

**BOARD OF TRUSTEES
UNIVERSITY AFFAIRS COMMITTEE
Delores E. Crawford, Chair
David C. Deibel, Vice Chair
All Trustees are Members**

**Tuesday, September 6, 2016
2:30 p.m. or immediately following
previous meeting**

**Tod Hall
Board Meeting Room**

AGENDA

- A. Disposition of Minutes for Meetings Held June 1, 2016; and June 15, 2016**
- B. Old Business**
- C. Committee Items**

1. University Affairs Discussion Item

a. Litigation Update

Holly Jacobs, Vice President and General Counsel, will provide a summary of litigation, personnel, and collective bargaining concerning YSU.

2. Consent Agenda Item*

- Tab C.2.a. *a. Resolution to Modify Political Activities of Employees Policy, 3356-7-25 (Previous Policy Number 7012.01)**
Holly Jacobs, Vice President and General Counsel, will report.
- Tab C.2.b. *b. Resolution to Modify Equal Opportunity and Affirmative Action Recruitment and Employment Policy, 3356-2-02 (Previous Policy Number 2001.02)**
Cynthia Kravitz, Director of Equal Opportunity and Policy Development, will report.
- Tab C.2.c. *c. Resolution to Modify and Retitle Fringe Benefits, Full-Time Professional/Administrative Employees (Exempt) Policy, 3356-7-30 (Previous Policy Number 7015.00)**
Holly Jacobs, Vice President and General Counsel, will report.

*Items listed under the Consent Agenda require Board approval; however they may be presented without discussion as these items include only non-substantive changes.

- Tab C.2.d. *d. Resolution to Rescind Emergency Sick Leave Bank - Excluded Professional/Administrative and Classified Employees Policy, 3356-7-16 (Previous Policy Number 7002.12)**
Holly Jacobs, Vice President and General Counsel, will report.

3. University Affairs Action Items

- Tab C.3.a. a. Resolution to Modify Discrimination/Harassment Policy, 3356-2-03 (Previous Policy Number 2001.03)**
Cynthia Kravitz, Director of Equal Opportunity and Policy Development, will report.
- Tab C.3.b. b. Resolution Regarding Terms and Conditions for Classified Law Enforcement Employees Excluded from Collective Bargaining**
Holly Jacobs, Vice President and General Counsel, will report.
- Tab C.3.c. c. Resolution to Approve the Appointment of Associate Vice President, Multicultural Affairs**
James P. Tressel, President, will report.
- Tab C.3.d. d. Resolution to Ratify Personnel Actions**
University policies require that the Chief Human Resources Officer provide a summary of appointments, promotions, and other personnel actions for faculty and professional/administrative staff, including intercollegiate athletics coaching positions, for April 16, 2016, through July 15, 2016. Personnel actions for faculty and professional/administrative staff are contingent upon approval of the Board of Trustees.
Kevin Reynolds, Chief Human Resources Officer, will report.

4. Intercollegiate Athletics Discussion Item

- Tab C.4.a. a. Fiscal Year 2014-15 Financial Analysis of Benchmark Institutions**
Ron Strollo, Executive Director of Athletics, will report.

- D. New Business**
- E. Adjournment**

*Items listed under the Consent Agenda require Board approval; however they may be presented without discussion as these items include only non-substantive changes.



Explanation of Modifications to *University Policy*:

**3356-7-25 Political Activities of Employees
(Previous Policy Number 7012.01)**

This policy was reviewed as part of the regular 5-year cycle. As currently written, this policy is largely up-to-date and, therefore, contains only minor changes. The attached reline version illustrates the changes the made to the policy.

**Board of Trustees Meeting
September 15, 2016
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**RESOLUTION TO MODIFY
POLITICAL ACTIVITIES OF EMPLOYEES POLICY, 3356-7-25
(PREVIOUS POLICY NUMBER 7012.01)**

WHEREAS, University Policies are reviewed and reconceptualized on an ongoing basis: and

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

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

WHEREAS, the Political Activities of Employees policy has been reviewed pursuant to the five-year review cycle, and formatted in accordance with Policy 3356-1-09, Development and Issuance of University Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the University Policy Political Activities of Employees, policy number 3356-7-25 (Previous Policy Number 7012.01), shown as Exhibit __ attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-7-25 Political activities of employees.

Previous Policy Number: 7012.01
Responsible Division/Office: Human Resources
Responsible Officer: [Vice President for Legal Affairs and Human Resources](#) ~~for Finance and Administration~~
Revision History: October 1998; December 2010; [September 2016](#)
Board Committee: ~~Internal~~[University](#) Affairs
Effective Date: ~~December 15, 2010~~[September 15, 2016](#)
Next Review: 2015 ~~21~~

- (A) Policy statement. The university supports employee participation in political activities as an important component of the democratic process. Standards of personal and professional ethics, applicable laws and regulations, appropriate utilization of resources, and the best interest of the university govern such participation.
- (B) Parameters.
- (1) University employees are free to express political opinions; however, such expression cannot imply official university endorsement, sanction, or action.
 - (2) Faculty and professional/administrative staff are free to run for, or hold, an elective office, or serve in an appointed office insofar as the process of attaining and holding such office does not infringe upon fulfillment of responsibilities as employees of the university [or is prohibited by federal or state statute](#).
 - (3) Section 124.57 of the Revised Code prohibits classified employees from engaging in certain political activities, including soliciting or receiving political contributions [for any political party; for any candidate for public office; or from any officer or employee in the classified service of the state. Classified employees are also prohibited from](#) participating in certain partisan activities [as set forth in](#) ~~Rule 123:1-46-02 of the Administrative Code, sets forth guidelines regarding prohibited and permitted political activity for classified employees.~~

3356-7-25 Political activities of employees.

Previous Policy Number: 7012.01
Responsible Division/Office: Human Resources
Responsible Officer: Vice President for Legal Affairs and Human Resources
Revision History: October 1998; December 2010; September 2016
Board Committee: University Affairs
Effective Date: September 15, 2016
Next Review: 2021

- (A) Policy statement. The university supports employee participation in political activities as an important component of the democratic process. Standards of personal and professional ethics, applicable laws and regulations, appropriate utilization of resources, and the best interest of the university govern such participation.
- (B) Parameters.
- (1) University employees are free to express political opinions; however, such expression cannot imply official university endorsement, sanction, or action.
 - (2) Faculty and professional/administrative staff are free to run for, or hold an elective office, or serve in an appointed office insofar as the process of attaining and holding such office does not infringe upon fulfillment of responsibilities as employees of the university or is prohibited by federal or state statute.
 - (3) Section 124.57 of the Revised Code prohibits classified employees from engaging in certain political activities, including soliciting or receiving political contributions for any political party; for any candidate for public office; or from any officer or employee in the classified service of the state. Classified employees are also prohibited from participating in certain partisan activities as set forth in Rule 123:1-46-02 of the Administrative Code.



Explanation of Modifications to *University Policy*:

**3356-2-02 Equal Opportunity and Affirmative Action Recruitment and Employment
(Previous Policy Number 2001.02)**

This policy was reviewed as part of the regular 5-year cycle. The policy was modified to more closely align with the Federal guidelines on affirmative action and equal opportunity and to provide guidance on how the Office of Equal Opportunity and Policy Development in coordination with the Office of Human Resources implements these principles.

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

**RESOLUTION TO MODIFY
EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION RECRUITMENT
AND EMPLOYMENT POLICY, 3356-2-02
(PREVIOUS POLICY NUMBER 2001.02)**

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

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

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

WHEREAS, the Equal Opportunity and Affirmative Action Recruitment and Employment policy has been reviewed pursuant to the five-year review cycle, and formatted in accordance with Policy 3356-1-09, Development and Issuance of University Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the University Policy Equal Opportunity and Affirmative Action Recruitment and Employment, policy number 3356-2-02 (Previous Policy Number 2001.02), shown as Exhibit ___ attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-2-02 Equal opportunity and affirmative action recruitment and employment.

Previous Policy Number: 2001.02
Responsible Division/Office: Equal Opportunity and Policy-~~Compliance~~
Development
Responsible Officer: ~~President~~Vice President for Legal Affairs and
Human Resources
Revision History: August 2010; March 2011; September 2016
Board Committee: University Affairs
Effective Date: ~~March 2011~~September 15, 2016
Next Review: 201621

- (A) Policy statement. Youngstown state university is committed to the principles of affirmative action and a campus environment that values all individuals and groups and to equality of treatment and opportunity nondiscrimination and equal opportunity for all persons without regard to sex (including pregnancy), race, religion, color, age, national origin, sexual orientation, gender identity and/or expression, disability, ~~or~~ veteran or military status or any other basis protected by law (protected class status). ~~The university is also committed to the principles of affirmative action and acts in accordance with state and federal laws.~~
- (B) Principles.
- _____ (1) It is the responsibility of the entire university to create a campus environment that values all individuals and groups; to provide for equality of opportunity; and to maintain openness to diversity of ideas and experiences.
- (2) ~~The university will maintain openness to the diversity of ideas and peoples that constitute the American and world cultures. The overall quality of the university experience is dependent on such diversity.~~
- (3) ~~The entire university community shares the responsibility to develop and implement a full program of affirmative action designed to promote true equality of opportunity in all aspects of the university.~~

- (42) The commitment of the university is promulgated, in part, by the affirmative action plan.
- (53) The affirmative action plan outlines the parameters of the university's affirmative action practices in recruitment and employment, which are reported regularly to the board of trustees.

(C) Procedures.

- (1) University employment and personnel actions and access to university-sponsored training, education, tuition assistance, social and recreational programs, will be administered in accordance with applicable state and federal regulations, Executive Orders and university policies.
- (42) The office of equal opportunity and policy development ~~compliance provides guidance in the~~ is responsible for the development and implementation of the university's equal opportunity and affirmative action policies ies and for receiving complaints of discrimination or harassment based on protected class status.
- (3) The office of equal opportunity and policy development in coordination with the office of human resources shall monitor recruitment and employment practices for compliance with applicable legal requirements and university policies.
- (4) The office of equal opportunity and policy development in conjunction with the office of human resources may require additional and/or specific efforts outside of the standard employment search process in furtherance of the university's equal employment and affirmative action goals. Such efforts include but are not limited to the drafting of job postings, the selection of applicants for interview, and advertisement and recruitment methods.
- (25) Specific information regarding equal opportunity recruitment and employment is found on the office of equal opportunity and policy ~~compliance~~ development website at ~~<http://web.ysu.edu/equalopportunityandpolicycompliance>~~.

<http://cms.ysu.edu/administrative-offices/equal-opportunity-and-policy-compliance/equal-opportunity-and-policy>.

- (36) ~~The Copies of the university's~~ affirmative action plan ~~are also~~is available for viewig in the office of equal opportunity and policy ~~compliance~~development.

3356-2-02 Equal opportunity and affirmative action recruitment and employment.

Previous Policy Number: 2001.02
Responsible Division/Office: Equal Opportunity and Policy Development
Responsible Officer: Vice President for Legal Affairs and Human Resources
Revision History: August 2010; March 2011; September 2016
Board Committee: University Affairs
Effective Date: **September 15, 2016**
Next Review: 2021

- (A) Policy statement. Youngstown state university is committed to the principles of affirmative action and equality of treatment and opportunity without regard to sex (including pregnancy), race, religion, color, age, national origin, sexual orientation, gender identity and/or expression, disability, veteran or military status or any other basis protected by law (protected class status).
- (B) Principles.
 - (1) It is the responsibility of the entire university to create a campus environment that values all individuals and groups; to provide for equality of opportunity; and to maintain openness to diversity of ideas and experiences.
 - (2) The commitment of the university is promulgated, in part, by the affirmative action plan.
 - (3) The affirmative action plan outlines the parameters of the university's affirmative action practices in recruitment and employment, which are reported regularly to the board of trustees.
- (C) Procedures.
 - (1) University employment and personnel actions and access to university-sponsored training, education, tuition assistance, social and recreational programs, will be administered in accordance with

applicable state and federal regulations, Executive Orders and university policies.

- (2) The office of equal opportunity and policy development is responsible for the development and implementation of the university's equal opportunity and affirmative action policies and for receiving complaints of discrimination or harassment based on protected class status.
- (3) The office of equal opportunity and policy development in coordination with the office of human resources shall monitor recruitment and employment practices for compliance with applicable legal requirements and university policies.
- (4) The office of equal opportunity and policy development in conjunction with the office of human resources may require additional and/or specific efforts outside of the standard employment search process in furtherance of the university's equal employment and affirmative action goals. Such efforts include but are not limited to the drafting of job postings, the selection of applicants for interview, and advertisement and recruitment methods.
- (5) Specific information regarding equal opportunity recruitment and employment is found on the office of equal opportunity and policy development website at <http://cms.ysu.edu/administrative-offices/equal-opportunity-and-policy-compliance/equal-opportunity-and-policy>.
- (6) The university's affirmative action plan is available for viewing in the office of equal opportunity and policy development.



Explanation of Modifications to *University Policy*:

**3356-7-30 Fringe Benefits, Full-Time Professional/Administrative Employees (Exempt)
(Previous Policy Number 7015.00)**

This policy was modified to include adding a reference to all benefits provided to the Excluded employees for ease of reference. No changes have been made to any of the policies. No substantive change has been made to this policy.

**Board of Trustees Meeting
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**RESOLUTION TO MODIFY AND RETITLE
FRINGE BENEFITS, FULL-TIME PROFESSIONAL/ADMINISTRATIVE
EMPLOYEES (EXEMPT) POLICY, 3356-7-30
(PREVIOUS POLICY NUMBER 7015.00)**

WHEREAS, University Policies are being reviewed and re-conceptualized on an ongoing basis; and

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

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

WHEREAS, the Fringe Benefits, Full-Time Professional/Administrative Employees (Exempt) policy has been reviewed pursuant to the five-year review cycle, and formatted in accordance with Policy 3356-1-09, Development and Issuance of University Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the University Policy Fringe Benefits, Full-Time Professional/Administrative Employees (Exempt), policy number 3356-7-30 (Previous Policy Number 7015.00), to be retitled as Policy Fringe Benefits, Full-Time Professional/Administrative Employees (Excluded), shown as Exhibit __ attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-7-30 Fringe benefits, full-time professional/administrative employees (~~exempt~~excluded).

Previous Policy Number: 7015.00 (~~new~~)
Responsible Division/Office: Human Resources
Responsible Officer: Vice President for Legal Affairs and Human Resources~~Finance and Administration~~
Revision History: December 2010; September 2016
Board Committee: ~~Internal~~University -Affairs
Effective Date: ~~December 15, 2010~~September 15, 2016
Next Review: 201521

- (A) Policy statement. The university is committed to employment practices that promote the health and welfare of its employees and to ensure the ability to recruit and retain high quality employees. Through its various fringe benefits packages, it offers employees incentives to pursue additional education, to take advantage of events, activities and performances offered, and to otherwise enhance each employee's standard of living.
- (B) Parameters. The university may provide these and other fringe benefits for full-time professional/administrative employees:
- (1) Discount programs. Employees may receive discounts for the purchase of athletic and theater tickets and for bookstore purchases for the personal use of employees and their immediate family as follows:
 - (a) Athletic and theater tickets – fifty per cent discount;
 - (b) Bookstore purchases – twenty per cent discount for purchases over five dollars.
 - (2) Use of university facilities. Employees may use the resources of the Maag library and campus recreational facilities and areas during normal hours of operation when the use does not conflict with scheduled activities.
 - (3) Parking program. All persons who operate or expect to operate a

motor vehicle on university property must obtain and display a valid Youngstown state university parking permit. [Employees may register to obtain a parking permit on-line through the University Parking Services.](#) ~~Permits are provided by the university.~~ Further, any person who operates a motor vehicle on university property is expected to abide by the university traffic and parking rules and regulations.

- (4) Retirement programs. [University employees are required by law to participate in the State Teachers Retirement System \(STRS\) or the Ohio Public Employees Retirement \(OPERS\). Employees may opt to participate in the Alternative Retirement Plan as allowable by law.](#)

~~(a) State teachers retirement system (“STRS”) is a state retirement system that offers both a defined benefit and a defined contribution plan for members of the faculty. Participation involves contributions from the individual and the university based upon annual gross salary.~~

~~(b) The employee contribution to the defined contribution plan, STRS Ohio alternative retirement plan (“ARP”), will be in an equal amount as for the defined benefit plan. The university will contribute for each eligible employee electing to participate in the STRS Ohio ARP an amount equal to the amount that would have been contributed to the defined benefit plan. STRS may apportion some amount of the university’s contribution to the STRS defined benefit plan.~~

~~(c) Public employees retirement system (“PERS”) is a state retirement system which is a defined benefit plan for nonteaching employees. Participation involves contributions from the individual and the university based upon annual gross salary.~~

- (5) Deferred compensation program. Eligible employees who are members of [OPERS](#) and STRS may participate in the Ohio public employees deferred compensation program. Under this program, eligible employees may defer a portion of their income from current liability for state and federal taxes via available investment

options.

- (6) Tax-deferred annuity program.
 - (a) Eligible employees may elect to defer a portion of their income to an annuity contract or custodial account within the provisions of the Internal Revenue Code.
 - (b) The university assumes no responsibility regarding the advisability or appropriateness of any annuity contract or custodial account or for any tax consequences resulting from such investments.

- (7) Additional Fringe Benefits include (Corresponding university policies can be found at: <http://cms.ysu.edu/administrative-offices/university-policies/university-policies>):
 - (a) Sick Leave Accrual, Use and Conversion 3356-7-13 of the Administrative Code;
 - (b) Vacation Leave 3356-7-09 of the Administrative Code;
 - (c) Maternity/Parental Leave 3356-7-14 of the Administrative Code;
 - (d) Bereavement Leave 3356-7-15 of the Administrative Code;
 - (e) Employee Health Insurance 3356-7-22 of the Administrative Code;
 - (f) Staff Development Leave 4456-7-10 of the Administrative Code;
 - (g) Civic Leave 3356-7-11 of the Administrative Code;
 - (h) Military Leave 3356-7-12 of the Administrative Code;
 - (i) Distinguished Service 3356-7-27 of the Administrative Code;
 - (j) Tuition or Fee Remission 3356-7-31 of the Administrative

Code:

- (k) Leave Without Pay, Extended Child Care 3356-7-06 of the Administrative Code;
 - (l) Professional Leave Without Pay 3356-7-07 of the Administrative Code;
 - (m) Leave Without Pay, Extended Serious Health Condition 3356-7-08 of the Administrative Code.
- (C) ~~Employees who are members of a bargaining unit are provided with fringe benefits in accordance with the terms and conditions of the appropriate collective bargaining agreement.~~
- (DC) The chief human resources officer is authorized to develop procedures to implement these benefit programs.

3356-7-30 Fringe benefits, full-time professional/administrative employees (excluded).

Previous Policy Number: 7015.00
Responsible Division/Office: Human Resources
Responsible Officer: Vice President for Legal Affairs and Human Resources
Revision History: December 2010; September 2016
Board Committee: University Affairs
Effective Date: September 15, 2016
Next Review: 2021

- (A) Policy statement. The university is committed to employment practices that promote the health and welfare of its employees and to ensure the ability to recruit and retain high quality employees. Through its various fringe benefits packages, it offers employees incentives to pursue additional education, to take advantage of events, activities and performances offered, and to otherwise enhance each employee's standard of living.
- (B) Parameters. The university may provide these and other fringe benefits for full-time professional/administrative employees:
- (1) Discount programs. Employees may receive discounts for the purchase of athletic and theater tickets and for bookstore purchases for the personal use of employees and their immediate family as follows:
 - (a) Athletic and theater tickets – fifty per cent discount;
 - (b) Bookstore purchases – twenty per cent discount for purchases over five dollars.
 - (2) Use of university facilities. Employees may use the resources of the Maag library and campus recreational facilities and areas during normal hours of operation when the use does not conflict with scheduled activities.
 - (3) Parking program. All persons who operate or expect to operate a

motor vehicle on university property must obtain and display a valid Youngstown state university parking permit. Employees may register to obtain a parking permit on-line through the University Parking Services. Further, any person who operates a motor vehicle on university property is expected to abide by the university traffic and parking rules and regulations.

- (4) Retirement programs. University employees are required by law to participate in the State Teachers Retirement System (STRS) or the Ohio Public Employees Retirement (OPERS). Employees may opt to participate in the Alternative Retirement Plan as allowable by law.
- (5) Deferred compensation program. Eligible employees who are members of OPERS and STRS may participate in the Ohio public employees deferred compensation program. Under this program, eligible employees may defer a portion of their income from current liability for state and federal taxes via available investment options.
- (6) Tax-deferred annuity program.
 - (a) Eligible employees may elect to defer a portion of their income to an annuity contract or custodial account within the provisions of the Internal Revenue Code.
 - (b) The university assumes no responsibility regarding the advisability or appropriateness of any annuity contract or custodial account or for any tax consequences resulting from such investments.
- (7) Additional Fringe Benefits include (Corresponding university policies can be found at: <http://cms.ysu.edu/administrative-offices/university-policies/university-policies>):
 - (a) Sick Leave Accrual, Use and Conversion 3356-7-13 of the Administrative Code;
 - (b) Vacation Leave 3356-7-09 of the Administrative Code;
 - (c) Maternity/Parental Leave 3356-7-14 of the Administrative

Code;

- (d) Bereavement Leave 3356-7-15 of the Administrative Code;
 - (e) Employee Health Insurance 3356-7-22 of the Administrative Code;
 - (f) Staff Development Leave 4456-7-10 of the Administrative Code;
 - (g) Civic Leave 3356-7-11 of the Administrative Code;
 - (h) Military Leave 3356-7-12 of the Administrative Code;
 - (i) Distinguished Service 3356-7-27 of the Administrative Code;
 - (j) Tuition or Fee Remission 3356-7-31 of the Administrative Code;
 - (k) Leave Without Pay, Extended Child Care 3356-7-06 of the Administrative Code;
 - (l) Professional Leave Without Pay 3356-7-07 of the Administrative Code;
 - (m) Leave Without Pay, Extended Serious Health Condition 3356-7-08 of the Administrative Code.
- (C) The chief human resources officer is authorized to develop procedures to implement these benefit programs.

Explanation to Rescind *University Policy*:

**3356-7-16 Emergency Sick Leave Bank – Excluded Professional/Administrative and
Classified Employees
(Previous Policy Number 7002.12)**

This policy is being recommended for rescission due to an opinion from the Attorney General opining that Universities are not authorized to implement a sick leave donation program that would allow non-union employees to donate portions of their accrued by unused sick leave to a sick leave bank for use by other employee who have exhausted their own paid time off. Ohio Revised Code Section 124.38 sets forth the permissible uses for which sick leave may be used. Donating to another employee is not a permissible use.

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**RESOLUTION TO RESCIND
EMERGENCY SICK LEAVE BANK – EXCLUDED
PROFESSIONAL/ADMINISTRATIVE AND CLASSIFIED EMPLOYEES
POLICY, 3356-7-16
(PREVIOUS POLICY NUMBER 7002.12)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby rescind the University Policy governing Emergency Sick Leave Bank – Excluded Professional/Administrative and Classified Employees, policy number 3356-7-16 (Previous Policy Number 7002.12), shown as Exhibit __, attached hereto.

RESCINDED

3356-7-16 Emergency sick leave bank – excluded professional/ administrative and classified employees.

Previous Policy Number: 7002.12 (new)
Responsible Division/Office: Human Resources
Responsible Officer: VP for Finance and Administration
Revision History: March 2013
Board Committee: University Affairs
Effective Date: **March 13, 2013**
Next Review: 2018

- (A) Policy statement. The university is committed to employment practices that promote the health and welfare of its employees. Through its leave programs, it provides for and encourages preventive healthcare; physical, emotional, and mental well-being; professional growth and development; and civic responsibility.
- (B) Parameters.
- (1) For the purpose of this policy, the year is defined as the calendar year (January through December). Each full-time excluded employee who wishes to participate may donate the minimum amount of his/her accumulated sick leave required for participation to the excluded emergency sick leave bank (“EESLB”) during the enrollment period. Enrollment periods will be from January first through January thirty-first of each year. New full-time excluded employees hired after the year has started will have four weeks in which to enroll. Participation is strictly voluntary. Donated leave time is not returnable. The donation amount can be greater than the established minimum amount.
 - (2) The EESLB is operated on a voluntary basis consistent with state law. A committee has been formed to administer the EESLB and to provide the information whereby the chief human resources officer, or designee, is able to maintain the records. The committee is empowered to adopt rules and regulations consistent with this policy and to make decisions required to administer the

EESLB. The committee is titled the “YSU Excluded Emergency Sick Leave Bank Committee” (hereafter, the “EESLB Committee”) and is composed of three bank members appointed annually as follows:

- (a) One excluded professional/administrative member appointed by the provost.
 - (b) One excluded classified civil service member appointed by the vice president of finance and administration.
 - (c) The chief human resources officer or his/her designee.
- (3) During its annual meeting, the EESLB committee chooses a chairperson from among its three members.
 - (4) If a vacancy occurs on the EESLB committee, a replacement for the vacant position is chosen by the authority responsible for making the appointment.
 - (5) The EESLB committee is responsible for developing any forms necessary to operate the EESLB.
 - (6) The EESLB committee annually reviews and amends (when necessary) the bank’s rules and regulations. All members and potential members are notified of any changes before the beginning of the new enrollment period.
- (C) Procedures.
- (1) Use of days from the EESLB is limited to those individuals who have donated (and when necessary, as determined by the EESLB committee, continue to donate) to the bank. The EESLB committee meets each year during the month of November to establish the amount of donation for the forthcoming year. This amount may be zero if the EESLB committee determines there is sufficient balance in the bank for that year. During the year, the EESLB committee may declare an emergency and ask bank members to donate additional nonreturnable sick leave to keep the bank solvent. Such additional amounts will not count toward the following year’s donation. Unused time from one year is advanced to the next.

- (2) Use of days from the EESLB is limited to medical conditions of a non-routine nature. Use of days will not be considered in lieu of child care leave, for instance, but could be granted in cases of the inability of the employee to return to work after completion of child care leave due to medical complications after the birth of a child. Days from the EESLB may be requested for the use of the bank member and/or due to illness/injury of the member's spouse or dependent children or any other person in the bank member's immediate family. Immediate family shall be defined as father, mother, sister, brother, spouse, children, stepchildren, stepparents, parents-in-law, sons-in-law, daughters-in-law, brothers-in-law, sisters-in-law, grandparents, grandchildren, foster parents, foster children, legal guardian, any person who stands in place of a parent (loco parentis) or a domestic partner. A domestic partner is defined as a person of the same sex who, according to the employee's affidavit, has shared a committed, ongoing domestic relationship with the employee for not less than the continuous preceding twelve months. A physician's statement must accompany the application in order to be considered. The application form and physician's statement are to be forwarded to the chief human resources officer. Upon receipt of all information, the EESLB committee will normally make a decision within ten working days.
- (3) Use of days from the EESLB will be considered only after the bank member has exhausted all of his/her paid leave days.
- (4) The maximum number of days that a member may normally borrow is thirty days (two hundred forty hours). However, the EESLB committee may consider requests to borrow beyond this amount under extenuating circumstances as determined by unanimous vote of the committee.
- (5) The decisions of the EESLB committee shall be final and binding. In the event the EESLB is disbanded, any unused time will be divided and equally distributed among the active current participating members.

Explanation of Modifications to *University Policy*:

3356-2-03 Discrimination/Harassment

(Previous Policy Number 2001.03)

This policy was reviewed and modified on the advice of the Ohio Attorney General's Office/Education Section in response to recent lawsuits and questions raised by Freedom of Speech and Freedom of Religion Groups, requesting clarification that discrimination/harassment claims are reviewed using both subjective and objective standards.

Board of Trustees Meeting

September 15, 2016

YR 2017-

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

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

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

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

WHEREAS, the Discrimination/Harassment policy has been reviewed pursuant to the five-year review cycle, and formatted in accordance with Policy 3356-1-09, Development and Issuance of University Policies.

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

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

3356-2-03 Discrimination/harassment.

Previous Policy Number: 2001.03
Responsible Division/Office: Equal Opportunity and Policy ~~Compliance~~[Development](#)
Responsible Officer: General Counsel
Revision History: June 2009; June 2015; [September 2016](#)
Board Committee: University Affairs
Effective Date: ~~June 17, 2015~~[September 15, 2016](#)
Next Review: 20201

(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.

[This policy shall be interpreted and applied consistent with the speech protections of the First Amendment of the United States Constitution.](#)

(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~~ Is sufficiently severe and pervasive to a reasonable person that it substantially ~~interferes~~ ng with an individual's employment or educational performance or objectively createsing anworking, living, or educational environment that is ~~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~~ is based on sex (including pregnancy), 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:~~ is sufficiently severe and pervasive to a reasonable person that it:
 - (a) Unreasonably ~~interferes~~ ing with an individual's employment or education; or
 - (b) Objectively ~~Creates~~ ing a working, living, or educational environment that is hostile, intimidating, ~~or~~ offensive, or abusive. ~~working, living or educational environment.~~
- (3) "Sexual harassment." ~~Unwelcome~~ sSexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person's) viewpoint, ~~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; that is objectively intimidating, hostile, offensive or abusive.

- (4) Sexual harassment can be directed at a member of the same or different sex or sexual orientation. 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.

(4) "Intimidating, hostile, offensive or abusive" environment (collectively referred to as a "hostile" environment) is a specific form of discrimination and is often contextual and must be based on the circumstances. These circumstances include but are not limited to:

- (a) The frequency of the conduct.
- (b) The nature and severity of the conduct.
- (c) The relationship between the complainant and the respondent.
- (d) The location and context in which the alleged conduct occurs.

(e) Whether the conduct was physically threatening.

(f) Whether the conduct was humiliating.

(g) Whether the conduct arose in the context of other discriminatory conduct.

- (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 in this rule 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, rule 3356-7-01 of the Administrative Code regarding conflicts of interest should be consulted ([Corresponding university policy 3356-7-01 can be found at: http://cms.ysu.edu/administrative-offices/university-policies/university-policies](http://cms.ysu.edu/administrative-offices/university-policies/university-policies)).
- (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) Rule 3356-7-01 of the Administrative Code regarding conflicts of interest should be consulted for situations involving married couples [:\(Corresponding university policy 3356-7-01 can be found at: http://cms.yzu.edu/administrative-offices/university-policies/university-policies\).](http://cms.yzu.edu/administrative-offices/university-policies/university-policies)
- (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 [compliancedevelopment](#) (“EOP[ED](#)”) 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 EOP[ED](#).
- (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 EOP[ED](#). 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 EOPED.

- (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 EOPED. 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 development](#), and relevant portions shall be referenced in “The ~~Code of Student~~ [Code of 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 rule 3356-2-3.1 of the Administrative Code. (Corresponding university policy 3356-2-3.1 can be found at: <http://cms.ysu.edu/administrative-offices/university-policies/university-policies>).

3356-2-03 Discrimination/harassment.

Previous Policy Number: 2001.03
Responsible Division/Office: Equal Opportunity and Policy Development
Responsible Officer: General Counsel
Revision History: June 2009; June 2015; September 2016
Board Committee: University Affairs
Effective Date: **September 15, 2016**
Next Review: 2021

(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.

This policy shall be interpreted and applied consistent with the speech protections of the First Amendment of the United States Constitution.

(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) Is sufficiently severe and pervasive to a reasonable person that it substantially interferes with an individual's employment or educational performance or objectively creates a working, living, or educational environment that is intimidating, hostile, offensive, or abusive..
- (2) "Harassment." Conduct, or a course of conduct, that is based on sex (including pregnancy), 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 is sufficiently severe and pervasive to a reasonable person that it:
 - (a) Unreasonably interferes with an individual's employment or education: or
 - (b) Objectively creates a working, living, or educational environment that is hostile, intimidating, offensive, or abusive. .
- (3) "Sexual harassment." Sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person's) viewpoint, 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 programming 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 employment, academic, or participation environment that is objectively intimidating, hostile, offensive or abusive.
- (d) Sexual harassment can be directed at a member of the same or different sex or sexual orientation. Examples of inappropriate conduct which may constitute sexual harassment include but are not limited to:
 - (i) Sexual advances or propositions, either explicit or implied.
 - (ii) Sexually suggestive or sexually degrading innuendo, comments or gestures.
 - (iii) Remarks or inquiries about sexual activity, sexual orientation, or gender identity or expression.
 - (iv) The display or communication of sexually oriented material (including through e-mail or other electronic means).
 - (v) Unwanted touching, hugging, or contacting another's body.
- (4) "Intimidating, hostile, offensive or abusive" environment (collectively referred to as a "hostile" environment) is a specific form of discrimination and is often contextual and must be based on the circumstances. These circumstances include but are not limited to:
 - (a) The frequency of the conduct.
 - (b) The nature and severity of the conduct.
 - (c) The relationship between the complainant and the respondent.
 - (d) The location and context in which the alleged conduct occurs.
 - (e) Whether the conduct was physically threatening.
 - (f) Whether the conduct was humiliating.

- (g) Whether the conduct arose in the context of other discriminatory conduct.
- (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 in this rule 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, rule 3356-7-01 of the Administrative Code regarding conflicts of interest should be consulted (Corresponding university policy 3356-7-01 can be found at: <http://cms.ysu.edu/administrative-offices/university-policies/university-policies>).

- (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) Rule 3356-7-01 of the Administrative Code regarding conflicts of interest should be consulted for situations involving married couples (Corresponding university policy 3356-7-01 can be found at: <http://cms.ysu.edu/administrative-offices/university-policies/university-policies>).

[policies/university-policies](#)).

- (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 development (“EOPD”) 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 EOPD.
- (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 EOPD. 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 EOPD.
 - (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 EOPD. 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 development, and relevant portions shall be referenced in “The Student Code of 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 rule 3356-2-3.1 of the Administrative Code. (Corresponding university policy 3356-2-3.1 can be found at: <http://cms.ysu.edu/administrative-offices/university-policies/university-policies>).

**RESOLUTION REGARDING TERMS AND CONDITIONS FOR
CLASSIFIED LAW ENFORCEMENT EMPLOYEES EXCLUDED FROM
COLLECTIVE BARGAINING**

WHEREAS, the Board of Trustees ratified a collective bargaining Agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., (F.O.P.) for the three-year period July 1, 2015 through June 30, 2018, 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 *Agreement* to classified law enforcement employees excluded from collective bargaining (Lieutenants); and

WHEREAS, those provisions are in the areas of pay, insurance, overtime compensation, holidays, vacation, leaves, uniforms and equipment, retirement, instructional fee remission and miscellaneous benefits.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Youngstown State University, that the following F.O.P. collective bargaining agreement articles and/or sections be extended to classified law enforcement employees who are excluded from collective bargaining: Article 4 (Pay); Article 5 (Insurance); Article 15 (Overtime), excluding Section 15.3; Article 16 (Holidays); Article 20 (Vacation) except to the extent it is inconsistent with ORC Sections 9.44 and 124.131 regarding the computation of prior service credit; Article 23 (Uniforms and Equipment); Article 26 (Retirement); Article 27 (Miscellaneous), excluding Sections 27.3 and 27.5; and Article 32 (Instructional Fee Remission).



**RESOLUTION TO APPROVE THE APPOINTMENT OF ASSOCIATE VICE
PRESIDENT, MULTICULTURAL AFFAIRS**

WHEREAS, the duties of the Multicultural Affairs Office have been realigned and redesigned to broaden the outreach of the Office and emphasize the interdivisional nature of the expanded role; and

WHEREAS, the position of Associate Vice President, Multicultural Affairs is an administrative officer position pursuant to Board policy Selection and annual evaluation of Administrative Officers of the University, policy number 3356-9-02 (9002.01); and

WHEREAS, the duties and responsibilities of the Executive Director, Multicultural Affairs have been expanded and a recommendation has been made to reclassify her position to Associate Vice President, Multicultural Affairs pursuant to 3356-9-02 (D); and

WHEREAS, a revised job description identifying the duties and responsibilities of the Associate Vice President, Multicultural Affairs has been attached to this document; and

WHEREAS, University policy 3356-9-02, sets forth the selection procedures for selecting an Administrative Officer and allows for modification; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the appointment effective October 1, 2016 to the Associate Vice President, Multicultural Affairs through the reclassification process.

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves the appointment of Dr. Sylvia Imler to the position of Associate Vice President, Multicultural Affairs.

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

**PROFESSIONAL/ADMINISTRATIVE STAFF
POSITION DESCRIPTION**

Page 1 of 2



Issued:

Salary Range: L10 Excluded

Reviewed By: JG/JT

Hiring Range: \$100,323 - \$135,483

TITLE: Associate Vice President, Multicultural Affairs

DEPARTMENT: Office of the President

JOB SUMMARY:

Works in partnership with the University President and senior leadership in advancing diversity and multicultural competence that will foster inclusion and cultivate diverse multicultural and collaborative interactions among administrators, faculty, staff, students and the region.

ESSENTIAL FUNCTIONS & RESPONSIBILITIES:

Provides advice and counsel to the University President and other University officials on wide range of policy issues affecting diversity and multicultural affairs as well as coordination of interdivisional collaborations; serves as a member of the President's executive leadership group.

Serves as administration liaison and coordinates the Culture of Community Council and Collaborative, which is advisory bodies to the President and serves as a forum for campus and community discussions of inclusive initiatives (e.g., training for students, staff, faculty, administration, campus climate, University-Regional partnerships, etc.)

Provides Interdivisional Leadership and Accountability for creating a campus culture of collaboration with the executive leadership group and deans. Request, review, evaluate and submit reports to the President.

Administrates, supervises and evaluates the Minority Work Experience Program which is designed to motivate, mentor and retain racial minority students (Black/African American, Hispanic/Latino and Latina, native American/Indian, Asian Pacific Islander, etc.). Students will be matched with and mentored by the executive leadership and deans.

Plans, coordinates and develops community and University partnerships that promote multicultural affairs, diversity awareness, inclusion, and involvement; works collaboratively with administrators, faculty, staff and students to expand cultural competencies. Oversees development and execution of diversity and cultural training and programs.

Promotes diversity, inclusion, multicultural affairs, and related issues through representation on standing committees and special task forces both internal and external to the University. Serves as University liaison with external groups that inquire regarding University's diversity and multicultural programs.

Serves as a resource to enhance diversity recruitment and retention efforts for faculty, staff and students; supports and promotes the retention, academic achievement, and cultural competence of students from

**PROFESSIONAL/ADMINISTRATIVE STAFF
POSITION DESCRIPTION**

Page 2 of 2

historically underrepresented racial/ethnic groups; provides leadership, counsel, information and advocacy for underrepresented ethnic/racial groups and international students.

Assists the YSU Foundation with the engagement, cultivation and solicitation of alumni and friends in fundraising initiatives that bolster scholarships and programming for underrepresented minority students. Works directly with the Executive Director in order to achieve objectives established by the President.

Enhances professional growth and development through participation in continuing education courses, professional organizations, seminars and workshops, reading current literature and maintaining professional contacts in the community.

OTHER FUNCTIONS & RESPONSIBILITIES:

Performs other related duties as assigned.

SUPERVISION EXERCISED:

Supervises professional level and classified employees; assigns and reviews work; evaluates work performance; interviews and selects staff members; authorizes the use of paid leaves; issues commendations and corrective action plans.

REPORTS TO: President

MINIMUM QUALIFICATIONS:

Master's level degree plus two (2) years of progressively responsible experience in diversity and multicultural affairs including multicultural program development and management. Demonstrated ability to work with multicultural populations. Strong administrative and organizational skills as well as oral, written, interpersonal, and intercultural communication skills. Ability to interact effectively with diverse populations at all institutional levels and with the external community; administrative experience in higher education and experience in unionized work environment. Previous experience in supervising employees and programs and budget development and administration.

**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 June 15, 2016, meeting of the Board of Trustees: and

WHEREAS, such personnel actions are in accordance with the 2016-2017 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 ___ attached hereto.

SUMMARY OF PERSONNEL ACTIONS
Professional Administrative and Faculty Employees
4/16/16 through 7/15/16

Appointments – 11

New Positions – 4 *(Notated with an asterisk *)*

- Professional Administrative Staff – 3
- Professional Administrative Excluded – 0
- Professional Administrative Externally Funded – 1
- Faculty - 0

Replacement Positions – 7

- Professional Administrative Staff – 1
- Professional Administrative Excluded – 5
- Professional Administrative Externally Funded – 1
- Faculty – 0

Separations – 34

- Professional Administrative Staff – 2
- Professional Administrative Excluded – 10
- Professional Administrative Externally Funded – 2
- Faculty – 20

Reclassifications – 3

- Professional Administrative Staff – 3

Promotions – 6

- Professional Administrative Externally Funded – 1
- Faculty – 5

Transfers – 0

Salary Adjustments/Position Audits – 15

- Professional Administrative Excluded – 9
- Faculty – 6

Displacements – 0

Layoffs – 1

- Professional Administrative Staff – 1

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THROUGH 7/15/16
APPOINTMENTS**

EMPLOYEE NAME	EMPLOYEE		DEPARTMENT	CONTRACT/ APPOINTMENT		
	TYPE	POSITION TITLE		DATES	FTE	SALARY
Draper, Richard	APAS	Database Administrator	Computer Services	4/20/2016	1.00	\$ 84,000.00
*Gaskell, Jessica	APAS	Counselor Student One Stop	Registration & Records	6/16/2016	1.00	\$ 31,820.00
*Kaufman, Alison	APAS	Coordinator Academic Information Systems	Assessment Dean-College of Graduate	5/16/2016	1.00	\$ 51,000.00
*Knudson, Scott	APAS	Specialist	Studies	6/16/2016	1.00	\$ 65,000.00
Bertolini, Daniel	Excluded	Head Coach Baseball	Athletics - Baseball	6/27/2016	1.00	\$ 61,200.00
Blair, Kristine	Excluded	Dean of CLASS Assistant Coach Strength &	Dean - CLASS	5/16/2016	1.00	\$ 158,000.00
Jasper, Charles	Excluded	Conditioning	Athletics - Training Room Athletics - Swimming & Diving	6/1/2016	1.00	\$ 30,265.00
Johnson, Kate	Excluded	Assistant Coach Swimming Diving	- Women's	6/16/2016	1.00	\$ 32,169.00
Paul, Phyllis	Excluded	Dean of CCAC	Dean - CCAC	7/1/2016	1.00	\$ 145,000.00
Weaver, Marilyn	Externally Funded	Temporary Assistant Administrator	School Partnership Center for Human Services	4/16/2016	0.50	\$ 23,517.00
*Cameron, Angela	Externally Funded	Director	Development	4/16/2016	1.00	\$ 57,000.00
*New Positions						

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THROUGH 7/15/16
SEPARATIONS**

EMPLOYEE NAME	EMPLOYEE		DEPARTMENT	DATE OF		
	TYPE	POSITION TITLE		SEPARATION	FTE	SALARY
Rella, Brian	APAS	Payroll Coordinator	Payroll	5/13/2016	1.00	\$ 55,000.00
Gucwa, Eva	APAS	Coordinator	Bookstore	6/30/2016	1.00	\$ 61,920.12
Brophy, William	Excluded	Technology Coordinator	Communication Center for International Studies & Programs	6/30/2016	0.25	\$ 11,396.00
Davis, Jef	Excluded	Director	Bookstore	6/30/2016	1.00	\$ 86,233.86
Fox, Susanne	Excluded	Associate Director	Housing & Residence Life	6/30/2016	1.00	\$ 71,224.96
Meyer, Danielle	Excluded	Director-Housing & Res Life	Athletics - Football	6/30/2016	1.00	\$ 75,508.00
Rivera, Kyle	Excluded	Assistant Football Coach Video	Athletics - Football	6/17/2016	1.00	\$ 31,254.00
Sabatino, Charles	Excluded	Director of Bookstore	Bookstore Athletics - Swimming & Diving - Women's	6/30/2016	1.00	\$ 91,434.84
Smith, Jacqueline	Excluded	Assistant Coach Swim & Dive	Student Experience	5/31/2016	1.00	\$ 32,169.00
Tesch, Cindy	Excluded	Associate Director Student Conduct	YSU Police	6/30/2016	1.00	\$ 55,000.00
Beshara, John	Excluded	Chief of Police	Procurement Services	5/31/2016	1.00	\$ 86,700.00
Wheelock, William	Excluded	Director	Dean - STEM	6/30/2016	1.00	\$ 94,626.42
Weeks, Marie	Externally Funded	PICAM STEM Career Liaison	Rich Center for Autism	4/29/2016	1.00	\$ 32,000.00
Milson, Jessica	Externally Funded	Lead Instruction Specialist	Health Professions	5/31/2016	1.00	\$ 28,055.00
Chordas, Ronald	Faculty	Assistant Professor	Health Professions	5/10/2016	1.00	\$ 51,238.00
Delost, Maria	Faculty	Professor	Health Professions	6/30/2016	1.00	\$ 95,036.99
Labrykowski, Jacek	Faculty	Professor	Mathematics & Statistics Counseling, Special Education & School Psychology	7/13/2016	1.00	\$ 82,517.99
Franks, Joanne	Faculty	Assistant Professor	Health Professions	5/11/2016	1.00	\$ 52,785.39
Larris, Louis	Faculty	Assistant Professor	Psychology	5/10/2016	1.00	\$ 51,238.00
Justice, Lisbeth	Faculty	Assistant Professor	Social Work	5/10/2016	1.00	\$ 51,238.00
Teller, Shirley	Faculty	Professor		5/31/2016	1.00	\$ 77,959.36

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THROUGH 7/15/16
SEPARATIONS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	DATE OF SEPARATION	FTE	SALARY
Kudav, Ganesh	Faculty	Professor	Mechanical & Industrial Engineering	5/31/2016	1.00	\$ 105,513.09
Meyers, Kerry	Faculty	Director 1st-Year Engineering	Mechanical & Industrial Engineering	7/1/2016	0.00	\$ 10,988.50
Meyers, Kerry	Faculty	Assistant Professor	Mechanical & Industrial Engineering	7/1/2016	1.00	\$ 65,933.50
Ojose, Bobby	Faculty	Assistant Professor	Teacher Education	5/12/2016	1.00	\$ 54,540.00
Pallante, William	Faculty	Instructor	Marketing	5/10/2016	1.00	\$ 75,000.00
Pansino, Salvatore	Faculty	Professor	Electrical & Computer Engineering	6/1/2016	1.00	\$ 113,261.00
Salkauski, Wallace	Faculty	Assistant Professor	Foreign Languages & Literatures	7/20/2016	1.00	\$ 51,238.00
Seamon, Marc	Faculty	Assistant Professor	English	5/10/2016	1.00	\$ 56,100.00
Sirichakwal, Issariya	Faculty	Assistant Professor	Management	8/16/2016	1.00	\$ 111,100.00
Unger, Darlene	Faculty	Associate Professor	Autistic Studies	7/1/2016	1.00	\$ 88,940.60
Wang, Ruigang	Faculty	Associate Professor	Chemistry	7/26/2016	1.00	\$ 64,215.00
Wood, Jennie	Faculty	Professor	Nursing	6/24/2016	1.00	\$ 84,945.15
York, Anne	Faculty	Professor	History	7/15/2016	1.00	\$ 78,465.19

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THROUGH 7/15/16
RECLASSIFICATIONS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	FTE	NEW SALARY	PREVIOUS SALARY
McKenney, Melissa	APAS	Senior Financial Aid Counselor I	Financial Aid and Scholarships	10/1/2015	1.00	\$ 33,947.00	\$ 33,329.92
Miller, Susanne	APAS	Senior Academic Advisor BCHHS	Dean - Health & Human Services	7/1/2015	1.00	\$ 56,236.00	\$ 53,558.56
Thomas, Jennifer	APAS	Senior Financial Aid Counselor II	Financial Aid and Scholarships	1/1/2016	1.00	\$ 37,093.00	\$ 34,464.00

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THORUGH 7/15/16
PROMOTIONS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT	NEW		PREVIOUS
				APPT. DATES	FTE	SALARY	SALARY
Caitlin McKinney	Externally Funded	Lead Instruction Specialist	Rich Center For Autism	3/1/2016	1.00	\$ 25,675.00	\$ 21,810.00
Goldberg, Randall	Faculty	Director and Associate Professor	Dana School of Music	7/1/2016	1.00	\$ 83,897.00	\$ 52,785.39
Mazuroski, Matthew	Faculty	Chair and Associate Professor	Theater and Dance	7/1/2016	1.00	\$ 81,897.00	\$ 56,145.90
Shaklee, Ronald	Faculty	Chair and Professor	Geography	7/1/2016	1.00	\$ 106,705.00	\$ 86,277.00
Tomhave, Alan	Faculty	Chair and Associate Professor	Philosophy & Religious Studies	7/1/2016	1.00	\$ 83,181.00	\$ 64,215.00
Wagner, Nancy	Faculty	Professor and Chair	Nursing	7/1/2016	1.00	\$ 93,356.00	\$ 86,064.00

YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THROUGH 7/15/16
TRANSFERS

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	FTE	SALARY
None						

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THROUGH 7/15/16
SALARY ADJUSTMENTS/POSITION AUDITS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	NEW FTE	NEW SALARY	OLD FTE	PREVIOUS SALARY
Abraham, Martin	Excluded	Provost and VP Academic Affairs	Provost and VP Academic Affairs					
**Crist, Michael	Excluded	Interim Associate Dean	Dean - CCAC	7/1/2016	1.00	\$ 215,000.00	1.00	\$ 205,000.00
Imler, Sylvia	Excluded	Executive Director	Multicultural Affairs	7/1/2016	1.00	\$ 121,000.00	1.00	\$ 135,000.00
Jacobs, Holly	Excluded	VP Legal Affairs and HR	General Counsel	7/1/2016	1.00	\$ 100,000.00	1.00	\$ 95,000.00
**Kestner, Jane	Excluded	Interim Associate Dean	Dean - CLASS	7/1/2016	1.00	\$ 160,000.00	1.00	\$ 150,000.00
		VP Finance & Business Operations	VP Finance & Business Operations	5/16/2016	1.00	\$ 131,696.00	1.00	\$ 136,000.00
McNally, Neal	Excluded	Dean, BCHHS	Dean- Health and Human Services	7/1/2016	1.00	\$ 160,000.00	1.00	\$ 150,000.00
Mosca, Joseph	Excluded	AVP University Relations	University Relations	7/1/2016	1.00	\$ 155,000.00	1.00	\$ 145,308.18
Tirone, Shannon	Excluded	Manager, Collection Services	Maag Library	7/1/2016	1.00	\$ 115,000.00	1.00	\$ 110,000.00
Timble, Jeffrey	Excluded	Professor	Physics & Astronomy	7/1/2016	1.00	\$ 68,565.00	1.00	\$ 75,990.00
*Andrews, James	Faculty	Associate Professor	Geography	8/17/2016	1.00	\$ 86,919.00	1.00	\$ 102,550.00
*Cerney, Dawna	Faculty	Professor	Dana School of Music	8/17/2016	1.00	\$ 67,477.00	1.00	\$ 83,489.00
*Krummel, Christopher	Faculty	Professor	Mathematics & Statistics	8/17/2016	1.00	\$ 80,292.00	1.00	\$ 96,053.00
***Rodabaugh, Stephen	Faculty	Professor and Chair	Physics & Astronomy	7/1/2016	1.00	\$ 132,890.00	1.00	\$ 141,109.86
****Sturuss, William	Faculty	Professor	Philosophy & Religious Studies	6/30/2016	1.00	\$ 107,955.00	1.00	\$ 124,172.00
*Waller, Bruce	Faculty	Professor		8/17/2016	1.00	\$ 90,451.00	1.00	\$ 106,012.00

* Former Department Chair returned to Faculty

** Former Interim Dean to Interim Associate Dean

*** Former Associate Dean returned to Faculty

**** Former Interim Dean returned to Department Chair

**YOUNGSTOWN STATE UNIVERSITY
PROFESSIONAL ADMINISTRATIVE AND FACULTY
PERSONNEL ACTIONS 4/16/16 THROUGH 7/15/16
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 4/16/16 THROUGH 7/15/16
LAYOFFS AS A RESULT OF POSITION ABOLISHMENT**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	DATE OF LAYOFF	FTE	SALARY
Gucwa, Eva	APAS	Coordinator	Bookstore	6/6/2016	1.00	\$ 61,920.12

YOUNGSTOWN STATE UNIVERSITY
INTERCOLLEGIATE ATHLETICS
2014-15 FINANCIAL ANALYSIS
EXPENDITURES

MISSOURI VALLEY CONFERENCE / MVFC

	# of Full-time Undergrads	Men's Basketball Expenses	Women's Basketball Expenses	Football Expenses	Total Expenses
<i>Average</i>	12,214	2,362,245	1,316,264	3,976,045	19,073,636
YSU	8,693	1,274,381	927,264	4,169,693	14,946,755
<i>Difference</i>	(3,521)	(1,087,864)	(389,000)	193,648	(4,126,881)

MID AMERICAN CONFERENCE

	# of Full-time Undergrads	Men's Basketball Expenses	Women's Basketball Expenses	Football Expenses	Total Expenses
<i>Average</i>	15,332	2,119,581	1,452,034	7,264,818	27,411,114
YSU	8,693	1,274,381	927,264	4,169,693	14,946,755
<i>Difference</i>	(6,639)	(845,200)	(524,770)	(3,095,125)	(12,464,359)

HORIZON LEAGUE

	# of Full-time Undergrads	Men's Basketball Expenses	Women's Basketball Expenses	Total Expenses	League Sponsored Sports
<i>Average</i>	9,268	2,153,019	1,347,117	13,192,568	8,346,505
YSU	8,693	1,274,381	927,264	14,946,755	6,617,572
<i>Difference</i>	(575)	(878,638)	(419,853)	1,754,187	(1,728,933)

YOUNGSTOWN STATE UNIVERSITY
INTERCOLLEGIATE ATHLETICS
2014-15 FINANCIAL ANALYSIS
REVENUES

MISSOURI VALLEY CONFERENCE / MVFC

	# of Full-time Undergrads	Total Football Expenses	Total Earned Football Revenue	% of Earned Income vs. Total Expenses	Total Institutional Investment
<i>Average</i>	12,214	3,976,045	1,391,834	35%	2,584,212
YSU	8,693	4,169,693	1,779,279	43%	2,390,414
<i>Difference</i>	(3,521)	193,648	387,445	8%	(193,798)

HORIZON LEAGUE – MEN’S BASKETBALL

	# of Full-time Undergrads	Total Men’s Basketball Expenses	Total Earned Men’s Basketball Revenue	% of Earned Income vs. Total Expenses	Total Institutional Investment
<i>Average</i>	9,268	2,153,019	615,028	29%	1,537,991
YSU	8,693	1,274,381	465,037	36%	809,344
<i>Difference</i>	(575)	(878,638)	(149,991)	7%	(728,647)

HORIZON LEAGUE - TOTAL

	# of Full-time Undergrads	Total Athletically Generated Revenue	Total Expenses	% of Income vs. Total Expenses	Total Institutional Investment
<i>Average</i>	9,268	2,573,043	13,192,568	20%	10,619,525
YSU	8,693	4,211,929	14,946,755	28%	10,734,826
<i>Difference</i>	(575)	1,638,886	1,754,187	8%	115,301