

BOARD OF TRUSTEES



AGENDA

Thursday, September 15, 2016

REVISED

BOARD OF TRUSTEES' MEETING

**Thursday, September 15, 2016
3:00 p.m.**

**Tod Hall
Board Meeting Room**

AGENDA

- A. Roll Call
- B. Proof of Notice of Meeting
- C. Disposition of Minutes
- D. Oath of Office of New Student Trustee, Allan K. Metz
- E. Report of the President of the University
- F. Report of the Committees of the Board
 - 1. Academic and Student Affairs Committee
 - a. Resolution to Modify Student Residency Status for Tuition Purposes Policy, 3356-8-03 (Previous Policy Number 8003.01)
 - b. Resolution to Modify Privacy and Release of Student Education Records: The Family Education and Privacy Act ("FERPA") Policy, 3356-8-04 (Previous Policy Number 8004.01)
 - c. Resolution to Authorize Conferral of Honorary Degree
 - 2. Institutional Engagement Committee
 - a. Resolution to Modify University Publications Policy, 3356-5-11 (Previous Policy Number 5012.01)
 - b. Resolution to Accept Alumni Engagement and WYSU Memberships
 - c. Resolution to Name the Domenic "Don" Constantini MultiMedia Center
 - d. Resolution to Name the Frank and Norma Watson Student Success Center
 - e. Resolution to Name the YSU Foundation Heritage Park
 - 3. Finance and Facilities Committee
 - a. Resolution to Approve FY 2016-2017 Fines for Damages at the University Courtyard Apartments
 - b. Resolution to Approve Interfund Transfers
 - c. Resolution to Authorize the Issuance and Sale of General Receipts Bonds of Youngstown State University, Approving a Supplemental Trust Indenture and Authorizing Related Matters
 - d. Report of the Audit Subcommittee, Leonard D. Schiavone, Chair
 - e. Report of the Investment Subcommittee, John R. Jakubek, Chair
 - 4. University Affairs Committee
 - a. Resolution to Modify Political Activities of Employees Policy, 3356-7-25 (Previous Policy Number 7012.01)
 - b. Resolution to Modify Equal Opportunity and Affirmative Action Recruitment and Employment Policy, 3356-2-02 (Previous Policy Number 2001.02)
 - c. Resolution to Modify and Retitle Fringe Benefits, Full-Time Professional/Administrative Employees (Exempt) Policy, 3356-7-30 (Previous Policy Number 7015.00)
 - d. Resolution to Rescind Emergency Sick Leave Bank – Excluded Professional/Administrative and Classified Employees Policy, 3356-7-16 (Previous Policy Number 7002.12)
 - e. Resolution to Modify Discrimination/Harassment Policy, 3356-2-03 (Previous Policy Number 2001.03)
 - f. Resolution Regarding Terms and Conditions for Classified Law Enforcement Employees Excluded from Collective Bargaining
 - g. Resolution to Approve the Appointment of Associate Vice President, Multicultural Affairs
 - h. Resolution to Ratify Personnel Actions

G. Communications and Memorials

H. Unfinished Business

I. New Business

J. Chairperson's Remarks

K. Dates and Times of Upcoming Regular Meetings of the Board

Tentative Meeting Dates: 2 p.m., Thursday, December 1, 2016

3 p.m., Thursday, March 16, 2017

3 p.m., Thursday, June 14, 2017

L. Adjournment

DIVIDER

**ACADEMIC AND STUDENT AFFAIRS
COMMITTEE**



**RESOLUTION TO MODIFY
STUDENT RESIDENCY STATUS FOR TUITION PURPOSES, 3356-8-03
(PREVIOUS POLICY NUMBER 8003.01)**

WHEREAS, the University Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies; and

WHEREAS, the Student Residency Status for Tuition Purposes policy has been reviewed in accordance with the scheduled review dates at Youngstown State University, and has been formatted in accordance with Policy 3356-1-09, Development and Issuance of University Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of Student Residency Status for Tuition Purposes, policy number 3356-8-03 (previous Policy Number 8003.01) shown as Exhibit A attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-8-03 Student residency status for tuition purposes.

Previous Policy Number: 8003.01
Responsible Division/Office: Undergraduate Admissions
Responsible Officer: [Associate Vice P-President](#) for [Student Affairs Enrollment Planning and Management](#)
Revision History: March 1999; March 2007; March 2011; [September 2016](#)
Board Committee: Academic and Student Affairs
Effective Date: ~~March 18, 2011~~ [September 15, 2016](#)
Next Review: ~~2016~~ [21](#)

- (A) Policy statement. The university will develop a system of identifying student residency for purpose of state subsidy and tuition surcharge consistent with rules of the Ohio ~~board of regents~~ [department of higher education](#) which comply with provisions of section 3333.31 of the Revised Code and rule 3333-1-10 of the Administrative Code.
- (B) Parameter. The purpose of the Ohio ~~board of regents~~ [department of higher education](#) rules, to determine student residency for the purpose of state subsidy and tuition surcharge, is to exclude those persons entering the state for the primary purpose of receiving the benefit of a state-supported education.
- (C) Procedures.
- (1) Residency for the purpose of assessing tuition and fee charges is determined at the time of admission or readmission to the university [and cannot be retroactive](#).
- (2) Students immediately identified as Ohio residents for tuition purposes will include: dependents of parent(s)/guardian(s) who have resided in Ohio for at least the twelve consecutive months preceding enrollment and have supported the student; active duty military, guard, reserve, ~~and~~ [honorably discharged veterans, and the spouse or dependent of a veteran](#), who are domiciled in Ohio as of the first day of the semester; [graduates of Ohio high schools who are domiciled in Ohio as of the first day of the semester](#); and those independent applicants who have resided in Ohio for at least

the twelve consecutive months preceding enrollment and have demonstrated that they have supported themselves during that time. With documentation as required by the Ohio ~~board of regents~~[department of higher education](#), various other student categories may also be considered for Ohio residency status.

- (3) Students having cause to question their residency status may present documentation supporting their position to the residency officer in the office of undergraduate admissions. Those students providing appropriate documentation may be determined to qualify as Ohio residents.
- (4) Students continuing to question their residency status may file a written appeal with the residence classification board of the university.
- (5) The residence classification board is the final appeal authority and its decision is final.
- (6) Information regarding residency status and the residence classification board is available in the office of undergraduate admissions.

3356-8-03 Student residency status for tuition purposes.

Previous Policy Number: 8003.01
Responsible Division/Office: Undergraduate Admissions
Responsible Officer: Associate Vice President for Enrollment Planning
and Management
Revision History: March 1999; March 2007; March 2011;
September 2016
Board Committee: Academic and Student Affairs
Effective Date: September 15, 2016
Next Review: 2021

- (A) Policy statement. The university will develop a system of identifying student residency for purpose of state subsidy and tuition surcharge consistent with rules of the Ohio department of higher education which comply with provisions of section 3333.31 of the Revised Code and rule 3333-1-10 of the Administrative Code.
- (B) Parameter. The purpose of the Ohio department of higher education rules, to determine student residency for the purpose of state subsidy and tuition surcharge, is to exclude those persons entering the state for the primary purpose of receiving the benefit of a state-supported education.
- (C) Procedures.
- (1) Residency for the purpose of assessing tuition and fee charges is determined at the time of admission or readmission to the university and cannot be retroactive.
 - (2) Students immediately identified as Ohio residents for tuition purposes will include: dependents of parent(s)/guardian(s) who have resided in Ohio for at least the twelve consecutive months preceding enrollment and have supported the student; active duty military, guard, reserve, honorably discharged veterans, and the spouse or dependent of a veteran, who are domiciled in Ohio as of the first day of the semester; graduates of Ohio high schools who are domiciled in Ohio as of the first day of the semester; and those independent applicants who have resided in Ohio for at least the twelve consecutive months preceding enrollment and have

demonstrated that they have supported themselves during that time. With documentation as required by the Ohio department of higher education, various other student categories may also be considered for Ohio residency status.

- (3) Students having cause to question their residency status may present documentation supporting their position to the residency officer in the office of undergraduate admissions. Those students providing appropriate documentation may be determined to qualify as Ohio residents.
- (4) Students continuing to question their residency status may file a written appeal with the residence classification board of the university.
- (5) The residence classification board is the final appeal authority and its decision is final.
- (6) Information regarding residency status and the residence classification board is available in the office of undergraduate admissions.



**RESOLUTION TO MODIFY
PRIVACY AND RELEASE OF STUDENT EDUCATION RECORDS:
THE FAMILY EDUCATION AND PRIVACY ACT (“FERPA”), 3356-8-04
(PREVIOUS POLICY NUMBER 8004.01)**

WHEREAS, the University Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies; and

WHEREAS, the Privacy and Release of Student Education Records: The Family Education and Privacy Act (“FERPA”) policy has been reviewed in accordance with the scheduled review dates at Youngstown State University, and has been formatted in accordance with Policy 3356-1-09, Development and Issuance of University Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of Privacy and Release of Student Education Records: The Family Education and Privacy Act (“FERPA”), policy number 3356-8-04 (previous Policy Number 8004.01) shown as Exhibit B attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-8-04 Privacy and release of student education records: The Family Education and Privacy Act (“FERPA”).

Previous Policy Number: N/~~A~~ew
Responsible Division/Office: ~~Student Affairs~~Enrollment Planning and Management
Responsible Officer: Associate Vice President for ~~Student Affairs~~Enrollment Planning and Management
Revision History: September 2012; September 2016
Board Committee: Academic Quality and Student ~~Success~~Affairs
Effective Date: **September ~~28, 2012~~14, 2016**
Next Review: ~~2017~~21

- (A) Policy statement. This policy governs the confidentiality of educational records and provides processes for students and parents to access their records.
- (B) Purpose. The Family Educational Rights and Privacy Act (“FERPA”) of 1974, as amended, sets forth requirements designed to protect the privacy of student educational records. The law governs access to records maintained by educational institutions and the release of information from those records. A notice ~~is published annually in the “Student Right to Know” newspaper as well as in the “Bulletin” to explain regarding~~ the rights of students with respect to records maintained by the university and ~~It also outlines~~ the university’s procedures to comply with these requirements are available on the university’s eBulletin at .
<http://www.ysu.edu/ebulletin/general-information/student-records>, and on the registrar’s webpage at, <http://cms.ysu.edu/administrative-offices/registrar/undergraduate-and-graduate-policies>.
- (C) Definitions.
- (1) “Education records” are those records, files, documents, and other materials which contain information directly related to a student and are maintained by any employee or agent of the university. The following categories of information are exempted and are not considered to be education records:

- (a) Records made by university personnel which are in the sole possession of the maker and are not accessible or revealed to any other person.
 - (b) Records maintained by the Youngstown state university police for law enforcement purposes.
 - (c) Medical and counseling records used solely for treatment. (Medical records may be personally reviewed by a physician of the student's choice.)
 - (d) Records created or received after a student is no longer in attendance, i.e., alumni records.
 - ~~(e) — Student employment records.~~
 - (~~f~~e) Grades or peer-graded papers before they are collected and recorded by a professor.
- (2) All records pertaining to students which are maintained by university offices are official university records and, as such, remain the property of the university. University employees are not permitted to access, utilize, share or copy student educational records for their personal use.
- (3) Each university unit has an obligation to keep a record of requests and disclosures of student education records except when the request is from the student, a university official with a legitimate educational interest, someone requesting directory information, or related to a request with consent from the student. Students have the right to review this record of requests and disclosures of student record information.
- (D) Right to inspect and review. Students are granted the right to inspect and review all of their educational records except the following:
- (1) Financial records of parents.
 - (2) Confidential letters and statements of recommendation placed in education records prior to January 1, 1975.
 - (3) Confidential letters and statements of recommendations for admission, employment, or honorary recognition placed in education records after January 1, 1975 for which students have waived their right of access.

- (E) Waiver of rights of access. Students may waive their right of access to confidential letters and statements of recommendation. Even if the student signs a waiver upon request, the names of all persons making confidential recommendations will be made available. Employees or agents of the university may not require a student to waive his or her right of access for receipt of university benefits or services.
- (F) Procedures for inspection and review.
- (1) Requests to review one's own records must be made separately, in writing, to each office maintaining records. That office has forty-five days to respond to requests to review and inspect. However, arrangements will be made as expeditiously as possible.
 - (2) Information contained in education records will be fully explained and interpreted to students by university personnel assigned to and designated by the appropriate office.
 - (3) Students have the right to review only their own records. When a record contains information about more than one student, disclosure cannot include information regarding the other student(s).
- (G) Right to request amendment of information in records.
- (1) Students have a right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or otherwise in violation of their privacy rights.
 - (2) This process includes an opportunity for amendment of the records or insertion of written explanations by the student into such records.
 - (3) The right to challenge grades does not apply under the Act unless the grade assigned was inaccurately recorded, under which condition the record will be corrected.
- (H) Procedures for hearing to challenge records.
- (1) Students challenging information in their records must submit in writing a request for a hearing to the office of the university registrar listing the specific information in question and the reasons for the challenge. If the responsible office denies the request for

- amendment, the university will notify the student, in writing, and advise of a right to a hearing.
- (2) Hearings will be conducted by a university official who does not have a direct interest in the outcome of the hearing.
 - (3) Students shall be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge, as referenced in paragraph (G) of this rule.
 - (4) The hearing officer will render a decision in writing noting the reason and summarizing all evidence presented within a reasonable period of time after the challenge is filed.
 - (5) Should the hearing be in favor of the student, the record shall be amended accordingly. Should the request be denied, an appeal may be made in writing and submitted to the university registrar within ten days of the student's notification of the decision of the hearing officer. The appeal shall be heard by an appeals board of three disinterested senior university officials and a decision rendered in writing within a reasonable period of time.
 - (6) Should the appeal be in favor of the student, the record shall be amended accordingly. Should the request be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. When disclosed to an authorized party, the record will always include the student's statement and notice of the board's decision as long as the student's record is maintained by the university.
- (I) Consent for release required. Consent must be obtained from students for the release of education records or information contained in education records, specifying what is to be released, the reasons for release and to whom, with a copy of the record sent to the student if he or she desires.
- (J) Release without consent.
- (1) The university reserves the right to verify the accuracy of any information contained in what purports to be an official university document (e.g., a transcript or diploma) or that is provided to a third party. In addition, degrees (any honors, majors, minors and specializations) are considered public information since they are conferred in a public ceremony.

- (2) The requirement for consent does not apply to the following:
- (a) Requests from faculty and staff of Youngstown state university who have a legitimate education interest on a need-to-know basis, including student employees or agents of the institution, if necessary to conduct official business. Legitimate educational interest includes performing a task related to the regular duties of the employee or agent, the student's education, the discipline of a student, a service or benefit for the student, maintaining safety and security of the campus, or performing any function of the university.
 - (b) Requests by officials of another institution where the student seeks to enroll or is already enrolled for purposes related to enrollment or transfer.
 - (c) Requests in compliance with a lawful subpoena or judicial order.
 - (d) Requests in connection with a student's application for or receipt of financial aid.
 - (e) Requests by state authorities and agencies specifically exempted from the prior consent requirements by the Act conducting studies on behalf of the university, if such studies do not permit the personal identification of students to any persons other than to representatives of such organizations and if the personal identification data is destroyed when no longer needed.
 - (f) Information submitted to accrediting organizations.
 - (g) Requests by parents of a dependent student when claimed by a parent on one's federal income tax return.
 - (h) In the case of a health or safety emergency, the university may release information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.
 - (i) To authorized federal officials who have need to audit and evaluate federally-supported programs.

- (j) The results of any disciplinary proceeding conducted by the university against an alleged perpetrator of a crime of violence or non-forcible sex offense to the alleged victim of that crime.
- (k) Disclosure to a parent of an underage student in violation of university policy governing the use or possession of alcohol or drugs.
- (l) Request for directory information, as referenced in paragraph (K) of this rule.

(K) Directory information.

- (1) Youngstown state university, in accordance with the act, has designated the following information about students as public (directory) information:
 - (a) Name.
 - (b) Address (local, home, and email).
 - (c) Telephone (local and home).
 - (d) Program of study (including college of enrollment, major, and campus).
 - (e) Enrollment status (full-time, part-time, withdrawn).
 - (f) Dates of attendance and graduation.
 - (g) Degrees, honors, and awards received.
 - (h) Previous educational agencies or institutions attended.
 - (i) Participation in officially recognized activities and sports.
 - (j) Weight and height of members of intercollegiate athletic teams.
- (2) Students have the right to have this directory information withheld from the public if they so desire. Each student who wants all directory information to be withheld shall so indicate by completing a "Student Privacy Hold Form," which can be obtained from the office of the university registrar. At least ten days should

be allowed for processing of these requests. **This request must be made within the first seven calendar days of an academic semester.**

- (3) Youngstown state university receives many inquiries for directory information from a variety of sources, including friends, parents, relatives, prospective employers, other institutions of higher education, honor societies, licensing agencies, government agencies, and the news media. Each student is advised to carefully consider the consequences of a decision to withhold directory information. The university, in all good faith, will not release directory information requested to be withheld, and any requests from persons or organizations outside the university will be refused unless the student provides written consent for the release.
 - (4) The university publishes [email](#) student directory information on its website.
- (L) Complaints, concerns, or suggestions. Any student who has reason to believe that the university is not complying with the act or this policy should inform the office of the university registrar in writing. The university registrar shall promptly review all such allegations.

3356-8-04 Privacy and release of student education records: The Family Education and Privacy Act (“FERPA”).

Previous Policy Number: N/A
Responsible Division/Office: Enrollment Planning and Management
Responsible Officer: Associate Vice President for
Enrollment Planning and Management
Revision History: September 2012; September 2016
Board Committee: Academic and Student Affairs
Effective Date: September 14, 2016
Next Review: 2021

- (A) Policy statement. This policy governs the confidentiality of educational records and provides processes for students and parents to access their records.
- (B) Purpose. The Family Educational Rights and Privacy Act (“FERPA”) of 1974, as amended, sets forth requirements designed to protect the privacy of student educational records. The law governs access to records maintained by educational institutions and the release of information from those records. A notice regarding the rights of students with respect to records maintained by the university and the university’s procedures to comply with these requirements are available on the university’s eBulletin at <http://www.ysu.edu/ebulletin/general-information/student-records>, and on the registrar’s webpage at, <http://cms.ysu.edu/administrative-offices/registrar/undergraduate-and-graduate-policies>.
- (C) Definitions.
- (1) “Education records” are those records, files, documents, and other materials which contain information directly related to a student and are maintained by any employee or agent of the university. The following categories of information are exempted and are not considered to be education records:
- (a) Records made by university personnel which are in the sole

possession of the maker and are not accessible or revealed to any other person.

- (b) Records maintained by the Youngstown state university police for law enforcement purposes.
 - (c) Medical and counseling records used solely for treatment. (Medical records may be personally reviewed by a physician of the student's choice.)
 - (d) Records created or received after a student is no longer in attendance, i.e., alumni records.
 - (e) Grades or peer-graded papers before they are collected and recorded by a professor.
- (2) All records pertaining to students which are maintained by university offices are official university records and, as such, remain the property of the university. University employees are not permitted to access, utilize, share or copy student educational records for their personal use.
- (3) Each university unit has an obligation to keep a record of requests and disclosures of student education records except when the request is from the student, a university official with a legitimate educational interest, someone requesting directory information, or related to a request with consent from the student. Students have the right to review this record of requests and disclosures of student record information.
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 - (3) Confidential letters and statements of recommendations for admission, employment, or honorary recognition placed in education records after January 1, 1975 for which students

have waived their right of access.

- (E) **Waiver of rights of access.** Students may waive their right of access to confidential letters and statements of recommendation. Even if the student signs a waiver upon request, the names of all persons making confidential recommendations will be made available. Employees or agents of the university may not require a student to waive his or her right of access for receipt of university benefits or services.
- (F) **Procedures for inspection and review.**
 - (1) Requests to review one's own records must be made separately, in writing, to each office maintaining records. That office has forty-five days to respond to requests to review and inspect. However, arrangements will be made as expeditiously as possible.
 - (2) Information contained in education records will be fully explained and interpreted to students by university personnel assigned to and designated by the appropriate office.
 - (3) Students have the right to review only their own records. When a record contains information about more than one student, disclosure cannot include information regarding the other student(s).
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 - (1) Students have a right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or otherwise in violation of their privacy rights.
 - (2) This process includes an opportunity for amendment of the records or insertion of written explanations by the student into such records.
 - (3) The right to challenge grades does not apply under the Act unless the grade assigned was inaccurately recorded, under which condition the record will be corrected.
- (H) **Procedures for hearing to challenge records.**

- (1) Students challenging information in their records must submit in writing a request for a hearing to the office of the university registrar listing the specific information in question and the reasons for the challenge. If the responsible office denies the request for amendment, the university will notify the student, in writing, and advise of a right to a hearing.
 - (2) Hearings will be conducted by a university official who does not have a direct interest in the outcome of the hearing.
 - (3) Students shall be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge, as referenced in paragraph (G) of this rule.
 - (4) The hearing officer will render a decision in writing noting the reason and summarizing all evidence presented within a reasonable period of time after the challenge is filed.
 - (5) Should the hearing be in favor of the student, the record shall be amended accordingly. Should the request be denied, an appeal may be made in writing and submitted to the university registrar within ten days of the student's notification of the decision of the hearing officer. The appeal shall be heard by an appeals board of three disinterested senior university officials and a decision rendered in writing within a reasonable period of time.
 - (6) Should the appeal be in favor of the student, the record shall be amended accordingly. Should the request be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. When disclosed to an authorized party, the record will always include the student's statement and notice of the board's decision as long as the student's record is maintained by the university.
- (I) Consent for release required. Consent must be obtained from students for the release of education records or information contained in education records, specifying what is to be released, the reasons for release and to whom, with a copy of the record sent to the student if he or she desires.

- (J) Release without consent.
- (1) The university reserves the right to verify the accuracy of any information contained in what purports to be an official university document (e.g., a transcript or diploma) or that is provided to a third party. In addition, degrees (any honors, majors, minors and specializations) are considered public information since they are conferred in a public ceremony.
 - (2) The requirement for consent does not apply to the following:
 - (a) Requests from faculty and staff of Youngstown state university who have a legitimate education interest on a need-to-know basis, including student employees or agents of the institution, if necessary to conduct official business. Legitimate educational interest includes performing a task related to the regular duties of the employee or agent, the student's education, the discipline of a student, a service or benefit for the student, maintaining safety and security of the campus, or performing any function of the university.
 - (b) Requests by officials of another institution where the student seeks to enroll or is already enrolled for purposes related to enrollment or transfer.
 - (c) Requests in compliance with a lawful subpoena or judicial order.
 - (d) Requests in connection with a student's application for or receipt of financial aid.
 - (e) Requests by state authorities and agencies specifically exempted from the prior consent requirements by the Act conducting studies on behalf of the university, if such studies do not permit the personal identification of students to any persons other than to representatives of such organizations and if the personal identification data is destroyed when no longer needed.
 - (f) Information submitted to accrediting organizations.

- (g) Requests by parents of a dependent student when claimed by a parent on one's federal income tax return.
- (h) In the case of a health or safety emergency, the university may release information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.
- (i) To authorized federal officials who have need to audit and evaluate federally-supported programs.
- (j) The results of any disciplinary proceeding conducted by the university against an alleged perpetrator of a crime of violence or non-forcible sex offense to the alleged victim of that crime.
- (k) Disclosure to a parent of an underage student in violation of university policy governing the use or possession of alcohol or drugs.
- (l) Request for directory information, as referenced in paragraph (K) of this rule.

(K) Directory information.

- (1) Youngstown state university, in accordance with the act, has designated the following information about students as public (directory) information:
 - (a) Name.
 - (b) Address (local, home, and email).
 - (c) Telephone (local and home).
 - (d) Program of study (including college of enrollment, major, and campus).
 - (e) Enrollment status (full-time, part-time, withdrawn).

- (f) Dates of attendance and graduation.
 - (g) Degrees, honors, and awards received.
 - (h) Previous educational agencies or institutions attended.
 - (i) Participation in officially recognized activities and sports.
 - (j) Weight and height of members of intercollegiate athletic teams.
- (2) Students have the right to have this directory information withheld from the public if they so desire. Each student who wants all directory information to be withheld shall so indicate by completing a "Student Privacy Hold Form," which can be obtained from the office of the university registrar. At least ten days should be allowed for processing of these requests.
- (3) Youngstown state university receives many inquiries for directory information from a variety of sources, including friends, parents, relatives, prospective employers, other institutions of higher education, honor societies, licensing agencies, government agencies, and the news media. Each student is advised to carefully consider the consequences of a decision to withhold directory information. The university, in all good faith, will not release directory information requested to be withheld, and any requests from persons or organizations outside the university will be refused unless the student provides written consent for the release.
- (4) The university publishes email student directory information on its website.
- (L) Complaints, concerns, or suggestions. Any student who has reason to believe that the university is not complying with the act or this policy should inform the office of the university registrar in writing. The university registrar shall promptly review all such allegations.



**RESOLUTION TO AUTHORIZE
CONFERRAL OF HONORARY DEGREE**

BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby authorize the conferral of a Doctor of Business Administration (D.B.A.) degree, honoris causa, upon Sam Covelli, with all the rights and privileges attendant thereto.

**Board of Trustees Meeting
September 15, 2016
YR 2017-**

Agenda Item F.1.c

Sam Covelli – Biography

Entrepreneur Sam Covelli is the owner and chief executive officer of Covelli Enterprises. For over 50 years the company has been headquartered in Covelli's hometown of Warren, Ohio. Covelli Enterprises currently employs about 26,000 people, including 2,000 in the Mahoning Valley.

The company is the single largest franchisee of Panera Bread and O'Charley's Restaurants and was recently named the 4th largest restaurant franchisee in the nation.

In May 2012, Covelli was the first Panera Bread franchisee to take the concept internationally with a record-breaking opening in Toronto, Canada. By the end of 2017, Covelli Enterprises will have over 260 Panera Bread locations in Ohio, Pennsylvania, Kentucky, Florida and Toronto, Canada.

Covelli opened his first O'Charley's Restaurant in Niles in 2006 and his second in Erie, Pennsylvania in 2007. Since then, he has opened four additional sites in Boardman, Cuyahoga Falls, Strongsville, Ohio and Orlando, Florida.

In 2012, Covelli Enterprises took on a third restaurant concept and began developing Dairy Queen locations. The company currently owns nine Dairy Queen stores, including two on the Ohio Turnpike.

Covelli Enterprises has a long history of giving back to the community. Throughout its existence, the company has donated millions of dollars to local charitable organizations. In December, Covelli celebrated more than 30 years as the largest local contributor to the U.S. Marine Corps Toys for Tots program, with a \$15,000 donation. This August, the company hosted the area's largest fundraising event, the 7th annual Panerathon, a 10K/2 Mile walk that has hosted more than 50,000 people and has raised over \$1.6 million for the Joanie Abdu Breast Comprehensive Breast Care Center at St. Elizabeth Health Center over the past seven years.

Covelli Enterprises supports many other local charities, including the Salvation Army, the Disabled American Veterans, the Animal Welfare League, the American Heart Association, Akron Children's Hospital of the Mahoning Valley and Second Harvest Food Bank. For his commitment to the community, Covelli was recognized in 2012 with the Salvation Army's Distinguished Community Service Award, the American Red Cross Spirit of the Mahoning Valley Award and was named 2013 Corporate Philanthropist of the Year in the Mahoning Valley. In 2014, Covelli received the Salvation Army Project Bundle up Award and the 2014 Association of Fundraising Professionals of Greater Cleveland Corporate Leadership Award.

**Agenda Item F.1.c
Support Material**

In 2016, Covelli Enterprises donated over \$27 million dollars in unsold bread products to local food banks and hunger relief agencies to help feed needy people in the communities where it does business.

In 2012, Covelli made the largest donation in history to the Ohio State Athletics Department to assist in funding the construction of a multi-sport arena. The \$10-million-dollar gift will provide critical amenities for student-athletes in men's and women's volleyball, gymnastics, fencing and wrestling, including new locker rooms, offices, training and treatment rooms.

Covelli Enterprises continually wins the most awards for exceptional service, cleanliness, customer service and expansive growth of its locations. For all his achievements, Covelli has earned numerous awards including: Ohio Entrepreneur of the Year, Ernst & Young Entrepreneur of the Year for Northeast Ohio, YSU Alumni Association Distinguished Citizen of the Year and Youngstown Area Restaurateur of the Year. Most recently inducted into the Beta Gamma Sigma honor society and received the Medallion Award for Entrepreneurship at YSU. Covelli attributes his success to the hiring of dedicated and passionate employees who deliver superior customer service in clean and friendly environments.

Covelli has received proclamations from U.S. Senators John Glenn and Mike DeWine, Congressmen Tim Ryan and Steve LaTourette, Ohio Senator Harry Meshel, and the Mayors of Warren, Niles, Youngstown, OH and Sharon, PA. Covelli was the founder of the Ronald McDonald House Charities of the Mahoning Valley and Western Pennsylvania, and was a founding sponsor of the Giant Eagle LPGA Tournament Classic.

He currently serves on the Board of Trustees for the Cleveland Clinic, The Ohio State Athletics Campaign Committee, Velosano Steering Committee, Mercy Health Foundation of the Mahoning Valley Board, W.D. Packard Music Hall Board of Trustees, Better Business Bureau Board of Directors, Warren Economic Development Foundation Board, Diocese of Youngstown Blue Ribbon Executive Committee, Northeast Ohio Development and Finance Authority, Ohio Association of Commodores, as well as the Urology Care Foundation of the American Urological Association.

Sam and his wife, Caryn proudly live in Warren, OH and have three children: Candace, Albert and Danielle.

DIVIDER

**Institutional Engagement
Committee**

**RESOLUTION TO MODIFY
UNIVERSITY PUBLICATIONS POLICY, 3356-5-11
(PREVIOUS POLICY NUMBER 5012.01)**

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the University Publications Policy number 3356-5-11 (Previous Policy Number 5012.01) of the *University Guidebook*, shown as Exhibit C attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-5-11 University publications.

Previous Policy Number: 5012.01
Responsible Division/Office: Marketing & Communications
Responsible Officer: [Associate Vice President](#) for University
[Advancement Relations](#)
Revision History: May 1999; June 2010; June 2011; [June 2016](#)
Board Committee: [External Relations](#) [Institutional Engagement](#)
Effective Date: **June 1~~5~~, 201~~6~~**
Next Review: 20~~16~~[21](#)

- (A) Policy statement. The office of marketing and communications in collaboration with the publications review panel serves as the clearinghouse for all tier one publications developed for distribution to external audiences. As such, this office has oversight for all printed materials that represent official university programs and services.
- (B) Parameters.
- (1) A critical part of any institution's or organization's image is the communications messages it sends out and with which it is identified. An institutional brand is established through the consistent and frequent use of distinctive images and messages in its external publications and communications media.
 - (2) The office of marketing and communications requires the cooperation of all campus offices and individuals (including the department of intercollegiate athletics and the college of fine and performing arts) to create a strong, consistent, and high-end brand for Youngstown state university ("YSU") through all its publications.
 - (3) A "tier one publication" is any printed piece directed to:
 - (a) Any external audience (e.g., alumni, the general public, prospective students, donors)
 - (b) All (or most) current YSU students

Agenda Item F.2.a
Exhibit C

- (4) All publications meeting tier one criteria must first be reviewed before proceeding to the design stage.
 - (5) If a publication is not tier one according to the criteria above, guidelines and templates for design and printing are available on the university website at http://web.yosu.edu/gen/ysu/Publications_Policy_m299.html.
- (C) Procedures.
- (1) For all publications meeting tier one criteria, a “Publications Request” form, located on the university website at http://web.yosu.edu/gen/ysu/Publications_Policy_m299.html must be submitted to and be processed by the publications review panel. For the review to be done in a timely and efficient manner, the online form must be submitted at least two weeks prior to the beginning of the design phase.
 - (2) The publications review panel will arrange a meeting to discuss the needs, exchange ideas, and establish time lines. Budget sources for the project will be discussed at that time.
 - (3) The office of marketing and communications may contract the publications to new internal or external sources as appropriate and expedient.
 - (4) The requesting unit will be responsible for furnishing suggested text for the publication.
 - (5) Appropriate artwork or photographs will be prepared in cooperation with the requesting unit.
 - (6) After a first-draft proof of the publication is prepared, the requestor will review the proof, note any changes, and return the publication for preparation of a final proof.
 - (7) The final proof will be submitted to the requesting unit, who assumes primary responsibility for the content, accuracy, and completeness of information in the publication. Marketing and communications assumes primary responsibility for grammar, punctuation, and overall appearance.

- (8) Additional procedures for using university symbols and related publication information can be found in “Graphics Guide,” available online at http://web.yzu.edu/gen/ysu/Graphics_Guide_m34.html.

3356-5-11 University publications.

Previous Policy Number: 5012.01
Responsible Division/Office: Marketing and Communications
Responsible Officer: Associate Vice President for University
Relations
Revision History: May 1999; June 2010; June 2011; September
2016
Board Committee: Institutional Engagement
Effective Date: September 15, 2016
Next Review: 2021

- (A) Policy statement. The office of marketing and communications serves as the clearinghouse for all tier one publications developed for distribution to external audiences. As such, this office has oversight for all printed materials that represent official university programs and services.
- (B) Parameters.
- (1) A critical part of any institution's or organization's image is the communications messages it sends out and with which it is identified. An institutional brand is established through the consistent and frequent use of distinctive images and messages in its external publications and communications media.
 - (2) The office of marketing and communications requires the cooperation of all campus offices and individuals (including the department of intercollegiate athletics and the college of creative arts and communications) to create a strong, consistent, and high-end brand for Youngstown state university ("YSU") through all its publications.
 - (3) A "tier one publication" is any printed piece directed to:
 - (a) Any external audience (e.g., alumni, the general public, prospective students, donors)
 - (b) All (or most) current YSU students

- (4) All publications meeting tier one criteria must first be reviewed before proceeding to the design stage.
 - (5) If a publication is not tier one according to the criteria above, guidelines and templates for design and printing are available through the office of marketing communications.
- (C) Procedures.
- (1) For all publications meeting tier one criteria, a “Publications Request” must be submitted by email to creativigitaldesign@ysu.edu and processed by the marketing and communication team. For the review to be done in a timely and efficient manner, the request must be submitted at least two weeks prior to the beginning of the design phase.
 - (2) The marketing and communications team will arrange a meeting to discuss the needs, exchange ideas, and establish time lines. Budget sources for the project will be discussed at that time.
 - (3) The office of marketing and communications may contract the publications to new internal or external sources as appropriate and expedient.
 - (4) The requesting unit will be responsible for furnishing suggested text for the publication.
 - (5) Appropriate artwork or photographs will be prepared in cooperation with the requesting unit.
 - (6) After a first-draft proof of the publication is prepared, the requestor will review the proof, note any changes, and return the publication for preparation of a final proof.
 - (7) The final proof will be submitted to the requesting unit, who assumes primary responsibility for the content, accuracy, and completeness of information in the publication. Marketing and communications assumes primary responsibility for grammar, punctuation, and overall appearance.

- (8) Additional procedures for using university symbols and related publication information can be found in the “Visual Identity Standards available through the office of marketing and communications.

**RESOLUTION TO ACCEPT ALUMNI ENGAGEMENT AND WYSU
MEMBERSHIPS**

WHEREAS, Board policy provides that the President shall compile a list of memberships to the University for each meeting of the Board of Trustees and present the list accompanied by his recommendation for action by the Board; and

WHEREAS, the President has reported that the memberships as listed in Exhibit D attached hereto are being held pending acceptance and he recommends their acceptance;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby accept these memberships on behalf of Youngstown State University and requests that the President acknowledge the acceptance of these memberships.

UNIVERSITY MEMBERSHIPS
EXECUTIVE SUMMARY
Fiscal Year 2014-2015
July 1, 2014-June 30, 2015

Memberships Received	Number of Memberships	Amount
Alumni Relations	558	\$ 28,470
WYSU-FM	1,577	\$ 267,922
Total University Memberships	2,135	\$ 296,392



**RESOLUTION TO NAME
THE DOMENIC “DON” CONSTANTINI MULTIMEDIA CENTER**

WHEREAS, Youngstown State University has implemented the silent phase of a comprehensive capital campaign; and

WHEREAS, a significant capital component of this campaign will be the creation of a multimedia center in Stambaugh Stadium; and

WHEREAS, the multimedia center will provide YSU students in the Communications Department a state of the art living and learning environment to prepare them for a career in the broadcast industry; and

WHEREAS, the multimedia center will also provide broadcasters and journalists a first class facility to cover and report Penguin football games on game days; and

WHEREAS, Domenic “Don” Constantini, a 1966 graduate of Youngstown University, has maintained a lifelong attachment to his alma mater and has provided a gift of \$1 million toward the construction of the new multimedia center; and

WHEREAS, Don Constantini has annually supported the YSU Athletic Department, the Williamson College of Business Administration, the YSU Foundation and numerous student scholarships for many years; and

WHEREAS, Don Constantini has made previous major gifts to create an endowed scholarship and support the construction of the Andrews Recreation and Wellness Center as well as the construction of the Williamson College of Business Administration; and

WHEREAS, The YSU Penguin Club honored Don Constantini as “Penguin of the Year” in 2015 and he has served as a member of the YSU Foundation Board of Trustees since 2010; and

WHEREAS, the university and the board of trustees wish to provide appropriate recognition to Don Constantini for his significant contribution and commitment to the students of Youngstown State University;

NOW, THEREFORE, BE IT RESOLVED, that the Youngstown State University Board of Trustees designate the multimedia center in Stambaugh Stadium: **The Don Constantini Multimedia Center**; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Domenic “Don” Constantini.



**Naming Opportunities for the
Department of Intercollegiate Athletics**

Athletic Complex (west of Fifth Avenue)	\$1,000,000 and above
Multimedia Center (east side of Stambaugh Stadium)	
Presidential Loge (Stambaugh Stadium)	
Indoor Tennis Complex	
Baseball Field	
Endowed Head Coaching Position	
Natorium (pool inside Beeghly Center)	
Softball Field	\$500,000 and above
Outdoor Track	
South Entrance Gateway (Stambaugh Stadium)	
North Entrance Gateway (Stambaugh Stadium)	
Football Locker Room	
“Coaches Court” (inside Beeghly Center)	
Strength & Conditioning Center (Stambaugh Stadium)	
Lobby (inside Beeghly Center)	\$250,000 and above
Men’s Basketball Coaching Offices	
Women’s Basketball Coaching Offices	
Olympic Sports Office Suite	
Strength & Conditioning Center (inside Beeghly Center)	
Gymnasium Court(s) (inside Stambaugh Stadium; three available)	
Head Football Coach’s Office	
South Ramp to Beede Field (Football Team Entrance)	
Executive Director of Athletics Suite	
Men’s Basketball Locker Room	\$100,000 and above
Women’s Basketball Locker Room	
Women’s Soccer Locker Room	
Softball Locker Room	
Baseball Locker Room	
Football Staff Meeting Rooms	
Dining Hall (Stadium)	
Men’s Tennis Locker Room	
Women’s Tennis Locker Room	
Swim Team Locker Room	
Volleyball Locker Room	

**Agenda Item F.2.c
Support Material**



**RESOLUTION TO NAME
THE FRANK AND NORMA WATSON STUDENT SUCCESS CENTER**

WHEREAS, Youngstown State University has implemented the silent phase of a comprehensive capital campaign; and

WHEREAS, a significant capital component of this campaign will be the creation of a student success center on campus; and

WHEREAS, the student success center is seen as key to improving student services and student experience at YSU through centrally locating student support services in one convenient location, improving student retention and graduation rates; and

WHEREAS, Frank and Norma Watson have provided a leadership gift of \$1,000,000 to assist in the costs associated with the construction of this much needed facility; and

WHEREAS, Frank Watson, a 1949 graduate of Youngstown University, has previously served on both the YSU and the YSU Foundation Board of Trustees. Frank Watson also chaired the fundraising campaign to build Stambaugh Stadium; and

WHEREAS, the Watsons have a profound history of philanthropic support of YSU and the community at-large including previous leadership gifts to create an endowed scholarship, the construction of Stambaugh Stadium and the construction of the Watson and Tressel Training Site among others; and

WHEREAS, the Watsons received the highest honor by YSU in 2007, the "Friends of the University" award; and

WHEREAS, the university and the board of trustees wish to provide appropriate recognition to Frank and Norma Watson for their significant contribution and commitment to the students of Youngstown State University;

NOW, THEREFORE, BE IT RESOLVED that the Youngstown State University Board of Trustees designate the student success center: **The Frank and Norma Watson Student Success Center**; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Frank and Norma Watson.



**RESOLUTION TO NAME THE
YSU FOUNDATION HERITAGE PARK**

WHEREAS, The Youngstown State University Foundation was founded in 1966 by long time Youngstown College and Youngstown University President Howard Jones; and

WHEREAS, The Youngstown State University Foundation began in 1966 with an endowment of \$13 million; and

WHEREAS, The Youngstown State University Foundation's assets have grown today to over \$210 million making it the largest public university foundation in Northeast Ohio; and

WHEREAS, This academic year the Youngstown State University Foundation will provide over \$8.1 million in scholarship support assisting over 3,300 YSU students to attend YSU; and

WHEREAS, The Youngstown State University Foundation seeks to celebrate and commemorate its 50th anniversary this academic year; and

WHEREAS, The Youngstown State University Heritage Award has honored and recognized former faculty and staff who have served YSU with distinction; and

WHEREAS, The Heritage Award was established in 1983 and since that time has recognized 62 individuals as Heritage Award recipients; and

WHEREAS, To commemorate and celebrate the YSU Foundation's 50th anniversary and create an appropriate venue to recognize and honor the YSU Heritage Award recipients, the YSU Foundation seeks to make a gift of \$100,000 to create **The YSU Foundation Heritage Park**; and

WHEREAS, The university and the board of trustees wish to recognize and honor the YSU Foundation on its 50th anniversary of service to YSU and YSU students;

NOW, THEREFORE, BE IT RESOLVED that the Youngstown State University Board of Trustees designate **The YSU Foundation Heritage Park**; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the YSU Foundation Board of Trustees.



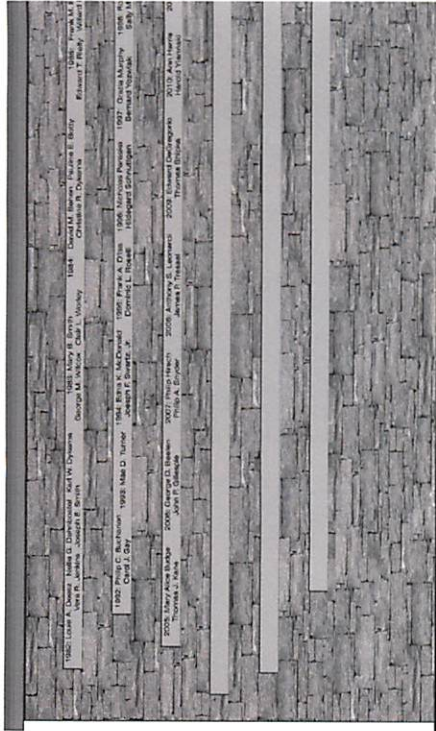
LANDSCAPE RETAINING WALL & HONOREE WALL



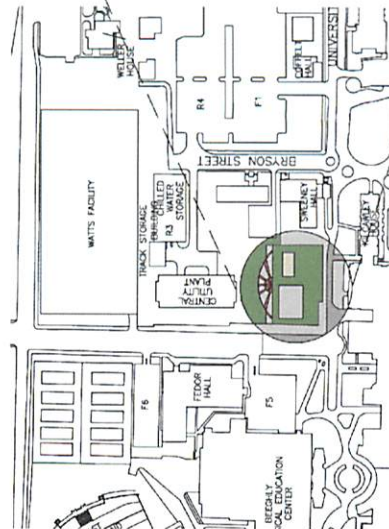
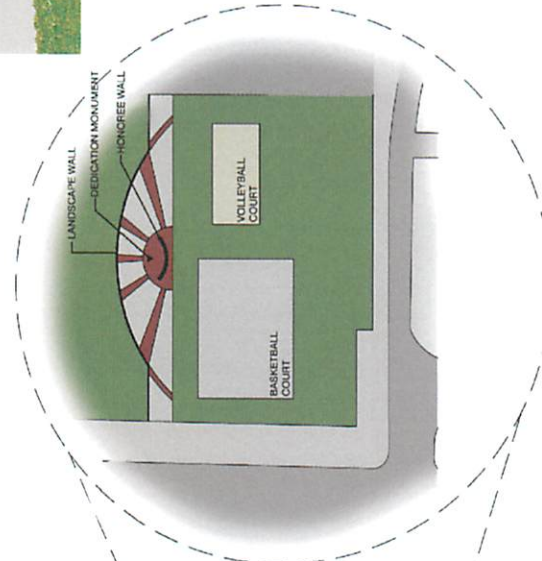
YSU FOUNDATION DEDICATION MONUMENT



YOUNGSTOWN STATE UNIVERSITY
FOUNDATION



AWARDED RECIPIENTS HONORED WALL (ENLARGED, PARTIAL VIEW)



HERITAGE PARK

DIVIDER

Finance & Facilities Committee

**RESOLUTION TO APPROVE FY 2016-2017 FINES FOR DAMAGES AT
THE UNIVERSITY COURTYARD APARTMENTS**

WHEREAS, Ohio law provides that Boards of Trustees of state-assisted institutions of higher education shall supplement state subsidies by income from charges to students; and

WHEREAS, Ohio law also provides that each Board may establish special purpose fees, service charges, fines and penalties and that a tuition surcharge shall be paid by all students who are not residents of Ohio; and

WHEREAS, the University Courtyard Apartments are managed by RISE Management LLC, which heretofore has assessed and collected fines related to property damage; and

WHEREAS, the University will assume responsibility for assessing and collecting said fines, effective fall semester 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the fines for damages at the University Courtyard Apartments, as shown in Exhibit E and made part hereof.

University Courtyard – General Fee/Fines

Listed below are fines that could be imposed on students when and if a student doesn't comply with the guidelines listed in their lease agreement.

Application Process Fees

Application	35
Deposit	300 (special \$99)
Lease takeover charged to current resident	100
Transfer	150

Key/lock Fee

Swipe key	10 (1 st two/3 rd \$50)
Bedroom key	35
Laundry room key	35
Lockout	30
Replace deadbolt	35 bedroom door
Building entry/exit door propped open	100
Apartment door left open	100

Miscellaneous Fines

Unauthorized animal	10 day/thereafter sanction
Noise disturbance	written warning/50/100/200
Guest policy violation	written warning/50/100/200
Thermostat setting violation	written warning/50/sanction
Obstruction of window & doors	10 a day
Bicycles placed in unauthorized areas	25 removal
Other violations of lease not specifically noted	100
Bed bug treatment	Cost based upon treatment

Life Safety Fines

Engaging fire alarm	written warning/100 for reoccurrence due to negligence & sanction
Tampering with smoke detector	100/sanction
Tampering with fire extinguisher	100 plus recharge fee
Fire Sprinkler system engage	Cost based upon repairs
Smoking within the unit/common areas	loss of deposit/50/100/200
Underage drinking/possession	50 & confiscate/\$100 thereafter & sanction
Of age:	
• Open container in common areas	Sanction/Police citation
• Contributing to minors	100/sanction

University Courtyard – Damage Fines

Listed below are fines that may be imposed on students when and if a student damage property owned by the university. These cost are based on the replacement value of these items listed.

Furniture Fines

Night stand	140
4-drawer chest	300
Replace desk	250
Bar stool	90
End table	140
Cocktail table	140 small/160 large
Cocktail table knobs	5
TV stand	250

Miscellaneous Unit Fines

VCT floor tile	25/hr. repair & parts
Ceiling fan	25/hr. repair & parts
Ceiling fan	100 replace
Household trash placed in common areas	30 per bag
Candles/incense	written warning/100 thereafter
Clogged toilet	25 (for plunger) or vendor cost to clear the line
Unreported leaks	25 depends on severity

Appliances Fines

Garbage disposal	85 due to neglect
Microwave	210 replace due to negligence
Stove/oven	300 replace due to negligence
Refrigerator	500 replace due to negligence
• Refrigerator repair	25/hr. for maintenance & parts due to negligence

Fitness Center Fines

Fitness equipment repair	Vendor cost due to student neglect
Fitness equipment replace	Vendor cost due to student neglect
TV – 42”	500

Activity Center Fines

Tables and chairs	Manufacturer cost to replace due to student neglect
TV – 55”	1000
Video game equipment (Xbox/Playstation/Wii)	Cost of system to replace
Board/card games	Cost to replace

Courtyard Fines

Grills	Repair/replacement cost
Volleyball net	Replacement cost
Basketball backboard	Replacement cost

**RESOLUTION TO APPROVE
INTERFUND TRANSFERS**

WHEREAS, University Policy Number 3356-3-11.1 (Previous Policy Number 3010.01) Budget Transfers, requires Board of Trustees approval for inter-fund transfers of \$100,000 or more for operating purposes or for any purpose other than a specific capital improvement project, for capital improvements or construction projects of \$500,000 or more, and for transfers out of operating reserves regardless of amount; and

WHEREAS, certain accounting and budget adjustments and transfers outside the operating budget are necessary during the course of a fiscal year and at the end of a fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the transfer of funds, as detailed in Exhibit F.



YOUNGSTOWN STATE UNIVERSITY
Interfund Transfers Requiring Board Approval
Transfers Outside of the Operating Budget
Requested Transfers for First Quarter 2017

FROM	TO	AMOUNT	REASON
<i>Debt Service Reserve Funds</i>			
<i>Debt Service Funds</i>			
<i>Transfers to fund portion of FY17 Debt Service</i>			
WCBA Gifts (Restricted Plant Fund)	Bond Fund - Series 2009	\$1,024,879	Portion attributed to the WCBA.
General Fund (Unrestricted Plant Fund)	Bond Fund - Series 2010	\$867,338	Portion supported by General Fund.
General Fund (Unrestricted Plant Fund)	Bond Fund - Series 2009	\$384,943	Portion supported by General Fund.
WATTS Gifts (Restricted Plant Fund)	Bond Fund - Series 2010	\$110,296	Portion attributed to WATTS.
Debt Service Reserve - Athletics (Unrestricted Plant Fund)	Bond Fund - Series 2010	\$105,060	Portion attributed to Athletics.
<i>Operating Carry Forward</i>			
<i>(Designated Fund)</i>			
<i>Various Funds</i>			
<i>(Designated Funds)</i>			
<i>Transfer year end excess of \$2,835,251 to designated funds</i>			
	Technology Master Plan	\$926,574	
	Program Fee Carry Fwd	\$655,988	
	Tech & Lab Mat. Fee Carry Fwd.	\$607,241	
	College Fee Carry Fwd.	\$354,496	
	Research Incentive Carry Fwd.	\$119,514	
	Legal Liability Reserve	\$171,438	

**RESOLUTION TO AUTHORIZE
THE ISSUANCE AND SALE OF GENERAL RECEIPTS BONDS
OF YOUNGSTOWN STATE UNIVERSITY,
APPROVING A SUPPLEMENTAL TRUST INDENTURE AND
AUTHORIZING RELATED MATTERS**

WHEREAS, on February 6, 2009, the Board of Trustees of Youngstown State University (the "Board") adopted a resolution (the "General Bond Resolution") providing for the adoption of an Amended and Trust Indenture dated as of March 1, 2009 as supplemented and amended by the First Supplemental Trust Indenture dated as of February 1, 2010 and by the Second Supplemental Trust Indenture dated as of July 1, 2011 (collectively, the "Trust Indenture"), which provides for the issuance from time to time of Obligations of Youngstown State University (the "University") including its General Receipts Bonds, with each issuance to be authorized by a Series Resolution adopted by the Board; and

WHEREAS, the General Bond Resolution was adopted and the Trust Indenture was authorized by the Board pursuant to Sections 3345.11 and 3345.12 of the Ohio Revised Code, enacted by the General Assembly of Ohio under authority of the Constitution of Ohio, particularly Section 2i of Article VIII thereof, which authorizes the University to issue its obligations to fund and refund the costs of certain capital facilities, defined as "auxiliary facilities," "education facilities" and "housing and dining facilities" in Section 3345.12 of the Revised Code and called "University Facilities" in this Resolution; and

WHEREAS, the University has heretofore authorized and issued the \$31,255,000 original principal amount of General Receipts Bonds, Series 2009 under such Trust Agreement (the "Prior Bonds") for the purpose of paying part of the cost of certain University Facilities and refunding on a current basis certain prior obligations of the University; and

WHEREAS, the University previously approved its Centennial Campus Master Plan in 2006; and

WHEREAS, the University has determined that it is in its interest and consistent with the Centennial Campus Master Plan to advance refund all or a portion of the Prior Bonds (the "Refunded Bonds" in a presently anticipated cost of not to exceed \$23,000,000, and to acquire, construct, equip, furnish, reconstruct, alter, enlarge, remodel, renovate, rehabilitate or improve certain University Facilities including but not limited to a bookstore (the "Project") in a presently anticipated cost of not to exceed \$5,500,000, and that it is necessary and appropriate to issue bonds or other obligations to pay the costs of the Project and any necessary

related improvements thereto, and to pay the costs of issuing bonds or other obligations for such purpose; and

WHEREAS, for the above purposes, the University has determined to issue not to exceed \$28,500,000 in aggregate principal amount of Obligations to be designated "General Receipts Bonds, Series 2016," or such other designation as authorized hereby (the "Bonds"), which may be issued in multiple series, to pay the costs of refunding the Refunded Bonds and acquiring the Project, any necessary related improvements thereto, and the costs of issuance of the Bonds, including the reimbursement to the University of moneys advanced for the purpose in anticipation of being reimbursed from the proceeds of the Bonds; and

WHEREAS, the Board determines that it is in the best interest of the University to provide for flexibility in structuring the Bonds, and therefore, has provided that certain terms of the Bonds shall be determined in the Certificates of Award authorized pursuant to Section 5 hereof; and

WHEREAS, the Board finds that all conditions precedent to the authorization and sale of the Bonds have been or will be met by the time the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University, as follows:

Section 1. Definitions and Interpretations. Where used in this Resolution, in any supplemental indentures and in the Certificate of Award, and in addition to words and terms defined elsewhere in this Resolution (including its preambles), any supplemental indentures, the General Bond Resolution or the Trust Indenture, the following terms shall have the following meanings:

"Annual Bond Service Charge" for any Fiscal Year means, in connection with the Bonds authorized hereunder, an amount equal to the scheduled principal and interest due on the Bonds in that Fiscal Year.

"Bond Purchase Agreement" means the Bond Purchase Agreement with respect to a series of Bonds between the Original Purchaser and the University, to be dated as of its date of execution.

"Bonds" or "Series 2016 Bonds" means the several series of General Receipts Bonds and any bond anticipation notes or other debt obligations of the University authorized by this Resolution and issued pursuant to this Resolution and the Certificate of Award.

"Certificate of Award" means any Certificate of Award authorized by Section 5 hereof.

“Code” means the Internal Revenue Code of 1986, as amended, the regulations (whether proposed, temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a section of the Code includes that section and such applicable regulations, rulings, announcements, notices, procedures and determinations pertinent to that section.

“Computation Date” means:

- (i) (A) the last day of each Bond Year while the Bonds are outstanding, and (B) the date on which the last Bonds are retired, or
- (ii) such other date or dates elected by the University as may be permitted under the Code for computation of the Rebate Amount.

“Continuing Disclosure Agreement” means the continuing disclosure agreement relating to a series of Bonds executed by the University and the Trustee, dated no later than the date of delivery of a series of Bonds, as the same may be amended from time to time in accordance with the terms thereof.

“Debt Service” means principal of and interest and any redemption premium on the Bonds.

“Delivery Date” means the date or dates on which the Bonds are delivered to the Original Purchaser in exchange for payment.

“Excess Earnings” means, as of each Computation Date, an amount determined in accordance with Section 148(f) of the Code equal to the sum of (i) plus (ii) where:

- (i) is the excess of:
 - (a) the aggregate amount earned from the Issuance Date on all Nonpurpose Investments in which Gross Proceeds are invested (other than investments attributable to an excess described in this clause (i)), taking into account any gain or loss on the disposition of Nonpurpose Investments, over
 - (b) the amount which would have been earned if the amount of the Gross Proceeds invested in those Nonpurpose Investments (other than investments attributable to an excess described in this clause (i)) had been invested at a rate equal to the Yield on the Bonds; and

(ii) is any income attributable to the excess described in clause (i), taking into account any gain or loss on the disposition of investments.

“Fiscal Officer” means the Vice President for Finance and Business Operations of Youngstown State University.

“Gross Proceeds” means (i) Proceeds, (ii) Replacement Proceeds, and (iii) any other money, investments, securities, obligations or other assets that constitute “gross proceeds” for purposes of Section 148(f) of the Code as applied to the bonds, all until spent.

“Insurer” means any issuer of a municipal bond insurance policy insuring the payment of all or a portion of the Bond Service Charges on the Bonds, as may be approved by the Fiscal Officer pursuant to Section 8 of this Resolution.

“Interest Payment Dates” means the fifteenth day of June and December in each year, commencing June 15, 2017, or such other dates as may be set forth in the Certificate of Award.

“Investment Proceeds” means any amounts actually or constructively received from investing Original Proceeds.

“Investment Property” means (i) “investment property” as defined in Section 148(b)(2) of the Code, including any security (within the meaning of Section 165(g)(2)(A) or (B)) of the Code, any obligation, any annuity contract, and any investment-type property. Investment Property does not include a Tax-Exempt Bond, except a Tax-Exempt Bond which is a “specified private activity bond” as defined in Section 57(a)(5)(C) of the Code, the interest on which is an item of tax preference for purposes of the alternative minimum tax imposed on individuals and corporations, or (ii) qualified exempt investment, that is, a United States Treasury obligation - Demand Deposit State and Local Government Series.

“Issuance Date” means the date of physical delivery by the University of each series of Bonds authorized hereunder in exchange for the purchase price of the Bonds.

“Issue Price” means the aggregate of the initial offering prices (including accrued interest and original issue discount and/or premium, if any) at which each maturity of a series of Bonds was offered to the public (excluding bond houses, brokers and other intermediaries) and at which price or prices a substantial amount of each maturity of a series of Bonds was sold to the public (other than to bond houses, brokers and other intermediaries).

“Nonpurpose Investments” shall have the meaning ascribed to such term in Section 148 of the Code and shall mean any investment other than a Purpose

Investment (which is an investment acquired in order to carry out the governmental purpose of the Bonds.

“Original Proceeds” means Sales Proceeds and Investment Proceeds.

“Original Purchaser” means purchaser or purchasers of a series of Bonds named in the Bond Purchase Agreement and set forth in the Certificate of Award.

“Proceeds” means any Original Proceeds and any Transferred Proceeds of a series of Bonds.

“Purpose Investment” means an investment acquired in order to carry out the governmental purpose of the Bonds, which is to provide funding for the acquisition of the Project, and any necessary related improvements thereto, and to pay a portion of the costs associated with such issuance.

“Rebate Amount” means the amount of Excess Earnings (excluding any amount earned on a Bona Fide Debt Service Fund) computed as of the most recent prior Computation Date in accordance with the requirements of Section 148(f) of the Code.

“Refunded Bonds” means those Prior Bonds designated as such in a Certificate of Award.

“Refunded Bonds Defeasance Obligations” means the investments defined as such in a Refunded Bonds Escrow Agreement sufficient to cause the related Refunded Bonds to be no longer outstanding pursuant to the Trust Indenture.

“Refunded Bonds Escrow Agreement” means one or more Escrow Deposit Agreements, dated not later than the date of delivery of the related series of Bonds, between the University and the Refunded Bonds Escrow Trustee with respect to the Refunded Bonds.

“Refunded Bonds Escrow Fund” means the escrow fund created by the related Refunded Bonds Escrow Agreement in the custody of the Refunded Bonds Escrow Trustee as security for the Refunded Bonds. A Refunded Bonds Escrow Fund may be a sub-account in the Debt Service Account of the Debt Service Fund.

“Refunded Bond Escrow Trustee” means the bank or trust company serving as Escrow Trustee under the Refunded Bonds Escrow Agreement, being initially designated in the Certificate of Award.

“Sales Proceeds” means the portion of the Issue Price received by the University upon the sale of a series of Bonds (including any underwriter’s discount withheld from the Issue Price).

“Securities Depository” means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Series 2016 Resolution” or “this Resolution” means this Resolution authorizing the issuance and sale of the Bonds.

“Special Record Date” means the date established by the Trustee in connection with the payment of any overdue interest on any Bond pursuant to Section 4(e)(ii) of this Resolution.

“Tax-Exempt Bond” means any obligation, or issue of obligations, the interest on which is, or is intended to be, excluded from gross income for federal income tax purposes within the meaning of Section 150 of the Code, and includes any investment treated as a “tax-exempt bond” for the applicable purpose of Section 148 of the Code.

“Third Supplemental Trust Indenture” means the Third Supplemental Trust Indenture between the University and the Trustee, and any additional Supplemental Trust Indenture necessary with respect to the issuance of a series of Bonds, authorized pursuant to Section 7.01 of the Trust Indenture and this Resolution.

“Transferred Proceeds” means any proceeds of a prior issue that become Proceeds of a series of Bonds within the meaning of Treasury Regulations 1.148-9.

“Trustee” means U.S. Bank, National Association, as successor trustee under the Trust Indenture, and its successors and assigns.

“Yield” has the meaning assigned to it for purposes of Section 148 of the Code, and means that discount rate that, when used in computing the present value of all payments of principal and interest to be paid on an obligation, computed on the basis of a 360 day year and semiannual compounding, produces an amount equal to (i) the Issue Price in the case of the Series 2016 Bonds, or (ii) the purchase price for Yield purposes in the case of Investment Property. The Yield on Investment Property in which Proceeds of the Bonds are invested is computed on a basis consistent with the computation of Yield on the Bonds.

The terms “state or local bonds, governmental unit,” “loan,” “private business use,” “net proceeds” and other terms relating to Code provisions used but not defined herein shall have the meanings given to them for purposes of Sections 103, 141, 148 and 150 of the Code unless the context indicates another meaning. References in this section to Sections are, unless otherwise indicated, references to Code sections.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "herein," "hereby," "hereto," "hereunder," and similar terms, mean this Resolution, the Third Supplemental Trust Indenture and any other indentures supplemental to the Trust Indenture as it now exists or as it may be amended. References to sections, unless otherwise stated, are to sections of this Resolution.

Section 2. Authority and Determinations. This Resolution is adopted pursuant to the General Bond Resolution, the Trust Indenture and the Act; the Project will constitute "auxiliary facilities," "education facilities" or "housing and dining facilities" as defined by the Act; and the issuance of the Bonds and the refunding of the Refunded Bonds, if any, are in the best interests of the University.

Section 3. Authorization, Designation and Purpose of Bonds. It is hereby declared to be necessary to, and in the best interest of the University to, and the University shall, issue, sell and deliver, as provided and authorized by this Resolution, General Receipts Obligations of the University, in one or more series, which shall be designated "General Receipts Bonds, Series 2016" or such other designation as set forth in the Certificate of Award, in the maximum original aggregate principal amount of not to exceed \$28,500,000 (provided that the original principal amount of each series of Bonds shall be as provided by the related Certificate of Award), for the purpose of paying the costs of advance refunding the Refunded Bonds and acquiring the University Facilities that comprise the Project. For that purpose, the proceeds from the sale of the Bonds shall be allocated and deposited as provided in Section 6 of this Resolution. The principal amount of each series of Bonds to be issued shall be determined by the Fiscal Officer and specified in a Certificate of Award, provided that the aggregate principal amount of all Bonds outstanding at any time shall not exceed \$28,500,000. The Bonds may be issued in one or more separate series of (i) Fixed Rate Bonds or (ii) Variable Rate Bonds bearing interest at one or more interest rate modes, and any such Variable Rate Bonds may be convertible to one or more interest rate modes, all as the Fiscal Officer may determine in a Certificate of Award and as described herein and in the Third Supplemental Indenture. Any series of the Bonds may be issued in separate series of Tax-Exempt Bonds or taxable Bonds as the Fiscal Officer may determine in a Certificate of Award.

Section 4. Terms and Provisions Applicable to the Series 2016 Bonds.

(a) Form and Numbering. The Bonds shall be issued, unless otherwise subsequently provided in any supplemental indentures entered into pursuant to the Trust Indenture, only in the form of fully registered Bonds, substantially in the form set forth in the Third Supplemental Trust Indenture, with such changes as may be necessary to reflect the terms of the Bonds set forth in the Certificate of

Award. The Bonds shall be fully registered and numbered as determined by the Fiscal Officer in such manner as to distinguish each Bond from each other Bond, and if necessary, any series from any other series.

Unless otherwise specified in a Certificate of Award, the Bonds shall be initially issued only to a Securities Depository to be held in a book entry system and: (i) the Bonds shall be registered in the name of the Securities Depository or its nominee, as registered owner, and immobilized in the custody of the Securities Depository; and (ii) the Bonds as such shall be transferable or exchangeable in accordance with Section 2.06 of the Trust Indenture, provided, however that so long as a book entry system is used for the Bonds, they may only be transferred to another Securities Depository or to another nominee of a Securities Depository. Notwithstanding Section 2.06 of the Trust Indenture, the University may, and may require the Trustee to, transfer the Bonds from one Securities Depository to another Securities Depository or to a designated registered owner at any time.

(b) Terms.

(i) Denomination and Dates. The Bonds shall be issued in the denomination of not less than \$5,000 and any integral multiple of \$5,000 as set forth in the Third Supplemental Indenture, and shall be dated as may be provided in the Certificate of Award. Each Bond shall have only one principal maturity date, except for interim certificates or receipts which may be issued pending preparation of definitive Bonds.

(ii) Interest. The Bonds shall bear interest on the unpaid principal amount thereof from the later of (i) their date or (ii) the most recent date to which interest has been paid or provided for, payable on the Interest Payment Dates at the respective rates per annum set forth in the Certificate of Award. With respect to a series of Fixed Rate Bonds, such rate or rates shall in no event produce a net interest cost payable over the life of such Bonds in excess of 5.5%, and with respect to series of Variable Rate Bonds, such rate or rates shall not exceed a maximum annual interest rate of 12%.

(iii) Maturities. The Bonds shall mature on the dates and in the principal amounts as provided in the Certificate of Award, but not later than December 31, 2042.

(iv) Prior Redemption.

(A) The Bonds may be subject to redemption at the option of the University prior to their stated maturities, under the conditions, in the denominations and at the price as provided in the

Certificate of Award, provided that at no time shall the redemption price, exclusive of accrued interest, exceed 103%.

(B) The Bonds of one or more maturities may be subject to mandatory redemption pursuant to Mandatory Sinking Fund Requirements by the University at a redemption price equal to 100% of the principal amount redeemed, plus accrued interest to the date of redemption, in the years and in the principal amounts provided in the Certificate of Award.

(v) Additional Terms. The Bonds may be subject to tender, to a remarketing, to a purchase in lieu of redemption, or to such other terms as shall be set forth in the Third Supplemental Indenture or Certificate of Award, and as shall be consistent with the General Bond Resolution, this Resolution, and the Trust Indenture, and as shall be not adverse to the best interest of the University, and a determination that such terms are not adverse shall be conclusively evidenced by the execution of such Third Supplemental Indenture or Certificate of Award by an authorized official of the University.

(c) Maturities: Bond Service Charges. The first maturity or mandatory sinking fund payment of the Bonds and the final maturity of the Bonds shall be as provided in the Certificate of Award, but not later than December 31, 2042. Principal shall be payable in each year from the first maturity or mandatory sinking fund payment year to the final maturity year either at stated maturity or pursuant to Mandatory Sinking Fund Requirements as set forth in the Certificate of Award.

(d) Redemption Prior to Maturity.

(i) If fewer than all of the outstanding Bonds are called for optional or mandatory redemption at one time, the Bonds to be called shall be designated by the Fiscal Officer in his sole discretion and the maturities of the Bonds to be called for optional redemption shall be designated by the Fiscal Officer without regard to the order of their maturities. If fewer than all of the outstanding Bonds of one maturity are to be called for redemption, the selection of the Bonds, or portions of those Bonds (in integral multiples of \$5,000), of that maturity to be called for redemption shall be made by lot in the manner provided in the Trust Indenture. If optional redemption of the Bonds at a redemption price above 100% of the principal amount to be redeemed is to take place on any applicable mandatory sinking fund redemption date, the Bonds to be optionally redeemed shall be selected prior to the selection of the Bonds to be redeemed by mandatory sinking fund redemption.

(ii) Notice of call for redemption of Bonds, setting forth the information provided for in Section 3(d) of the General Bond Resolution, shall be given by the Trustee on behalf of the University. Failure to receive notice by mailing, or any defect in that notice, as to any Bond shall not affect the validity of the proceedings for the redemption of any other Bond.

(e) Places and Manner of Payment and Paying Agents.

(i) The principal of and any redemption premium on Bonds shall be payable when due only to the registered owners, upon presentation and surrender of the Bonds at the designated corporate trust office of the Trustee.

(ii) Interest on any Bond due on each Interest Payment Date shall be payable by check or draft, which the Trustee shall cause to be mailed on the Interest Payment Date to the person who is the registered owner of the Bond (or one or more predecessor Bonds) at the close of business on the Regular Record Date applicable to that Interest Payment Date, at the address then appearing on the Register. If and to any extent, however, that the University shall make neither payment nor provision for payment of interest on any Bond on any Interest Payment Date, that interest shall cease to be payable to the person who was the registered owner of that Bond (or of one or more predecessor Bonds) as of the applicable Regular Record Date; when moneys become available for payment of that interest the Trustee shall, subject to Section 6.06(d) of the Trust Indenture, establish a Special Record Date for the payment of that interest which shall be not more than 15 or fewer than 10 days prior to the date of the proposed payment, and the Trustee shall cause notice of the proposed payment and of the Special Record Date to be mailed to the person who is the registered owner of that Bond on a date not fewer than 10 days prior to the Special Record Date, at the address as then appears on the Register, and thereafter that interest shall be payable to the person who is the registered owner of that Bond (or a predecessor Bond) at the close of business on the Special Record Date.

(iii) Notwithstanding any other provision of this Resolution or any provision of the General Bond Resolution, the Trust Indenture, the Third Supplemental Trust Indenture, any supplemental indentures or any Bond to the contrary, with the written approval of the University, the Trustee may enter into an agreement with a Securities Depository, or the nominee of a Securities Depository that is the registered owner of a Bond in the custody of that Securities Depository providing for making all payments to that registered owner of principal of and interest and any

premium on that Bond or any portion of that Bond (other than any payment of its entire unpaid principal amount) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Trustee and the University. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal and premium is due, or, with respect to the payment of interest, as of the applicable Regular Record Date or Special Record Date or other date agreed upon, as the case may be. The Trustee will furnish a copy of each of those agreements, certified to be correct by an officer of the Trustee, to other authenticating agents and paying agents for Bonds, if any, and to the University. Any payment of principal, premium, or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution and the Agreement.

(iv) Alternate Paying Agents may be designated in the Certificate of Award.

(f) Execution and Authentication. The Bonds shall be executed and authenticated in the manner provided in the Trust Indenture. Alternate Authenticating Agents may be designated by the Fiscal Officer in the Certificate of Award.

Section 5. Sale of the Bonds.

(a) General. Consistent with the provisions of this Resolution, the Fiscal Officer is authorized to determine and to set forth in a Certificate of Award for each series of Bonds issued pursuant to this Resolution:

- (i) that the Bonds shall be issued;
- (ii) the Principal Amount of Bonds to be issued, provided that such amount shall not exceed, in the aggregate, \$28,500,000;
- (iii) the interest rates on the Bonds;
- (iv) the amount of any original issue discount and/or premium on the Bonds;
- (v) the maturities of the Bonds;
- (vi) the optional and mandatory redemption dates, if any, and redemption prices for the Bonds; and

(vii) the purchase price for the Bonds.

The Bonds shall be sold by the Fiscal Officer to the Original Purchaser on such terms not inconsistent with this Resolution as are provided in the Certificate of Award and the Bond Purchase Agreement.

The Fiscal Officer is authorized and directed to execute the Certificate of Award and the Bond Purchase Agreement, in order to provide for the definitive terms and terms of sale of the Bonds as provided in this Resolution, and to award and provide for sale of the Bonds to the Original Purchaser. The Bond Purchase Agreement shall have such terms as shall be consistent with this Resolution and not materially adverse to the University, as shall be approved by the Fiscal Officer, and his execution of the Bond Purchase Agreement shall constitute conclusive approval of any such changes on behalf of the University and that such changes are not materially adverse to the University. The Certificate of Award shall be incorporated in and form a part of the Third Supplemental Trust Indenture and any supplemental indentures authorized under this Resolution.

(b) Official Statement. The Fiscal Officer is authorized and directed, on behalf of the University, and in his official capacity, to prepare or cause to be prepared, a preliminary official statement relating to the original issuance of the Bonds; to determine, and to certify or otherwise represent, when such preliminary official statement is "deemed final" for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1); and to use and distribute, or authorize the use and distribution of such preliminary official statements in connection with the original issuance of each series of Bonds until an official statement is prepared. All actions previously taken by the Fiscal Officer in this regard relating to a preliminary official statement are hereby approved, ratified and confirmed.

The Fiscal Officer is further authorized and directed, on behalf of the University, and in his official capacity, to prepare or cause to be prepared an official statement, and any necessary supplements thereto, relating to the original issuance of each series of Bonds; to determine, and to certify or otherwise represent, when such official statement is a final official statement for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3) and (4); to use and distribute, or authorize the use and distribution of such official statement, and any supplements thereto, in connection with the sale of each series of Bonds; and to sign and deliver the official statements.

The Fiscal Officer is further authorized and directed, on behalf of the University, and in his official capacity, to sign and deliver such certificates in connection with the accuracy of the preliminary official and the final official statements and any supplements thereto as may, in his judgment, be necessary or appropriate.

Section 6. Allocation of Proceeds of the Bonds.

(a) Allocation. All of the proceeds from the sale of the Bonds shall be received and receipted for by the Fiscal Officer or by his authorized representative for that purpose, and shall be allocated, deposited and credited as follows, as further set out in the Third Supplemental Trust Indenture or Certificate of Award, and such proceeds are hereby appropriated for the purposes of the respective funds and accounts into which such proceeds are deposited:

(i) To the Bond Service Account in the Bond Service Fund, any portion of the proceeds representing accrued interest, capitalized interest and premium, if any;

(ii) To a Refunded Bonds Escrow Fund such amount as set forth in the related Certificate of Award as is necessary to provide for cash and the purchase of Refunded Bonds Defeasance Obligations sufficient to refund the related Refunded Bonds as set forth in the related Refunded Bonds Escrow Agreement; and

(iii) To the 2016 University Facilities Project Fund (the "Project Fund"), hereby established, the balance of the proceeds, to be applied to the acquisition of the Project at a price determined by the Fiscal Officer, but not to exceed \$5,500,000, and to any necessary related improvements to the Project and to pay the costs of the issuance of the Bonds, as determined by the Fiscal Officer.

(b) Project Fund.

(i) The Project Fund shall be held by the University in a separate deposit account or accounts (except when invested as provided below) set up in a bank or banks that are members of the Federal Deposit Insurance Corporation, and used to pay costs of acquiring the Project and any necessary related improvements thereto that constitute "costs of education facilities" or "costs of auxiliary facilities" as defined in the Act (the "Project Costs"), including costs of issuance of the Bonds.

(ii) The Fiscal Officer shall apply the Project Fund pursuant to the provisions of this Section 6 to the payment of the Project Costs.

(iii) Moneys to the credit of the Project Fund, pending their application as above set forth, shall be subject to a lien and charge in favor of the holders of the Bonds, and the University covenants that it will not cause or permit to be paid from the Project Fund any moneys except in compliance with the provisions of this Resolution, the Trust Indenture, the

Third Supplemental Trust Indenture and any other supplemental indentures relating to the Bonds.

(iv) Moneys on deposit in the Project Fund may be invested by or at the direction of the Fiscal Officer in Eligible Investments maturing or redeemable at the option of the holder prior to the time needed for the purposes thereof. The investments and the proceeds of their sale shall constitute part of the Project Fund, and earnings from any of those investments shall be credited to the Project Fund. The investments may be sold, exchanged or collected from time to time by or at the direction of the Fiscal Officer.

(v) Any balance remaining in the Project Fund after the Fiscal Officer has certified to the Trustee that payment of Project Costs has been accomplished or provided for to the satisfaction of the University shall be deposited in the Bond Service Account and used for payment of principal on the Bonds, or expended for costs of University Facilities with the approval of the Board if that payment or expenditure shall not, in the opinion of Bond Counsel to the University, adversely affect the exclusion of interest on the Bonds from gross income for federal income tax purposes.

(c) Escrow Fund. Moneys in a Refunded Bonds Escrow Fund shall be applied to payment of the principal of, and interest and any redemption premium on, the related Refunded Bonds and invested, and any investment earnings credited, as provided in the related Refunded Bonds Escrow Agreement.

(d) Debt Service Reserve. Unless otherwise provided in a Certificate of Award, no provision shall be made for a debt service reserve account with respect to the Bonds, and there shall be no required reserve for the Bonds.

(e) Additional Special Funds and Accounts. The Fiscal Officer is hereby authorized to create such additional Special Funds and Special Accounts in connection with the Bonds and the security therefor and the remarketing thereof as the Fiscal Officer deems necessary. Any such Special Funds and Accounts and the permitted investment thereof shall be described in a Certificate of Award or the Third Supplemental Indenture.

Section 7. Tax Covenants; Rebate Fund.

(a) Covenants. The University hereby covenants that:

(i) It will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Code. The

Fiscal Officer, or any other officer of the University having responsibility for the issuance of the Series 2016 Bonds, alone or in conjunction with any other officer or employee of or any consultant to the University, shall give an appropriate certificate of the University, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the University regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds.

(ii) It (a) will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (1) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (2) restrict the yield on investment property acquired with those proceeds, (3) make timely rebate payments to the federal government, (4) maintain books and records and make calculations and reports, and (5) refrain from certain uses of those proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Fiscal Officer and other appropriate officers are authorized and directed to take any and all actions, make calculations and rebate payments to the federal government, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

(b) Rebate Fund. There is hereby created the Series 2016 Bonds Rebate Fund (the "Rebate Fund"), to be in the custody of the Trustee, which shall be continuously invested in Eligible Investments by the Trustee at the oral direction (confirmed in writing) of the Fiscal Officer. The Rebate Fund shall be held, administered and disposed of in accordance with the provisions of the Third Supplemental Trust Indenture and any other supplemental indentures relating to the Bonds. Amounts credited to the Rebate Fund are not General Receipts and shall be free and clear of any lien under the Third Supplemental Trust Indenture, any supplemental indentures or under the Trust Indenture.

Section 8. Insurance; Other Agreements and Certificates; Optional Redemption of Refunded Bonds. If he determines it in the best interest of the University in order to achieve maximum cost savings on the Bonds, the Fiscal Officer may make application for a policy of municipal insurance from the Insurer to insure all or any portion of the Bonds.

The Fiscal Officer is authorized to enter into such agreements and to make such changes to the Third Supplemental Trust Indenture and any other supplemental indentures relating to the Bonds and the Bond form as may be required by the Insurer in order to issue said policy.

The Fiscal Officer is further authorized to enter into such agreements, including one or more Refunding Bonds Escrow Agreements, Continuing Disclosure Agreements and Bond Purchase Agreements setting forth the purchase price and terms of sale of the Project, and to execute and deliver such certificates as may be required in connection with the issuance, sale and delivery of the Bonds.

The Fiscal Officer or Secretary of the Board shall furnish to the Original Purchaser a true and certified transcript of all proceedings taken with reference to the authorization and issuance of the Bonds along with other information as is necessary or proper with respect to the Bonds.

The Refunded Bonds shall be and hereby are ordered called for optional redemption according to their terms on the first optional redemption date following the issuance of the related Bonds at the redemption prices set forth therein. The Fiscal Officer and other appropriate officers and employees of the University are each hereby separately authorized to engage a firm of certified public accountants to verify the sufficiency of the moneys and investments in a Refunded Bonds Escrow Fund and to subscribe for and purchase, or to authorize bond counsel to the University or the Trustee to subscribe for and purchase, such United States Treasury obligations, including such obligations of the State and Local Government Series, as shall be required by such Refunded Bonds Escrow Agreement, and to pay for the services of such accountants and for such obligations with the proceeds of the related Bonds, and any such actions heretofore taken by such officers or the Original Purchaser of the related Bonds or bond counsel in connection with such subscription and purchase are hereby approved, ratified and confirmed.

Section 9. Third Supplemental Trust Indenture. The Chairperson of the Board or the President of the University, and the Fiscal Officer, or any one or more of them, are authorized and directed to execute and deliver to the Trustee, in the name of and on behalf of the University, and the Secretary to the Board is authorized and directed to attest, supplemental indentures pursuant to the Trust Indenture, including the Third Supplemental Trust Indenture, in connection with the issuance of the Bonds.

**Board of Trustees Meeting
September 15, 2016
YR 2017-**

Youngstown State University
Tax-Exempt General Receipts Bonds - Summary Analysis

FYE	Refunding Existing 2009 Debt			New 2016 Debt - Bookstore Bldg.		
	Existing Debt Service - 2009 Bonds*	New Debt Service - 2009 Bonds*	Savings	New Debt Service - Bookstore*	Projected B&N Commissions to YSU [†]	Net Commission Revenue to YSU
6/30/2017	\$556,400	\$488,947	(\$67,453)	\$112,950	\$675,000	\$562,050
6/30/2018	1,955,063	1,820,156	(134,907)	225,900	675,000	\$449,100
6/30/2019	1,942,966	1,808,059	(134,907)	363,100	675,000	\$311,900
6/30/2020	1,942,794	1,741,600	(201,194)	362,400	675,000	\$312,600
6/30/2021	1,939,666	1,737,250	(202,416)	360,750	675,000	\$314,250
6/30/2022	1,938,363	1,736,625	(201,738)	363,000	675,000	\$312,000
6/30/2023	1,937,875	1,733,750	(204,125)	359,875	675,000	\$315,125
6/30/2024	1,933,625	1,733,500	(200,125)	361,375	675,000	\$313,625
6/30/2025	1,935,894	1,735,625	(200,269)	362,375	675,000	\$312,625
6/30/2026	1,933,625	1,730,125	(203,500)	362,875	675,000	\$312,125
6/30/2027	1,927,475	1,727,000	(200,475)	362,875	675,000	\$312,125
6/30/2028	1,927,913	1,726,000	(201,913)	362,375	675,000	\$312,625
6/30/2029	1,924,675	1,722,000	(202,675)	361,375	675,000	\$313,625
6/30/2030	1,922,631	1,719,875	(202,756)	359,875	675,000	\$315,125
6/30/2031	1,919,538	1,719,375	(200,163)	362,750	675,000	\$312,250
6/30/2032	1,915,025	1,715,375	(199,650)	360,000	675,000	\$315,000
6/30/2033	1,910,700	1,707,875	(202,825)	361,625	675,000	\$313,375
6/30/2034	1,911,150	1,706,625	(204,525)	362,500	675,000	\$312,500
6/30/2035				357,750	675,000	\$317,250
6/30/2036				362,250	675,000	\$312,750
6/30/2037				360,875	675,000	\$314,125
6/30/2038				358,750	675,000	\$316,250
	<u>\$33,375,378</u>	<u>\$30,009,762</u>	<u>(\$3,365,616)</u>	<u>\$7,567,600</u>	<u>\$14,850,000</u>	<u>\$7,282,400</u>

*Debt service amounts include both principal and interest. New debt service amounts are based on market conditions on 9/2/16 for tax-exempt bonds (yield: 2.125% - 2.293%).

[†] Commission payments shown for all years reflect FY 2017 actual payment; actual future payments will vary but are expected to grow, especially at a new standalone location.