



**YOUNGSTOWN
STATE
UNIVERSITY**

**BOARD OF TRUSTEES
FINANCE AND FACILITIES COMMITTEE**

**John R. Jakubek, Chair
Anita A. Hackstedde, Vice Chair
All Trustees are Members**

**Wednesday, March 6, 2019
12:30 p.m. or immediately following
previous meeting**

**Tod Hall
Board Meeting Room**

AGENDA

- A. Disposition of Minutes for Meetings Held September 5, 2018; and December 5, 2018**
- B. Old Business**
- C. Committee Items**
 - 1. Consent Agenda Item***

Tab C.1.a. *a. Resolution to Modify Closed Circuit Television System Use Policy, 3356-4-11

2. Finance and Facilities Action Items

Tab C.2.a. a. Resolution to Approve the Penguin Tuition Promise Second Cohort Class Tuition Rate
Neal McNally, Vice President for Finance and Business Operations, will report.

Tab C.2.b. b. Resolution to Approve Interfund Transfers
Katrena Davidson, Controller, will report.

3. Finance and Facilities Discussion Items

Tab C.3.a. a. Quarterly Update on FY 2019 Operating Budget
Neal McNally, Vice President for Finance and Business Operations, will report.

Tab C.3.b. b. Planning and Construction Projects Update
John Hyden, Associate Vice President, University Facilities, and Rich White, Director of
Planning and Construction, 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.

c. Report of Audit Subcommittee

A verbal report of the Audit Subcommittee will be presented. John R. Jakubek will report.

d. Report of Investment Subcommittee

A verbal report of the Investment Subcommittee will be presented. Anita A. Hackstedde will report.

D. New Business

E. Adjournment



**RESOLUTION TO MODIFY
CLOSED CIRCUIT TELEVISION SYSTEM USE POLICY, 3356-4-11**

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 Closed Circuit Television System Use 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 Closed Circuit Television System Use, policy number 3356-4-11, shown as Exhibit __ attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-4-11 Closed circuit television system use.

~~Previous Policy Number: 4010.02 (new)~~

Responsible Division/Office: ~~YSU-PD~~ Police Department

Responsible Officer: Vice President for Finance and ~~Administration~~
Business Operations

Revision History: March 2014; March 2019

Board Committee: ~~f~~ Finance and Facilities

Effective Date: March ~~127, 2014~~9

Next Review: 20~~19~~24

- (A) Policy statement. To standardize the installation and regulate the use of closed circuit television (“CCTV”) and any other related surveillance systems at Youngstown state university in order to deter crime, enhance campus security, and assist the Youngstown state university police department (“YSU-PD”) in its response to safety and security issues on university property.
- (B) Definitions.
- (1) “Equipment.” Any item, system, technology device, or process, including software, used alone or in conjunction with a network for the purpose of gathering, monitoring, recording or storing an image, images, and/or audio. Images and/or audio may be viewed in real-time and/or captured and preserved for possible review at a later date.
 - (2) “Monitoring.” The process of observing or reviewing recordings that are captured by ~~CCTV~~ CCTV equipment either in real-time or that have been prerecorded and are reviewed at a later date and time.
 - (3) “Recording.” The process of capturing images and/or audio using CCTV systems and saving those images to a storage medium.
 - (4) “University property.” All land, structures, or other real property owned, operated, leased or controlled by Youngstown state university. This includes both internal and external areas,

including but not limited to common spaces, grounds, and parking lots.

- (5) "Internet protocol ('IP')." The communication protocol used in the collection and transmission of recordings on the CCTV network. All surveillance devices shall utilize open internet protocols and standards.
- (6) "Public areas." Any portion of university property that is operated and controlled by Youngstown state university, including buildings and facilities, in which a person does not have a reasonable expectation of privacy.
- (7) "Private areas." Any portion of university property where a person would have a reasonable expectation of privacy, e.g., restrooms, residence rooms, personal offices, or locker rooms, or any other area designated as a clothing changing area. Personal offices do not include reception, informational or waiting areas.
- (8) Restricted access areas. University property that is not accessible to the general public. Restricted access areas may be accessible to university employees, but do not include private areas.

(C) Parameters.

- (1) The YSU-PD is responsible for implementation of this policy, including the approval, placement, and monitoring of all CCTV surveillance systems ("CCTV system[s]") on university property.
- (2) This policy does not apply to the use of video or visual surveillance, monitoring or recording, covert or otherwise, by the YSU-PD for criminal investigations or as authorized by a court of law.
- (3) This policy does not apply to the legitimate academic use of cameras or video recordings for educational or journalism purposes, the general use of webcams by the university, ~~or to~~ the use of video recording for public performances, events, or interviews, or for university academic or research purposes.

- (4) This policy does not imply or guarantee that the CCTV system will be monitored in real time.
- (5) The CCTV system will be utilized in a professional, ethical and legal manner.

(D) Procedures.

- (1) Any and all requests for use of CCTV systems and/or equipment will be made in writing to the chief of the YSU-PD. The request will include the name of the college or department making the request, the purpose or reason for the request, and the desired installation area. YSU-PD will review each proposal and ~~recommended specific equipment and installations or repositioning as dictated by institutional needs and current technological standards.~~ The review will consider security issues, institutional needs, technological standards, installation, wiring, networking, licensing, and cost. The chief of the YSU-PD will make the final decision on new equipment installations and changes to equipment placement.
- (2) Cameras will only be permitted to be placed in public or restricted access areas and on university property. Cameras will not be placed in private areas or in a public area in order to view into private areas.
- (3) Any equipment currently in place as of the date of this policy will come under the control and authority of YSU-PD. YSU-PD will determine if the equipment currently in place meets ~~with~~ the institutional needs of the university and current technological standards for a CCTV recording system. YSU-PD will determine if any new equipment is permitted or if any current equipment is to be replaced or removed. No equipment is permitted unless recorded and controlled by YSU-PD or a specific exception is given by the YSU-PD. If an exception is given, the college or department is still required to comply with all other terms of this policy.
- (4) All equipment, where able, will utilize IP technology to transmit recordings, unless an exception is granted by YSU-PD. All legacy equipment currently in use at Youngstown state university will be

converted to university standard technology within twelve months from the date of this ~~rule~~policy, unless an extension is granted by YSU-PD.

- (5) When an incident is reported or circumstances raise safety or security issues, the YSU-PD may authorize others to observe or review recordings or images.
- (6) In those areas that require on-site viewing or monitoring of CCTV equipment such as student residence halls, the director of the applicable office or department will designate an appropriate individual to serve as the contact with YSU-PD regarding the equipment and will, at the beginning of the spring and fall semesters, provide a list to the YSU-PD of persons authorized to view or monitor the CCTV equipment. Viewing of these images shall be done only in restricted areas unless an exception is granted by the YSU-PD.
- (7) Each department or college with CCTV equipment will designate an appropriate individual within the department or college to serve as a contact with the YSU-PD regarding the equipment.
- (8) Each department or college will be responsible for the cost of the equipment within the department or college.
- (9) The chief of the YSU-PD shall be notified of any future university construction or any upgrading of existing university facilities prior to approval of the final designs of said facility if said facility is to include CCTV equipment. The chief of ~~police~~the YSU-PD, or a designee appointed by the chief of ~~police~~the YSU-PD, shall provide input into the placement of CCTV equipment during the design phase. The chief of the YSU-PD will make the final decision on new equipment installations.
- (10) The chief of ~~police~~the YSU-PD shall be responsible for contracting any services for the ~~responsibility of~~ repair and service of all equipment.
- (11) Any complaints involving violations of this policy shall be made to the university's office of general counsel and/or the chief of ~~police~~the YSU-PD.

(E) Retention and release of information.

- (1) Retention of all recorded information is the responsibility of the YSU-PD except in the case of exceptions granted by the chief of ~~police~~ the YSU-PD.
- (2) It is the goal of the YSU-PD to retain recordings in a secure location and for thirty days; however, there are numerous factors that can limit retention, including but not limited to equipment capabilities. Specific image and/or audio files may be required to be kept for a longer period at the direction of the office of general counsel and/or YSU-PD.
- (3) Recordings with information about a specific student are considered law enforcement records unless the university uses the recording for discipline purposes or makes the recording part of a student's -education record.
- (4) Requests to view or to receive recording files from persons not authorized to access the system will be reviewed by the office of general counsel and the YSU-PD. The files will be distributed in an appropriately secured method. A log shall be maintained by the YSU-PD indicating the date and time range of the files, camera views, and the identification of the person receiving the files.
- (5) The recordings are considered security records under section 149.433 of the Revised Code because they are used to protect and maintain the security of the university. A record kept by a public office that is a security record is not a public record under section 149.433 of the Revised Code and is not subject to mandatory release or disclosure under that section. Any record requests, including subpoenas, will be directed to the office of general counsel for a response.
- (6) Any documentation, written or electronic, which identifies the location of all cameras installed on campus are considered security records under section 149.433 of the Revised Code, because they are used to protect and maintain the security of the university. A record kept by a public office that is a security record is not a public record under section 149.433 of the Revised Code and is not

subject to mandatory release or disclosure under that section. Any record requests, including subpoenas, will be directed to the office of general counsel for a response.

3356-4-11 Closed circuit television system use.

Responsible Division/Office: Police Department
Responsible Officer: Vice President for Finance and
Business Operations
Revision History: March 2014; March 2019
Board Committee: Finance and Facilities
Effective Date: March 7, 2019
Next Review: 2024

- (A) Policy statement. To standardize the installation and regulate the use of closed circuit television (“CCTV”) and any other related surveillance systems at Youngstown state university in order to deter crime, enhance campus security, and assist the Youngstown state university police department (“YSU-PD”) in its response to safety and security issues on university property.
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 - (8) Each department or college will be responsible for the cost of the equipment within the department or college.
 - (9) The chief of the YSU-PD shall be notified of any future university construction or any upgrading of existing university facilities prior to approval of the final designs of said facility if said facility is to include CCTV equipment. The chief of the YSU-PD, or a designee appointed by the chief of the YSU-PD, shall provide input into the placement of CCTV equipment during the design phase. The chief of the YSU-PD will make the final decision on new equipment installations.
 - (10) The chief of the YSU-PD shall be responsible for contracting any services for the repair and service of all equipment.
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**RESOLUTION TO APPROVE THE PENGUIN TUITION PROMISE
SECOND COHORT CLASS TUITION RATE**

WHEREAS, section 3345.48 of the Ohio Revised Code authorizes boards of trustees of state universities to establish an undergraduate tuition guarantee program; and

WHEREAS, a tuition guarantee program provides fixed tuition and fees for eligible undergraduate students for four consecutive years of attendance; and

WHEREAS, a tuition guarantee program provides students and their families with price-predictability as they plan for a four-year college education; and

WHEREAS, the Board of Trustees of Youngstown State University approved an undergraduate tuition guarantee program, the *Penguin Tuition Promise*, in December 2017 and which became effective in the 2018-2019 academic year; and

WHEREAS, section 3345.48 of the Ohio Revised Code authorizes boards of trustees of state universities to annually adjust the guaranteed tuition rates of subsequent cohort classes by the average rate of inflation, as measured by the consumer price index, for the previous sixty-month period; and

WHEREAS, the Ohio Department of Higher Education has determined that the consumer price index inflation for the applicable sixty-month period is one and a half percent.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the tuition for the second cohort class of the *Penguin Tuition Promise* program, to become effective in the 2019-2020 academic year, as shown in Exhibit __ and made part hereof.



**YOUNGSTOWN
STATE
UNIVERSITY**

**RESOLUTION TO APPROVE
INTERFUND TRANSFERS**

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

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

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

**Board of Trustees Meeting
March 7, 2019
YR 2019-**



YOUNGSTOWN STATE UNIVERSITY
Interfund Transfers Requiring Board Approval
Transfers Outside of the Operating Budget
Requested Transfers for Second Quarter FY2019

FROM	TO	AMOUNT	REASON
North Central Parking Lot (Unrestricted Plant Fund)	Indoor Tennis Center (Unrestricted Plant Fund)	\$412,800	Transfer to support the Indoor Tennis Center Project.
North Central Parking Lot (Unrestricted Plant Fund)	Cafaro Field (Unrestricted Plant Fund)	\$950,000	Transfer to support the Cafaro Field Budget.

Quarterly Update on the FY 2019 Operating Budget

The fiscal year *Budget to Actual Report* presented on the following page is a summary analysis of year-to-date actuals compared to budgets in standard account categories. This report displays financial information for the University's general fund and is summarized in a "dashboard" format using color-coded business indicators.

The attached report is for the first two fiscal quarters of FY 2019 that encompasses the six-month period of July 1 through December 31, 2018.

Summary Highlights

Revenues:

- At 12/31/18, total revenues were on target, having reached 77% of the budgeted annual target. Compared to the prior fiscal year, total revenues were approximately \$1 million or 0.9% greater at 12/31/18.
- Revenues from tuition and mandatory fees, however, are tracking below budget due to actual enrollments being slightly lower than budgeted targets and, more importantly, a 1.3% negative variance between budgeted and actual tuition revenue per FTE student.
- Realized investment income rebounded during the second quarter, reaching roughly 58% of the annual budgeted target at 12/31/18. However, concerns persist over market volatility and the possibility of unrealized losses. (Through 12/31/18, unrealized losses totaled \$3.1 million.)

Expenses:

- At 12/31/18, total budgeted expenses and transfers were on target, having reached 57% of the budgeted annual target. Overall, total expenses at mid-fiscal year were flat and just 0.1% lower than the prior year.
- As anticipated, wages were up by \$2.2% at 12/31/18 but fringe benefit expenses were unexpectedly lower by 2.5%.
- Following three consecutive years of growth in scholarship spending during which expenses grew by 153%, scholarship spending appears to have now stabilized in FY 2019. Nonetheless, scholarship spending in FY 2019 is projected to exceed the budget by roughly \$500,000 by fiscal year-end, despite the use of \$541,000 in one-time scholarship funding from the Ohio BMV Alumni License Plate program.
 - The University intends to engage the Education Advisory Board to perform a scholarship analysis to optimize scholarship spending and synchronize the University's scholarship program with a new strategic plan.

YOUNGSTOWN STATE UNIVERSITY
Budget to Actual Comparison for the University General Fund
For the 6-month period of 7/1/18 - 12/31/18

FY2019 Revenue 2nd Quarter, 12/31/18	Fiscal Year 2019		Actual as a % of Budget	Business Indicator	Actual Compared to Prior Year
	Budget	Actual			
Tuition and mandatory fees	\$96,054,414	\$85,339,885	88.8%	●	↑
Other tuition and fees	\$14,659,862	\$13,199,125	90.0%	●	↑
Student charges	\$1,439,450	\$819,934	57.0%	●	↓
State appropriations	\$43,363,276	\$21,593,205	49.8%	●	↑
Recovery of indirect costs	\$1,736,413	\$906,584	52.2%	●	↑
Investment income *	\$2,346,028	\$1,350,629	57.6%	●	↓
Other income	\$900,600	\$636,954	70.7%	●	↓
Total	\$160,500,043	\$123,846,316	77.2%	●	↑

● On/Above target

● Caution

● Warning

* Investment income includes interest income and realized gains/losses but excludes unrealized gains/losses which are recorded outside of the general fund. Unrealized losses totaled approximately \$3 million at December 31, 2018.

FY2019 Expenses 2nd Quarter, 12/31/18	Fiscal Year 2019		Actual as a % of Budget	Business Indicator	Actual Compared to Prior Year
	Budget	Actual			
Wages	\$77,271,923	\$37,119,984	48.0%	●	↑
Benefits	\$24,536,967	\$13,339,416	54.4%	●	↓
Scholarships **	\$11,806,887	\$11,184,228	94.7%	●	↑
Operations	\$20,076,292	\$7,608,954	37.9%	●	↑
Plant & maintenance	\$7,565,597	\$3,176,732	42.0%	●	↓
Fixed asset purchases	\$529,037	\$123,852	23.4%	●	↑
Transfers **	\$18,859,761	\$18,805,335	99.7%	●	↓
Total	\$160,646,464	\$91,358,501	56.9%	●	↓

● On/Below target

● Caution

● Warning

** A manual adjustment of \$541,067 is reflected in Scholarships and Transfers to account for the one-time use of Ohio BMV Alumni License Plate funds to support the University's Scholarships for Excellence program. This \$541,067 is budgeted and recorded outside of the general fund (in a restricted fund).

YSU Capital Projects Summary:

Board Projects Update 1/30/2019

Capital Projects in Progress:

Don Constantini Multimedia Center
YSU 1718-7R

\$3M (Local Funds) MS Consultants, Murphy Contracting

This project will be the addition of instructional spaces and media facilities above the East side grand stands. This project was successfully bid and is currently under construction but due to poor soil conditions at the foundation sites, the project was delayed several months until a solution was developed and costs were negotiated. The project is again underway and is anticipated to be complete by late August/early September 2019.

Projects Currently Out For Bids:

- **Cushwa Hall Physical Therapy Renovations – \$1.8M (Capital Funds C34556) YSU Staff, Summer Barker**
- **Meshel Hall Renovations Phase 2 – \$2.25M (Capital Funds C34552) YSU Staff, Bill Spencer**

Projects Currently at Controlling Board:

- None at this time

Capital Projects in Development:

Edmund J. Salata Complex Renovations
YSU 1920-10

\$300k (Capital Funds C34539) YSU Staff, Bill Spencer

This project will be renovations to areas within the Edmund J. Salata Complex. Windows will be replaced, restrooms upgraded, exterior doors will be replaced, and small areas will be reconfigured. This project is scheduled to bid late 2019 and be complete in 2020.

Innovation and Commercialization Center
YSU 1718-14

\$11.5M (Capital Funds C34554, Grants) SSOE Group

This project will be the purchase and renovation of property adjacent to YSU's campus on Commerce Street along with the construction of new high-bay and low-bay space to ultimately create an Innovation and Commercialization Center. The property has been acquired, and an A/E design firm is under contract (SSOE Group from Toledo) with design underway. Construction will begin early in July of 2019 and be complete by May 2020.

Club Sports Field and North Central Parking
YSU 1920-09

\$4.5M (Local Funds) GPD Group

This project will be the removal of the existing tennis courts at Elm Street and the East Bound Service Road and the creation of a new parking facility. Also included in this project will be the installation of a new artificial sports field where the current residence parking facility is located east of Cafaro House. These projects will bid in early 2019 and have an August 2019 completion.

University Tennis Center
YSU 1920-03

\$4M (Local Funds) AXIOM Architects

This project will be the creation of a new indoor tennis facility on the West side of campus along West Scott Street. Design is under way using the Construction Manager at Risk method of project delivery. Work will begin soon and the completion of this project will be July/August 2019.

Meshel Hall Renovations Phase 2
YSU 1920-02

\$2.25M (Capital Funds C34552) YSU Staff, Bill Spencer

This project will be the renovation of the 2nd and 4th floors of Meshel Hall to complete a phased renovation started in 2016. Classroom facilities will be created on the 4th floor as well as expansion of the restroom facilities. Staff offices will be carpeted and interior finishes in public spaces will be updated. This project will start in May 2019 and be complete by August 2019.

Cushwa Hall Physical Therapy Renovations
YSU 1920-07

\$1.8M (Capital Funds C34556) YSU Staff, Summer Barker

This project will be the renovation and expansion of the Physical Therapy program in the lower level of Cushwa Hall. The existing instructional spaces will be upgraded and space once occupied by Media and Academic Computing will be renovated for program expansion. This project is currently out for bids and will start in May of 2019 and be complete by August 2019.

Ward Beecher Science Hall Structural Repairs
YSU 1920-01

\$1.75M (Capital Funds C34557) Domokur Architects

This project will include structural repairs within the lower level mechanical spaces in Ward Beecher. This project is currently in design and is anticipated to start in May 2019.

Additional Projects in Development for 2018/2019:

- **Campus Roof Repairs and Replacements – Fok Hall, Cushwa Hall, Ward Beecher – \$900k, Capital Funds**
- **Housing Roof Repairs and Replacements – \$650k, Local Funds**