

DIVIDER

University Affairs Committee



**RESOLUTION TO MODIFY
DISCRIMINATION/HARASSMENT POLICY, 3356-2-03
(PREVIOUS POLICY NUMBER 2001.03)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Discrimination/Harassment, policy number 3356-2-03 (Previous Policy Number 2001.03) of the *University Guidebook*, shown as Exhibit O attached hereto. A copy of the policy indicating changes to be made is also attached.

UNIVERSITY GUIDEBOOK

3356-2-03 Discrimination/Harassment
(Previous Policy Number 2001.03)

Title of Policy: ~~Discrimination/Harassment~~

Responsible Division/Office: Equal Opportunity and Policy Compliance

~~Approving Responsible~~ Officer: ~~President~~ General Counsel

Revision History: June 2009; June 2015

~~Resolution Number(s):~~ ~~YR 2009-73~~

Board Committee: University Affairs

EFFECTIVE DATE: June 191, 201509

Next Review: 202014

(A) Policy Statement: Youngstown State University ("University") does not discriminate on the basis of race, color, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law in its programs or activities. The University is firmly committed to maintaining a working and learning study environment free of discrimination and all forms of harassment (including sexual harassment) of any employee, applicant for employment, or student, or visitor. Therefore, it is the University's policy to prohibit all forms of harassment based on sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law. The University neither permits nor condones harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work or academic performance, or that creates an intimidating, hostile, or offensive working or study environment. The University community seeks to eliminate discrimination and harassment through education and encourages staff, faculty, graduate assistants, students, visitors, student employees and volunteers to report concerns or complaints. Prompt corrective measures will be taken to stop discrimination and harassment whenever it occurs.

(B) Purpose: The purpose of this policy is to establish expectations for institutional and individual conduct, aid the University community in recognizing and preventing discrimination and harassment, and provide effective reporting and response mechanisms. a strong commitment to prohibit and establish a procedure for investigating and resolving internal complaints of discrimination and harassment. The discrimination and harassment procedures are designed to aid in the process of educating members of the University community, serve as a means of preventing discrimination and harassment, and promptly and

fairly respond to alleged incidents of harassment. The principal purpose of this policy is not to punish but to stop unwelcome conduct and promote a productive work and study environment free of discrimination and harassment. (For purposes of this policy the University community includes, but is not limited to, all University employees, faculty, staff, students, and any other individual visiting or engaging in any University activity or program, graduate assistants, members of the Board of Trustees, campus visitors, and contractual employees working on campus.)

(C) Scope: This policy applies to students, faculty, employees (including student employees), third parties, campus visitors, or other individuals engaged in any University activity or program, regardless of sexual orientation or gender identity, and whether on or off campus. ~~is intended to prevent situations from arising that may lead to allegations of harassment or unlawful discrimination. Therefore, the prohibitions of this policy may, in some instances, be broader in scope than the legal prohibitions of state, federal or other laws prohibiting discrimination or harassment. A determination that this policy has been violated is not equivalent to a violation of law.~~

~~Discrimination and harassment concerns can be resolved by the person being discriminated against or harassed addressing the matter directly with the alleged perpetrator. When such resolution is not feasible, any faculty, staff, student, or volunteer may bring an allegation against any member of the University community.~~

~~The Director, Office of Equal Opportunity and Policy Compliance, serves as the coordinator for the administration and compliance of this policy.~~

Guidelines:

(D). Definitions. For the purpose of determining whether a particular behavior or course of conduct constitutes discrimination or harassment under this policy the following definitions shall be used:

(1). Definition of Discrimination. ~~Conduct that is based on an individual's~~

~~Discrimination for the purposes of this policy is defined as treating an individual adversely in employment or academic or non-academic decisions based on protected status, which is defined as sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran/military status or any other basis protected by law that. Discrimination may also include stereotyping and biases based on a protected category.~~

~~a. adversely affects a term or condition of an individual's employment, education, or participation in a University activity or program; or~~

~~b. is used as the basis for a decision affecting an individual's employment, education, or participation in a University activity or program; or~~

~~c. has the purpose or effect of unreasonably interfering with an individual's employment or educational performance or creating an intimidating, hostile, offensive, or abusive environment.~~

(2) Definitions of Harassment. Conduct or a course of conduct that degrades or shows hostility toward an individual or group of individuals based on

Unlawful workplace harassment is conduct that has the purpose or effect of unreasonably interfering with an individual's work or academic performance. For the purposes of this policy, it is conduct based on sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law, and has the purpose or effect of: It can also be conduct involving epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts, or written or graphic material that denigrates or shows hostility or aversion and that is on the premise or circulated in the workplace:

- a. unreasonably interfering with an individual's employment or education; or
- b. creating a hostile, intimidating, or offensive working, living or educational environment.

(3) Sexual Harassment.

Sexual harassment is a form of sex discrimination and has been defined by the Equal Opportunity Commission (EEOC) to be any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, directed at a member of the same or different sex or sexual orientation, when it meets any of the following:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or academic status, or participation in a University program or activity.
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment, or academic or programing decisions affecting the such individual.
- (c) SuchThe conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive employment, academic, or participation environment, for working, learning, or living on campus.

(4) Examples of inappropriate conduct which may constitute sexual harassment include, but are not limited to:

- Explicit offensive s(a) Sexual advance or propositions, either explicit or implicit, or flirtations.
- (b) Sexually suggestive or sexually degrading innuendo, suggestive sexual comments, notes or letters or gestures.
- Sexual comments or inappropriate references to gender.
- (c) Sexually oriented kidding or other harassing acts or behavior directed against a person on the basis of an individual'sRemarks or inquiries about sexual activity, or sexual orientation, or gender identity and/or expression.
- Teasing or joking, sexually degrading or vulgar words.

Comment [WU1]: Moved in front of paragraph (E) regarding managers & supervisors for flow and clarity.

- ~~(d) The display or communication of sexually oriented obscene printed or visual material (including through e-mail or Internet use or other electronic means).~~
- ~~Use of offensive gestures or body motions.~~
- ~~Unwanted touching, patting, hugging, brushing against a or contacting another's person's body, or staring.~~
 - ~~Inquiries and commentaries about sexual activity, experience, or orientation~~

~~(E) No supervisor (including a faculty supervisor), manager, or official representative of the University shall directly or indirectly imply or threaten that an applicant's, employee's or student's refusal to submit submission to or refusal of to sexual advances will positively or negatively adversely affect his or her employment, employment conditions, career development or academic status performance. No supervisor (including faculty supervisor), manager, or official representative of the University shall suggest that an applicant's, employee's or student's acquiescence to sexual advances may favorably affect his or her conditions of employment, career development or academic performance. This prohibition includes but is not limited to instructors, faculty members, graduate assistants and teaching assistants~~

~~Examples of inappropriate conduct which may constitute sexual harassment include, but are not limited to:~~

- ~~Explicit offensive sexual propositions or flirtations.~~
- ~~Sexual innuendo, suggestive sexual comments, notes or letters.~~
- ~~Sexual comments or inappropriate references to gender.~~
- ~~Sexually oriented kidding or other harassing acts or behavior directed against a person on the basis of an individual's sex or sexual orientation, gender identity and/or expression.~~
- ~~Teasing or joking, sexually degrading or vulgar words.~~
- ~~The display of sexually oriented obscene printed or visual material (including through e-mail or Internet use or other electronic means).~~
- ~~Use of offensive gestures or body motions.~~
- ~~Unwanted touching, patting, hugging, brushing against a person's body or staring.~~
- ~~Inquiries and commentaries about sexual activity, experience, or orientation.~~

~~Sexual harassment may include harassment directed at a member of the same sex as the harasser. The examples of inappropriate conduct are unacceptable in the workplace and in other settings such as business trips, business-related social events or educational trips involving students.~~

~~Unlawful workplace harassment can also occur if there is a pattern of conduct that unreasonably interferes with the academic environment (not legitimately related to the subject matter of a course).~~

Comment [WU2]: Moves to section under sexual harassment for flow and clarity.

(F) Employee-Student Consensual Relationships. Relationships that might be appropriate in other contexts may, within a university-setting, create the appearance or basis for an abuse of power or of undue advantage. Many University employees are entrusted with advising and mentoring students, evaluating their work, and recommending students for advancement in employment, programs or academia. The unequal institutional power which is inherent in such a relationship heightens the vulnerability of both the student and employee for possible abuse or coercion and can present real or perceived conflict

Comment [WU3]: NEW SECTION

(1) For purposes of this policy a consensual intimate or sexual relationship is a relationship of an intimate, dating, and/or sexual nature entered into with the consent of both parties (hereinafter referred to as relationship for purposes of this policy).

(2) This policy applies to employees and individuals, whether paid or unpaid, who teach, coach, evaluate, supervise, advise, control or influence student employment, academic or resource opportunities. These individuals include but are not limited to:

- _____ (a) faculty and instructors (including visiting faculty/instructors).
- _____ (b) graduate students.
- _____ (c) teaching assistants.
- _____ (d) academic advisors.
- _____ (e) coaches.
- _____ (d) residence hall professional staff

(3) Undergraduate Students. Because of the elevated risk and the potential exposure of the University and employees to liability for violation of laws against sexual harassment and discrimination; no employee/individual as defined above shall enter into a relationship with a Youngstown State University undergraduate student regardless of whether or not there is a direct supervisory or evaluative relationship between them. Should a relationship pre-date either admission or employment with the University, the individuals involved in the relationship shall inform his/her immediate supervisor and dean and alternate supervisory or academic arrangements shall be made. This prohibition does not apply to married couples; however, University policy 3356-7-01 regarding conflicts of interest should be consulted.

(4) Graduate Students.

(a) Relationships involving graduate students can also raise issues of conflict of interest, favoritism, and exploitation; therefore, no employee/individual should enter into a relationship with a University graduate student under his/her supervision, evaluation, or advisement. Should such a relationship arise, or pre-date the institutional relationship, the employee/individual must promptly notify his/her supervisor in order to make alternate arrangements (where appropriate). This prohibition does not apply to married couples.

(b) In those instances where a faculty member/instructor and a graduate student enter into a relationship and are in the same department or affiliated with the same graduate program, the possibility exists that the faculty member/instructor could influence the academic evaluation or advancement of the student. Therefore, such a relationship must be disclosed promptly by the faculty member/instructor to his/her department chair upon the beginning of the relationship. A relationship that pre-dates the effective date of this policy must also be promptly disclosed to the applicable department chair. If the relationship involves a department chair, then the disclosure shall be made to the appropriate dean.

This prohibition does not apply to married couples; however, effective management of department and/or program integrity is paramount and such situations will be considered on a case-by-case basis and dealt with in consultation with the chair, dean, and provost. This prohibition does not apply to married couples; however, University policy 3356-7-01 regarding conflicts of interest should be consulted.

(c) University policy 3356-7-01 regarding conflicts of interest should be consulted for situations involving married couples.

3(G). Duty of Managers and Supervisors to Act

~~Any supervisor, including executive and administrative officers, chairs, executive directors/directors, or faculty supervisor who becomes aware of information that would lead a reasonable person to believe that harassment and/or discrimination has or is occurring should~~ shall ~~notify the Office of Equal Opportunity and Policy Compliance (EOPC), and/or Human Resources promptly but no later than five working days after becoming aware of the information. The Complaint Form/documentation will initiate collaboration between the Office of Equal Opportunity and Policy Compliance and the reporting department to determine how best to proceed with resolving the complaint. The Office of Human Resources shall promptly notify EOPC, may also need to be contacted to assist with the complaint. The University also encourages all persons to report suspected instances of harassment regardless of whether they are in the specific roles noted above.~~

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(H) Complaint Procedures.

(1) The University encourages all persons who believe they have experienced or witnessed discrimination or harassment to promptly file a complaint. Complaints to be reported promptly to with the Office of Equal Opportunity and Policy Compliance. A complaint may be formal or informal; however, a complaint alleging a violation of this policy must be filed within three hundred (300) days of the behavior or the last incident at issue. Delays in filing complaints reporting will may make it more difficult for the University to conduct an its investigation. Individuals, however, may report a complaint at any time, and it will be investigated to the extent that it is feasible.

Comment [WU4]: Moved from the end of the policy.

(2) A complainant individual also has the right to file a complaint with external agencies including, but not limited to, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission and/or the Department of Education. ~~—and—~~Utilizing the University's internal complaint procedure ~~will~~does not extend the deadline for filing a complaint with the external agencies. However, it is recommended that the complainant first exhaust the internal complaint procedures by promptly reporting the complaint.

(3) The University may assume the role of a complainant and pursue a complaint, either informally or formally when it obtains information that would lead a reasonable person to believe that this policy has been violated. In these instances, the University may take any action it deems appropriate, including informing the alleged perpetrator of the complaint and pursuing an investigation even in cases where an alleged victim of harassment or discrimination is reluctant to proceed. The alleged victim will be notified in advance when such action is necessary.

(4) Complaint investigations will follow the procedures set forth in the University's ~~procedures regarding complaints of discrimination. See also~~ ***Guidelines for Initiating and Investigating Complaints of Discrimination and Harassment.*** These guidelines ~~provide specific information about University methods of addressing complaints. A copy of these Guidelines may be obtained by contacting from the EOPC, Office of Equal Opportunity and Policy Compliance or at the EOPC website.~~ A summary of these guidelines will appear in the Equal Opportunity Discrimination Complaint Procedure brochure, copies of which will be disseminated throughout campus.

4. Regulations

◆ ~~Confidentiality and Non-Retaliation~~

(5) Information related to a report of discrimination and/or harassment will only be shared with those University employees who "need to know" in order to assist in the review, investigation or resolution of a complaint. The University will make every reasonable effort to conduct all proceedings in a manner that will protect the ~~privacy~~confidentiality of all parties. Parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.

(I) Interim Measures. During the course of an investigation it may be necessary and advisable for the University to take appropriate interim measures that are reasonably available to alleviate the conduct which is the basis of a complaint. These interim measures may include but are not limited to separating the parties, placing limitations on contact between the parties, or making alternative academic, living or workplace arrangements. Failure to comply with the terms of interim measures is a violation of this policy and may result in corrective measures, even if the initial complaint is not proven.

(J) Non-Retaliation.

Comment [WU5]: NEW SECTION.

~~The~~ University policy and state and federal law prohibit retaliation against an individual for reporting discrimination ~~or~~ harassment, or for assisting or participating in an investigation. ~~The University will not tolerate retaliation in any form against any faculty, staff, student, or volunteer, who files an allegation, serves as a witness, assists an alleege, or participates in an investigation of discrimination and harassment. Persons who believe they are experiencing retaliation for reporting or participating in an investigation of a complaint are strongly encouraged to contact the EOPC Office. Any person found to have retaliated against another for reporting, participating or cooperating in an investigation will be in violation of this policy and will be subject to corrective measures independent of the merits of the original complaint. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the discrimination/harassment allegation. Allegations of retaliation should be directed to the Office of Equal Opportunity and Policy Compliance and/or the Office of Human Resources.~~

~~The University has a compelling obligation to address allegations and suspected instances of discrimination and harassment when it obtains information that would lead a reasonable person to believe that this policy has been violated. The University is not precluded from taking any action it deems appropriate, including informing the alleged perpetrator of the complaint and pursuing an investigation even in cases when the complainant is reluctant to proceed. The complainant will be notified in advance when such action is necessary.~~

- **(K) Corrective Measures**

~~(1) When it has been determined that discrimination, and/or harassment, or retaliation has~~ occurred, steps will be taken to ensure that the prohibited behavior ~~discrimination and/or harassment~~ is stopped, ~~immediately.~~ Corrective measures and/or sanctions will be imposed consistent with the severity of the offense, ~~will be imposed consistent with applicable University procedures and collective bargaining agreements. Corrective measures and~~ may include sanctions and/or discipline up to and including termination for employees and expulsion for students.

~~Sanctions imposed on the perpetrator may include, but are not limited to, a reprimand, suspension, or dismissal from the University. In the event that a record of such sanctions will become a part of an employee's the perpetrator's personnel records, prior notice will be given to the employee, perpetrator.~~

~~(2) Sanctions also may also be imposed on any individual with a duty to act (under this policy and associated procedures) who fails to respond in a manner consistent with this policy to a complaint or reasonable information of discrimination, and~~

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~~harassment, or retaliation, in a manner consistent with the provisions of this policy and the associated procedures.~~

~~(3) To the extent possible under applicable law and policies, the complainant will be informed of the corrective measures taken. Any sanction imposed will be in accordance with applicable language in the collective bargaining agreements and/or governing policies of the University.~~

- **(L) False Allegations.**

~~It is a violation of this policy for anyone to intentionally report knowingly or with reckless disregard for the truth to make false accusations of discrimination and harassment, information or allegations that they know or reasonably should know to be untrue or false. Failure to prove a claim of discrimination or harassment is not equivalent to a false allegation. Sanctions may be imposed on individuals who knowingly or with reckless disregard for the truth make false accusations of discrimination and harassment. Failure to prove a claim of discrimination or harassment is not equivalent to a false allegation and no person shall be penalized for good faith reporting of concerns under this policy.~~

- **(M) Use of Discrimination and Harassment Allegations in Employment Actions or Academic Status Decisions**

~~When making decisions affecting an individual's employment or academic status, allegations of discrimination and harassment may be considered only if they have been addressed through this policy or procedure, a court of law, or other administrative proceeding such as a student conduct hearing for a student accused of a policy violation. Whenever such an allegation is discussed as part of a determinant in the terms and conditions of an employment or academic status, the affected party should be given notice.~~

- **(N) Policy and Procedure Administration**

~~The Office of Equal Opportunity and Policy Compliance is responsible for the administration of this policy and the associated procedures. However, all University employees, staff, and students play a role in preventing and reporting discrimination and harassment. The president, provost, and each vice president, dean, department chair, executive director, director, administrator, faculty member, supervisor and staff are responsible for assuring compliance with this policy. Any such individual who obtains information that would lead a reasonable person to believe that this policy has been violated must refer the matter to the appropriate individual for investigation or, if so authorized, initiate a prompt and thorough investigation.~~

(O) Educational Program Goals and Objectives:

(1) It is the goal of the University ~~is committed to prevent and eliminating and preventing~~ discrimination and/or harassment ~~of faculty, staff, students, student employees, and volunteers~~ and to fostering an environment of respect for all individuals. ~~In furtherance of these goals For the protection of the University and its every employees, it is strongly recommended that every employee attend shall complete programs and/or training as directed by the Office of Human Resources and/or the educational training regarding Office of Equal Opportunity and Policy Compliance, discrimination/harassment. The University promotes educational programs coordinated by the Office of Human Resources in conjunction with the Office of Equal Opportunity and Policy Compliance shall provide information, programs, and/or training~~ to meet the following goals:

- ~~(a) Informing all individuals~~ Provide information ~~about the University's policies relating to discrimination, and harassment, and the corresponding procedures and reporting mechanisms, their rights through training and dissemination of the discrimination and harassment policy.~~
- ~~(b) Including the discrimination and harassment~~ information regarding policy in orientation materials for new faculty, staff, students, and volunteers.
- ~~(c) Notifying persons of inappropriate prohibited~~ conduct, and encouraging appropriate behavior when interacting with others, individuals.
- ~~Informing all individuals of the appropriate procedures and reporting mechanisms for addressing concerns of discrimination and harassment.~~
- ~~(d) Informing~~ the University community about the problems caused by discrimination and harassment and the unacceptability and illegality of discrimination and harassment.
- ~~(e) Addressing~~ issues of discrimination and harassment from a multicultural perspective.

(2) A statement regarding the discrimination and harassment ~~policy~~ will appear in the *University Bulletins* (graduate and undergraduate), ~~on the webpage of the Office of Equal Opportunity and Policy Compliance, and and relevant portions shall be referenced in.~~ "The Code of Student Rights, Responsibilities, and Conduct" ~~will be reproduced in pamphlet form for distribution to the University community. The pamphlet will be included in orientation materials for all new members of the University community. Reminders of the policy and procedures will also be periodically circulated.~~

(P) Information, ~~and~~ Assistance, ~~and~~ Counseling, ~~and~~ Support:

(1) Individuals may seek ~~Many offices and individuals on the University's campuses provide~~ general information, ~~anonymously or otherwise, regarding this policy by contacting any of the following offices/units: and assistance regarding discrimination and harassment.~~ However, ~~general inquiries consultation with any office or individual, other than those noted~~

under Section III, Duty to Act, with these offices/units will not be considered a report to the University and will not result in action under this policy. A person seeking counseling or support may also contact the Office of Equal Opportunity and Policy Compliance or any of the following units:

- (a) The Equal Opportunity and Compliance Office.
 1. Office of Career and Counseling Services
 - 2(b) The Center for Student Progress/ Office of Disability Services.
 3. (c) Housing and Residence Life
 - 4(d). Office of Human Resources
 - 5(c). Intercollegiate Athletics
 6. (f) Office of Student Affairs through the Ombudsperson

The role of the above offices, with the exception of the Office of Equal Opportunity and Policy Compliance, is not to investigate allegations, but to provide counseling and support.

(2) A student may seek counseling or support services on campus from the university counseling services during regular business hours (330-941-3527). Employees may contact the office of human resources for information on available counseling services. Information shared within the context of counseling services is considered confidential to the extent permitted by state and federal law.

(3) An individual who seeks information, assistance, or counseling may still utilize this policy to file a complaint.

(4) For information on sexual misconduct including sexual assault, please see University policy 3356-2-3.1, "Sexual Misconduct Policy."

Complaint Procedures:

The University encourages all complaints to be reported promptly to the Office of Equal Opportunity and Policy Compliance. Delays in reporting complaints will make it more difficult for the University to conduct its investigation. Individuals, however, may report a complaint at any time, and it will be investigated to the extent that it is feasible. A complainant also has the right to file a complaint with external agencies including, but not limited to, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission and/or the Department of Education; and utilizing the internal complaint procedure will not extend the deadline for filing a complaint with the external agencies. However, it is recommended that the complainant first exhaust the internal complaint procedures by promptly reporting the complaint.

Complaint investigations will follow the procedures set forth in the University's procedures regarding complaints of discrimination. See also Guidelines for Investigating Complaints of Discrimination and Harassment. These guidelines provide specific information about University methods of addressing complaints. A copy of these Guidelines may be obtained by contacting the Office of Equal Opportunity and Policy Compliance. A summary of these guidelines will appear in the Equal Opportunity Discrimination Complaint Procedure brochure, copies of which will be disseminated throughout campus.

Comment [WU6]: Moved farther up in policy see Section (H) Complaint Procedures.

3356-2-03 Discrimination/harassment.

(Previous Policy Number 2001.03)

Responsible Division/Office:	Equal Opportunity and Policy Compliance
Responsible Officer:	General Counsel
Revision History:	June 2009; June 2015
Board Committee:	University Affairs
EFFECTIVE DATE:	June 11, 2015
Next Review:	2020

- (A) Policy statement. Youngstown state university (“university”) does not discriminate on the basis of race, color, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law in its programs or activities. The university is firmly committed to maintaining a working and learning environment free of discrimination and harassment of any employee, applicant for employment, student, or visitor. The university community seeks to eliminate discrimination and harassment through education and encourages staff, faculty, students, visitors, and volunteers to report concerns or complaints. Prompt corrective measures will be taken to stop discrimination and harassment whenever it occurs.
- (B) Purpose. The purpose of this policy is to establish expectations for institutional and individual conduct, aid the university community in recognizing and preventing discrimination and harassment, and provide effective reporting and response mechanisms. For purposes of this policy, the university community includes, but is not limited to, all university employees, students, and any other individual visiting or engaging in any University activity or program.
- (C) Scope. This policy applies to students, faculty, employees (including student employees), third parties, campus visitors, or other individuals engaged in any University activity or program, regardless of sexual orientation or gender identity, and whether on or off campus. The prohibitions of this policy may, in some instances, be broader in scope than the legal prohibitions of state, federal, or other laws prohibiting discrimination or harassment. A determination that this policy has been violated is not equivalent to a violation of law.
- (D) Definitions. For the purpose of determining whether a particular behavior or course of conduct constitutes discrimination or harassment under this policy, the following definitions shall be used:

- (1) “Discrimination.” Conduct that is based on an individual’s sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran/military status or any other basis protected by law that:
 - (a) Adversely affects a term or condition of an individual’s employment, education, or participation in a University activity or program; or
 - (b) Is used as the basis for a decision affecting an individual’s employment, education, or participation in a University activity or program; or
 - (c) Has the purpose or effect of unreasonably interfering with an individual’s employment or educational performance or creating an intimidating, hostile, offensive, or abusive environment.
- (2) “Harassment.” Conduct, or a course of conduct, that degrades or shows hostility toward an individual or group of individuals based on sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law, and has the purpose or effect of:
 - (a) Unreasonably interfering with an individual’s employment or education; or
 - (b) Creating a hostile, intimidating, or offensive working, living or educational environment.
- (3) “Sexual harassment.” Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, directed at a member of the same or different sex or sexual orientation when it meets any of the following:
 - (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, academic status, or participation in a University program or activity.
 - (b) Submission to or rejection of such conduct by an individual is used as the basis for employment, academic or programing decisions affecting the individual.
 - (c) The conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an

intimidating, hostile, or offensive employment, academic, or participation environment.

- (4) Examples of inappropriate conduct which may constitute sexual harassment include, but are not limited to:
 - (a) Sexual advances or propositions, either explicit or implied.
 - (b) Sexually suggestive or sexually degrading innuendo, comments or gestures.
 - (c) Remarks or inquiries about sexual activity, sexual orientation, or gender identity or expression
 - (d) The display or communication of sexually oriented material (including through e-mail or other electronic means).
 - (e) Unwanted touching, hugging, or contacting another's body.
- (E) No supervisor (including a faculty supervisor), manager, or official representative of the university shall directly or indirectly imply or threaten that an applicant, employee, or student's submission to or refusal of sexual advances will positively or negatively affect his or her employment, employment conditions, career development, or academic status. This prohibition includes, but is not limited to, instructors, faculty members, graduate assistants and teaching assistants.
- (F) Employee-student consensual relationships. Relationships that might be appropriate in other contexts may, within a university setting, create the appearance or basis for an abuse of power or of undue advantage. Many university employees are entrusted with advising and mentoring students, evaluating their work, and recommending students for advancement in employment, programs or academia. The unequal institutional power which is inherent in such a relationship heightens the vulnerability of both the student and employee for possible abuse or coercion and can present real or perceived conflict.
 - (1) For purposes of this policy, a consensual intimate or sexual relationship is a relationship of an intimate, dating, and/or sexual nature entered into with the consent of both parties (hereinafter referred to as relationship for purposes of this policy).
 - (2) This policy applies to employees and individuals, whether paid or unpaid, who teach, coach, evaluate, supervise, advise, control, or influence student

employment, academic, or resource opportunities. These individuals include, but are not limited to:

- (a) Faculty and instructors (including visiting faculty/instructors),
 - (b) Graduate students,
 - (c) Teaching assistants,
 - (d) Academic advisors,
 - (e) Coaches,
 - (f) Residence hall professional staff.
- (3) Undergraduate students. Because of the elevated risk and the potential exposure of the university and employees to liability for violation of laws against sexual harassment and discrimination, no employee/individual as defined above shall enter into a relationship with a Youngstown State university undergraduate student regardless of whether or not there is a direct supervisory or evaluative relationship between them. Should a relationship predate either admission or employment with the University, the individuals involved in the relationship shall inform his/her immediate supervisor and dean and alternate supervisory or academic arrangements shall be made. This prohibition does not apply to married couples; however, university policy 3356-7-01 regarding conflicts of interest should be consulted.
- (4) Graduate students.
- (a) Relationships involving graduate students can also raise issues of conflict of interest, favoritism, and exploitation; therefore, no employee/individual should enter into a relationship with a University graduate student under his/her supervision, evaluation, or advisement. Should such a relationship arise or predate the institutional relationship, the employee/individual must promptly notify his/her supervisor in order to make alternate arrangements (where appropriate). This prohibition does not apply to married couples.
 - (b) In those instances where a faculty member/instructor and a graduate student enter into a relationship and are in the same department or affiliated with the same graduate program, the possibility exists that the faculty member/instructor could influence the academic evaluation or advancement of the student. Therefore, such relationships must be disclosed promptly by the faculty member/instructor to his/her

department chair upon the beginning of the relationship. A relationship that predates the effective date of this policy must also be promptly disclosed to the applicable department chair. If the relationship involves a department chair, then the disclosure shall be made to the appropriate dean.

This prohibition does not apply to married couples; however, effective management of department and/or program integrity is paramount and such situations will be considered on a case-by-case basis and dealt with in consultation with the chair, dean, and provost.

- (c) University policy 3356-7-01 regarding conflicts of interest should be consulted for situations involving married couples.
- (G) Duty of managers and supervisors to act. Any supervisor, including executive and administrative officers, chairs, executive directors/directors, or faculty supervisor who becomes aware of information that would lead a reasonable person to believe that harassment and/or discrimination has or is occurring shall notify the office of equal opportunity and policy compliance (“EOPC”) and/or human resources promptly but no later than five working days after becoming aware of the information. The office of human resources shall promptly notify EOPC.
- (H) Complaint procedures.
- (1) The university encourages all persons who believe they have experienced or witnessed discrimination or harassment to promptly file a complaint with EOPC. A complaint may be formal or informal. However, a complaint alleging a violation of this policy must be filed within three hundred days of the behavior or the last incident at issue. Delays in filing or reporting may make it more difficult for the university to conduct an investigation.
 - (2) An individual also has the right to file a complaint with external agencies, including, but not limited to, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission and/or the Department of Education. Utilizing the university’s internal complaint procedure does not extend the deadline for filing a complaint with the external agencies. However, it is recommended that the complainant first exhaust the internal complaint procedures by promptly reporting the complaint.
 - (3) The university may assume the role of a complainant and pursue a complaint either informally or formally when it obtains information that would lead a reasonable person to believe that this policy has been violated. In these instances, the university may take any action it deems appropriate, including

informing the alleged perpetrator of the complaint and pursuing an investigation even in cases where an alleged victim of harassment or discrimination is reluctant to proceed. The alleged victim will be notified in advance when such action is necessary.

- (4) Complaint investigations will follow the procedures set forth in the university's *Guidelines for Initiating and Investigating Complaints of Discrimination and Harassment*. These guidelines may be obtained from EOPC.
 - (5) Information related to a report of discrimination and/or harassment will only be shared with those university employees who "need to know" in order to assist in the review, investigation, or resolution of a complaint. The university will make every reasonable effort to conduct all proceedings in a manner that will protect the privacy of all parties. Parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.
- (I) Interim measures. During the course of an investigation it may be necessary and advisable for the university to take appropriate interim measures that are reasonably available to alleviate the conduct which is the basis of a complaint. These interim measures may include, but are not limited to, separating the parties, placing limitations on contact between the parties, or making alternative academic, living or workplace arrangements. Failure to comply with the terms of interim measures is a violation of this policy and may result in corrective measures, even if the initial complaint is not proven.
 - (J) Non-retaliation. University policy and state and federal law prohibit retaliation against an individual for reporting discrimination or harassment or for assisting or participating in an investigation. Persons who believe they are experiencing retaliation for reporting or participating in an investigation of a complaint are strongly encouraged to contact EOPC. Any person found to have retaliated against another for reporting, participating, or cooperating in an investigation will be in violation of this policy and will be subject to corrective measures and/ or sanctions independent of the merits of the original complaint.
 - (K) Corrective measures.
 - (1) When it has been determined that discrimination, harassment, or retaliation has occurred, steps will be taken to ensure that the prohibited behavior is stopped. Corrective measures and/or sanctions will be imposed consistent with the severity of the offense, applicable university procedures, and collective bargaining agreements. Corrective measures may include sanctions

and/or discipline up to and including termination for employees and expulsion for students. In the event that a record of such sanctions will become a part of an employee's personnel records, prior notice will be given to the employee.

- (2) Sanctions may also be imposed on any individual with a duty to act under this policy and associated procedures who fails to respond in a manner consistent with this policy to a complaint or reasonable information of discrimination, harassment, or retaliation.
 - (3) To the extent possible under applicable law and policies, a complainant will be informed of the corrective measures taken.
- (L) False allegations. It is a violation of this policy for anyone to intentionally report information or allegations that they know, or reasonably should know, to be untrue or false. Sanctions may be imposed on individuals who make false accusations of discrimination or harassment. Failure to prove a claim of discrimination or harassment is not equivalent to a false allegation and no person shall be penalized for good faith reporting of concerns under this policy.
- (M) Use of discrimination and harassment allegations in employment actions or academic status decisions. When making decisions affecting an individual's employment or academic status, allegations of discrimination and harassment may be considered only if they have been addressed through this policy or procedure, a court of law, or other administrative proceeding such as a student conduct hearing for a student accused of a policy violation. Whenever such an allegation is discussed as part of a determinant in the terms and conditions of an employment or academic status, the affected party should be given notice.
- (N) Policy and procedure administration. The office of equal opportunity and policy compliance is responsible for the administration of this policy and the associated procedures. However, all university employees, staff, and students play a role in preventing and reporting discrimination and harassment.
- (O) Educational goals and objectives.
- (1) It is the goal of the university to prevent and eliminate discrimination and/or harassment and to foster an environment of respect for all individuals. In furtherance of these goals, every employee shall complete programs and/or training as directed by the office of human resources and/or the office of equal opportunity and policy compliance. The office of human resources, in conjunction with the office of equal opportunity and policy compliance, shall provide information, programs, and/or training to meet the following goals:

- (a) Provide information about the university's policies relating to discrimination and harassment and the corresponding procedures and reporting mechanisms.
 - (b) Include information regarding this policy in orientation materials for new faculty, staff, students, and volunteers.
 - (c) Notify persons of inappropriate conduct and encourage appropriate behavior when interacting with others.
 - (d) Inform the university community about the problems caused by discrimination and harassment and the unacceptability and illegality of discrimination and harassment.
 - (e) Address issues of discrimination and harassment from a multicultural perspective.
- (2) A statement regarding discrimination and harassment will appear in the *University Bulletins* (graduate and undergraduate), on the webpage of the Office of Equal Opportunity and Policy Compliance, and relevant portions shall be referenced in "The Code of Student Rights, Responsibilities, and Conduct."
- (P) Information, assistance, and counseling.
- (1) Individuals may seek general information, anonymously or otherwise, regarding this policy by contacting any of the following offices/units. However, general inquiries with these offices/units will not be considered a report to the university and will not result in action under this policy.
 - (a) The Equal Opportunity and Policy Compliance Office.
 - (b) The Center for Student Progress/Office of Disability Services.
 - (c) Housing and Residence Life.
 - (d) Office of Human Resources.
 - (e) Intercollegiate Athletics.
 - (f) Office of Student Affairs through the Ombudsperson.
 - (2) A student may seek counseling or support services on campus from the university counseling services during regular business hours (330-941-3527). Employees may contact the office of human resources for information on available counseling services. Information shared within the context of

counseling services is considered confidential to the extent permitted by state and federal law.

- (3) An individual who seeks information, assistance, or counseling may still utilize this policy to file a complaint.
- (4) For information on sexual misconduct including sexual assault, please see university policy 3356-2-3.1, "Sexual Misconduct Policy."



**RESOLUTION TO RESCIND
EQUAL OPPORTUNITY DISCRIMINATION
COMPLAINT PROCEDURES POLICY, 3356-2-02
(PREVIOUS POLICY NUMBER 2001.01)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby rescind the Institutional Policy governing Equal Opportunity Discrimination Complaint Procedures, policy number 3356-2-02 (Previous Policy Number 2001.01) of the *University Guidebook*, shown as Exhibit **P**, attached hereto.

RESCIND
UNIVERSITY GUIDEBOOK

Title of Policy:	Equal Opportunity Discrimination Complaint Procedures
Responsible Division/Office:	Equal Opportunity and Policy Compliance
Approving Officer:	President
<i>Revision History:</i>	July 1999; September 2007; June 2010
Resolution Number(s):	YR 2000-39; YR 2008-04; YR 2010-96
Board Committee:	University Affairs
EFFECTIVE DATE:	June 11, 2010
Next Review:	2015

Comment [WU1]: Complaint procedures have historically been and continue to be included in the YSU Discrimination/Harassment Policy. Making this policy redundant.

Policy: Youngstown State University (“University”) is committed to a campus environment that values all individuals and groups, and to non-discrimination and equal opportunity for all persons. No member of the University community shall discriminate against another on the basis of sex, race, religion, color, age, national origin, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law. Retaliation against an individual seeking advice on a discrimination matter, reporting a discriminatory act, or participating in an investigation of the proceedings of a discrimination matter is prohibited. The University is also committed to the principles of equal opportunity and acts in accordance with state and federal laws.

Comment [WU2]: This is redundant with the policy statement within the Discrimination/Harassment Policy.

Purpose: It is the responsibility of the entire University community to maintain an openness to the diversity of all ideas and peoples, and to share in the responsibility of implementing a full equal opportunity program. This program provides a method of addressing actions at variance with this policy and its procedures.

Comment [WU3]: This is redundant with the policy statement within the Discrimination/Harassment Policy.

Parameter: The Director of the Office of Equal Opportunity and Policy Compliance has been delegated the responsibility for the administration of the Equal Opportunity Discrimination Complaint Procedures.

Comment [WU4]: This is already included within Discrimination/Harassment Policy.

Procedures:

Comment [WU5]: Redundant with Discrimination/Harassment Policy.

1. Any person claiming to be aggrieved by a discriminatory practice at the University may file a complaint with the Office of Equal Opportunity and Policy Compliance. Any such complaint filed will be kept confidential, to the extent possible.
2. The Equal Opportunity Discrimination Complaint Procedure is for complaints of discrimination on the basis of sex, race, religion, color, age, national origin, sexual orientation, gender identity and/or expression, disability, or veteran status or any other basis protected by law. The alleged discrimination must have already occurred.
3. Specific information about University methods of addressing complaints is found in *Guidelines for Investigating Complaints for Discrimination*, which can be obtained by contacting the Office of Equal Opportunity and Policy Compliance. These guidelines can also be found on the YSU website under University Guidebook Policy 2001.03. A summary of these guidelines will appear in the Equal Opportunity Discrimination Complaint Procedure brochure, copies of which will be disseminated throughout campus.
4. All complaints of discrimination/harassment shall be filed in accordance with University Guidebook Policy 2003.01 – Discrimination/Harassment.



**RESOLUTION TO MODIFY EMPLOYEE HEALTH
INSURANCE PROGRAMS POLICY, 3356-7-22
(PREVIOUS POLICY NUMBER 7008.01)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Employee Health Insurance Programs, policy number 3356-7-22 (Previous Policy Number 7008.01) of the *University Guidebook*, shown as Exhibit Q attached hereto. A copy of the policy indicating changes to be made is also attached.

UNIVERSITY GUIDEBOOK

3356-7-22 Employee Health Insurance Programs
(Previous Policy Number 7008.01)

Title of Policy: ~~Employee Health Insurance Programs~~

Responsible Division/Office: Finance & Administration/Human Resources

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

Revision History: March 1998; December 2011; June 2015

Resolution Number(s): ~~YR 1999-32; YR 2012-26~~

Board Committee: University Affairs

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

Next review: 2020+6

(A) Policy Statement: The Board of Trustees authorizes all of the University's employee health care insurance programs. Periodically, all vendors providing traditional insurance, third party administration, health care consulting or other related services will be reviewed by the University to ensure that the service provided is competitive with other vendors in the industry. This policy is intended to authorize participation in the medical, prescription drug, dental and vision plan options for professional/administrative and other non-bargaining employees of the University.

(B) Health Care Advisory Committee:

A Health Care Advisory Committee (HCAC) with representation from all bargaining units and non-bargaining employees from each of the University divisions is established in accordance with the HCAC September, 2011 Policy & Guidelines. The charge of the committee is to review and assess existing medical, dental, prescription drug, and vision benefit plan options and other cost controlling measures.

(C) Plan Design and Benefit Levels:

(1) Bargaining unit employees are eligible for medical, dental, prescription drug, and vision coverage in accordance with the applicable collective bargaining agreement.

Effective January 1, 2012 ~~e(2)~~ Eligible employees who are not covered by a collective bargaining agreement are eligible for medical, dental, prescription drug, and vision coverage as identified in the Benefits section of the website for the Office of Human Resources: <http://web.ysu.edu/hr/>.

(D) Premium Sharing:

Bargaining unit employees who choose to enroll in the medical, prescription drug, dental or vision plan will be required to contribute toward the cost of coverage in accordance with the applicable collective bargaining agreement.

~~Effective January 1, 2012~~ Eligible employees who are not covered by a collective bargaining agreement and who choose to enroll in the University's Health Insurance plans will be required to share in the cost of coverage as follows:

- A) Employees will contribute, via payroll deduction, an aggregate of ~~10% of the Funding Level effective January 1, 2012; 12% effective July 1, 2012; and 15% of the Funding Level effective July 1, 2013.~~ Funding Rates will be established for three tiers: the Employee Only; Employee + One Dependent; and Family (Employee + two or more dependents) contracts. A flat percentage of salary that is required for Funding Level to be reached will be identified each year ~~once on or before January 1, 2012, a second time before July 1, 2012, and each July 1, of the contract thereafter.~~
- B) Notwithstanding the foregoing formula, employees shall pay no more or no less than the following percentages of the Funding Rates:
1. ~~Effective January 1, 2012: Minimum 7%; Maximum 21%~~
 2. ~~Effective July 1, 2012: Minimum 8%; Maximum 21%~~
 3. ~~Effective July 1, 2013: Minimum 10%; Maximum 21%~~

Payments shall be deducted in equal amounts from each eligible participant's member's bi-weekly or semi-monthly paychecks.

Working spouse/Coordination of Benefits:

A. Working Spouse Coverage Obligations

1. As a condition of eligibility for coverage under the University's group medical and/or prescription drug plan(s) (University Coverage "). ~~If if an employee's spouse is eligible to participate, as a~~ for group medical and/or prescription coverage sponsored, maintained and/or provided by the spouse's current employee employer, former employer (for retirees), or business for self-employed individual individuals (other than a sole proprietor) in a business (e.g., partner), or retiree in a group medical and/or prescription drug insurance sponsored by his/her employer, business, or employer's retirement plan, proprietors) (collectively or individually), "Employer Coverage") the spouse must enroll for at least single coverage in such group medical and prescription drug insurance if his/her Employer Coverage unless he/she is not eligible for entitled to Medicare as of January 1, 2012. The use of the word "spouse" in

this policy refers to a traditional spouse as well as a same-sex domestic partner.

For purposes of this section, in instances where the spouse's employer makes — no monetary contribution for Employer Coverage, such plans will not be considered to be Employer Coverage. This is intended to apply to situations in which the spouse is a current employee in a business but not to situations in which the spouse is a business owner, including partner of a company and/or firm, is a self-employed individual (other than a sole proprietor) in a business, or retiree in a group medical and/or prescription drug insurance plan.

2. ~~This~~ The requirement of subsection (1) does not apply to any spouse who works less than 25 hours per week AND is required to pay more than 50% of the single premium funding rate OR \$300 per month whichever is greater, in order to participate ~~in the group medical and/or prescription drug insurance sponsored by his/her employer, business or employer's retirement plan~~ Employer Coverage.
3. An employee's spouse who fails to enroll in Employer Coverage, as outlined above, shall be ineligible for University Coverage.
4. Upon the spouse's enrollment in ~~in a group medical and/or prescription drug insurance sponsored by his/her employer, business or employer's retirement plan~~ Employer Coverage; that coverage will become the primary plan and the coverage sponsored by the University Coverage will become the secondary plan according to the primary plan's coordination of benefits and participation rules. Notwithstanding the foregoing, in the event the spouse is a Medicare beneficiary and (a) Medicare is secondary to the University Coverage, and (b) Medicare is primary to the spouse's Employer Coverage, the University Coverage will be the primary coverage. The rules of O.R.C. §§ 3902.11 to 3902.14 shall govern the implementation and interpretation of these coordination of benefits rules.
5. ~~Any spouse who fails to enroll in any group medical and/or prescription drug insurance coverage sponsored by his/her employer, business or employer's retirement plan, as required, shall be ineligible for benefits under such group medical and prescription drug insurance coverage sponsored by the University.~~

~~B. F. It is the employee's responsibility to advise the Plan via the University's Human Resources Office immediately (and not later than 30 days after any change in eligibility) if the employee's spouse becomes eligible to participate in group medical health insurance and/or prescription drug insurance sponsored by his/her employer, business, or employer's retirement plan Employer Coverage. Upon becoming eligible, the employee's spouse must enroll in group medical and/or prescription drug insurance sponsored by his/her employer, business, or employer's retirement plan Employer Coverage unless he/she is exempt from this requirement in accordance with the exemptions stated in this policy.~~

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~~C. (G)~~ All employees choosing to enroll whose spouse participates in the University's group medical and/or prescription drug insurance coverage shall complete and submit to the Plan, upon request, a written certification verifying whether his/her spouse is eligible to participate in group medical and/or prescription drug insurance coverage sponsored by the spouse's employer, business, or employer's retirement plan **for and enrolled in Employer Coverage**. If any employee fails to complete and submit the certification form during the annual certification process, such employee's spouse will be removed immediately from the University's medical insurance and/or prescription drug insurance coverage **University Coverage**. Any information not completed or provided on the certification form may be requested from the employee.

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~~D. (H)~~ If an employee submits false material information, or fails to timely advise the Plan via the Chief Human Resources Officer of a change in the eligibility of the employee's spouse for group medical and/or prescription drug insurance sponsored by his/her employer, business or employer's retirement plan **Employer Coverage** within 30 days of notification of such eligibility, and such false information or failure results in the University's providing **provision of University** medical and prescription drug benefits **Coverage**, to the employee's spouse to which the **employee's spouse is** are is not entitled, the employee's will be personally liable to the University for reimbursement of benefits and expenses, including attorneys' fees and costs, incurred by the University **spouse will be dis-enrolled from University Coverage. Such disenrollement may be retroactive to the date as of which the employee's spouse became ineligible for plan coverage, as determined by the administrator for the University Coverage. The Administrator shall provide at least 30 days advance written notice of any proposed retroactive disenrollment. In the event of retroactive disenrollment, the employee will be personally liable to the applicable University Coverage for reimbursement of benefits and expenses, including attorney's fees and costs, incurred by the University Coverage as a result of the false information or failure. Additionally, if**. In addition, the employee's spouse will be terminated immediately from the group medical and/or prescription drug insurance sponsored by the University. If the employee submits false **material** information in this context, the employee may be subject to disciplinary action, up to and including termination of employment.

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Comment [NMP1]: The versions I have do not have this word in it. I am not sure what final language ended up in the OEA contract.

~~E. (I)~~ The details of the working spouse limitations and coordination of benefits requirements are available upon request from the Human Resources Office.

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~~F. (J)~~ For purposes of salary deduction toward insurance premium cost sharing, families in which both spouses/domestic partner are employed by **the university YSU** have the option either to be treated as only one employee, employee +1 or **with** family coverage or to select individual coverage and for each to pay the single salary share for premium.

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~~G. (K)~~ If one spouse/domestic partner works for **university YSU** and the other does not, the children remain on the YSU insurance. If both spouses/domestic partners

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work for the University, and choose employee +1 or family coverage, the higher-paid employee pays for the employee +1 or family coverage.

H. (L) An employee may opt out of health insurance benefits (medical, prescription drug, dental and/or vision) coverage upon submission of sufficient evidence, in accordance with the provisions of this Article, of such coverage from another source.

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3356-7-22 Employee health insurance programs.

(Previous Policy Number 7008.01)

Responsible Division/Office:	Finance & Administration/Human Resources
Responsible Officer:	Vice-President for Finance & Administration
Revision History:	March 1998; December 2011; June 2015
Board Committee:	University Affairs
EFFECTIVE DATE:	June 17, 2015
Next review:	2020

- (A) Policy statement. The board of trustees authorizes all of the university's employee health care insurance programs. This policy is intended to authorize participation in the medical, prescription drug, dental and vision plan options for professional/administrative and other non-bargaining employees of the University.
- (B) Health care advisory committee. A health care advisory committee ("HCAC") with representation from all bargaining units and non-bargaining employees from each of the university divisions is established in accordance with the HCAC September 2011 policy and guidelines. The charge of the committee is to review and assess existing medical, dental, prescription drug, and vision benefit plan options and other cost-controlling measures.
- (C) Plan design and benefit levels.
 - (1) Bargaining unit employees are eligible for medical, dental, prescription drug, and vision coverage in accordance with the applicable collective bargaining agreement.
 - (2) Effective January 1, 2012, eligible employees who are not covered by a collective bargaining agreement are eligible for medical, dental, prescription drug, and vision coverage, as identified in the "Benefits" section of the website for the office of human resources, <http://web.yzu.edu/hr/>.
- (D) Premium sharing.
 - (1) Bargaining unit employees who choose to enroll in the medical, prescription drug, dental or vision plan will be required to

contribute toward the cost of coverage in accordance with the applicable collective bargaining agreement.

- (2) Eligible employees who are not covered by a collective bargaining agreement and who choose to enroll in the university's health insurance plans will be required to share in the cost of coverage as follows:
 - a) Employees will contribute, via payroll deduction, an aggregate of fifteen per cent of the funding level. Funding rates will be established for three tiers: the employee only, employee plus one dependent and family (employee plus two or more dependents) contracts. A flat percentage of salary that is required for funding level to be reached will be identified each July 1.
 - b) Notwithstanding the foregoing formula, employees shall pay no more or no less than the following percentages of the funding rates:
 - i) Effective July 1, 2015: minimum ten per cent, maximum twenty per cent
 - (3) Payments shall be deducted in equal amounts from each eligible participant's biweekly or semimonthly paychecks.
- (E) Working spouse/coordination of benefits.
- (1) As a condition of eligibility for coverage under the university's group medical and/or prescription drug plan(s) ("University Coverage", if an employee's spouse is eligible for group medical and/or prescription coverage, sponsored, maintained and/or provide by the spouse's current employer, former employer (for retirees), or business for self-employed individuals (other than sole proprietors) (collectively or individually), ("Employer Coverage") the spouse must enroll for at least single coverage in his/her employer coverage unless he/she is entitled to Medicare. The use of the word "spouse" in this policy refers to a traditional spouse as well as a same-sex domestic partner.

For purposes of this section, in instances where the spouse's employer makes no monetary contribution for Employer Coverage, such plans will not be considered to be Employer Coverage. This is intended to apply to situations in which the spouse is a current employee in a business but not to situations in which the spouse is a business owner, including partner of a company and/or firm, is a self-employed individual (other than a sole proprietor) in a business, or retiree in a group medical and/or prescription drug insurance plan.

- (2) The requirement of subsection (1) does not apply to any spouse who works less than 25 hours per week AND is required to pay more than 50% of the single premium funding rate OR \$300 per month whichever is greater, in order to participate in Employer Coverage.
 - (3) An employee's spouse who fails to enroll in Employer Coverage, as outlined above, shall be ineligible for University Coverage.
 - (4) Upon the spouse's enrollment in Employer Coverage; that coverage will become the primary plan and the University coverage will become the secondary plan, according to the primary plan's coordination of benefits and participation rules. Notwithstanding the foregoing, in the event the spouse is a Medicare beneficiary and (a) Medicare is secondary to the University Coverage, and (b) Medicare is primary to the spouse's Employer Coverage, the University Coverage will be the primary coverage. Sections 3902.11 and 3902.14 of the Revised Code shall govern the implementation and interpretation of these coordination of benefits rules.
- (F) Upon becoming eligible, the employee's spouse must enroll in Employer Coverage unless he/she is exempt from this requirement in accordance with the exemptions stated in this policy.
- (G) All employees choosing to enroll whose spouse participates in the university's group medical and/or prescription drug insurance coverage shall complete and submit to the plan, upon request, a written certification verifying whether his/her spouse is eligible for and enrolled in Employer coverage. If any employee fails to complete and submit the certification form during the annual certification process, such employee's spouse will

be removed immediately from University coverage. Any information not completed or provided on the certification form may be requested from the employee.

- (H) If an employee submits false material information or fails to timely advise the plan via the chief human resources officer of a change in the eligibility of the employee's spouse for Employer Coverage within thirty days of notification of such eligibility, and such false information or failure results in the provision of University Coverage, to which the spouse is not entitled, the employee's spouse will be dis-enrolled from University Coverage. Such dis-enrollment may be retroactive to the date as of which the employee's spouse became ineligible for plan coverage, as determined by the administrator for the University Coverage. The Administrator shall provide at least 30 days advance written notice of any proposed retroactive disenrollment. In the event of retroactive disenrollment, the employee will be personally liable to the applicable University Coverage for reimbursement of benefits and expenses, including attorney's fees and costs, incurred by the University Coverage as a result of the false information or failure. Additionally if, the employee submits false information in this context, the employee may be subject to disciplinary action up to and including termination of employment.
- (I) The details of the working spouse limitations and coordination of benefits requirements are available upon request from the human resource office.
- (J) For purposes of salary deduction toward insurance premium cost sharing, families in which both spouses/domestic partner are employed by the university have the option either to be treated as only one employee, employee plus one or family coverage, or to select individual coverage and for each to pay the single salary share for premium.
- (K) If one spouse/domestic partner works for the university and the other does not, the children remain on the university insurance. If both spouses/domestic partners work for the university and choose employee plus one or family coverage, the higher-paid employee pays for the employee plus one or family coverage.
- (L) An employee may opt out of health insurance benefits (medical, prescription drug, dental and/or vision) coverage upon submission of sufficient evidence, in accordance with the provisions of this rule, of such coverage from another source.



**RESOLUTION TO MODIFY AND RETITLE
UNIVERSITY WEBSITES POLICY, 3356-5-14
(PREVIOUS POLICY NUMBER 5015.01)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing University Websites, policy number 3356-5-14 (Previous Policy Number 5015.01) of the *University Guidebook*, to be retitled as Electronic Information Technology (EIT) Accessibility, shown as Exhibit R attached hereto. A copy of the policy indicating changes to be made is also attached.

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

Agenda Item E.4.d

Responsible Division/Office:	Finance and Administration (Information Technology Services)
Approving Officer:	Vice President for Finance and Administration
Revision History:	December 2013; March 2014; <u>June 2015</u>
Board Committee:	Finance and Facilities
EFFECTIVE DATE:	<u>March 12, 2014</u>
Next Review:	<u>2019</u> 2020

(A) Policy Statement: ~~The Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibit discrimination on the basis of disability in programs and activities by public universities receiving financial assistance from the U.S. Department of Education. Youngstown State University (YSU or university) is committed to ensuring that communication with University constituents, i.e., students, prospective students, employees, guests and visitors, with hearing, visual and manual impairments, is as effective as communication with those without disabilities, including learning disabilities. official University web pages of Youngstown State University are considered publications of the University.~~

~~The University will ensure that all computer software and systems for public use will permit students with disabilities to acquire the same information, engage in the same interactions, and enjoy the same services with substantially equivalent ease of use as students without disabilities.~~

(B) Purpose. ~~All electronic and information technology (“EIT”) must be accessible to University constituents and all published information must adhere to the EIT Accessibility Standards referred to below. same quality standards as other forms of published information.~~

(C) Scope. ~~This policy applies to all electronic and information technology, excluding EIT intended for private use only. EIT includes: University web pages and linked information, all on-line learning content including documents posted in Learning Management Systems, (Blackboard and Sakai), and distance education and e-learning tools and materials.~~

(D) Definitions:

(1) Official University Web Page. ~~An official University web page is any web page created by the University, its departments, colleges or other administrative offices for the official business of the University. This includes Maag library, academics, athletics, student newspaper, and student groups and associations.~~

- (2) University Related Web Page. A University related web page is any web page created by or linked from a web page created by faculty, staff, students and/or registered student organizations that are either:
~~1)(a) -L~~inked from an official University web page; ~~or~~
~~2(b)-s~~Stored on one of the University controlled web servers;
(c) Created in support of university businesses and courses, or
(d) on servers contracted by the University.
- (3) Content Editors. Authorized university faculty or staff trained by the Information Technology (“IT”) and Human Resources (“HR”) department on the EIT Accessibility Standards and on the approved content management system such that they are approved to maintain a department or office web page.
- (4) Faculty. Authorized faculty who have received training on EIT Accessibility Standards and content management systems.
- (5) EIT Accessibility Training. Required training conducted by staff of the IT and HR Departments for all Content Editors and Faculty prior to having authorization to publish EIT on the university website, web pages or any University EIT. .
- (6) EIT Accessibility Coordinator. Staff member authorized to coordinate and implement the EIT Accessibility policy.
- (7) EIT Accessibility Standards. YSU’s EIT Accessibility Standards are drawn from W3C Web Accessibility Initiative (WAI) and Section 508 Standards.
- (8) Implementation Timeline. Plan for the University to be fully compliant with the EIT Accessibility Standards–.

(E) Parameters:

- (1) Each administrative unit, department or office, through an authorized Content Editor, is responsible for ensuring that EIT content is accessible. In addition, all software and IT systems purchased shall produce accessible products and documents and/or shall be compatible with assistive technology.
- (2) Content Editors ~~Administrative units of the University~~ may develop and maintain ~~O~~official University web pages and are responsible for their content subject to the following requirements:

 - (a) Software used to develop Oofficial University web pages will be limited to packages approved by Information Technology Services (ITS).
 - (b) Official University web pages must run on ITS servers or servers contracted for by ITS.

- (c) All Official University web pages and related University web pages and all EIT must strictly adhere to the EIT Accessibility Standards.
~~The Office of Marketing and Communications, Information Technology Services Department, and the Website Advisory Committee shall provide direction for content publically on the Internet, including adherence to design and content standards.~~
- (d) The EIT Coordinator shall provide direction and guidance on Standards to be followed for Accessibility of all EIT. The Standards shall be posted on the ADA Accessibility Compliance web page. The EIT Coordinator is responsible for developing and implementing a plan to monitor all University EIT for adherence to EIT Accessibility Standards. The EIT Coordinator is authorized to disable any EIT found to be in violation of the EIT Accessibility Standards.
- (e) All Official and University related web pages, and all EIT must adhere to:
- (i) Applicable copyright laws. (<http://www.copyright.gov/>)
 - (ii) Applicable State of Ohio and federal laws and rules~~The Ohio Revised Code~~
 - (iii) University policy 3356-4-09, "Acceptable The Use of University Computing Technolgoy Resources (University Guidebook Policy 4009.01) (where appropriate)
 - (iv) University EIT Accessibility Guidelines Standards.
(http://web.yosu.edu/gen/ysu/Aecessibility_Guidelines_m2997.html)
- (f) The use of University symbols (i.e., YSU word mark, YSU logo, University seal, and Pete the Penguin) and related information should adhere to the University's information found in the Graphic Identity Standards from the Office of Marketing & Communications.
- (g) Registered student organizations use of the University name must adhere to Article V. Section F. Paragraph 16 of *The Code of Student Rights, Responsibilities, and Conduct.*
- ~~Faculty, staff and student organizations may develop and maintain University related web pages. All websites being linked to an official University website, or those residing on a server maintained by the University, must abide by parameters as indicated in Guidebook Policy 4009.01, Use Of University Computing Resources.~~

(h) The following are examples of content prohibited from display on either ~~Official University~~ Web Pages or ~~University Related~~ Web Pages, including all EIT:

- (i) Unauthorized solicitation or endorsement for for-profit business ventures.
- (ii) Activities that involve a conflict of interest. ~~(Refer to University Guidebook Policies 7001.013356:07-01 [Conflicts of Interest] and Policy 7005.013356:07-19 [Solicitation and Distribution of Materials, Employees]).~~
- (iii) Adult content (including banners).
- (iv) Any content covered by University ~~Guidebook~~ Policy ~~4012.013356:04-13~~, Sensitive Information Policy, such as credit card numbers.
- (v) Software or media (i.e., photographs, audio, video, etc.) not authorized for distribution, regardless of the purchase price or copyright status.

~~Authors are responsible for the content of their pages. The University may remove, from a University-controlled server, any website found to be in violation of the guidelines set forth in this document.~~

(i) All University computer labs shall provide equal access afforded by technology for all students and users, including students with disabilities. The University shall make assistive technology available at all student computer labs and shall provide a Notice of accessibility that includes contact information for questions, inquiries or complaints.

(F) Procedures for Creating and Posting Accessible EIT.

- (1) Authorized Content Editors and Faculty Divisions and departments of the University may develop and maintain Official University websites or pages and EIT.
- 2) Prior to publishing official web pages, approvals must be secured through appropriate administrative channels (i.e., director or chair).
- 3) (2) Administrative units, individuals and organizations requesting ability to place EIT on the University website space plus a separate login on the YSU servers or the University content course management system must contact the University Website Manager at webmaster@ysu.edu in order to be trained and become an authorized Content Editor and/or Faculty.

(3) If any EIT website is determined found to be in violation of the parameters in this policy, including the EIT Accessibility Standards, an effort will be made beforehand to discuss the violation(s) with the author Content Editor or Faculty, and to correct any

errors. The EIT Coordinator has the authority to disable any EIT from the University servers if, in his/her discretion, such action is necessary.

(G) Purchasing Accessible Software Compatible with Assistive Technology

(1) It is the policy of the University to ensure that all IT software and systems purchased meet the EIT Accessibility Standards by producing accessible products and documents. The software or systems shall permit students with disabilities to acquire the same information, engage in the same interactions, and enjoy the same services with substantially equivalent ease of use as students without disabilities. See Computer Software Accessibility Purchasing Standard that will be placed into the Terms and Conditions and Request for Proposal documents provided by the Office of Procurement Services.

(H) Reporting Violations

(1) All accessibility concerns with any university EIT should be directed to the EIT Coordinator for prompt resolution. Any person desiring to make an anonymous complaint with regard to a violation of this policy or any federal or state law with regard to EIT accessibility, may do so by reporting violations through a confidential mailbox.

(2) In addition, any person desiring to file a formal complaint for EIT accessibility issues may contact the Title II/Section 504 Coordinator for Students or the Title II/Section 504 Coordinator for Employees. The University Grievance Policy can be found at University Grievance Policy. The contact information for individuals serving in those roles on behalf of the University can be found at the University's web page dedicated to Accessibility Compliance.

(Previous Policy Number 5015.01)

Responsible Division/Office:	Finance and Administration (Information Technology Services)
Approving Officer:	Vice President for Finance and Administration
Revision History:	December 2013; March 2014; June 2015
Board Committee:	University Affairs
EFFECTIVE DATE:	June 17, 2015
Next Review:	2020

- (A) Policy statement. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibit discrimination on the basis of disability in programs and activities by public universities receiving financial assistance from the U.S. Department of Education. Youngstown state university (“YSU” or “university”) is committed to ensuring that communication with University constituents, i.e., students, prospective students, employees, guests and visitors, with hearing, visual and manual impairments, is as effective as communication with those without disabilities, including learning disabilities.

The university will ensure that all computer software and systems for public use will permit students with disabilities to acquire the same information, engage in the same interactions, and enjoy the same services with substantially equivalent ease of use as students without disabilities.

- (B) Purpose. All electronic and information technology (“EIT”) must be accessible to university constituents and must adhere to the EIT accessibility standards referred to below.
- (C) Scope. This policy applies to all electronic and information technology, excluding EIT intended for private use only. EIT includes: university web pages and linked information; all online learning content, including documents posted in learning management systems, (Blackboard and Sakai); and distance education and e-learning tools and materials.
- (D) Definitions.
- (1) “Official University Web Page.” An official university web page is any web page created by the university, its departments, colleges, or other administrative offices for the official business of the University. This includes Maag library, academics, athletics, student newspaper, and student groups and associations.
 - (2) “University-Related Web Page.” A university-related web page is any web page created by or linked from a web page created by faculty, staff, students and/or registered student organizations that are either:

- (a) Linked from an official university web page;
 - (b) Stored on one of the university controlled web servers;
 - (c) Created in support of university businesses and courses; or
 - (d) On servers contracted by the university.
- (3) “Content Editors.” Authorized university faculty or staff trained by the information technology (“IT”) and human resources (“HR”) department on the EIT accessibility standards and on the approved content management system such that they are approved to maintain a department or office web page.
 - (4) “Faculty.” Authorized faculty who have received training on EIT accessibility standards and content management systems.
 - (5) “[EIT Accessibility Training](#).” Required training conducted by staff of the IT and HR Departments for all content editors and faculty prior to having authorization to publish EIT on the university website, web pages, or any university EIT.
 - (6) “[EIT Accessibility Coordinator](#).” Staff member authorized to coordinate and implement the EIT accessibility policy.
 - (7) “[EIT Accessibility Standards](#).” YSU’s EIT accessibility standards are drawn from W3C Web Accessibility Initiative (WAI) and Section 508 Standards.
 - (8) “[Implementation Timeline](#).” Plan for the university to be fully compliant with the EIT accessibility standards.
- (E) Parameters.
- (1) Each administrative unit, department, or office, through an authorized content editor, is responsible for ensuring that EIT content is accessible. In addition, all software and IT systems purchased shall produce accessible products and documents and/or shall be compatible with assistive technology.
 - (2) Content editors may develop and maintain official university web pages and are responsible for their content subject to the following requirements:
 - (a) Software used to develop official university web pages will be limited to packages approved by Information Technology Services (ITS).
 - (b) Official university web pages must run on ITS servers or servers contracted for by ITS.
 - (c) All official university web pages and related university web pages and all EIT must strictly adhere to the EIT accessibility standards.

- (d) The EIT coordinator shall provide direction and guidance on standards to be followed for accessibility of all EIT. The standards shall be posted on the ADA accessibility compliance web page. The EIT coordinator is responsible for developing and implementing a plan to monitor all university EIT for adherence to EIT accessibility standards. The EIT coordinator is authorized to disable any EIT found to be in violation of the EIT accessibility standards.
- (e) All official and university-related web pages and all EIT must adhere to:
 - (i) Applicable [copyright laws](#).
 - (ii) Applicable State of Ohio and federal laws and rules.
 - (iii) University policy 3356-4-09, "Acceptable Use of University Technology Resources," (where appropriate).
 - (iv) [EIT Accessibility Standards](#).
- (f) The use of university symbols (i.e., YSU word mark, YSU logo, university seal, and Pete the Penguin) and related information should adhere to the university's [Graphic Identity Standards](#) from the Office of Marketing & Communications.
- (g) Registered student organizations use of the university name must adhere to Article V, Section F, Paragraph 16 of *The Code of Student Rights, Responsibilities, and Conduct*.
- (h) The following are examples of content prohibited from display on either official university web pages or university-related web pages, including all EIT:
 - (i) Unauthorized solicitation or endorsement for for-profit business ventures,
 - (ii) Activities that involve a conflict of interest (university policies 3356-7-01 and 3356-7-19),
 - (iii) Adult content (including banners),
 - (iv) Any content covered by university policy 3356-4-13, "Sensitive Information," such as credit card numbers,

- (v) Software or media (i.e., photographs, audio, video, etc.) not authorized for distribution, regardless of the purchase price or copyright status.
 - (i) All university computer labs shall provide equal access afforded by technology for all students and users, including students with disabilities. The university shall make assistive technology available at all student computer labs and shall provide a [Notice](#) of accessibility that includes contact information for questions, inquiries or complaints.
- (F) Procedures for Creating and Posting Accessible EIT.
- (1) Authorized content editors and faculty may develop and maintain official university websites or pages and EIT.
 - (2) Administrative units, individuals, and organizations requesting ability to place EIT on the university website or the university course management system must contact the university website manager at webmaster@ysu.edu in order to be trained and become an authorized content editor and/or faculty.
 - (3) If any EIT is determined to be in violation of the parameters in this policy, including the EIT accessibility standards, an effort will be made beforehand to discuss the violation(s) with the content editor or faculty and to correct any errors. The EIT coordinator has the authority to disable any EIT from the university servers if in his/her discretion such action is necessary.
- (G) Purchasing Accessible Software Compatible with Assistive Technology.
- (1) It is the policy of the university to ensure that all IT software and systems purchased meet the EIT accessibility standards by producing accessible products and documents. The software or systems shall permit students with disabilities to acquire the same information, engage in the same interactions, and enjoy the same services with substantially equivalent ease of use as students without disabilities. See [Computer Software Accessibility Purchasing Standard](#) that will be placed into the terms and conditions and request for proposal documents provided by the office of procurement services.
- (H) Reporting Violations.
- (1) All accessibility concerns with any university EIT should be directed to the EIT Coordinator for prompt resolution. Any person desiring to make an [anonymous complaint](#) with regard to a violation of this policy or any federal or state law with regard to EIT accessibility may do so by reporting violations through a confidential mailbox.

- (2) In addition, any person desiring to file a formal complaint for EIT accessibility issues may contact the Title II/Section 504 Coordinator for Students or the Title II/Section 504 Coordinator for Employees. The University Grievance Policy can be found at [University Grievance Policy](#). The contact information for individuals serving in those roles on behalf of the University can be found at the University's web page dedicated to [Accessibility Compliance](#).



**RESOLUTION TO MODIFY AND RETITLE
SENSITIVE INFORMATION POLICY, 3356-4-13
(PREVIOUS POLICY NUMBER 4012.01)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Sensitive Information, policy number 3356-4-13 (Previous Policy Number 4012.01) of the *University Guidebook*, to be retitled as Sensitive Information/Information Security, shown as Exhibit S attached hereto. A copy of the policy indicating changes to be made is also attached.

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

Agenda Item E.4.e

UNIVERSITY GUIDEBOOK

3356-4-13 Sensitive Information/Information Security

Title of Policy:	Sensitive Information
Responsible Division/Office:	Information Technology Services
Approving/Responsible Officer:	Associate Vice President and Chief Technology Officer
Revision History:	March 2009; June 2013; <u>June 2015</u>
Resolution Number(s):	YR 2009-40; YR 2013-83
Board Committee:	University Affairs
EFFECTIVE DATE:	June 17, <u>2015</u> , 2013
Next Review:	<u>2024</u>

(A) Policy Statement: ~~The Youngstown State University (YSU or university) creates and maintains sensitive information as part of normal operations. Appropriate safeguards and procedures protect the integrity, availability and confidentiality of sensitive information. All University employees and individual who have access to sensitive information have a responsibility to properly handle and secure such information. Proper handling of sensitive information is every employee's responsibility. Sensitive information must be properly safeguarded at all times.~~

(B) Purpose: ~~This Sensitive Information policy helps To establish guidelines for the identification and safeguarding of what constitutes sensitive information (—i.e., information that should not be disclosed within or beyond the University—YSU without proper authorization and safeguards)—and how such information should be protected.~~

(C) Scope: ~~Sensitive information is information that YSU and its employees have a legal, regulatory, and/or business interest obligation to protect. This policy applies to University employees, customers, volunteers, vendors, contractors, board members, University affiliates and any others who use or are allowed access to University sensitive information. addresses safeguards for handling traditional sensitive information, such as paper documents and verbal communications, and also addresses safeguards for electronic information. Due to the convenience of storing and transporting information electronically, instances and risk of sensitive data exposure increase. Disclosure of sensitive information, even unintentionally, could result in personal, financial and/or legal damage to individuals or the organization.~~

(D) Definitions and Information Classifications (for purposes of this policy).

(1) Sensitive Information. Information that the University has a legal, regulatory, and/or business interest obligation to protect. Sensitive information transcends the medium on which it is stored

or communicated and is sensitive regardless of whether it is in verbal, paper, electronic or any other format.

~~For the purposes of this policy, information has three main classifications:~~

1. ~~(2) Personal Information.~~—HIGHLY SENSITIVE information that the University is required to protect, often due to governing laws including FERPA, GLBA, HIPAA, and PCI DSS.* Compromise of personal information has specific negative consequences and requires that the University take specific actions. This category encompasses information not freely available that can be associated with a particular individual including:
 - a. ~~(a)~~ Social Security Number
 - b. ~~(b)~~ Credit Card Numbers
 - c. ~~(c)~~ Driver's License Number
 - d. ~~(d)~~ Date and Place of Birth

2. ~~(3) Confidential Information.~~—SENSITIVE information having different degrees of sensitivity but still requiring that confidentiality must be maintained. Included is information that must be very closely safeguarded such as:
 - a. ~~(a)~~ Trade Secrets
 - b. ~~(b)~~ Employee Benefit Information
 - c. ~~(c)~~ Student Information (Non-directory)
 - d. ~~(d)~~ Account Passwords/PINS
 - e. ~~(e)~~ Digitized Signatures
 - f. ~~(f)~~ Encryption Keys
 - g. ~~(g)~~ Medical Records

3. ~~(4) YSU Public Information.~~—iInformation that has been specifically declared and approved as public by YSU. It includes information such as student directory information to the extent permitted under FERPA or records approved as public by the General Counsel's Office in response to a public records request.

Guiding Principles:

- ~~All YSU employees and agents who have access to sensitive information have a role in securing it.~~
- ~~Sensitive information transcends the medium on which it is stored or communicated. More specifically, sensitive information is sensitive regardless of whether it is verbal, on paper, electronic or any other format.~~

Comment [WU1]: More appropriate for policy statement; redundant here.

Comment [WU2]: More appropriate for definitions; redundant here.

(E) Requirements:

- (1) Sensitive information must be physically secure when not attended.
- (2) Sensitive information stored or transmitted electronically must be encrypted.

- (3) Sensitive information cannot be shared with unknown individuals claiming YSU association who self-identify or reference known YSU individuals to establish their identity unless those references are checked.
- (4) Communication of sensitive information by an employee requires proper procedural safeguards and the written pre-approval of the department supervisor/Chair and division officer/Dean.
- (5) Physical removal of sensitive information from ~~the YSU campus~~ its facilities by an employee requires proper procedural safeguards and the written pre-approval of the department supervisor/Chair and division officer/Dean.
- (6) Storage of YSU- related sensitive information on personally owned electronic devices by an employee requires proper procedural safeguards and the written pre-approval of the department supervisor/Chair and division officer/Dean.
- (7) All YSU employees are required to attend sensitive information and information security training.
- (8) Information Technology Services is responsible for establishing and maintaining University information security standards, manuals and trainings.

(F) Procedures:

1. (1) TAKE STOCK. — aAssess information in all formats to identify sensitive information. This is a responsibility of all employees having YSU related information access.
2. SCALE DOWN – keep only the information that is needed to perform your job responsibilities and as identified by the YSU Records Retention procedure. The need to store and/or communicate sensitive information requires written approval using the *Highly Sensitive Information Storage Request* form.
3. LOCK IT – protect sensitive information in your care through actions including the following:
 - a. Physically secure the information (e.g., lock physical spaces such as offices, cabinets, desks. Secure computers and other data storage devices with locks).
 - b. Encrypt the information when it is stored electronically.
 - c. Use only secured methods for transmitting sensitive information (note: email, internet, web and wireless transmissions are not secure for sensitive information by default but steps can and must be taken to secure these methods of delivery).
 - d. Verify requester's identity and validity of requests for sensitive information communications.
4. PITCH IT – properly dispose of information not needed to perform job duties. Proper disposal techniques include shredding or electronically “wiping” files. Note that deleting files electronically and/or reformatting drives are not proper disposal techniques.
5. PLAN AHEAD – take positive measures to ensure proper response to potential sensitive information incidents. For example, know and document who has been granted access to what sensitive information. Have appropriate software installed on computers, cell

phones and other devices. Identify appropriate notification paths to pursue if sensitive information is compromised (including the Office of the General Counsel if personal information is compromised). Use change in responsibilities and resources as an opportunity to begin again at Step 1 (Take Stock) as part of continuous quality improvement planning.

* FERPA (Family Educational Rights and Privacy Act); GLBA (Gramm-Leach-Bliley Act); HIPAA (Health Insurance Portability and Accountability Act); PCI DSS (Payment Card Industry Data Security Standard)

3356-4-13 Sensitive information/information security.

(Previous Policy Number 4012.01)

Responsible Division/Office:	Information Technology Services
Responsible Officer:	Associate Vice President and Chief Technology Officer
Revision History:	March 2009; June 2013; June 2015; June 2015
Board Committee:	University Affairs
EFFECTIVE DATE:	June 17, 2015
Next Review:	2020

- (A) **Policy.** Youngstown state university (“YSU” or “university”) creates and maintains sensitive information as part of normal operations. Appropriate safeguards and procedures protect the integrity, availability and confidentiality of sensitive information. All university employees and individuals who have access to sensitive information have a responsibility to properly handle and secure such information.
- (B) **Purpose.** To establish guidelines for the identification and safeguarding of sensitive information (i.e., information that should not be disclosed within or beyond Youngstown state university without proper authorization and safeguards).
- (C) **Scope.** This policy applies to university employees, customers, volunteers, vendors, contractors, board members, university affiliates and any others who use or are allowed access to university sensitive information.
- (D) **Definitions and Information Classifications** (for the purposes of this policy).
 - (1) **Sensitive Information.** Information that the University has a legal, regulatory, and/or business interest obligation to protect. Sensitive information transcends the medium on which it is stored or communicated and is sensitive regardless of whether it is in verbal, paper, electronic or any other format.
 - (2) **“Personal information.”** Highly sensitive information that the university is required to protect, often due to governing laws including Family Educational Rights and Privacy Act (“FERPA”),

Gramm-Leach-Bliley Act (“GLBA”), Health Insurance Portability and Accountability Act (“HIPAA”), and Payment Card Industry Data Security Standard (“PCI DSS”). Compromise of personal information has specific negative consequences and requires that the university take specific actions. This category encompasses information not freely available that can be associated with a particular individual, including:

- (a) Social security number.
 - (b) Credit card numbers.
 - (c) Driver’s license number.
 - (d) Date and place of birth.
- (3) “Confidential information.” Sensitive information having different degrees of sensitivity but still requiring that confidentiality must be maintained. Included is information that must be very closely safeguarded, such as:
- (a) Trade secrets.
 - (b) Employee benefit information.
 - (c) Student information (non-directory).
 - (d) Account Passwords/personal identification numbers (“PINS”).
 - (e) Digitized signatures.
 - (f) Encryption keys.
 - (g) Medical records.
- (4) “YSU public information.” Information that has been specifically declared and approved as public by YSU. It includes information such as student directory information to the extent permitted under FERPA or records approved as public by the general counsel’s office in response to a public records request.

(E) Requirements.

- (1) Sensitive information must be physically secure when not attended.
- (2) Sensitive information stored or transmitted electronically must be encrypted.
- (3) Sensitive information cannot be shared with unknown individuals claiming YSU association, who self-identify, or reference known YSU individuals to establish their identity unless those references are checked.
- (4) Communication of sensitive information by an employee requires proper procedural safeguards and the written preapproval of the department supervisor/chair and division officer/dean.
- (5) Physical removal of sensitive information from YSU or its facilities requires proper procedural safeguards and the written preapproval of the department supervisor/chair and division officer/dean.
- (6) Storage of YSU-related sensitive information on personally owned electronic devices by an employee requires proper procedural safeguards and the written preapproval of the department supervisor/chair and division officer/dean.
- (7) All YSU employees are required to attend sensitive information and security training.
- (8) Information Technology Services is responsible for establishing and maintaining University information security standards, manuals and trainings.

(F) Procedures.

- (1) Take stock. Assess information in all formats to identify sensitive information. This is a responsibility of all employees having YSU-related information access.

- (2) **Scale down.** Keep only the information that is needed to perform your job responsibilities and as identified by the YSU records retention procedure. The need to store and/or communicate sensitive information requires written approval using the “Highly Sensitive Information Storage Request” form.
- (3) **Lock it.** Protect sensitive information in your care through actions including the following:
 - (a) Physically secure the information (e.g., lock physical spaces such as offices, cabinets, desks). Secure computers and other data storage devices with locks.
 - (b) Encrypt the information when it is stored electronically.
 - (c) Use only secured methods for transmitting sensitive information. (Note: email, internet, web and wireless transmissions are not secure for sensitive information by default, but steps can and must be taken to secure these methods of delivery.)
 - (d) Verify requester’s identity and validity of requests for sensitive information communications.
- (4) **Pitch it.** Properly dispose of information not needed to perform job duties. Proper disposal techniques include shredding or electronically wiping files. Note that deleting files electronically and/or reformatting drives are not proper disposal techniques.
- (5) **Plan ahead.** Take positive measures to ensure proper response to potential sensitive information incidents. For example, know and document who has been granted access to what sensitive information. Have appropriate software installed on computers, cell phones, and other devices. Identify appropriate notification paths to pursue if sensitive information is compromised (including the office of the general counsel if personal information is compromised). Use change in responsibilities and resources as an opportunity to begin again at paragraph (G)(1) of this rule as part of continuous quality improvement planning.

**RESOLUTION TO APPROVE EXCEPTION TO
SELECTION REQUIREMENTS AND APPOINTMENT OF
VICE PRESIDENT FOR FINANCE AND BUSINESS OPERATIONS**

WHEREAS, the position of Vice President for Finance and Business Operations is an Executive officer position pursuant to Board policy Selection and Evaluation of Executive Level Officers of the University, policy number 3356-9-01 (9001.01); and

WHEREAS, the position of Vice President for Finance and Business Operations was vacated on February 21, 2014 at which time the position was staffed by appointing Mr. Neal P. McNally as Interim Vice President for Finance and Business Operations; and

WHEREAS, during this interim period, Mr. McNally has demonstrated the desired skills and abilities in the area of finance and business operations as evidenced by his work on the Budget Development Council and preparing the annual financial budget; and

WHEREAS, University policy 3356-9-01, sets forth the selection procedures for selecting an Executive Level Officer; and

WHEREAS, the policy permits exceptions to be granted in special circumstances where departure offers demonstrable benefits for the University; and

WHEREAS, Mr. McNally has performed the duties of the position of Vice President for Finance and Business Operations in a manner that meets and/or exceeds the expectations of the President and is being recommended for the position; and

WHEREAS, the President has requested such an exception to the Office of Human Resources and the Equal Opportunity and Policy Compliance office, per the policy; and

WHEREAS, the President's request, along with the recommendation from the Human Resources Office and the Equal Opportunity and Policy Compliance Office, is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve an exception to the selection process set forth in the Institutional Policy governing Selection and Evaluation of Executive Level Officers of the University, policy number 3356-9-01 (9001.01).

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves the appointment of Mr. Neal P. McNally to the position of Vice President of Finance and Business Operations.

REQUEST FOR EXCEPTION TO SELECTION PROCEDURES

In accordance with University Policy 3356-9-01 Selection and Evaluation of Executive Officers of the University Youngstown State University President, James P. Tressel, initiates this request for exception to the standard selection procedures for:

Position: Vice President for Finance and Business Operations

Name of individual: Neal P. McNally

The demonstrable benefits supporting this Request are (attach a separate sheet if necessary):

Mr. Neal McNally has held the position of Interim Vice President for Finance and Administration for over 15 months, beginning in February of 2014. Prior to that time Mr. McNally held the position of Budget Director at YSU for approximately eight (8) years. Previously, Mr. McNally was Budget Director at the Ohio Board of Regents where he was employed for eleven (11) years. Mr. McNally holds baccalaureate and master degrees from Ohio State University.

Mr. McNally's experience and knowledge of the budget and the financial processes at YSU, as well as at the state level, make him uniquely qualified to hold this position. He has been successful in leading the institution through many financial challenges since coming to YSU in 2006, particularly in his role as Interim Vice President of Finance and Administration. Mr. McNally has prepared the University's annual budget for nine (9) years, led numerous budget and finance committees and managed a large and complex unit of employees very effectively.

Mr. McNally, in my opinion, is an effective leader and manager and a quality individual that I believe is a good fit for my executive team. I have worked with Mr. McNally for almost one full year and I believe that there is no reason to expend university resources, financial and otherwise, in conducting a national search.

I am requesting the Mr. McNally be named the Vice President for Finance and Business Operations.

James P. Tressel

James P. Tressel, Youngstown State University President

5-14-15

Date

REVIEW AND RECOMMENDATION
HUMAN RESOURCE/LABOR RELATONS
AND EQUAL OPPORTUNITY AND POLICY COMPLIANCE

Chief Human Resources Officer:

Recommend
 Do Not Recommend (requires written explanation attached to this Request)

Kevin W. Fyfe
Signature

5-14-15
Date

Director of Equal Opportunity and Policy Compliance:

Recommend
 Do Not Recommend (requires written explanation attached to this Request)

Cynthia A. Keay
Signature

5-14-15
Date

**RESOLUTION TO APPROVE EXCEPTION TO
SELECTION REQUIREMENTS AND APPOINTMENT OF
PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS**

WHEREAS, the position of Provost and Vice President for Academic Affairs is an Executive officer position pursuant to Board policy Selection and Evaluation of Executive Level Officers of the University, policy number 3356-9-01 (9001.01); and

WHEREAS, the position of Provost and Vice President for Academic Affairs was vacated on or about March 2014, at about which time the University began a national search to permanently fill the position. A search committee was formed and a search firm was hired. After months of searching and interviewing candidates, the search failed to produce a candidate to whom an offer would be made; and

WHEREAS, on October 7, 2014, Board of Trustees approved a Resolution naming Dr. Martin A. Abraham, Dean of the STEM College, as Interim Provost and Vice President for Academic Affairs. During this period, Dr. Abraham has demonstrated the desired skills and abilities in the area of academia, education, research, administration, and governance as evidenced by his leadership in the Office of the Provost; and

WHEREAS, University policy 3356-9-01, sets forth the selection procedures for selecting an Executive Level Officer; and

WHEREAS, the policy permits exceptions to be granted in special circumstances where departure offers demonstrable benefits for the University; and

WHEREAS, Dr. Abraham has performed the duties of the position of Provost and Vice President for Academic Affairs in a manner that meets and/or exceeds the expectations of the President and is being recommended for the position; and

WHEREAS, the President has requested such an exception to the Office of Human Resources and the Equal Opportunity and Policy Compliance office, per the policy; and

WHEREAS, the President's request, along with the recommendation from the Human Resources Office and the Equal Opportunity and Policy Compliance Office, is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve an exception to the selection process set forth in the Institutional Policy governing Selection and Evaluation of Executive Level Officers of the University, policy number 3356-9-01 (9001.01), thereby approving the appointment of Dr. Martin A. Abraham to the position of Provost and Vice President for Academic Affairs.

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves the appointment of Dr. Martin A. Abraham to the position of Provost and Vice President of Academic Affairs.

REQUEST FOR EXCEPTION TO SELECTION PROCEDURES

In accordance with University Policy 3356-9-01 Selection and Evaluation of Executive Officers of the University Youngstown State University President, James P. Tressel, initiates this request for exception to the standard selection procedures for:

Position: Provost and Vice President for Academic Affairs

Name of individual: Dr. Martin Abraham

The demonstrable benefits supporting this Request are (attach a separate sheet if necessary):

Dr. Martin Abraham served for seven years as the Dean of the College of Science, Technology, Engineering, and Mathematics, and has served since October 2014 as Interim Provost. Prior to joining YSU, he served as the Graduate Dean at the University of Toledo for three years.

Dr. Abraham holds a Bachelor's Degree in Chemical Engineering from Rensselaer Polytechnic Institute and a PhD from the University of Delaware. He has a distinguished academic career of nearly 30 years, achieving excellence in scholarship, teaching, and service. Specific recognitions include over 70 publications, 150 presentations, support for national and international meetings, and service on national engineering and science review panels. His academic credentials have earned him national recognition as a Fellow of the American Chemical Society and the American Institute of Chemical Engineers.

As Dean of the STEM College, he expanded program offerings, including the creation of the PhD in Materials Science and Engineering. He has enhanced the academic quality in the college as evidenced by enhanced enrollment, increases in the quality metrics for students, and improved retention. His efforts have increased the research productivity in the college, and his work with the Youngstown Business Incubator was a critical component of their being named the best University-affiliated incubator in the world. He was recognized as the Business Advocate of the year by the Youngstown/Warren Regional Chamber in 2012.

It is my opinion that Dr. Abraham is an effective leader and manager for the academic affairs division. Furthermore, through a meeting between Dr. Abraham and the Academic Senate Executive committee and an open forum with the faculty, I have learned that the faculty have a similar sentiment. I am therefore requesting that Dr. Abraham be named Provost and Vice-President for Academic Affairs.

James P. Tressel

James P. Tressel, Youngstown State University President

5-14-15

Date

REVIEW AND RECOMMENDATION
HUMAN RESOURCE/LABOR RELATONS
AND EQUAL OPPORTUNITY AND POLICY COMPLIANCE

Chief Human Resources Officer:

- Recommend
 Do Not Recommend (requires written explanation attached to this Request)

Ken W. Brown
Signature

5-14-15
Date

Director of Equal Opportunity and Policy Compliance:

- Recommend
 Do Not Recommend (requires written explanation attached to this Request)

Cynthia A. Keay
Signature

5-14-15
Date



**RESOLUTION TO APPROVE
MULTIPLE-YEAR CONTRACTS**

WHEREAS, University Policy, 3356-7-35, Multiple-Year Contracts for Executive Level Officers, Administrative Officers and Other Designated Professional/Administrative Staff requires Board of Trustees approval annually when providing initial and renewal multiple year contracts; and

WHEREAS, the President is recommending that the attached list of multiple-year contracts be approved by the Board of Trustees for issuance by the Office of Human Resources.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees approves the issuance of multiple-year contracts, shown as Exhibit T attached hereto.

Multiple Year Contracts

(Excludes President and Coaches)

Name	Title	Salary, FY 2015-2016	FY 2015-2016
<i>Executive Level Officers, per 3356-09-01 (formerly 9001.01)</i>			
Dr. Martin Abraham	Provost/VP, Academic Affairs	\$ 205,000.00	1 of 3
Mr. Neal McNally	VP, Finance & Business Operations	\$ 150,000.00	1 of 3
Atty. Holly Jacobs	VP, Legal Affairs & Human Resources	\$ 150,000.00	1 of 3
<i>Administrative Level Officers, per 3356-09-02 (formerly 9002.01)</i>			
<i>Deans, per 3356-09-02 C1(a)</i>			
Dr. Charles Howell	College of Education	\$ 144,330.00	1 of 2
Dr. Betty Jo Licata	College of Business Administration	\$ 174,344.00	1 of 3
Dr. Joseph Mosca	College of Health & Human Services	\$ 145,308.00	1 of 3
Dr. Salvatore Sanders	College of Graduate Studies	\$ 135,000.00	1 of 3
<i>Associate Vice Presidents, per 3356-09-02 C1(b)</i>			
Mr. Gary Swegan	AVP, Enrollment Management	\$ 140,000.00	1 of 3
Ms. Shannon Tirone	AVP, University Relations	\$ 110,000.00	1 of 3
Mr. Eddie Howard, Jr.	AVP, Student Experience	\$ 122,000.00	1 of 3
Mr. Michael Hripko	AVP, Research & Sponsored Programs	\$ 148,000.00	1 of 3
Dr. Michael Reagle	AVP, Student Success	\$ 130,000.00	1 of 3
<i>Executive Directors, per 3356-09-02 C1(c)</i>			
Mr. John Hyden	Facilities Maintenance	\$ 112,504.00	1 of 3
Mr. Kevin Reynolds	Human Resources	\$ 118,193.00	1 of 3
Mr. Ron Strollo	Athletics	\$ 134,401.00	1 of 3
Dr. Sylvia Imler	Inclusion & Multicultural Affairs	\$ 95,000.00	1 of 3
<i>Directors, per 3356-09-02 C1(d)</i>			
Ms. Cynthia Kravitz	Equal Opportunity & Policy Compliance	\$ 110,000.00	1 of 3
<i>Designated P/A Staff, per 3356-09-02 C1(e)</i>			
Dr. Kevin Ball	Associate Provost, Academic Programs & Planning	\$ 113,220.00	1 of 3
Dr. Teresa Riley	Senior Associate Provost	\$ 137,088.00	1 of 3



**RESOLUTION TO RATIFY
PERSONNEL ACTIONS**

WHEREAS, the *Policies of the Board of Trustees* authorize the President to manage the University, including appointing such employees as are necessary to effectively carry out the operation of the University and any other necessary personnel actions; and

WHEREAS, new appointments and other personnel actions have been made subsequent to the March 11, 2014, meeting of the Board of Trustees; and

WHEREAS, such personnel actions are in accordance with the 2015-2016 Budget and with the University policy on Equal Employment Opportunity;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby ratify and confirm the personnel actions as listed in Exhibit U attached hereto.

**YOUNGSTOWN STATE UNIVERSITY
 PROFESSIONAL ADMINISTRATIVE AND FACULTY
 PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
LAYOFFS AS A RESULT OF POSITION ABOLISHMENT**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	DATE OF LAYOFF	FTE	SALARY
None						

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
APPOINTMENTS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	FTE	SALARY
Ann Gardner	APAS	Assistant Director	Ctr.- International Studies & Programs	1/16/2015	1.000	\$55,000.00
Kyle Brey	Excluded	Assistant Football Coach	Athletics	1/16/2015	1.000	\$27,000.00
Ronald Brown	Excluded	Assistant Football Coach	Athletics	2/1/2015	1.000	\$65,000.00
Brian Crist	Excluded	Assistant Football Coach	Athletics	1/16/2015	1.000	\$60,000.00
David Gaffney	Excluded	Facilities Engineer	Facilities	2/26/2015	1.000	\$73,000.00
Thomas Hollowell	Excluded	Assistant Football Coach	Athletics	1/21/2015	1.000	\$50,000.00
Kelsey Hunyadi-Coll	Excluded	Assistant Soccer Coach	Athletics	4/20/2015	1.000	\$33,916.00
Tim Marlowe	Excluded	Assistant Football Coach	Athletics	2/1/2015	1.000	\$24,000.00
Richard McNutt	Excluded	Assistant Football Coach	Athletics	2/1/2015	1.000	\$55,000.00
John Murphy	Excluded	Assistant Football Coach	Athletics	2/1/2015	1.000	\$65,000.00
Carl Pelini	Excluded	Assistant Football Coach	Athletics	3/9/2015	1.000	\$70,000.00
Mark "Bo" Pelini	Excluded	Head Football Coach	Athletics	12/17/2014*	1.000	\$213,894.00
Todd Alles	Externally Funded	Regional Admissions Officer	Undergraduate Admissions	2/16/2015	0.480	\$24,000.00
Roberta Castor	Externally Funded	Instruction Specialist 1	Rich Center	4/1/2015	1.000	\$21,175.00
Kristen Italiano	Externally Funded	Project PASS Coordinator	BCOE	2/1/2015	0.875	\$47,327.00
Nick Mediate	Externally Funded	Instruction Specialist 1	Rich Center	1/26/2015	1.000	\$21,175.00
Stefan Moldovan	Faculty	Assistant Professor	Mechanical and Industrial Engineering	1/16/2015	1.000	\$26,769.00
*Contract signed 5/4/2015						Agenda Item E.4.i. Exhibit U

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
SEPARATIONS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	DATE OF SEPARATON	FTE	SALARY
Maria Barefoot	APAS	Reference & Instruction Librarian	Maag Library	2/11/2015	1.00	\$43,129.00
Todd Pilipovich	APAS	Assistant Director of Technology & Recruitment	Undergraduate Admissions	3/20/2015	1.00	\$46,740.00
James Bryant	Excluded	Assistant Football Coach	Athletics	2/28/2015	1.00	\$100,000.00
Kenneth Carter	Excluded	Assistant Football Coach	Athletics	2/28/2015	1.00	\$65,000.00
Glenn Davis	Excluded	Assistant Football Coach	Athletics	2/28/2015	1.00	\$35,000.00
Eric Gallon	Excluded	Assistant Football Coach	Athletics	2/28/2015	1.00	\$36,000.00
Daniel Gerberry	Excluded	Assistant Football Coach	Athletics	2/28/2015	1.00	\$25,000.00
Ja'Nell Jones	Excluded	Assistant Women's Basketball Coach	Athletics	3/27/2015	1.00	\$26,750.00
Jennifer Johnson	Excluded	Director	Career Services	4/15/2015	1.00	\$66,300.00
Sarah Melhorn	Excluded	Assistant Women's Soccer Coach	Athletics	3/31/2015	1.00	\$33,916.00
Thomas Sims	Excluded	Assistant Football Coach	Athletics	1/16/2015	1.00	\$82,000.00
Ross Watson	Excluded	Assistant Football Coach Coordinator of Operations	Athletics	1/15/2015	1.00	\$45,000.00
Eric Wolford	Excluded	Head Football Coach	Athletics	2/15/2015	1.00	\$213,894.00
Michael Zordich	Excluded	Assistant Football Coach	Athletics	1/15/2015	1.00	\$60,000.00
Chuanhong Zhou	Externally Funded	Research Associate	Physics & Astronomy	3/2/2015	1.00	\$43,000.00
Vernon Haynes	Faculty	Professor	Psychology	2/28/2015	1.00	\$92,214.12

**YOUNGSTOWN STATE UNIVERSITY
 PROFESSIONAL ADMINISTRATIVE AND FACULTY
 PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
RECLASSIFICATIONS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	FTE	NEW SALARY	PREVIOUS SALARY
Steven Pinciaro	APAS	Coordinator of Athletic Operations/Facilities Maintenance	Athletics	10/16/2014	1.00	\$37,715.00	\$32,796.06

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 1/16/15 THORUGH 4/21/15
PROMOTIONS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	FTE	NEW SALARY	PREVIOUS SALARY
Timothy Styraneec	APAS	Environmental Specialist	Envir. Occupational Health & Safety	3/1/2015	1.00	\$60,000.00	\$41,100.80

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
TRANSFERS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	FTE	SALARY
Jacquelyn Johnson	APAS	Assistant Director	Undergraduate Admissions	1/16/2015	1.00	\$53,445.00

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
SALARY ADJUSTMENTS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	NEW FTE	NEW SALARY	OLD FTE	PREVIOUS SALARY
Connie Eddy	APAS	Coordinator	Athletics	3/1/2015	1.00	\$40,577.00	0.75	\$30,433.00
Kyle Brey	Excluded	Assistant Football Coach	Athletics	4/1/2015	1.00	\$35,000.00	1.00	\$27,000.00
W. Douglas Castle	Externally Funded	Regional Admissions Officer	Undergraduate Admissions	2/1/2015	0.48	\$24,000.00	0.75	\$17,898.75

**YOUNGSTOWN STATE UNIVERSITY
 PROFESSIONAL ADMINISTRATIVE AND FACULTY
 PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
DISPLACEMENTS RESULTING FROM LAYOFF**

EMPLOYEE NAME	EMPLOYEE TYPE	NEW POSITION TITLE	NEW DEPARTMENT	DATE DISPLACED	FTE
None					

**YOUNGSTOWN STATE UNIVERSITY
 PROFESSIONAL ADMINISTRATIVE AND FACULTY
 PERSONNEL ACTIONS 1/16/15 THROUGH 4/21/15
LAYOFFS AS A RESULT OF POSITION ABOLISHMENT**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	DATE OF LAYOFF	FTE	SALARY
None						



**RESOLUTION TO AUTHORIZE
CONFERRAL OF EMERITUS STATUS**

WHEREAS, the Policies of the Board of Trustees provide for the conferral of emeritus status upon professional/administrative staff who retire from the University following at least ten years of meritorious service and are recommended by the President of the University;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby authorize that those professional/administrative staff members listed in Exhibit V attached hereto are hereby granted the emeritus title designated thereon.

ADMINISTRATIVE STAFF RECEIVING EMERITUS STATUS

(Board of Trustees Meeting, June 17, 2015)

NAME	TITLE	YEARS of SERVICE	STATUS
Jonelle Beatrice	Executive Director Student Life	14	Administrator Emeritus
Mary Dimitriou	Coordinator Alumni and Events Management	14	Administrator Emeritus
George Heller	Associate Reference Librarian Maag Library	21	Administrator Emeritus
Sally Kenney	Senior Academic Advisor Coordinator Dean's Office – BCHHS	28	Administrator Emeritus
Rosemary Kent	Assistant Director Federal Programs and Financial Aid Financial Aid and Scholarships	10	Administrator Emeritus
Matthew Novotny	Executive Director Kilcawley Center	28	Administrator Emeritus
Patricia Shively	Associate Director Center for Student Progress	10	Administrator Emeritus
Ronald Williams	Associate Director Procurement Services	25	Administrator Emeritus

**RESOLUTION REGARDING TERMS AND CONDITIONS OF
EMPLOYMENT FOR CLASSIFIED EMPLOYEES
EXEMPT FROM COLLECTIVE BARGAINING**

WHEREAS, the Board of Trustees implemented the tentative Agreement with the Youngstown State University Association of Classified Employees (YSU-ACE) for the three-year period August 16, 2014 through August 15, 2017, which defines wages and other terms and conditions of employment for classified employees in the bargaining unit; and

WHEREAS, it is deemed to be equitable and in the best interest of the University to extend some of the provisions of the implemented working conditions to classified employees exempt from collective bargaining; and

WHEREAS, these provisions are in the areas of pay, leaves, vacation, retirement, insurance benefits and miscellaneous benefits;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Youngstown State University, that the following YSU-ACE collective bargaining agreement articles and/or sections be extended to classified employees who are exempt from collective bargaining: Article 3 (Pay) with the exception of Section 3.9; Article 15 (Leaves) with the exception of Sections 15.3, 15.19, 15.20 and 15.26; Article 17 (Vacation) except to the extent it is inconsistent with the O.R.C. Sections 9.44 and 124.131 regarding computation of prior service credit; Article 21 (Retirement); Article 22 (Insurance Benefits); and Article 27 (Miscellaneous) with the exception of Section 27.10.