

**BOARD OF TRUSTEES
FINANCE AND FACILITIES COMMITTEE**

Delores E. Crawford, Chair
James B. Greene, Vice Chair
All Trustees are Members
James P. Tressel, *Ex-Officio*

Tuesday, June 2, 2015
3:00 p.m. or immediately following
previous meeting

Tod Hall
Board Meeting Room

AGENDA

A. Disposition of Minutes for Meeting Held February 24, 2015

B. Old Business

C. Committee Items

1. Finance and Facilities Action Items

- a. Resolution to Authorize Energy Performance Contract with Johnson Controls, Inc. for Energy Savings Measures and to Secure Project Financing through PNC Bank** **Tab 1**
Neal McNally, Interim Vice President for Finance and Administration, and John Hyden, Executive Director of Facilities and Support Services, will report.
- b. Resolution to Modify Institutional Insurance Programs Policy, 3356-3-06 (Previous Policy Number 3005.01)** **Tab 2**
Neal McNally, Interim Vice President for Finance and Administration, will report.
- c. Resolution to Modify and Retitle Smoke-Free Environment Policy, 3356-4-01 (Previous Policy Number 4001.01)** **Tab 3**
Neal McNally, Interim Vice President for Finance and Administration, will report.
- d. Resolution to Modify Acquisition of Real Estate Policy, 3356-4-05 (Previous Policy Number 4005.01)** **Tab 4**
Neal McNally, Interim Vice President for Finance and Administration, will report.

- e. **Resolution to Modify University Health and Safety Policy, 3356-4-10 (Previous Policy Number 4010.01)** **Tab 5**
Neal McNally, Interim Vice President for Finance and Administration, will report.
- f. **Resolution to Approve the Exchange of Land for Campus Improvement** **Tab 6**
Greg Morgione, Associate General Counsel, will report.
- g. **Resolution to Authorize the Leasing of University Land for Student Housing Development** **Tab 7**
Greg Morgione, Associate General Counsel, and Neal McNally, Interim Vice President for Finance and Administration, will report.
- h. **Resolution to Approve the Annual Operating Budget for FY 2016** **Tab 8**
Neal McNally, Interim Vice President for Finance and Administration, will report.
- i. **Resolution to Approve Changes to Tuition and Fees for the 2015-16 Academic and Fiscal Year** **Tab 9**
Neal McNally, Interim Vice President for Finance and Administration, will report.
- j. **Resolution to Approve Interfund Transfers** **Tab 10**
Katrena Davidson, Controller, will report.

2. Finance and Facilities Discussion Items

- a. **Quarterly Update on FY 2015 Operating Budget** **Tab 11**
Neal McNally, Interim Vice President for Finance and Administration, will report.
- b. **Review of Fee Waiver Renewals for FY 2016 and FY 2017** **Tab 12**
Neal McNally, Interim Vice President for Finance and Administration, will report.
- c. **Planning and Construction Projects Update** **Tab 13**
John Hyden, Executive Director of Facilities and Support Services, and Rich White, Associate Director of Planning and Construction, will report.
- d. **Report of Audit Subcommittee**
A verbal report of the Audit Subcommittee will be presented. Delores E. Crawford will report.
- e. **Report of Investment Subcommittee**
A verbal report of the Investment Subcommittee will be presented. James B. Greene will report.

D. New Business

E. Adjournment

AGENDA ITEM: C.1.a

AGENDA TOPIC: Resolution to Authorize Energy Performance Contract with Johnson Controls, Inc. for Energy Savings Measures and to Secure Project Financing through PNC Equipment Finance

STAFF CONTACT(S): John Hyden, Executive Director of Facilities, and Neal McNally, Interim Vice President for Finance & Administration

BACKGROUND: YSU is presently in the 9th year of a 10-year performance contract with Johnson Controls, Inc. This project has provided demonstrable energy efficiencies and cost-savings. University management believes that it is strategically appropriate to initiate a second phase of this energy conservation project, which will reduce utility costs and help address YSU's deferred maintenance needs.

Information and justifications related to this proposal have been presented to the Trustees over the past 10 months. A timeline with certain project milestones is presented below; future dates may be approximate:

- 9/16/14 Trustees luncheon - PowerPoint presentation on Phase I performance and proposal for a second phase.
- 9/16/14 Finance & Facilities Committee passes resolution approving an RFP for Phase II project.
- 10/7/14 Board of Trustees passes resolution approving an RFP for Phase II project.
- 12/4/14 Finance & Facilities Committee passes resolution approving Johnson Controls, Inc. (JCI) as the contractor for Phase II project.
- 12/16/14 Board of Trustees passes resolution approving JCI as the contractor for Phase II project.
- 2/6/15 The University enters into a project development agreement with JCI to begin the design phase of the project.
- 2/24/15 Finance & Facilities Committee receives report on status of the Phase II project.
- 6/2/15 Finance & Facilities Committee receives proposal to enter into a financing contract with PNC Equipment Finance.
- 6/17/15 Board of Trustees to approve proposal to enter into a financing contract with PNC Equipment Finance.
- 7/15/15 Energy equipment lease commences.
- 7/15/15 JCI commences construction period; PNC to disburse capital funds as needed.
- 6/30/16 Construction completed by JCI; energy savings and performance contract period begins.
- 7/15/16 University to make first annual lease payment to PNC.

SUMMARY AND ANALYSIS: Based on the performance contract developed by JCI, University management estimates energy savings of not less than \$2 million per year—more than sufficient to cover the annual lease payment obligation. After surveying the interest rate market, University management recommends a 14-year financing package through PNC Equipment Finance, at an anticipated interest rate of 3.1%. (Note: the actual interest rate at time

of lease commencement will be indexed to the average life interest rate swap published by the Federal Reserve.) This recommended financing structure is a tax-exempt lease-purchase agreement in an amount not to exceed anticipated construction costs of \$16 million. For reference, a pro-forma analysis is attached as Exhibit ____.

As noted in the resolution language below, the University has followed the statutory requirements for this type of energy efficiency project.

RESOLUTION:

RESOLUTION TO AUTHORIZE ENERGY PERFORMANCE CONTRACT WITH JOHNSON CONTROLS, INC. FOR ENERGY SAVINGS MEASURES AND TO SECURE PROJECT FINANCING THROUGH PNC EQUIPMENT FINANCE

WHEREAS, Ohio Revised Code Sections 3345.61 - 3345.66 enable the Board of Trustees of a public state university to implement energy conservation measures for its building, structures and systems using installment financing plans; and

WHEREAS, the Board of Trustees of Youngstown State University adopted a “Resolution to Authorize Request for Proposals for Energy Savings Performance Contract” at its meeting of October 7, 2014, authorizing the Administration to solicit energy savings proposals; and

WHEREAS, the Board of Trustees of Youngstown State University adopted a Resolution to approve the selection of Johnson Controls, Inc. as its energy efficiency contractor at its meeting of December 16, 2014; and

WHEREAS, Johnson Controls has submitted to the University a list of specific improvements and operational efficiency measures that Johnson Controls proposes to install, which improvements and measures constitute “energy conservation measures” as defined in Section 3345.61 of the Ohio Revised Code; and

WHEREAS, Johnson Controls has provided a performance contract that stipulates and guarantees annual financial savings from the recommended measures; and

WHEREAS, said performance contract requires Johnson Controls to reimburse the University for any unmet financial savings that are projected to result from the energy conservation measures; and

WHEREAS, the University has complied with applicable requirements of Ohio Revised Code Sections 3345.64-66 in soliciting proposals, assessing qualifications, and reviewing cost projections; and

WHEREAS, the Administration seeks to borrow up to \$16,000,000 from PNC Equipment Finance pursuant to a Tax-Exempt Lease Purchase Agreement, a form of which has been submitted to the University, to finance the energy savings measures recommended by Johnson

Controls, and to make the rental payments under such Tax-Exempt Lease Purchase Agreement from the revenues derived from the annual savings in energy and operating costs realized as a result of the energy conservation measures and from payments made, if any, by Johnson Controls under the performance contract;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University hereby accepts the recommendation of the Administration to enter into a contract with Johnson Controls, Inc. to implement campus energy savings measures in an amount not to exceed \$16,000,000, and authorizes the Administration to negotiate and enter into a performance contract with respect to same; and

BE IT ALSO RESOLVED, that the Board of Trustees of Youngstown State University has determined that the cost of the proposed performance contract is not likely to exceed the amount of money the University would save in energy and operating costs from the energy conservation measures over no more than fourteen years; and

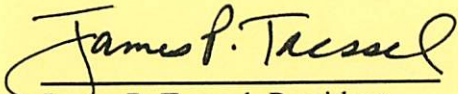
BE IT FURTHER RESOLVED, that the Board of Trustees of Youngstown State University authorizes each of the President or Vice President for Finance & Administration to execute the Tax-Exempt Lease Purchase Agreement with PNC Equipment Finance to finance the energy savings measures, in a principal amount of not to exceed \$16,000,000, with an interest rate component of not more than 5% per annum, and a maximum term of 14 years, in the form submitted but with such changes as shall be in the best interest of the University, as determined by the execution of the Tax-Exempt Lease Purchase Agreement by such authorized officers; and

BE IT FURTHER RESOLVED, that such Tax-Exempt Lease Purchase Agreement shall include a statement to the effect that the University's obligations for the payment of rental payments thereunder are not general obligations, debt or bonded indebtedness of the University or of the State or any political subdivision thereof, and that the right to such rental payment is limited to the revenues pledged for such purpose thereunder; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby covenants that the University will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Tax-Exempt Lease Purchase Agreement under Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"), and without limiting the generality of the foregoing, covenants that it will cause to be submitted the appropriate statements or filings to the Internal Revenue Service containing the information required by the Code, and covenants to pay any amounts required to be rebated to the United States pursuant to Section 148(f) of the Code, which covenant shall survive the payment in full or defeasance of the Tax-Exempt Lease Purchase Agreement; and

BE IT FURTHER RESOLVED, that the Board of Trustees of Youngstown State University authorizes each of the President or Vice President for Finance & Administration to determine which of the energy conservation measures are to be financed with proceeds of the Tax-Exempt Lease Purchase Agreement and to make, execute, acknowledge and deliver such financing statements, closing certificates, escrow agreements and other instruments or agreements as are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

RECOMMEND APPROVAL:


James P. Tressel, President

PRELIMINARY

14-Year Term		YSU Lease Payments to PNC*				Phase II Project Performance**			
Year	Fiscal Year	Interest*	Principal	Total Payment	Balance	Utility Savings	Operating Costs	Annual Net Savings	Cumulative Savings
	FY2016				\$16,000,000				
1	FY2017	\$496,000	\$0	\$496,000	16,000,000	(\$2,014,100)	\$378,389	(\$1,139,711)	(\$1,139,711)
2	FY2018	496,000	659,454	1,155,454	15,340,546	(2,094,664)	389,740	(549,470)	(1,689,181)
3	FY2019	475,557	734,702	1,210,259	14,605,844	(2,178,450)	401,432	(566,759)	(2,255,940)
4	FY2020	452,781	814,732	1,267,513	13,791,112	(2,265,588)	413,475	(584,600)	(2,840,540)
5	FY2021	427,524	899,798	1,327,322	12,891,314	(2,356,212)	425,880	(603,010)	(3,443,550)
6	FY2022	399,631	990,168	1,389,799	11,901,146	(2,450,460)	438,656	(622,005)	(4,065,555)
7	FY2023	368,935	1,086,119	1,455,054	10,815,027	(2,548,479)	451,816	(641,609)	(4,707,164)
8	FY2024	335,266	1,187,945	1,523,211	9,627,082	(2,650,418)	465,370	(661,837)	(5,369,001)
9	FY2025	298,439	1,295,952	1,594,391	8,331,130	(2,756,435)	479,331	(682,713)	(6,051,714)
10	FY2026	258,265	1,410,463	1,668,728	6,920,667	(2,866,692)	493,711	(704,253)	(6,755,967)
11	FY2027	214,540	1,531,813	1,746,353	5,388,854	(2,981,360)	508,523	(726,484)	(7,482,451)
12	FY2028	167,054	1,660,358	1,827,412	3,728,496	(3,100,614)	523,778	(749,424)	(8,231,875)
13	FY2029	115,583	1,796,464	1,912,047	1,932,032	(3,224,639)	539,492	(773,100)	(9,004,975)
14	FY2030	59,893	1,932,032	1,991,925	0	(3,353,624)	555,676	(806,023)	(9,810,998)
		<u>\$4,565,468</u>	<u>\$16,000,000</u>	<u>\$20,565,468</u>	<u>N/A</u>	<u>(\$36,841,735)</u>	<u>\$6,465,269</u>	<u>(\$9,810,998)</u>	<u>N/A</u>

* Based on 3.10% interest. Actual interest rate at lease commencement will be indexed to the average life interest rate swap published by the Federal Reserve three days from funding.

**Based on 4% utility inflation and 3% operating cost escalator. Actual savings and costs will vary based on future economic conditions.

AGENDA ITEM: C.1.b.

AGENDA TOPIC: Resolution to Modify Institutional Insurance Programs Policy, 3356-3-06 (Previous Policy Number 3005.01)

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: This policy outlines the University's participation in insurance programs intended to manage risk associated with property losses and/or legal liability that may result from injury or damage to others. In its present form, the Institutional Insurance Programs policy requires no material modifications.

SUMMARY AND ANALYSIS: This policy enables the University to participate in the Inter-University Council Insurance Consortium (IUC-IC), which takes advantage of economies of scale by spreading costs and risk among the 13 Ohio state universities that participate in the program. As shown in the table below, the University enjoys substantial savings as a result of the IUC-IC program.

FY 2015	Market Rate	IUC-IC Rate	Annual Savings
Property*	\$380,203	\$230,625	(\$149,578)
Casualty	\$206,027	\$109,777	(\$96,250)
Ancillary	\$25,000	\$6,260	(\$18,740)
Total	\$611,230	\$346,662	(\$264,568)

*Rate based on YSU insurable asset value of \$938,543,371.

RESOLUTION:

**RESOLUTION TO MODIFY
INSTITUTIONAL INSURANCE PROGRAMS POLICY, 3356-3-06
(PREVIOUS POLICY NUMBER 3005.01)**

WHEREAS, Institutional Policies are 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;

WHEREAS, the Institutional Insurance Programs policy has been reviewed pursuant to the five-year review cycle, and 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 Policy governing Institutional Insurance Programs, policy number 3356-3-06 (Previous Policy Number 3005.01) of the *University Guidebook*, shown as Exhibit __ attached hereto. A copy of the policy indicating changes to be made is also attached.

RECOMMEND APPROVAL:

James P. Tressel

James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**

UNIVERSITY GUIDEBOOK

3356-06 Institutional insurance programs.
(Previous Policy Number 3005.01)

Title of Policy: ~~—————~~ **Institutional Insurance Programs**

Responsible Division/Office: Finance and Administration

~~Approving~~Responsible Officer: Vice President for Finance and Administration

Revision History: June 1998; October 2010; June 2015

~~Resolution Number (s):~~ ~~—————~~ ~~YR-1999-17; YR-2011-13~~

Board Committee: Finance and Facilities

EFFECTIVE DATE: ~~October 1, 2010~~ June 15, 2015

Next Review: 2020~~13~~ ~~(Changed to 2015 per Guidebook Policy 0001.00)~~

Policy: ~~Statement~~ ~~The Board of Trustees authorizes all of the University's~~ As a best practice, the University maintains property and casualty insurance to manage risk associated with property losses and/or legal liability that may result from damage to property or injury to others. To provide optimal coverage and pricing, the University may participate in consortial ~~institutional~~ insurance programs. All existing programs will be reviewed annually.

(B) Parameters:

- (1) Youngstown State University is a member of the Inter-University Council-Insurance Consortium, a collaboration of 13 public universities. The IUC-IC collectively pools a core group of casualty and property risks, retains a portion of the risk in a formalized self-insurance program and then purchases insurance to cover large incidents.
- (2) Annual competitive bidding shall be conducted in accordance with the policies and procedures governing the IUC-IC.

(C) Procedures:

1. The Vice President for Finance and Administration will appoint a designee to represent the University on the IUC-IC Underwriting Committee. The committee determines and implements programs regarding insurance and risk management.

2. The IUC-IC Underwriting Committee recommendations are submitted to the IUC-IC Board of Governors. The Board of Governors is the decision making body of the Insurance Consortium. The Vice President for Finance and Administration and the IUC-IC Underwriting Committee representative serve on the Board of Governors.

3356-3-06 Institutional insurance programs.

(Previous Policy Number 3005.01)

Responsible Division/Office:	Finance and Administration
Responsible Officer:	Vice President for Finance and Administration
Revision History:	June 1998; October 2010; June 2015
Board Committee:	Finance and Facilities
EFFECTIVE DATE:	June 15, 2015
Next Review:	2020

- (A) Policy statement. As a best practice, the university maintains property and casualty insurance to manage risk associated with property losses and/or legal liability that may result from damage to property or injury to others. To provide optimal coverage and pricing, the university may participate in consortial insurance programs. All existing programs will be reviewed annually.
- (B) Parameters.
- (1) Youngstown state university is a member of the inter-university council insurance consortium (“IUC-IC”), a collaboration of thirteen public universities. The IUC-IC collectively pools a core group of casualty and property risks, retains a portion of the risk in a formalized self-insurance program, and then purchases insurance to cover large incidents.
 - (2) Annual competitive bidding shall be conducted in accordance with the policies and procedures governing the IUC-IC.
- (C) Procedures.
- (1) The vice president for finance and administration will appoint a designee to represent the university on the IUC-IC underwriting committee. The committee determines and implements programs regarding insurance and risk management.
 - (2) The IUC-IC underwriting committee recommendations are submitted to the IUC-IC board of governors. The board of governors is the decision-making body of the insurance consortium. The vice president for finance and administration and the IUC-IC underwriting committee representative serve on the board of governors.

AGENDA ITEM: C.1.c.

AGENDA TOPIC: Resolution to Modify and Retitle Smoke-Free Environment Policy, 3356-4-01 (Previous Policy Number 4001.01)

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: This policy demonstrates YSU's commitment to adhering to the smoking prohibition requirements in Chapter 3794 of the Ohio Revised Code, which is intended to limit the exposure of students, employees and visitors to the effects of tobacco use and second-hand smoke.

SUMMARY AND ANALYSIS: The policy has been updated to better define tobacco use, including more contemporary forms of smoking, such as vapor or e-cigarettes that were not as prevalent when this policy was last updated in 2011. A new section was also added to strengthen procedures regarding policy enforcement.

RESOLUTION:

**RESOLUTION TO MODIFY AND RETITLE
SMOKE-FREE ENVIRONMENT POLICY, 3356-4-01
(PREVIOUS POLICY NUMBER 4001.01)**

WHEREAS, Institutional Policies are 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 Smoke-Free Environment policy has been reviewed pursuant to the five-year review cycle, and 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 Institutional Policy governing Smoke-Free Environment, policy number 3356-4-01 (Previous Policy Number 4001.01) of the *University Guidebook*, to be retitled as Smoke and Tobacco Free Environment, shown as Exhibit __ attached hereto. A copy of the policy indicating changes to be made is also attached.

RECOMMEND APPROVAL:


James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**

UNIVERSITY GUIDEBOOK

Title of Policy: ~~Smoke-Free Environment~~

Responsible Division/Office: Finance and Administration

~~Approving~~ Responsible Officer: ~~President~~ Vice President for Finance and Administration

Revision History: January 1997, November 2006; December 2011; June 2015

~~Resolution Number(s):~~ ~~YR-1997-49; YR-2007-23; YR-2012-23~~

Board Committee: Finance and Facilities

EFFECTIVE Date: ~~December 14, 2011~~ June 17, 2015

Next review: ~~2016~~ 20

(A) Policy Statement: Youngstown State University is dedicated to providing a healthy, comfortable and productive work and living environment for its employees and students and adhering to the smoking prohibition requirements in Chapter 3794 of the Revised Code. The success of creating and maintaining a mutually acceptable work and living environment will depend on the thoughtfulness, consideration and cooperation of smokers and nonsmokers.

(B) Scope. This policy applies to students, employees, and third parties and to all University owned, leased, or managed facilities, outdoor areas, and vehicles.

(C) Purpose. To comply with Ohio Smoking Law, Chapter 3794 of the Revised Code and to limit the exposure of University students, employees and visitors to the effects of tobacco use and second hand smoke.

(D) Definitions.

(1) Tobacco use. For purposes of this policy tobacco use means the use of any tobacco product, whether intended to be lit or not, including smoking, as defined below, as well as the use of electronic cigarettes or any other devices intended to simulate smoking or tobacco use and the use of smokeless tobacco such as snuff and chewing tobacco, and any other form of loose-leaf smokeless tobacco.

3356-4-01 Smoke and Tobacco Free Environment
(Previous Policy Number 4001.01)

(2) Smoking, inhaling, exhaling, or burning of tobacco or any other material in any type of smoking equipment or device, including but not limited to cigarettes, e-cigarettes, cigars, or pipes.

(E) Parameters:

A. Smoking ~~and tobacco use are shall be~~specifically prohibited ~~specifically~~ in the _____ following ~~locations: places t~~Youngstown State University:

~~(1):~~ All university owned or leased buildings and vehicles;

~~(2):~~ Outdoor areas where smoke may enter the building through an entrance, overhang, windows, vents, loading dock or other openings to a building or other structure;

~~(3):~~ All residence halls;

~~(4):~~ Any outdoor patio that is not physically separated from a building;

~~(5):~~ All outdoor events ~~with seating,~~ such as but not limited to athletic events, concerts or other performances, award ceremonies and public speakers; ~~and~~

~~(6):~~ Fountain seating area outside of Kilcawley;

(7) All outdoor areas posted as non-smoking.

~~(F)B.~~ Violations of ~~paragraph A-1~~(E)(1) through ~~(E)4~~ are violations of state law, Chapter 3794 of the ~~Ohio~~ Revised Code, and University policy. Violations of ~~paragraphs A-5~~(E)(5) through (E)(7)-and-6 are ~~V~~iviolations of University policy only.

~~(G)C.~~ Smoking shall be permitted in the following places owned or leased at~~by~~ Youngstown ~~S~~tate University:

a. All outdoor areas not specifically listed above;

b. Outdoor areas at least 50 feet away from the entrance, overhang, windows, vents, loading dock or other openings to a building or other structure, provided that smoke does not inadvertently enter the building.

(H) Smoking cessation. Smoking cessation support will be made available periodically to members^[WU1] of the University community wishing to cease smoking.

(I) Procedures:

3356-4-01 Smoke and Tobacco Free Environment
(Previous Policy Number 4001.01)

- ~~1. The success of creating and maintaining a mutually acceptable work and living environment^[WU2] will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All employees and students share in the responsibility for adhering to and enforcing this policy.~~
- ~~(1)2. Complaints of violations of this policy may be brought to the attention of the Vice President of Finance and Administration. Complaints of violations of state law may also be brought in accordance with reporting guidelines provided by the Ohio Department of Health.~~
- ~~(2)3. Individuals who violate this policy will be issued a University Smoking Prohibition^[WU3] Warning, which could result in employee or student discipline. Individuals who violate State law and are reported to the Department of Health may be fined up to a \$100 fine.~~
- ~~(2)-4. "Smoking prohibited" signs will be posted in accordance with Chapter 3794 of the Ohio Revised Code.~~
- ~~(3)5. Smokers are required to dispose of all smoking and tobacco cigarette litter in the receptacles provided in selected areas where smoking is permitted.~~
- ~~6. Smoking cessation support will be made available periodically to members of the^[WU4] university community wishing to cease smoking.~~

(G) Enforcement.

- (1) All employees and students share in the responsibility for adhering to and enforcing this policy.
- (2) Individuals who violate this policy will be issued a University Smoking Prohibition Warning, which could result in employee or student discipline. Individuals who violate State law and are reported to the Department of Health may be fined up to a \$100 fine.

3356-4-01 Smoke and tobacco free environment.

(Previous Policy Number 4001.01)

Responsible Division/Office:	Finance and Administration
Responsible Officer:	Vice President for Finance and Administration
Revision History:	January 1997, November 2006; December 2011; June 2015
Board Committee:	Finance and Facilities
EFFECTIVE Date:	June 17, 2015
Next review:	2020

- (A) Policy statement. Youngstown state university is dedicated to providing a healthy, comfortable, and productive work and living environment for its employees and students and adhering to the smoking prohibition requirements in Chapter 3794 of the Revised Code. The success of creating and maintaining a mutually acceptable work and living environment will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers.
- (B) Scope. This policy applies to students, employees, and third parties and to all University owned, leased, or managed facilities, outdoor areas, and vehicles.
- (C) Purpose. To comply with Ohio Smoking Law, Chapter 3794 of the Revised Code and to limit the exposure of university students, employees and visitors to the effects of tobacco use and second hand smoke.
- (D) Definitions.
 - (1) Tobacco use. For purposes of this policy tobacco use means the use of any tobacco product, whether intended to be lit or not, including smoking, as defined below, as well as the use of electronic cigarettes or any other devices intended to simulate smoking or tobacco use and the use of smokeless tobacco such as snuff and chewing tobacco, and any other form of loose-leaf smokeless tobacco.
 - (2) Smoking. Inhaling, exhaling, or burning of tobacco or any other material in any type of smoking equipment or device, including but not limited to cigarettes, e-cigarettes, cigars, or pipes.

- (E) Parameters. Smoking and tobacco use are specifically prohibited in the following University locations:
- (1) All university owned or leased buildings and vehicles;
 - (2) Outdoor areas where smoke may enter the building through an entrance, overhang, windows, vents, loading dock or other openings to a building or other structure;
 - (3) All residence halls;
 - (4) Any outdoor patio that is not physically separated from a building;
 - (5) All outdoor events, such as but not limited to athletic events, concerts or other performances, award ceremonies, and public speakers;
 - (6) Fountain seating area outside of Kilcawley;
 - (7) All outdoor areas posted as nonsmoking.
- (F) Violations of paragraphs (E)(1) through (E)(4) of this rule are violations of state law, Chapter 3794 of the Revised Code, and university policy. Violations of paragraphs (E)(5) through (E)(7) of this rule are violations of university policy only.
- (G) Smoking shall be permitted in the following places owned or leased by Youngstown state university:
- (1) All outdoor areas not specifically listed above; and
 - (2) Outdoor areas at least fifty feet away from the entrance, overhang, windows, vents, loading dock or other openings to a building or other structure, provided that smoke does not inadvertently enter the building.
- (H) Smoking cessation. Smoking cessation support will be made available periodically to members of the university community wishing to cease smoking.

(I) Procedures.

- (1) Complaints of violations of this policy may be brought to the attention of the vice president of finance and administration. Complaints of violations of state law may also be brought in accordance with reporting guidelines provided by the Ohio department of health.
- (2) "Smoking prohibited" signs will be posted in accordance with Chapter 3794 of the Revised Code.
- (3) Smokers are required to dispose of all smoking and tobacco litter in the receptacles provided in selected areas where smoking is permitted.

(J) Enforcement.

- (1) All employees and students share in the responsibility for adhering to and enforcing this policy.
- (2) Individuals who violate this policy will be issued a University Smoking Prohibition Warning, which could result in employee or student discipline. Individuals who violate State law and are reported to the Department of Health may be fined up to a \$100.

AGENDA ITEM: C.1.d.

AGENDA TOPIC: Resolution to Modify Acquisition of Real Estate Policy, 3356-4-05
(Previous Policy Number 4005.01)

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: This policy delineates the geographical area within which the University may seek to acquire real property. This policy also outlines guiding principles for acquiring property, and establishes certain procedures, such as obtaining appraisals and requiring Board or Trustees approval of such acquisitions.

SUMMARY AND ANALYSIS: This policy is being reviewed and updated as part of the regular 5-year cycle. Revisions to this policy are relatively minor and largely intended to clarify certain procedural items. The policy has also been updated to reflect the current name of the Board Institutional Engagement Committee.

RESOLUTION:

**RESOLUTION TO MODIFY
ACQUISITION OF REAL ESTATE POLICY, 3356-4-05
(PREVIOUS POLICY NUMBER 4005.01)**

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

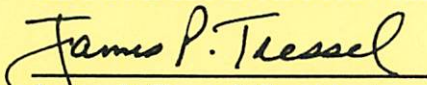
WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

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;

WHEREAS, the Acquisition of Real Estate policy has been reviewed pursuant to the five-year review cycle, and 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 Policy governing Acquisition of Real Estate, policy number 3356-4-05 (Previous Policy Number 4005.01) of the *University Guidebook*, shown as Exhibit __ attached hereto. A copy of the policy indicating changes to be made is also attached.

RECOMMEND APPROVAL:


James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**

UNIVERSITY GUIDEBOOK

3356-4-05 Acquisition of real estate.
(Previous Policy Number 4005.01)

Title of Policy: ~~Acquisition of Real Estate~~

Responsible Division/Office: Finance and Administration

~~Approving~~**Responsible** Officer: Vice-President for Finance & Administration

Revision History: April 1998; March 2001; March 2002; Sept 2004;
Oct 2010; June 2015

~~Resolution Number(s): YR 1998-49; YR 2001-29; YR 2002-40; YR 2005-08~~
~~YR 2011-15~~

Board Committee: Finance and Facilities

EFFECTIVE DATE: ~~October 1, 2010~~ June 17, 2015

Next review: ~~2013 (Changed to 2015 Per Guidebook Policy~~
~~0001.00)~~

(A) Policy Statement: The Board of Trustees designates the geographical area in the vicinity of the campus within which the University may seek to acquire real estate. A willing-seller/buyer approach will be used as a guiding principle on the acquisition of property. However, eminent domain may be used to acquire real estate when good faith negotiations have been exhausted and it is in the best interest of the University. Authority to negotiate preliminary purchases of real estate is delegated to the President and/or designee. Final approval to acquire real estate rests with the Board of Trustees. (Nothing in this policy statement shall be construed as to limit the authority of the Board or of its Finance and Facilities Committee at **Bylaws**, Article III, Sec. 1-A or Sec. 9-B3.)

(B) Parameters:

- **(1)** The University has a primary area of geographic interest that has been jointly agreed to by the University and the Board of Regents. This area is defined as follows:
 - **(a)** A southern boundary beginning at the intersection of Rayen Avenue and Belmont Avenue running east on Rayen Avenue, south on Fifth Avenue, east on Wood Street, north on Wick Avenue, east on Rayen Avenue to Andrews Avenue.

- (b) An eastern boundary generally consisting of the line running north on Andrews Avenue to the intersection with the East Bound Access Road.
 - (c) A northern boundary generally consisting of the line running west on the East Bound Access Road to Wick Avenue, north on Wick Avenue to a point 110 feet north of the West Bound Access Road, west to Bryson Street, north on Bryson Street to Madison Avenue, west on Madison Avenue to the intersection at Fifth Avenue, south on Fifth Avenue to the East Bound Access Road, and west on the East Bound Access Road to Ford Avenue.
 - (d) A western boundary generally consisting of the line running south on Ford Avenue to Scott Street, west on Scott Street to Belmont Avenue, south on Belmont Avenue to Rayen Avenue.
- (2) The University has a secondary area of geographic interest that extends six to eight blocks beyond the primary area in the north, south, and west sides of the campus.
 - (a) The University maintains a “good neighbor” policy in this area and takes proactive steps to ensure the health and safety of residents of this area.
 - (b) The University is a catalyst to develop this area and encourage commercial, economic, and housing development activity.
 - (c) The overriding goal of this activity is to create a living/learning environment that is conducive to the mission of the institution.
 - (3) On occasion, the University may be the recipient of real estate in other locations. The acceptance and disposition of such gifts is determined on a case-by-case basis by the President and recommended to the Institutional Engagement External Relations Committee of the Board. Prior to the acceptance of such gifts by the Institutional Engagement External Relations Committee and the Board of Trustees, the real estate will be evaluated ~~by the Finance and Facilities Committee~~ in accordance with the procedures described below.

(C) Procedures:

- ~~(1.)~~ As appropriate ~~On a periodic basis, typically every two years,~~ the Finance and Facilities Committee of the Board of Trustees will review the property acquisition plans of the University and make any necessary ~~appropriate~~ modifications.
 - ~~(2.)~~ As appropriate, the Finance and Facilities Committee agenda will include an item—“Property Acquisition Update.” This status report addresses ongoing activities, pending actions, and issues that need attention.
3. The first step of the real estate acquisition process in the primary or secondary areas of geographic interest, whether by gift, purchase or eminent domain, will be to obtain preliminary approval from the President or his designee to begin discussions with the

landowner, conduct a title search, obtain an appraisal, and, as appropriate, conduct a Phase 1 environmental assessment.

4. (4) If after communicating with the landowner, conducting a title search, obtaining an appraisal, and performing a Phase 1 environmental assessment, if deemed appropriate, the Administration desires to proceed with acquisition of the property, the Administration will obtain a resolution from the Finance and Facilities Committee which recommends to the Board of Trustees that the Board approve acquisition of the real estate by gift, purchase or eminent domain. In seeking such a resolution from the Finance and Facilities Committee, the Administration will prepare and submit to the Committee an executive summary identifying the real estate and justifying the proposed acquisition. The executive summary ~~may~~will also include an analysis of the Phase 1 environmental assessment and a budget impact statement.
 - a. (a) For real estate without a building, the budget impact statement will identify the intended use, projected cost of acquisition and environmental compliance costs.
 - b. For real estate with a building, the budget impact statement will identify the intended use, projected cost of acquisition, estimated remodeling or demolition costs, environmental compliance costs, annual operating costs (e.g., utilities, insurance, janitorial services, basic maintenance, staffing costs), projected revenue earnings, if any, and other pertinent information.
5. (5) After receiving the above information, the Finance and Facilities Committee may seek additional information, decline the Administration's request for approval to acquire the property, or pass a resolution that recommends to the Board of Trustees that acquisition of the real estate be approved.
6. After the Board of Trustees approves acquisition of the real estate by gift, purchase or eminent domain, the Administration may proceed to acquire the real estate within the parameters approved by the Board.
7. Acquisitions of real estate will be at the appraised value or less whenever possible. Exceptions will be approved in advance by the President or his designee.
8. The Administration will record all property acquisitions with the State of Ohio and/or the University in the official log of institutional property.

3356-4-05 Acquisition of real estate.

(Previous Policy Number 4005.01)

Responsible Division/Office:	Finance and Administration
Responsible Officer:	Vice-President for Finance & Administration
Revision History:	April 1998; March 2001; March 2002; Sept 2004; Oct 2010; June 2015
Board Committee:	Finance and Facilities
EFFECTIVE DATE:	June 17, 2015
Next review:	2020

- (A) Policy statement. The board of trustees designates the geographical area in the vicinity of the campus within which the university may seek to acquire real estate. A willing seller/buyer approach will be used as a guiding principle on the acquisition of property. However, eminent domain may be used to acquire real estate when good faith negotiations have been exhausted and it is in the best interest of the university. Authority to negotiate preliminary purchases of real estate is delegated to the president and/or designee. Final approval to acquire real estate rests with the board of trustees. Nothing in this policy statement shall be construed as to limit the authority of the board or of its finance and facilities committee at Bylaws, Article III, Sec. 1-A or Sec. 9-B3.)

- (B) Parameters.
 - (1) The university has a primary area of geographic interest that has been jointly agreed to by the university and the board of regents. This area is defined as follows:
 - (a) A southern boundary beginning at the intersection of Rayen avenue and Belmont avenue, running east on Rayen avenue, south on Fifth avenue, east on Wood street, north on Wick avenue, east on Rayen avenue to Andrews avenue.

 - (b) An eastern boundary generally consisting of the line running north on Andrews avenue to the intersection with the eastbound access road.

 - (c) A northern boundary generally consisting of the line running west on the eastbound access road to Wick avenue,

north on Wick avenue to a point one hundred ten feet north of the westbound access road, west to Bryson street, north on Bryson street to Madison avenue, west on Madison avenue to the intersection at Fifth avenue, south on Fifth avenue to the eastbound access Road, and west on the eastbound access road to Ford avenue.

- (d) A western boundary generally consisting of the line running south on Ford avenue to Scott street, west on Scott street to Belmont avenue, south on Belmont avenue to Rayen avenue.
- (2) The university has a secondary area of geographic interest that extends six to eight blocks beyond the primary area in the north, south, and west sides of the campus.
 - (a) The university maintains a good neighbor policy in this area and takes proactive steps to ensure the health and safety of residents of this area.
 - (b) The university is a catalyst to develop this area and encourage commercial, economic, and housing development activity.
 - (c) The overriding goal of this activity is to create a living/learning environment that is conducive to the mission of the institution.
 - (3) On occasion, the university may be the recipient of real estate in other locations. The acceptance and disposition of such gifts is determined on a case-by-case basis by the president and recommended to the institutional engagement committee of the board. Prior to the acceptance of such gifts by the institutional engagement committee and the board of trustees, the real estate will be evaluated in accordance with paragraph (C) below.
- (C) Procedures.
- (1) As appropriate, the finance and facilities committee of the board of trustees will review the property acquisition plans of the university and make any necessary modifications.

- (2) As appropriate, the finance and facilities committee agenda will include an item, "Property Acquisition Update." This status report addresses ongoing activities, pending actions, and issues that need attention.
- (3) The first step of the real estate acquisition process in the primary or secondary areas of geographic interest, whether by gift, purchase, or eminent domain, will be to obtain preliminary approval from the president, or his designee, to begin discussions with the landowner, conduct a title search, obtain an appraisal, and as appropriate conduct a phase 1 environmental assessment.
- (4) If after communicating with the landowner, conducting a title search, obtaining an appraisal, and performing a phase 1 environmental assessment, if deemed appropriate, the administration desires to proceed with acquisition of the property, the administration will obtain a resolution from the finance and facilities committee which recommends to the board of trustees that the board approve acquisition of the real estate by gift, purchase, or eminent domain. In seeking such a resolution from the finance and facilities committee, the administration will prepare and submit to the committee an executive summary identifying the real estate and justifying the proposed acquisition. The executive summary may also include an analysis of the phase 1 environmental assessment and a budget impact statement.
 - (a) For real estate without a building, the budget impact statement will identify the intended use, projected cost of acquisition, and environmental compliance costs.
 - (b) For real estate with a building, the budget impact statement will identify the intended use, projected cost of acquisition, estimated remodeling or demolition costs, environmental compliance costs, annual operating costs (e.g., utilities, insurance, janitorial services, basic maintenance, staffing costs), projected revenue earnings, if any, and other pertinent information.
- (5) After receiving the above information, the finance and facilities committee may seek additional information, decline the administration's request for approval to acquire the property, or

pass a resolution that recommends to the board of trustees that acquisition of the real estate be approved.

- (6) After the board of trustees approves acquisition of the real estate by gift, purchase or eminent domain, the administration may proceed to acquire the real estate within the parameters approved by the board.
- (7) Acquisitions of real estate will be at the appraised value or less whenever possible. Exceptions will be approved in advance by the president or his designee.
- (8) The administration will record all property acquisitions with the state of Ohio and/or the university in the official log of institutional property.

AGENDA ITEM: C.1.e.

AGENDA TOPIC: Resolution to Modify University Health and Safety Policy, 3356-4-10 (Previous Policy Number 4010.01)

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance & Administration

BACKGROUND: This policy exists to outline health and safety standards on campus. This policy also certifies that YSU's Office of Environmental and Occupational Health and Safety is responsible for establishing related training programs to ensure compliance with federal, state and local regulations.

SUMMARY AND ANALYSIS: The University Health and Safety Policy is up for routine review as part of the five-year cycle. Revisions are minor, and include reformatting and grammatical changes.

RESOLUTION:

**RESOLUTION TO MODIFY UNIVERSITY
HEALTH AND SAFETY POLICY, 3356-4-10
(PREVIOUS POLICY NUMBER 4010.01)**

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

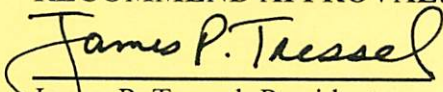
WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

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 University Health and Safety policy has been reviewed pursuant to the five-year review cycle, and 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 the Institutional Policy governing University Health and Safety, policy number 3356-4-10 (Previous Policy Number 4010.01) of the *University Guidebook*, shown as Exhibit __ attached hereto. A copy of the policy indicating changes to be made is also attached.

RECOMMEND APPROVAL:


James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**

UNIVERSITY GUIDEBOOK

3356-4-10 University Health and Safety
(Previous Policy Number 4010.01)

Title of Policy:	University Health and Safety
Responsible Division/Office:	Environmental and Occupational Health and Safety (EOHS)
Approving <u>Responsible</u> Officer:	Vice President for Finance and Administration
Revision History:	March 1999; October 2010; <u>June 2015</u>
Resolution Number(s):	YR 1999-86; YR 2011-16
Board Committee:	Finance and Facilities
EFFECTIVE DATE:	October 1, 2010
Next review:	2020 <u>13</u> (Changed to 2015 Per Guidebook Policy 0001.00)

(A) Policy Statement: The University will develop and maintain programs to prevent health and safety hazards on the campus. Such programs shall be in compliance with, but not limited to, all local, state, and federal statutes pertaining to health, safety, and the environment.

(B) Parameters:

- (1)The Office of Environmental and Occupational Health and Safety (EOHS) has the responsibility of establishing appropriate environmental, health, and safety programs and activities.
- (2)EOHS, in consultation with the Office of the General Counsel, is also responsible for keeping the University in compliance with local, state, and federal laws affecting the campus environment and the health and safety of all students, faculty, staff, and campus visitors.

(C)Procedures:

1. [\(1\)](#)EOHS will distribute information on all health and safety programs. Other departments may assist in the distribution of this information.
2. [\(2\)](#)EOHS will periodically conduct seminars and workshops relating to health, safety, and environmental matters.,.
3. [\(3\)](#)University employees and students are expected to follow all applicable health, safety, and environmental programs so that the University can prevent health and safety hazards on the campus.

3356-4-10 University health and safety.

(Previous Policy Number 4010.01)

Responsible Division/Office:	Environmental and Occupational Health and Safety (EOHS)
Responsible Officer:	Vice President for Finance & Administration
Revision History:	March 1999; October 2010; June 2015
Board Committee:	Finance and Facilities
EFFECTIVE DATE:	October 1, 2010
Next review:	2020

- (A) Policy statement. The university will develop and maintain programs to prevent health and safety hazards on the campus. Such programs shall be in compliance with, but not limited to, all local, state, and federal statutes pertaining to health, safety, and the environment.
- (B) Parameters.
- (1) The office of environmental and occupational health and safety (“EOHS”) has the responsibility of establishing appropriate environmental, health, and safety programs and activities.
 - (2) EOHS, in consultation with the office of the general counsel, is also responsible for keeping the university in compliance with local, state, and federal laws affecting the campus environment and the health and safety of all students, faculty, staff, and campus visitors.
- (C) Procedures.
- (1) EOHS will distribute information on all health and safety programs. Other departments may assist in the distribution of this information.
 - (2) EOHS will periodically conduct seminars and workshops relating to health, safety, and environmental matters.
 - (3) University employees and students are expected to follow all applicable health, safety, and environmental programs so that the university can prevent health and safety hazards on the campus.

AGENDA ITEM: C.1.f.

AGENDA TOPIC: Resolution to Approve the Exchange of Land for Campus Improvement

STAFF CONTACT(S): Greg Morgione, Associate General Counsel

BACKGROUND: The University has negotiated with Charlie Staples during the past few years regarding the acquisition of his property located on Grant Street (red parcel on attached Map). Charlie Staples requested that he receive three University parcels located adjacent to his restaurant on Rayen Avenue (blue parcels on attached Map) in exchange for his property on Grant Street.

SUMMARY AND ANALYSIS: Charlie Staples property located on Grant Street is situated within our campus boundaries in an area that YSU continues to acquire property for potential future development. YSU owns all of the property that borders Charlie Staples property. The University properties being transferred to Charlie Staples are not currently being utilized by the University. This property exchange will enable Charlie Staples to make enhancements to his parking lot located east of his restaurant. There is only a \$200 difference between the appraised value of Charlie Staples property and the University properties.

RESOLUTION:

**RESOLUTION TO APPROVE
THE EXCHANGE OF LAND FOR CAMPUS IMPROVEMENT**

WHEREAS, Youngstown State University has identified an area surrounding the campus, and within its Ohio Board of Regents (OBOR) boundary, which it seeks to acquire property needed for the benefit of the University and to trade parcels along Lincoln Avenue and Rayen Avenue not needed for future expansion; and

WHEREAS, the following parcel is needed for campus improvement and final approval is sought in accordance with the University Guidebook; and

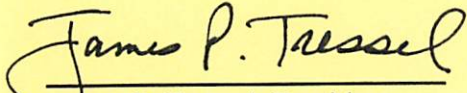
No.	Owner	Address	Parcel No.	Appraised Value
1.	Charles H. and Margaret A. Staples	Grant Street	53-005-0-416	\$10,500

WHEREAS, the following parcels are no longer needed for future University expansion and in a good neighbor policy, it exchanges the following parcels with Charles H. and Margaret A. Staples for the above-mentioned property.

No.	Owner	Address	Parcel No.	Appraised Value
1.	Youngstown State University	W. Rayen Avenue	53-003-0-089	\$ 4,800
2.	Youngstown State University	W. Rayen Avenue	53-003-0-090	\$ 4,800
3.	Youngstown State University	Lincoln Avenue	53-003-0-199	\$ 1,100

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby authorize the exchange of the aforementioned properties for campus improvement.

RECOMMEND APPROVAL:


James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**

AGENDA ITEM: C.1.g.

AGENDA TOPIC: Resolution to Authorize the Leasing of University Land for Student Housing Development

AGENDA TOPIC: Resolution to Authorize the Leasing of University Land for Student Housing Development

STAFF CONTACT(S): Greg Morgione, Associate General Counsel and Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: The University has been discussing student housing and retail development opportunities along Fifth Avenue with Fortress Real Estate Companies and Hallmark Campus Communities, who are partnering together on this proposed student housing project. Hallmark Campus Communities toured our campus and informed the University that Fifth Avenue is an ideal location for the development of apartment style student housing and retail. Hallmark Campus Communities has developed student housing and retail at several universities in Ohio, including the University of Akron, the University of Cincinnati, Kent State University and Ohio University. The University seeks to improve the appearance of the campus, and enhance our ability to attract new students through the development of student housing along Fifth Avenue.

SUMMARY AND ANALYSIS: The University seeks to lease approximately 3.4 acres, as identified on the attached map, to Hallmark Campus Communities or an affiliated entity for the construction of a four story apartment style student housing complex that will contain approximately 162 beds. The estimated project cost is \$7.8 million, and will be financed solely by the developer. The student housing project is expected to be completed by Fall Semester 2016, which coincides with the University's projection of increased demand for apartment style student housing.

RESOLUTION:

RESOLUTION TO AUTHORIZE THE LEASING OF UNIVERSITY LAND FOR STUDENT HOUSING DEVELOPMENT

WHEREAS, Youngstown State University apartment style student housing is operating at near capacity and the University has a need for additional apartment style student housing; and

WHEREAS, the University owns approximately 4.4 acres of real property, as shown on Exhibit A, within an area bounded by Lincoln Avenue to the North, Fifth Avenue to the East, Rayen Avenue to the South and Belmont Avenue to the West (herein referred to as the "Property"); and

WHEREAS, the Property is suitable for commercial development and Youngstown State University wishes to foster the development of student housing within the campus area; and

WHEREAS, pursuant to Ohio Revised Code Section 123.17, the Ohio Department of Administrative Services may lease land belonging to or under the control or jurisdiction of a state university, not required nor to be required for use of the university, to a developer; and

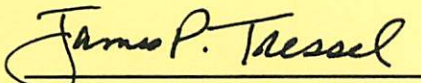
WHEREAS, the lease being utilized for this student housing development is a State of Ohio lease that shall be approved by the Ohio Attorney General, and executed on behalf of the State of Ohio by Governor John Kasich, the Director of the Department of Administrative Services or designee, and Youngstown State University.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University authorizes the leasing of that portion of the property, as shown on Exhibit B, referred to as the Leased Premises, to Hallmark Campus Communities or an affiliated entity, in accordance with Ohio Revised Code Section 123.17 for the development of student housing; and

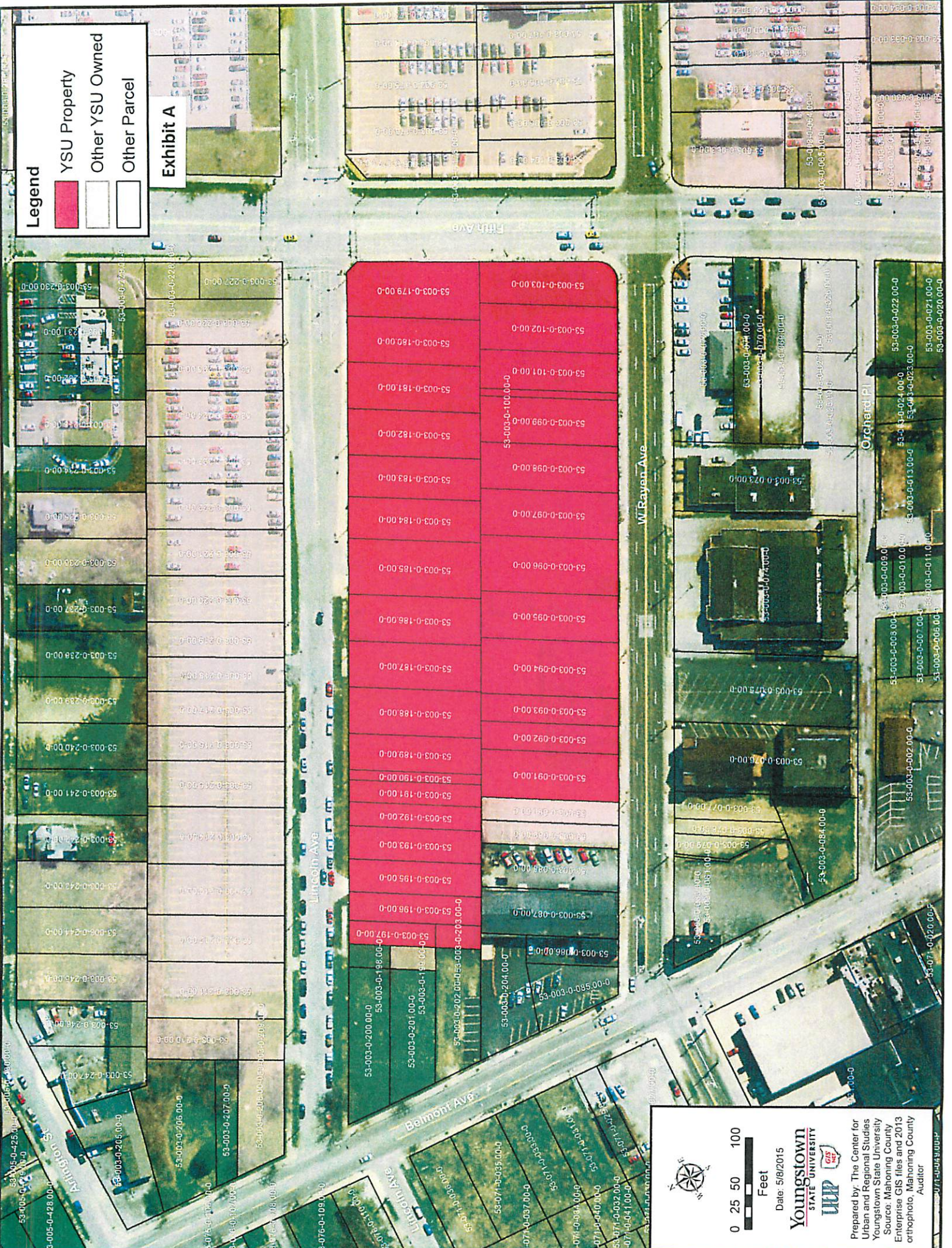
BE IT FURTHER RESOLVED, that the best interests of the University will be promoted by entering into a development lease with Hallmark Campus Communities or an affiliated entity; and

BE IT FURTHER RESOLVED, that the Board of Trustees of Youngstown State University authorizes the President to approve the final terms of such lease, and authorizes the President or his designee to obtain all necessary approvals and arrange for execution of this lease in accordance with Ohio law.

RECOMMEND APPROVAL:


James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**



Legend

- YSU Property
- Other YSU Owned
- Other Parcel

Exhibit A

0 25 50 100
Feet

Date: 5/8/2015

Youngstown STATE UNIVERSITY

WSP

Prepared by: The Center for Urban and Regional Studies
 Youngstown State University
 Source: Mahoning County Enterprise GIS files and 2013 orthophoto, Mahoning County Auditor

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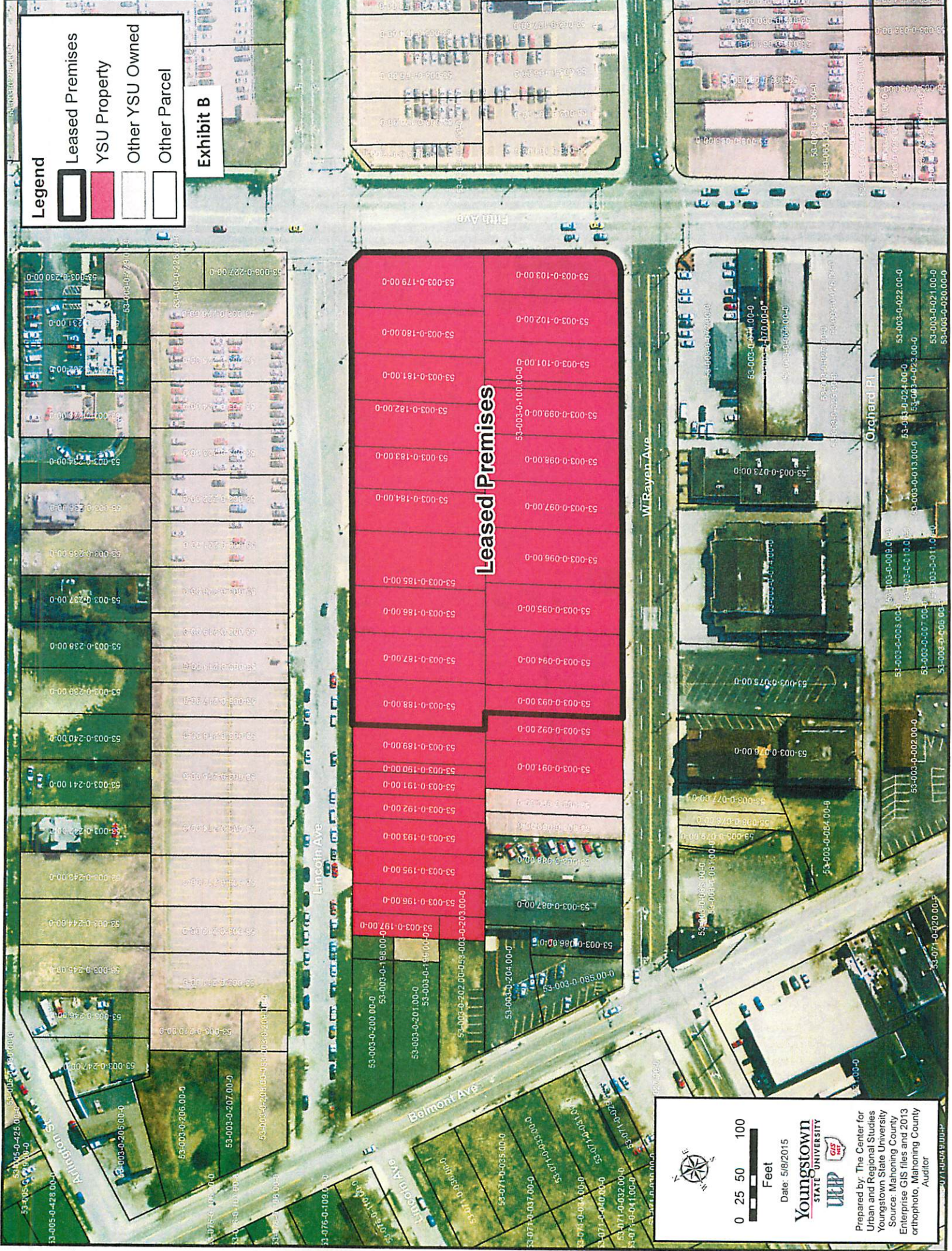
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Legend

-  Leased Premises
-  YSU Property
-  Other YSU Owned
-  Other Parcel

Exhibit B

Leased Premises

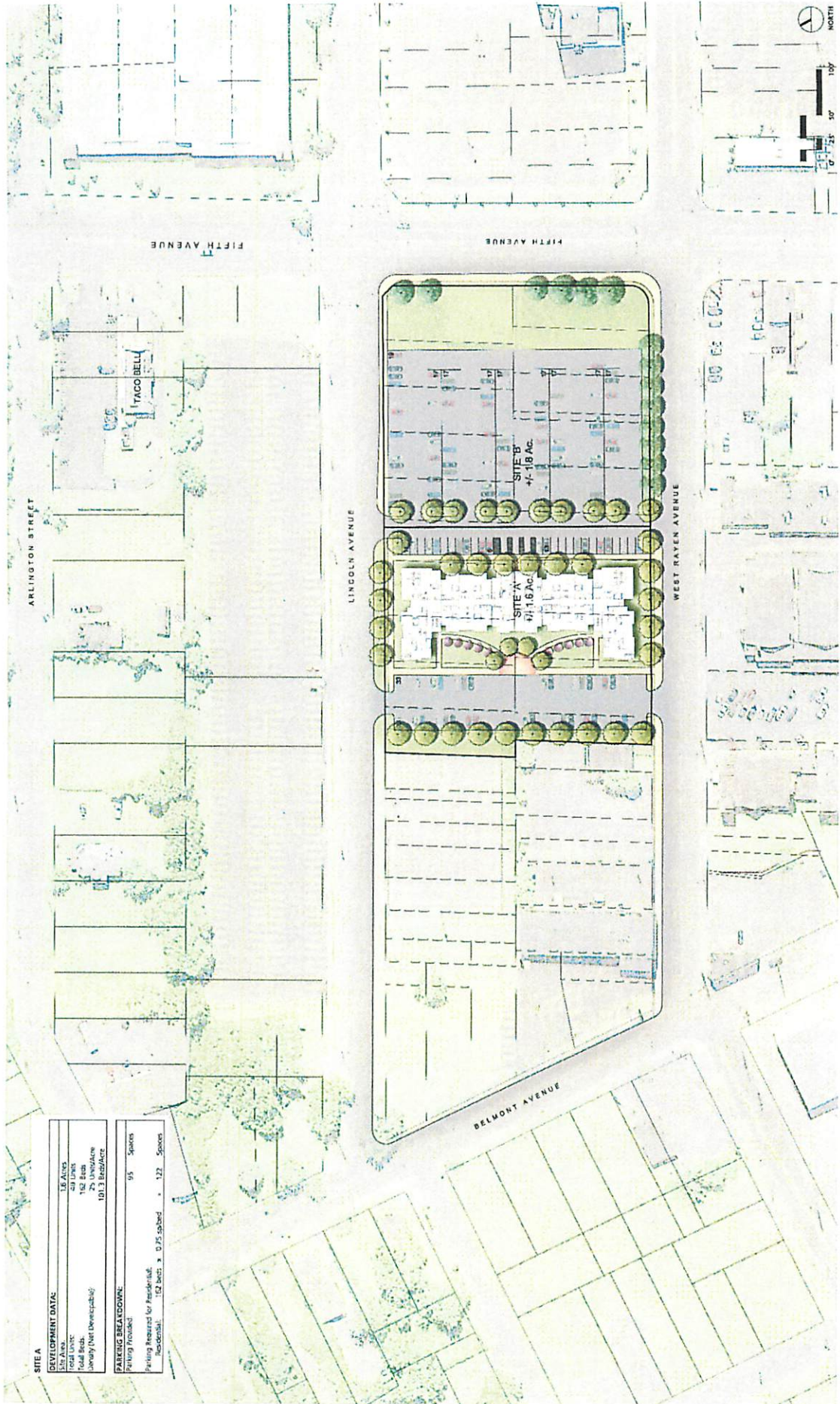


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Date: 5/8/2015



Prepared by: The Center for Urban and Regional Studies
Youngstown State University
Source: Mahoning County Enterprise GIS files and 2013 orthophoto, Mahoning County Auditor



SITE A

DEVELOPMENT DATA:	
Site Area:	1.16 Acres
Lot Area:	50,000 sq. ft.
Total Beds:	182 Beds
University (Net Development):	75 UNIVERSITY
Lot Density:	101.3 Beds/Acre
PARKING BREAKDOWN:	
Parking Provided:	95 Spaces
Parking Reserved for Residents:	127 Spaces
Residential:	127 Beds

SCHEMATIC SITE PLAN

AGENDA ITEM: C.1.h.

AGENDA TOPIC: Resolution to Approve the Annual Operating Budget for FY 2016

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: Consistent with sound financial practices and to ensure fiscal solvency, the University uses a one-year operating budget that is based on projected revenue and planned expenses. This annual operating budget allows management and the Board of Trustees to monitor financial performance, and mitigates the risk of deficit-spending.

SUMMARY AND ANALYSIS: At the time this document was prepared, there was much uncertainty surrounding the FY 2016 - 2017 state budget bill under deliberation in the Ohio legislature. This uncertainty complicated budget preparation, particularly related to revenue assumptions that are based, in part, on State Share of Instruction appropriation levels and state tuition policy. Nevertheless, YSU's FY 2016 operating budget was developed in conjunction with the YSU Budget Development Council, which consists of the following individuals:

Martin Abraham, Provost & co-chair
Charles Howell, Dean, Beeghly College of Ed.
Ray Shaffer, Chair & Professor, Accounting
Marilyn Ward, Academic Budget Officer
Ou Hu, Associate Professor, Economics
Michael Slavens, Student Government
Jennifer Johnson, Director Career Services

Elaine Jacobs, Associate Athletic Director
Ken Learman, Professor, Physical Therapy
Gary Swegan, Assoc. VP Enrollment Mgmt.
Ron Cole, Director of Communications
Matt Novotny, Exec. Dir. Student Services
Jacob Schrinier-Briggs, Student Government
Neal McNally, Interim VP Finance & co-chair

The detailed budget document for FY 2016 is included as Exhibit ____.

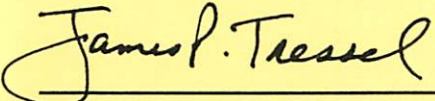
RESOLUTION:

**RESOLUTION TO APPROVE THE ANNUAL
OPERATING BUDGET FOR FY 2016**

WHEREAS, the proposed Fiscal Year 2016 Annual Budget has been reviewed by the Finance and Facilities Committee of the Board;

NOW, THEREFORE, BE IT RESOLVED, that the Annual Operating Budget for Youngstown State University's general and auxiliary funds for Fiscal Year 2016, shown on Exhibit ____, and as presented to the Finance and Facilities Committee of the Board of Trustees, is hereby approved for the period of July 1, 2015 through June 30, 2016.

RECOMMEND APPROVAL:


James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**

The Annual Operating Budget for FY 2016 will be distributed at the Board meeting on June 2, 2015

AGENDA ITEM: C.1.i.

AGENDA TOPIC: Resolution to Approve Changes to Tuition and Fees for the 2015-16 Academic and Fiscal Year

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: Each year, the University evaluates the need to raise revenue through adjustments in tuition and student fees, as determined by economic conditions and as may be regulated by the State of Ohio.

SUMMARY AND ANALYSIS:

At the time this document was prepared, House Bill 64, the FY 2016 - 2017 biennial budget bill, was still being deliberated by the Ohio legislature. While Governor Kasich's proposed budget allowed for a \$193/year increase in full-time in-state undergraduate tuition, and the Ohio House of Representatives' version of the budget allowed for a \$200 increase over the biennium, the Ohio Senate is expected to prohibit any increase in tuition whatsoever. Accordingly, the attached Exhibit __ reflects no increase in the tuition rates for in-state undergraduate students.

The state's final tuition policy for FY 2016 will not be known until H.B. 64 passes conference committee and is signed into law by the governor. Given this uncertainty, and given the need for YSU to maximize revenue opportunities, Management recommends Board of Trustees approval to adjust in-state undergraduate tuition rates for FY 2016 by the allowable percentage or dollar amount permitted in the final, enacted version of H.B. 64.

It is further recommended that graduate tuition be increased by 3.66% or \$16.60 per credit hour, effective fall 2015. It is also recommended that room and board rates at the University's residence halls be increased by about 4%.

To remain price-competitive with other regional colleges and universities, there are no proposed adjustments to the nonresident surcharge rates assessed on undergraduate students from outside Ohio. However, it is recommended that effective fall semester 2015, the non-regional surcharge for graduate students be increased by \$116.24 per credit hour. This increase will make YSU's graduate surcharge equal the undergraduate surcharge. This will also make YSU's nonresident rate comparable to other institutions; and help increase the perceived value of YSU's graduate programs.

RESOLUTION:

**RESOLUTION TO APPROVE CHANGES TO
TUITION AND FEES FOR THE 2015-16 ACADEMIC AND FISCAL YEAR**

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, including an "instructional fee" for educational and associated operational support of the institution and a "general fee" for non-instructional services, and that these two fees shall encompass all charges for services assessed uniformly to all enrolled students and shall be identified as "tuition"; 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, Ohio law provides that the University shall separately identify the Instructional Fee, the General Fee, the Tuition Charge, and the Tuition Surcharge; and

WHEREAS, Ohio law provides that fees charged for instruction shall not be considered to be a price for service but shall be considered to be an integral part of the state government financing program in support of higher education opportunity for students; and

NOW, THEREFORE, BE IT RESOLVED, that unless otherwise noted herein, this Resolution shall replace all previously adopted Resolutions pertaining to tuition, fees and/or other charges; and

BE IT ALSO RESOLVED, that the Board of Trustees of Youngstown State University does hereby declare the "tuition charge" shall be the sum of the Instructional Fee, General Fee, and the Information Services Fee, and does hereby establish the tuition charge and other fees as included in Exhibit ____, which if permitted by the final version of the state budget legislation for the FY 2016 and FY 2017 biennium, shall be increased by the allowable percentage or dollar amount permitted by state law, to become effective Fall Term 2015 and to remain in effect until changed by the Board of Trustees, except as may be specifically noted otherwise; and

BE IT FURTHER RESOLVED, that the President of Youngstown State University or his designee shall have the authority to approve:

1. Fees of noncredit courses, institutes, and workshops offered or coordinated through the Metro College and the University Outreach department;
2. Ticket prices for admission of the public to intercollegiate athletic games and to student music or dramatic productions;
3. Service charges for loans to students;
4. A special fee for programs under contract (e.g., a training program). It shall be understood that such special fees, if authorized, shall provide for all related costs of the program and that the budget for such a fund shall be subject to approval in the same manner as other University operating budgets; and
5. Fees for credit courses offered by the Metro College under contract to established groups as provided for in Resolution YR 2001-03.

In all cases, the revenue generated by such fees and charges shall be expended in conformity with appropriately approved budgets. It shall be understood that: (a) prices of books and other items for sale in the Bookstore, Kilcawley Center, and through vending machines shall be established in conformity with good business practices by the managers of those units; (b) charges for unreturned or damaged equipment checked out to a student shall be established by the cognizant University staff person and the charge shall be sufficient to recover replacement costs and with a charge to cover processing costs; (c) for such charges as noted in (a) and (b) above, the approval of neither the President nor the Board of Trustees shall be required; and (d) the President or his designees shall have the authority to designate parking facilities by location or by time which may be utilized either without charge or for a reduced charge.

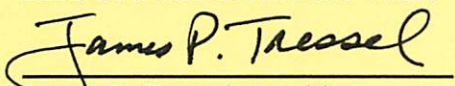
Fines which are authorized in this resolution may be assessed against non-students who are authorized to use University services as well as against students; and the rates detailed in this resolution shall replace the rates in any other resolution in conflict, and it shall continue to be the policy of this Board to review and adopt all fees, service charges, and fines annually, usually at the December meeting of the Board, in order that students and others are informed as to rates for the coming year and budgets may be finalized. It is understood that charges, fines, penalties, and assessments to students and non-students will not be waived except as specifically authorized by proper authority. The President or his/her designee shall review and, as appropriate, authorize persons or departments to grant waivers with the specific understanding that no waivers will be granted that are in violation of Ohio law or the policies of Youngstown State University.

If a student is permitted to withdraw from the University or if a student reduces his or her academic load, a refund of the tuition charge, and of the nonresident tuition surcharge, where applicable, shall be made in conformity with the following schedules. If the withdrawal is after the prescribed time limits, all tuition and other applicable fees and charges are forfeited. All applicable fees, fines, and penalties due must be paid before the refund is paid.

Exhibit ____

<u>Length of Course</u>	<u>100% refund</u>	<u>No refund</u>
6 weeks or more:	through 14th day of term.	15th day of term and later.
Less than 6 weeks:	15% of course duration.	greater than 15% of course duration.

RECOMMEND APPROVAL:



James P. Tressel, President

Board of Trustees Meeting
June 17, 2015
YR 2015-

YOUNGSTOWN STATE UNIVERSITY
Summary of Bulk-Rate Mandatory Costs to Attend¹
(See Schedules 2, 3 and 4 for detail)

	FY 2015 Actual	FY 2016		
		Proposed	\$ Change	% Change
UNDERGRADUATE (per semester)				
Resident	\$4,043.64	\$4,043.64 *	\$0.00	0.00%
Non-resident:				
Affordable Tuition Advantage ²	\$4,163.64	\$4,163.64 *	\$0.00	0.00%
Non-regional	\$7,043.64	\$7,043.64 *	\$0.00	0.00%
GRADUATE³ (per semester)				
Resident	\$5,440.80	\$5,640.00	\$199.20	3.66%
Non-resident:				
Affordable Tuition Advantage ²	\$5,560.80	\$5,760.00	\$199.20	3.58%
Non-regional	\$7,045.92	\$8,640.00	\$1,594.08	22.62%

NOTES:

* Amounts subject to change. Pending final tuition language in H.B. 64, YSU's FY 2016 undergraduate tuition may increase by allowable percentage or dollar amount permitted by law.

1. Rates for specialized programs not included in this presentation.

2. The Affordable Tuition Advantage rate is offered to students from the following counties: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, Venango, Warren, Washington and Westmoreland counties in Pennsylvania; Chautauqua County in New York; and Brooke, Hancock, Marshall and Ohio counties in West Virginia.

3. Although the graduate bulk-rate band is from 12-16 hours, graduate students are considered full-time for academic purposes at 9 credit hours and above.

YOUNGSTOWN STATE UNIVERSITY
Resident Undergraduate Tuition & Fees

Schedule 2

Fee Description	FY 2015 Actual	FY 2016		
		Proposed	\$ Change	% Change
BULK-RATE TUITION & MANDATORY FEES				
Instructional Fee (per semester, 12-16 credit hours)	\$3,240.00	\$3,240.00 *	\$0.00	0.00%
General Fee (per semester, 12-16 credit hours)	\$683.64	\$683.64 *	\$0.00	0.00%
Information Services Fee (per semester, 12-16 credit hours)	\$120.00	\$120.00	\$0.00	0.00%
Full-time tuition & mandatory fees	\$4,043.64	\$4,043.64	\$0.00	0.00%
TUITION & MANDATORY FEES (outside bulk-rate)				
Instructional Fee (per credit hour)	\$270.00	\$270.00 *	\$0.00	0.00%
General Fee (per credit hour)	\$56.97	\$56.97 *	\$0.00	0.00%
Information Services Fee (per credit hour)	\$10.00	\$10.00	\$0.00	0.00%
COLLEGE FEES				
Beeghly College of Education				
Undergrad with Junior Standing and Above (per credit hour)	\$8.00	\$8.00	\$0.00	0.00%
Undergrad with Junior Standing and Above (bulk rate, 12-16 hours)	\$96.00	\$96.00	\$0.00	0.00%
Bitonte College of Health & Human Services				
Undergrad with Junior Standing and Above (per credit hour)	\$12.50	\$12.50	\$0.00	0.00%
Undergrad with Junior Standing and Above (bulk rate, 12-16 hours)	\$150.00	\$150.00	\$0.00	0.00%
College of Science, Technology, Engineering & Mathematics				
Undergrad with Junior Standing and Above (per credit hour)	\$25.00	\$25.00	\$0.00	0.00%
Undergrad with Junior Standing and Above (bulk rate, 12-16 hours)	\$300.00	\$300.00	\$0.00	0.00%
College of Liberal Arts & Social Sciences				
Undergrad with Junior Standing and Above (per credit hour)	\$8.50	\$8.50	\$0.00	0.00%
Undergrad with Junior Standing and Above (bulk rate, 12-16 hours)	\$102.00	\$102.00	\$0.00	0.00%
College of Fine & Performing Arts				
Undergraduates, per credit hour	\$9.00	\$9.00	\$0.00	0.00%
Undergraduates, bulk rate, 12-16 hours	\$108.00	\$108.00	\$0.00	0.00%
Williamson College of Business Administration				
Undergrad with Junior Standing and Above (per credit hour)	\$16.00	\$16.00	\$0.00	0.00%
Undergrad with Junior Standing and Above (bulk rate, 12-16 hours)	\$192.00	\$192.00	\$0.00	0.00%

*Note: Amounts subject to change. Pending final tuition language in H.B. 64. YSU's FY 2016 undergraduate tuition may increase by allowable percentage or dollar amount permitted by law.

YOUNGSTOWN STATE UNIVERSITY
Resident Graduate Tuition & Fees

Schedule 3

Fee Description	FY 2015 Actual	FY 2016		
		Proposed	\$ Change	% Change
BULK-RATE TUITION & MANDATORY FEES				
Instructional Fee (per semester, 12-16 credit hours)	\$4,637.16	\$4,836.36	\$199.20	4.30%
General Fee (per semester, 12-16 credit hours)	\$683.64	\$683.64	\$0.00	0.00%
Information Services Fee (per semester, 12-16 credit hours)	\$120.00	\$120.00	\$0.00	0.00%
Full-time tuition & mandatory fees	\$5,440.80	\$5,640.00	\$199.20	3.66%
TUITION & MANDATORY FEES (outside bulk-rate)				
Instructional Fee (per credit hour)	\$386.43	\$403.03	\$16.60	4.30%
General Fee (per credit hour)	\$56.97	\$56.97	\$0.00	0.00%
Information Services Fee (per credit hour)	\$10.00	\$10.00	\$0.00	0.00%
ADDITIONAL GRADUATE FEES				
Master of Public Health¹ (per credit hour)	\$554.00	\$565.00	\$11.00	1.99%
Master of Fine Arts¹ (per credit hour)	\$541.00	\$541.00	\$0.00	0.00%
Nurse Anesthetist Program Fee² (per semester)	\$2,724.86	\$2,820.29	\$95.43	3.50%
Graduate Workshops (per credit hour)				
Resident	\$142.69	\$146.97	\$4.28	3.00%
Non-Resident	\$152.69	\$156.97	\$4.28	2.80%

1. The MPH and MFA fees are set by consortia of several Ohio public universities of which YSU is a member.

2. Nurse Anesthetist fee is set by the St. Elizabeth Health Center School for Nurse Anesthetists.

YOUNGSTOWN STATE UNIVERSITY
Non-Resident Tuition Surcharge

	FY 2015 Actual	FY 2016		
		Proposed	\$ Change	%Change
UNDERGRADUATE				
Affordable Tuition Advantage¹				
Part-time (per credit, 1-11 credits)	\$10.00	\$10.00	\$0.00	0.00%
Full-time (per semester, within bulk)	\$120.00	\$120.00	\$0.00	0.00%
Credits in excess of bulk (per credit)	\$10.00	\$10.00	\$0.00	0.00%
Non-Regional				
Part-time (per credit, 1-11 credits)	\$250.00	\$250.00	\$0.00	0.00%
Full-time (per semester, within bulk)	\$3,000.00	\$3,000.00	\$0.00	0.00%
Credits in excess of bulk (per credit)	\$250.00	\$250.00	\$0.00	0.00%
GRADUATE²				
Affordable Tuition Advantage¹				
Below bulk-rate (per credit, 1-11 credits)	\$10.00	\$10.00	\$0.00	0.00%
Within bulk-rate (per semester)	\$120.00	\$120.00	\$0.00	0.00%
Credits in excess of bulk (per credit)	\$10.00	\$10.00	\$0.00	0.00%
Non-Regional				
Below bulk-rate (per credit, 1-11 credits)	\$133.76	\$250.00	\$116.24	86.90%
Within bulk-rate (per semester)	\$1,605.12	\$3,000.00	\$1,394.88	86.90%
Credits in excess of bulk (per credit)	\$133.76	\$250.00	\$116.24	86.90%

Note:

1. The Affordable Tuition Advantage rate is offered to students from the following counties: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, Venango, Warren, Washington and Westmoreland counties in Pennsylvania; Chautauqua County in New York; and Brooke, Hancock, Marshall and Ohio counties in West Virginia.

2. Although the graduate bulk-rate band is 12-16 hours, graduate students are full-time for academic purposes at 9 credit hours and above.

YOUNGSTOWN STATE UNIVERSITY
Distance Education Program Fees

Fee Description	FY 2015 Actual	FY 2016		
		Proposed	\$ Change	% Change
UNDERGRADUATE				
BULK-RATE TUITION & MANDATORY FEES				
Instructional Fee (per semester, 12-16 credit hours)	\$3,240.00	\$3,240.00 *	\$0.00	0.00%
Program Fee (per semester, 12-16 credit hours)	\$480.00	\$0.00	(\$480.00)	-100.00%
Information Services Fee (per semester, 12-16 credit hours)	\$120.00	\$120.00	\$0.00	0.00%
Full-time tuition & mandatory fees	\$3,840.00	\$3,360.00	(\$480.00)	-12.50%
TUITION & MANDATORY FEES (outside bulk-rate)				
Instructional Fee (per credit hour, 1-11 hours)	\$270.00	\$270.00 *	\$0.00	0.00%
Program Fee (per credit hour, 1-11 hours)	\$40.00	\$0.00	(\$40.00)	-100.00%
Information Services Fee (per credit hour)	\$10.00	\$10.00	\$0.00	0.00%
GRADUATE				
BULK-RATE TUITION & MANDATORY FEES				
Instructional Fee (per semester, 12-16 credit hours)	\$4,637.16	\$4,836.36	\$199.20	4.30%
Program Fee (per semester, 12-16 credit hours)	\$480.00	\$480.00	\$0.00	0.00%
Information Services Fee (per semester, 12-16 credit hours)	\$120.00	\$120.00	\$0.00	0.00%
Full-time tuition & mandatory fees	\$5,237.16	\$5,436.36	\$199.20	3.80%
TUITION & MANDATORY FEES (outside bulk-rate)				
Instructional Fee (per credit hour, 1-11 hours)	\$386.43	\$403.03	\$16.60	4.30%
Program Fee (per credit hour, 1-11 hours)	\$40.00	\$40.00	\$0.00	0.00%
Information Services Fee (per credit hour)	\$10.00	\$10.00	\$0.00	0.00%
WEB-BASED PROGRAM				
Per Web-Based Course	\$0.00	\$60.00	\$60.00	New
NONRESIDENT SURCHARGE				
Bulk-Rate for Undergraduate and Graduate				
Level 1 (per semester, 12-16 credit hours)	\$3,122.40	\$3,122.40	\$0.00	0.00%
Level 2 (per semester, 12-16 credit hours)	\$3,194.40	\$3,194.40	\$0.00	0.00%
Level 3 (per semester, 12-16 credit hours)	\$3,338.40	\$3,338.40	\$0.00	0.00%
Level 4 (per semester, 12-16 credit hours)	\$3,518.40	\$3,518.40	\$0.00	0.00%
Level 5 (per semester, 12-16 credit hours)	\$3,698.40	\$3,698.40	\$0.00	0.00%
NONRESIDENT SURCHARGE				
Outside Bulk-Rate for Undergraduate and Graduate				
Level 1 (per credit hour, 1-11 hours)	\$260.20	\$260.20	\$0.00	0.00%
Level 2 (per credit hour, 1-11 hours)	\$266.20	\$266.20	\$0.00	0.00%
Level 3 (per credit hour, 1-11 hours)	\$278.20	\$278.20	\$0.00	0.00%
Level 4 (per credit hour, 1-11 hours)	\$293.20	\$293.20	\$0.00	0.00%
Level 5 (per credit hour, 1-11 hours)	\$308.20	\$308.20	\$0.00	0.00%

*Note: Amounts subject to change. Pending final tuition language in H.B. 64, YSU's FY 2016 undergraduate tuition may increase by allowable percentage or dollar amount permitted by law.

YOUNGSTOWN STATE UNIVERSITY
Housing Charges

Fee Description	FY 2015 Actual	FY 2016		
		Proposed	\$ Change	%Change
Room & Board (per academic year)	\$8,645	\$8,990	\$345.00	3.99%
Residence Hall Security Deposit (academic year and/or summer)	\$200	\$200	\$0.00	0.00%
Single Room Surcharge	\$875	\$900	\$25.00	2.86%
Weller House Apartments (per Academic Year-room only)	\$7,000	\$7,140	\$140.00	2.00%
Student Housing During Academic Breaks				
1 - 3 days (no meals, per day)	\$25	\$26	\$1.00	4.00%
Per week (7 meals per week)	\$200	\$205	\$5.00	2.50%
Summer				
Room and Board (10 meals per week)	\$250	\$260	\$10.00	4.00%
Apartments (room only, per person, per week)	\$200	\$205	\$5.00	2.50%

YOUNGSTOWN STATE UNIVERSITY
Other Fees, Charges and Fines

Schedule 7

Fee Description	FY 2015 Actual	FY 2016 Proposed	Change
ACT Test Fee	\$40.00	\$55.00	\$15.00
Beeghly College of Education Graduate Regional Delivery Fees:			
Level 1 (per credit hour)	\$10.00	\$10.00	\$0.00
Level 2 (per credit hour)	\$20.00	\$20.00	\$0.00
Level 3 (per credit hour)	\$35.00	\$35.00	\$0.00
Level 4 (per credit hour)	\$60.00	\$60.00	\$0.00
Level 5 (per credit hour)	\$75.00	\$75.00	\$0.00
Level 6 (per credit hour)	\$100.00	\$100.00	\$0.00
Level 7 (per credit hour)	\$125.00	\$125.00	\$0.00
Level 8 (per credit hour)	\$160.00	\$160.00	\$0.00
Bookstore Textbook Rental Fees:			
Late Return Fee	\$35.00	\$35.00	\$0.00
Replacement Fee			\$0.00
Check Replacement Fee	\$25.00	\$25.00	\$0.00
Child Preschool Lab Fee (per semester)	\$150.00	\$150.00	\$0.00
College Level Examination Program Test Fee (CLEP)	\$25.00	\$25.00	\$0.00
Community Counseling Clinic Client Fees (per client):			
Level 1	\$1.00	\$1.00	\$0.00
Level 2	\$5.00	\$5.00	\$0.00
Level 3	\$10.00	\$10.00	\$0.00
College Credit Plus (formerly College in High School) per credit:	\$49.00	N/A	N/A
In high school instruction by high school teacher		\$40.00	New
Online instruction by YSU faculty		\$80.00	New
On-campus instruction by YSU faculty		\$160.00	New
Computer-based Placement Re-Test Fee (per test)	\$20.00	\$20.00	\$0.00
Counseling Prep Comprehensive Exam	\$40.00	\$40.00	\$0.00
Course Fees (per course)			
Lab & Materials Fee Level 1	\$35.00	\$35.00	\$0.00
Lab & Materials Fee Level 2	\$50.00	\$50.00	\$0.00
Lab & Materials Fee Level 3	\$65.00	\$65.00	\$0.00
Lab & Materials Fee Level 4 (gross anatomy)	\$187.00	\$300.00	\$113.00
Lab & Materials Fee Level 7	\$20.00	\$20.00	\$0.00
Lab & Materials Fee Level 8	\$85.00	\$85.00	\$0.00
Lab & Materials Fee Level 9	\$25.00	\$25.00	\$0.00
Lab & Materials Fee Level 10 (nursing clinical)	\$200.00	\$200.00	\$0.00
Lab & Materials Fee Level 11 (Co-Op)	\$350.00	\$350.00	\$0.00
Lab & Materials Fee Level 12	\$300.00	\$300.00	\$0.00
Lab & Materials Fee Level 13	\$100.00	\$100.00	\$0.00
Lab & Materials Fee Level 14 (Lab Proctoring Fee)	\$30.00	\$0.00	(\$30.00)
Credit by Examination (per credit)	\$20.00	\$20.00	\$0.00
Credit Card Convenience Fee (student accounts only)	2.75%	2.75%	0.00%
Duplicate Diploma Fee	\$40.00	\$40.00	\$0.00
Equipment & Materials Replacement Fee	Market value	Market value	\$0.00
Federal Background Check	\$28.00	\$28.00	\$0.00
Fingerprinting Web Check Fee (per occurrence)	\$37.00	\$37.00	\$0.00
Graduate Student Application Fee	\$40.00	\$45.00	\$5.00
Graduation Fee	\$65.00	\$65.00	\$0.00
HPE Equipment Replacement Fee	Market value	Market value	\$0.00
Installment Plan Fee (maximum)	\$45.00	\$45.00	\$0.00

Other Fees, Charges and Fines

Fee Description	FY 2015 Actual	FY 2016 Proposed	Change
International Student Credential Evaluation Fee-Graduate	\$45.00	\$45.00	\$0.00
International Student Credential Evaluation Fee-Undergrad.	\$75.00	\$75.00	\$0.00
International Student Health Insurance (pass-through, set by insurance carrier)	Variable	Variable	\$0.00
Late Class Add Fee (per course)	\$50.00	\$50.00	\$0.00
Late Graduation Application Fee (after 3rd week)	\$38.50	\$38.50	\$0.00
Late Payment Fee	\$50.00	\$50.00	\$0.00
Late Registration Fee	\$75.00	\$75.00	\$0.00
Library Fines:			
Replacement Processing Fee	\$10.00	\$10.00	\$0.00
Overdue InterLibrary Loan Material (per day)	\$0.05	\$0.05	\$0.00
Overdue Maag/Depository Material (per day)	\$0.10	\$0.10	\$0.00
Overdue Textbook (\$0.55 per day, maximum fine \$100)	\$0.55	\$0.55	\$0.00
Overdue OhioLINK Material (per day)	\$0.50	\$0.50	\$0.00
Overdue Reserve Material (per day)	\$0.55	\$0.55	\$0.00
Overdue Closed Reserve Material (per hour)	\$0.55	\$0.55	\$0.00
Library Material Replacement Fee	Market Value	Market Value	\$0.00
OhioLINK Material Replacement Fee	\$110.00	\$110.00	\$0.00
Library Study Carrel Rental	\$25.00	\$25.00	\$0.00
MAT Test Fee	\$75.00	\$90.00	\$15.00
Ohio Attorney General Payment / Collections Fee	Variable	Variable	\$0.00
Parking & Transportation Fees:			
Transportation Fees:			
Students, Fall & Spring Terms, mandatory if enrolled in 6 or more credits	\$115.00	\$115.00	\$0.00
Students, Summer Term, mandatory if enrolled in 6 or more credits	\$58.00	\$58.00	\$0.00
Parking Permits:			
Students, Fall & Spring Terms, optional if enrolled in 0-5 credits	\$115.00	\$115.00	\$0.00
Students, Summer Term, optional if enrolled in 0-5 credits	\$58.00	\$58.00	\$0.00
Employees, per semester	\$85.00	\$85.00	\$0.00
Contract employees, per semester, Fall & Spring	\$115.00	\$115.00	\$0.00
Contract employees, Summer term	\$58.00	\$58.00	\$0.00
Control Card Replacement	\$5.00	\$5.00	\$0.00
Visitors, Daily/Special Event (per day)	\$5.00	\$5.00	\$0.00
Visitors, Weekly/Special Event (per week)	\$20.00	\$20.00	\$0.00
Parking Violations:			
Class I (minor violation, 1st offense)	\$25.00	\$25.00	\$0.00
Class I (minor violation, 2nd offense)	\$30.00	\$30.00	\$0.00
Class I (minor violation, 3rd offense)	\$35.00	\$35.00	\$0.00
Class II (major violations)	\$100.00	\$100.00	\$0.00
Class III (legal violations)	\$150.00	\$150.00	\$0.00
PC Data Recovery Service Fee	\$100.00	\$100.00	\$0.00
PC Remediation Service Fee	\$75.00	\$75.00	\$0.00
Peace Officers Training Academy	\$300.00	\$300.00	\$0.00
Photo I.D. Replacement Charge	\$25.00	\$25.00	\$0.00
Physical Therapy Doctoral Acceptance Deposit	\$500.00	\$500.00	\$0.00
Processing/Matriculation Fee (per semester)	\$80.00	\$80.00	\$0.00
Proficiency Examination (per course)	\$45.00	\$45.00	\$0.00
Program Fees:			
Bachelor of Arts in Telecommunications Studies (per course)	\$0.00	\$35.00	New
Bachelor of Fine Arts - Studio Art Program (per credit hour)	\$29.00	\$29.00	\$0.00

Other Fees, Charges and Fines

Fee Description	FY 2015 Actual	FY 2016 Proposed	Change
Bachelor of Science in Engineering (per student)	\$0.00	\$50.00	New
Master of Business Administration (per credit hour)	\$40.00	\$40.00	\$0.00
Master in Early Childhood Education (per credit hour)	\$30.00	\$30.00	\$0.00
Applied / Performance Music (per credit)	\$75.00	\$75.00	\$0.00
Reading Tutoring Fee	\$38.00	\$38.00	\$0.00
Returned Check or Credit Card Fee	\$30.00	\$30.00	\$0.00
Rich Autism Center Pre-School Program (per week)	\$125.00	\$125.00	\$0.00
Student Locker Rental (per year)	\$25.00	\$25.00	\$0.00
Study Abroad Fee:			
Level 1 (YSU faculty-led short-term field study)	\$45.00	\$45.00	\$0.00
Level 2 (College Consortium in International Studies)	\$75.00	\$75.00	\$0.00
Level 3 (YSU direct agreement or exchange program)	\$150.00	\$150.00	\$0.00
Thesis Binding Fee	\$25.00	\$25.00	\$0.00
Transcript Fee	\$6.00	\$6.00	\$0.00
Transcript Rush Fee (same-day processing)	\$12.00	\$12.00	\$0.00
Transcript Rush Fee (overnight express)	\$35.00	\$35.00	\$0.00
Transfer Processing/Matriculation Fee	\$35.00	\$35.00	\$0.00
Undergraduate Application Fee (first time applicant)	\$45.00	\$45.00	\$0.00
Youngstown Early College (per credit hour)	\$106.00	\$106.00	\$0.00
Youngstown Early College (full-time bulk rate, 12-16 hours)	\$1,272.00	\$1,272.00	\$0.00

AGENDA ITEM: C.1.j.

AGENDA TOPIC: Resolution to Approve Interfund Transfers

STAFF CONTACT(S): Katrena Davidson, Controller

BACKGROUND: The Board of Trustees authorizes inter-fund transfers greater than \$100,000 or more for operating purposes or for any purpose other than a specific capital improvement and for capital improvements or construction projects of \$500,000 or more. In addition, transfers out of operating reserves require approval regardless of amount.

SUMMARY AND ANALYSIS: With Wick Avenue serving as a main gateway to the University campus, collaborative efforts are underway to aesthetically improve this corridor. YSU is working with the City of Youngstown to make significant improvements to Wick Avenue, including road resurfacing, sidewalk and curb replacement, lighting enhancements, and moving utility poles underground. YSU has conceptually agreed to help finance the approximately 0.75 miles of Wick Avenue adjacent to campus.

YSU's share of the initial phase of this project is estimated to be \$800,000. The recommended funding source is the Board of Trustees' Restricted Discretionary Gift Fund, which has a balance of \$1 million, donated to the University last year by the late Dr. Maria A. Fok. In recognition of this gift, Alumni House was renamed Fok Hall. And with Fok Hall's Wick Avenue location, the use of these gift funds to improve Wick Avenue is advisable.

RESOLUTION:

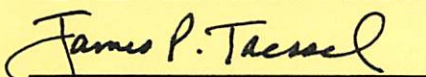
**RESOLUTION TO APPROVE
INTERFUND TRANSFERS**

WHEREAS, Institutional 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, a budget transfer of \$800,000 is requested to help finance capital improvements along the Wick Avenue corridor.

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 ___.

REVIEWED AS TO FORM AND CONTENT:



James P. Tressel, President

**Board of Trustees Meeting
June 17, 2015
YR 2015-**



YOUNGSTOWN STATE UNIVERSITY
Interfund Transfers Requiring Board Approval
Transfers Outside of the Operating Budget
Requested Transfers for Fourth Quarter 2015

FROM	TO	AMOUNT	REASON
Board of Trustees Discretionary Gift Fund (Restricted Fund)	Wick Avenue Enhancement Fund (Restricted Plant Fund)	\$800,000	To finance capital improvements along the Wick Avenue corridor, adjacent to the YSU campus.

AGENDA ITEM: C.2.a.

AGENDA TOPIC: Quarterly Update on the FY 2015 Operating Budget

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: Each quarter, University management reports to the Trustees on the status of the University's operating budget. The Board is provided with a quarterly comparison of the budgeted revenues and expenses vs. actual revenues and expenses.

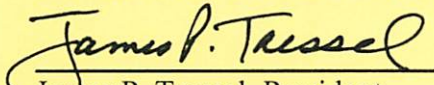
SUMMARY AND ANALYSIS: The budget to actual comparative analysis is in a "dashboard" format, which uses color-coded business indicators to identify revenues and expenses that are on-target versus those that may be of concern. This report is as of March 31, 2015.

As expected, a red warning indicator was assigned to tuition and fee revenues, which are \$3.8 million below the prior year's levels. This variance is attributable to the decline in enrolled students relative to the prior year. However, all other revenue categories are on-target.

All expenditures are on-target as indicated by the green-colored business indicators assigned to each expense category. As evidenced by this report, efforts to manage and reduce expenses have largely been successful. However, an operating deficit is anticipated at year-end.

RESOLUTION: N/A DISCUSSION ONLY

REVIEW AS TO FORM AND CONTENT:


James P. Tressel, President

YOUNGSTOWN STATE UNIVERSITY
Budget to Actual
For the 9-month period of 7/1/14 - 3/31/15

FY2015 Revenue 3rd Quarter, 3/31/15	Fiscal Year 2015		Actual as a % of Budget	Business Indicator	FY15 actual compared to FY14 actual
	Budget	Actual			
Tuition and mandatory fees	\$97,506,214	\$89,516,204	91.8%	●	↓
Other tuition and fees	\$8,837,567	\$8,827,709	99.9%	●	↑
Student charges	\$1,278,000	\$1,048,397	82.0%	●	↓
State appropriations	\$38,220,094	\$29,034,405	76.0%	●	↑
Recovery of indirect costs	\$2,177,079	\$1,416,022	65.0%	●	↑
Investment income	\$933,694	\$940,030	100.7%	●	↓
Other income	\$847,352	\$790,052	93.2%	●	↓
Total	\$149,800,000	\$131,572,819	87.8%	●	↓

● On/Above target

● Caution

● Warning

FY2015 Expenses 3rd Quarter, 3/31/15	Fiscal Year 2015		Actual as a % of Budget	Business Indicator	FY15 actual compared to FY14 actual
	Budget	Actual			
Wages	\$78,961,450	\$58,228,868	73.7%	●	↓
Benefits	\$26,087,289	\$21,322,581	81.7%	●	↑
Scholarships	\$5,343,378	\$4,695,193	87.9%	●	↑
Operations	\$11,133,170	\$8,611,765	77.4%	●	↑
Plant & maintenance	\$9,853,705	\$7,305,417	74.1%	●	↑
Fixed asset purchases	\$499,224	\$146,159	29.3%	●	↓
Transfers	\$18,095,025	\$17,889,308	98.9%	●	↓
Total	\$149,973,241	\$118,199,291	78.8%	●	↓

● On/Below target

● Caution

● Warning

AGENDA ITEM: C.2.b.

AGENDA TOPIC: Review of Fee Waiver Renewals for FY 2016 and FY 2017

STAFF CONTACT(S): Neal McNally, Interim Vice President for Finance and Administration

BACKGROUND: Section 363.230 of the current state budget bill, House Bill 59, states in part:

“The board of trustees of a state institution of higher education shall not authorize a waiver or nonpayment of instructional fees or general fees for any particular student or any class of students other than waivers specifically authorized by law or approved by the Chancellor [of the Ohio Board of Regents].”

During the FY 2014 – FY 2015 biennium, the Chancellor approved five (5) fee waivers for Youngstown State University. Each waiver was approved by the YSU Board of Trustees and is intended to achieve certain strategic goals, namely growth and stability vis-à-vis enrolled students and tuition revenue. Additionally, YSU has requested the Chancellor’s approval of a sixth waiver for the Jump Start program, which was approved by the Board of Trustees in March 2015.

Management anticipates that the above language will be retained in the next budget bill for the FY 2016 and FY 2017 biennium. In order to continue these waivers for the upcoming biennium, Regents staff has advised that the Board of Trustees should review YSU’s existing waivers. Board of Trustees’ approval of these waivers for FY 2016 is included in a separate agenda item: Resolution to Approve Changes to Tuition and Fees for the 2015-2016 Academic and Fiscal Year.

SUMMARY AND ANALYSIS: A summary of each preexisting fee waiver appears in the table below. University management believes that each waiver has produced desired outcomes, both in terms of students served and revenue generated.

<u>Waiver</u>	<u>Fee Waived</u>	<u>Amount Waived per Credit</u>	<u>Number of Students Served</u>	<u>Estimated annual revenue</u>
Distance Education	General Fee	\$56.97	140	\$609,286
Affordable Tuition Advantage	Portion of Undergrad Nonresident Surcharge	\$240.00	1,043	\$8,885,838
Youngstown Early College	Blended to create special YEC fee	\$230.97	170-180	\$257,097
College of Ed. Regional Delivery	General Fee	\$56.97	117	\$995,833
Master of Respiratory Care - CCHMC	Portion of Grad Nonresident Surcharge	\$132.76	9-10	\$20,236

RESOLUTION: N/A – DISCUSSION ITEM ONLY

REVIEWED AS TO FORM AND CONTENT:


James P. Tressel, President

AGENDA ITEM: C.2.c.

AGENDA TOPIC: Planning and Construction Projects Update

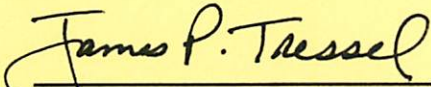
STAFF CONTACT(S): John Hyden, Executive Director of Facilities and Support Services, and Richard White, Director of Planning and Construction

BACKGROUND: This is a regular report presented to the BOT to keep them informed of what major projects are currently ongoing, what projects are bidding, and which projects are currently in development.

SUMMARY AND ANALYSIS: Summary of projects currently underway including Elevator Safety Repairs and Replacements, Demolition, Restroom Renovations, Roof Renovations, and the Wind Turbine project. Also briefly discuss an aggressive summer projects schedule which includes Utility Distribution Upgrades (Electrical Substation), Moser Hall Advanced Manufacturing Lab, Melnick Hall, and other projects found on the Capital Projects Summary.

RESOLUTION: N/A – DISCUSSION ITEM ONLY

REVIEWED AS TO FORM AND CONTENT:


James P. Tressel, President

YSU Capital Projects Summary:

Board Update 5/4/2015

Capital Projects Currently Underway:

Elevator Safety Repairs and Replacements
YSU 1516-35

\$1.6M (Capital C34531) Murphy Contracting, Contractor
Elevator cars and equipment in DeBartolo Hall, Tod Hall, Ward Beecher, and Maag Library will be replaced. Modifications to the freight elevators in Moser Hall and Bliss Hall will also be completed.

Wind Turbines
YSU 1314-16R

\$156k (Grant) Zenith Electric, Contractor
Wind Turbines will be installed at the corner of Wick Avenue and the E.B. Service Road for STEM research.

Demolition

\$80k (Local Funds) Siegel Excavating
Demolition of vacant houses on Watt Street in Smoky Hollow and the Carpenter's Hall on Rayen Avenue.

Restroom Renovations
YSU 1516-40

\$900k (Capital Funds C34544) YSU Staff, Murphy Contracting
Renovations to the restrooms in Bliss Hall 1st floor, Tod Hall 1st 2nd and 3rd floors, Ward Beecher 1st floor Planetarium, and Sweeny Hall main level.

Utility Distribution Upgrades and Expansion
YSU 1516-34

\$1.5M (Capital Funds C34541) C.L. Firestone, Penn Ohio EC
Upgrades and expansion of our electrical substation.

Concrete Replacement
YSU 1516-52

\$225k (Capital Funds C34500) YSU Staff, Terreri Contracting
Replacement of damaged concrete drives, walkways, and steps.

Roof Repairs and Replacements
YSU 1516-36

\$1.2M (Capital Funds C34534) BSHM Architects, Boak and Sons
Sections of roofs on Tod Hall, Moser Hall, and Fedor Hall will be replaced.

Parking Deck Repairs
YSU 1516-55

\$400k (Local Funds) Walker Parking, CPS
Summer repairs and preventative maintenance to the M1 and M2 parking decks.

2015 Projects In Development:

Moser Hall Advanced Manufacturing Lab
YSU 1516-50 – At Controlling Board

\$700k (Capital Funds C34543) YSU Staff, United Contractors
Renovation of space in Moser Hall for lab space and for the relocation of associated faculty offices.

Instructional Space Upgrades

YSU 1516-48 – Advertising for bids TBD

\$350k (Capital Funds C34524) YSU Staff

Renovation to the auditorium in the lower level of Beeghly Center.

Rec 5 Demolition

YSU 1516-53 – Starts June 2015 – At Controlling Board

\$150k (Capital Funds C34500) A.P. O’Horo

Removal of the retaining walls, fencing, and asphalt surface at Rec 5. The area will then be turned into green space.

Building Exterior Repairs

YSU 1516-51 – At Controlling Board

\$1.1M (Capital Funds C34535) GPD Group, Advanced Rest.

Repairs to the masonry exteriors on Bliss Hall, Moser Hall, and Stambaugh Stadium.

Melnick Hall Renovations

YSU 1516-1 – At Controlling Board

\$4.65M (Capital, Local C34530) Strollo Architects, Murphy Cont.

Renovations to Melnick Hall for the relocation of the YSU Foundation and WYSU.

Stambaugh Stadium Lighting Upgrades

YSU 1516-62 – TBD

\$630k (Local Funds) CL Firestone, B&J Electric

Addition of new light poles and replacement of existing lighting.

Additional Projects in Development/Under Construction:

- Career Services Renovation
- Meshel Hall Renovations – 4th floor