrollment numbers have held up well. Of the fifteen percent overall increases, thirteen percent are new degree-seeking undergraduates and nineteen percent are new degree-seeking graduate students. President Berkman commented that he is not sure that every year will be robust. The major challenge will be the strategy as we get close to faculty capacity.

President Berkman gave an update on the five searches that are underway. The search committees have received their charges, and four of the committees are working with the national search firm Bill Funke and Associates. January and February are anticipated to be very busy in terms of bringing finalists to campus. All successful candidates are expected to begin in the summer 2011 and to be in place by the first semester. In response to Trustee McMickle's question regarding the diversity of the search pools, the President responded that each search committee





conversations must be managed. This is a public, not a private institution and we must be deliberate in what we are doing.

President Berkman asked the Trustees to mark their calendars for Sunday, December 5, 2010 as CSU will appear on “Extreme Makeover”; the show’s producers are renovating Andre and Jasmine Anderson’s house in Maple Heights, Ohio. Andre is a magna cum laude graduate with twenty hours towards his master’s degree in social work. Jasmine is almost blind and both husband and wife suffer from a renal disorder. The University has provided a scholarship for Andre to finish his graduate degree and two scholarships for each of their sons to attend CSU as undergraduate students. This information will be released at the “big reveal” of the renovated home.

President Berkman concluded his report and asked the Board to consider the resolution approving the establishment of a School of Nursing Visiting Committee. Trustee Florikiewicz moved and Trustee Moore seconded the motion creating a School of Nursing Visiting Committee. The following resolution passed unanimously.

#### **RESOLUTION 2010-68**

#### **APPROVING CREATING OF SCHOOL OF NURSING VISITING COMMITTEE**

**WHEREAS**, the Visiting Committees serve important roles as counsel to the Board of Trustees and President on matters pertaining to the University’s education mission and as advocates of the University to the general public and business community; and

**WHEREAS**, each College, the Division of Continuing Education and the Department of Intercollegiate Athletics has a Visiting Committee to help bolster the missions and community relations of those Colleges, the Division and Department; and

**WHEREAS**, at its special meeting on June 14, 2010, this Board approved a free-standing School of Nursing to align the School’s organizational and reporting structure with the more common practice both in Ohio and the nation, and to highlight the University’s Signature Theme of Health and the Center of Excellence in 21<sup>st</sup> Century Health Professions;



**NOW, THEREFORE, BE IT RESOLVED** that this Board hereby creates a School of Nursing Visiting Committee with instructions to the Provost and Director of the School of Nursing to present a proposed charge to the Committee for Board approval at its next meeting and to begin the process of selecting a Committee Chair and Committee members as set forth in the Visiting Committee Bylaws.

### **ACADEMIC AFFAIRS**

The Vice Chairman of the Board and Chairman of the Academic Affairs Committee, Trustee Rawson, reported on the Academic Affairs Committee meeting held on October 6, 2010 (**Attachment B**). The two foci of the meeting were the dean's searches, which have already been addressed, and graduation rates. There is a nationwide movement on outputs instead of inputs. Graduation rates are the easiest to use as a measure. First time, full time freshmen are lagging in terms of enrollment at 26%. 2003 entries were 29% and 2004 entries were 30%. New admissions standards have some bearing on these numbers. Last spring, Interim Vice President Webb was charged with focusing on retention and graduation rates. Under the leadership of Professor William Beasley, the faculty responded positively and formed a seven-member committee. The goal is to rise above the national average in terms of graduate rates for first-time full-time students and transfers. The student trustee, Janet Pitchford pointed out that peer-to-peer activities were introduced that have been very helpful with retention.

Trustee Moore opined that one criterion should be jobs and comparing job attained, and graduation rates should be jTJ12.406 0 TD.

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different from last year. The University is in tran

increased approximately \$80 million. Capital leases are also up \$13 million. There was a positive \$14 million swing in investments. She turned the meeting over to Vice President Boyle to introduce the auditors present. Mr. Boyle introduced Ms. Judy R. Richards, the University's Internal Auditor; Rob Rose, a Partner with Plante & Moran (the University's external auditors); and Scott Moore, a Manager with Plante & Moran. This is the firm's third year serving as the external auditors and a good relationship has developed with the University.

Mr. Rose reiterated that the firm's clean opinion was unequivocal. The A133 Report of

**WHEREAS**, the external auditors discussed the audit reports with the University Administration and the Board of Trustees at its November 8, 2010 meeting;

**NOW THEREFORE BE IT RESOLVED**, that the Board hereby approves and accepts the audit reports mentioned above and dated October 15, 2010.

Trustee Florkiewicz moved and Trustee Moore seconded the motion to adjourn to executive session for the purpose of discussing the audit. After a roll call vote, all those present left the room except the voting trustees, the community Board members, and the external auditors. The executive session commenced at 10:35 a.m. At 11:00 a.m., the Chairman announced that the Board had finished its business in executive session and was returning to the regular meeting.

#### **COMPENSATION DECISION ITEMS**

The Board, having reviewed the background materials on the compensation matters presented, took the following action. Trustee McMickle moved and Trustee Bowen seconded the motion to approve the collective bargaining extension agreement with the American Association of University Professors – CSU Chapter (**Attachment F**). The following resolution passed unanimously.

#### **RESOLUTION 2010 -71**

#### **APPROVING THE COLLECTIVE BARGAINING EXTENSION AGREEMENT WITH THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS – CSU CHAPTER**

**WHEREAS**, the University and the American Association of University Professors – CSU Chapter have reached a final tentative agreement for a one year successor collective bargaining agreement extending from August 16, 2010 through August 15, 2011; and

**WHEREAS**, the American Association of University Professors – CSU Chapter bargaining unit members have ratified the tentative agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby directs the Administration to execute and implement the successor collective bargaining agreement between

Cleveland State University and the American Association of University Professors – CSU Chapter covering the one year period from August 16, 2010 through August 15, 2011.

Trustee Adler moved and Trustee McMickle seconded the motion to approve the collective bargaining extension agreement with the Communications Workers of America, Local 4309 (**Attachment G**). The following resolution passed unanimously.

**WHEREAS**, the Service Employees International Union, District 1199 bargaining unit members have ratified the tentative agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees directs the Administration to execute and implement the one year successor collective bargaining agreement between Cleveland State University and the Service Employees International Union, District 1199 for the period from extending from October 1, 2010 through and including September 30, 2011.

Trustee Florkiewicz moved and Trustee Bowen seconded the motion to approve the proposed wage increases and benefit enhancements for eligible law and administrative faculty, non-bargaining professional staff and non-bargaining classified staff. The following resolution passed unanimously.

**RESOLUTION 2010-74**

**APPROVAL OF WAGE INCREASES AND BENEFIT ENHANCEMENTS FOR  
ELIGIBLE LAW AND ADMINISTRATIVE FACULTY, NON-BARGAINING  
PROFESSIONAL STAFF AND NON-BARGAINING CLASSIFIED STAFF**

**WHEREAS**, the University is committed to compensating non-bargaining unit professional staff consistent with its financial wherewithal as a publicly-assisted state university; and

**WHEREAS**, it has been the practice of the University to provide eligible non-bargaining unit staff with compensation and benefit programs that reflect the economic packages provided to bargaining unit faculty and staff;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby directs the Administration to implement wage increases and benefit enhancements for eligible law and administrative faculty, non-bargaining unit professional staff, and non-bargaining classified staff as follows:

- x for employees below the level of Vice President and Provost, a pool of up to 3% to be distributed according to a plan to be approved by the President retroactive to the pay period including July 1, 2010
- x maintenance of current plan design and the percentage amounts charged to employees as premium contributions for the University's various health insurance plans for the plan year July 1, 2011 through June 30, 2012 and

- x special one-time designation of the period between the 2010 Christmas and New Year's Eve holidays {December 27, 2010 through and including December 30, 2010} as additional paid University holidays.

There being no unfinished business, the Chairman turned to new business on the agenda. Because the Gift Report for FY2011, 1<sup>st</sup> Quarter was received late and not all Trustees had the benefit to review the Report, it will be presented at the next Board meeting. Trustee Adler urged the Trustees to give to the University when making end-of-the-year gifts. He would like to see