

**KENT STATE UNIVERSITY  
BOARD OF TRUSTEES  
September 21, 2022  
FedEx Aeronautics Academic Center  
Kent State University Airport**

**Board Members Present**

Shawn Riley, Chair  
Pamela Bobst  
Haley Crews  
Haley Dees  
Barry Fetterman  
Robert Frost  
Donald Mason  
Christian Palich  
Stephen Perry  
Sandra Volpe  
Ann Womer Benjamin

**KSU President's Cabinet Present**

Todd Diacon, President  
Sean Broghammer  
Doug Delahanty  
Nick Gattozzi  
Amoaba Gooden  
Lamar Hylton  
Tiffany Murray  
Mark Polatajko  
John Rathje  
Charlene Reed  
Randale Richmond  
Peggy Shaddock  
Melody Tankersley  
Willis Walker  
Stephen Ward

**CALL TO ORDER**

Chair Riley called the meeting to order at 8:00 a.m. Trustee Perry called the roll, and a quorum was present. Chair Riley welcomed new members Christian Palich and Haley Dees, who were attending their first business meeting of the Board of Trustees.

**PROOF OF NOTICE**

Chair Riley announced that public notification of the meeting was given pursuant to Ohio law and university policy.

**EXECUTIVE SESSION**

Chair Riley said that in accordance with Chapter 121.22, section G of the Ohio Revised Code, the Board has a need to meet in Executive Session for the purposes of: (i) considering the employment and compensation of a public employee or official [121.22 (G)(1)]; (ii) considering matters of real estate for public purposes [121.22 (G)(2)]; and (iv) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment [121.22 (G)(4)].

Trustee Womer Benjamin moved, seconded by Trustee Bobst, that the Board retire into Executive Session. Trustee Perry took a roll call vote of the membership. By virtue of a unanimous roll call vote, the Board moved into Executive Session at 8:04 a.m. The session concluded at 9:55 a.m.

### **BOARD BUSINESS MEETING**

Chair Riley convened the Board's business meeting at 10:05 a.m. and welcomed two new trustees who were attending their first business meeting of the Board of Trustees.

First, he recognized Undergraduate Student Trustee Haley Dees, sharing that she is an aerospace engineering major, with a minor in applied mathematics, and hails from Lisbon, Ohio. Chair Riley said trustees are delighted to have Trustee Dees as a member of the Board. Trustee Dees thanked Chair Riley and those present for all of the support she has received thus far. She echoed her excitement to work with everyone, especially trustees, to advance Kent State University.

Next, Chair Riley recognized Trustee Christian Palich, sharing that he is a 2009 political science graduate of Kent State, and currently serves as vice president of public affairs for the firm Taft Stettinius & Hollister. In this role, Trustee Palich advocates on behalf of clients in multiple sectors in Washington DC, Columbus, and other states. Trustee Palich is a native of Cortland, Ohio, he said. Trustee Palich thanked Governor DeWine for appointing him to serve his alma mater as a trustee. He commented that it was great to be on campus and to work with all present to make Kent State the best university in Ohio.

Chair Riley next welcomed Dean of the College of Aeronautics and Engineering Christina Bloebaum and her team. He thanked them for their hospitality in hosting the meeting and especially for their great work with the university's outstanding students in the college.

### **APPROVAL OF THE AGENDA**

Chair Riley said there were three additions to the meeting agenda: (1) the offering of a University Faculty Separation Plan this year, which would be presented by Trustee Perry at the conclusion of the Finance and Administration Committee report; (2) consideration of a resolution regarding campus free speech under Ohio Revised Code Section 3345.0215 (SB 135), which will occur under New Business; and (3) a resolution of appreciation for Johnathan Holifield, who has resigned his trustee position, also found under New Business.

Chair Riley asked if there were any further additions or corrections to the agenda. Hearing none, the agenda was adopted by general consent.

### **APPROVAL OF THE MINUTES**

Chair Riley next asked whether any of the trustees had additions or corrections to the minutes of the Board's May 25, 2022, business meeting. Hearing no objections, the approval of the minutes was added to the consent agenda.

## **REPORT OF THE CHAIR**

Chair Riley began by thanking President Diacon, the faculty, staff, and most of all, the students for such a positive start to the new school year at Kent State.

He encouraged all present to stay for the Board's Committee of the Whole session, which was scheduled to begin at 11:15 a.m. Chair Riley noted the session would focus on two important topics: first, an update on Global Education and second, the annual report to the Board on Intercollegiate Athletics. Trustees would be the first to learn of the creation of the Kent State University Global Education Endowment, which aims to ensure all students have the opportunity to study abroad. Donors to the program will be welcomed into a new Renaissance Scholars Society, it was noted.

Chair Riley thanked and noted for the record those trustees who accepted Board leadership positions for the 2022-2023 year: Trustee Robert Frost, Chair of the Academic Excellence and Student Success Committee; Trustee Donald Mason, Chair of the Audit and Compliance Committee; Trustee Pamela Bobst, Chair of the External Relations and Philanthropy Committee; Trustee Stephen Perry, Chair of the Finance and Administration Committee; Trustee Ann Womer Benjamin, Chair of the Nominating and Governance Committee; Trustee Mason, Chair of the Investment Committee; and Trustee Bobst, Board of Trustees liaison to the Kent State University Foundation Board of Directors.

## **REPORT OF THE PRESIDENT**

Chair Riley then called on President Diacon give his report.

President Diacon observed it was very appropriate and timely that the Board of Trustees was meeting in the Kent State University Airport, focusing on the great things happening in the College of Aeronautics and Engineering. He cited the creation of the college and its expanding focus on engineering – along with the American Academy in Brazil and Kent State's recent achievement of elite R1 status – as prime examples of how the university has a strategic vision and makes strategic investments that pay off enormously. The College of Aeronautics and Engineering was formally created in July 2017 from the then-College of Applied Engineering, Sustainability and Technology. He credited retired Dean Robert Sines with having the vision and power of persuasion to encourage university leaders to leverage Kent State's national leadership in aeronautics by combining it with new and emerging areas in engineering. He noted that enrollment has grown substantially as a result as have the breadth of degree programs, the number of faculty, and the impact of the college's research.

He said the college's impressive increase in enrollment from Fall 2018 through Fall 2022 is a great credit to Dean Bloebaum and her leadership. The FedEx Aeronautics Academic Center in which the Board meeting was being held resulted from that excellence and that growth, he said. When Kent State made its strategic investment into engineering it did not stop supporting and emphasizing what it already did well, which was aviation flight training programs, air traffic control, and airport logistics. This past year Kent State set a record for the most flight hours in

university history, besting the previous record by 24%, he commented. Most importantly, Kent State students have continued to be among the most talented and best prepared in the industry, winning national awards and cementing Kent State's place among the top producers of pilots for the nation's airlines and other employers.

He shared that two KSU student flight majors recently won the 2022 Air Race Classic, a four-day, 2,500-mile race across the country in a timed event. The Flying Flashes team of Laura Wilson and Alex Johnson placed first overall among commercial, collegiate, and amateur pilot teams; placed first among collegiate teams; and won the top prize for Fastest Cessna, he said. He closed his remarks with a video of the Flying Flashes and then asked Dean Bloebaum to speak briefly regarding the college's expanding research activities.

Dean Bloebaum began by noting the college's vision as the nation's only academic college that combines aeronautics and engineering is both unique and powerful. One of the grand challenges for humanity is transportation including advanced air mobility, which requires aeronautics and engineering to work hand in hand. The college takes advantage of this synergy programmatically as well as in its research, concentrating on four research areas or leverages – artificial intelligence; sustainable innovations in energy, materials, manufacturing, and design; cybersecurity; and aerospace guidance, navigation, and control. She cited numerous examples of the college's growth including new faculty appointments, expansion in funded research and the quality of research awards, and increased graduate programs. The number of research awards have quadrupled since 2018, totaling more than \$4.3 million in 2019-2020, and graduate program highlights include the creation of the first Ph.D. program in engineering at Kent State.

Trustee Dees remarked that she and others could not speak highly enough about the support that the College of Aeronautics and Engineering provides to students through academics, research, student organizations, and other programs. She shared an example from her own experience in cofounding a new student organization in the college. The amount of support the group has received from the college in the founding and the planning of events has been incredible. She thanked all present for their continued support of the College of Aeronautics and Engineering.

Chair Riley said it was great to hear such high praise for the college. He then called on President Diacon to present the personnel actions.

### **PERSONNEL ACTIONS**

President Diacon turned to Senior Vice President and Provost Melody Tankersley to present the academic personnel actions. She stated that the academic personnel actions largely were routine in nature and included requests for emeritus status for five faculty members who had served the university well.

President Diacon next called on Senior Associate Vice President for Finance and Administration Jeannie Reifsnyder to present the non-academic personnel actions. She said that all matters of the non-academic personnel actions were routine and customary in nature and the report stood as written. Ms. Reifsnyder then called attention to a special item of note, the retirement and re-

employment of Director of Public Safety Dean Tondiglia and Manager of Parking Services Larry Embling, effective October 1, 2022.

Hearing no objections, the personnel actions were added to the consent agenda by general consent.

### **COMMITTEE REPORTS**

Chair Riley then went on to thank the trustees for the time they devoted to committee meetings held electronically the previous week. He noted the committee recommendations would be placed on the consent agenda and acted upon in one motion unless any trustee wished to remove an item for further discussion. At the end of each committee report he would ask whether any trustee wished to remove an item from the consent agenda for further discussion. If there were no objections, the resolutions would be added to the consent agenda, he said.

Chair Riley called on committee chair Pamela Bobst to present the report of the External Relations and Philanthropy Committee.

### **EXTERNAL RELATIONS AND PHILANTHROPY COMMITTEE**

Trustee Bobst noted the committee met on September 14, 2022, and reviewed one naming recommendation for Board approval and two naming actions approved by President Diacon. Committee members welcomed and expressed their gratitude and that of the Board to the donors and guests who joined the meeting, she said.

#### ***NAMING OF PIZZUTI PARK***

Trustee Bobst said in recognition of Ronald A. Pizzuti's dedicated service and giving and support of Kent State, it was recommended that the university name the land at the northwest end of the Lester A. Lefton Esplanade, at the border of the Kent State campus and downtown Kent, Pizzuti Park. Mr. Pizzuti, a native of Kent, received his BBA degree in marketing in 1962. He served on the Kent State University Foundation Board of Directors from 1992 until 1996, and as an emeritus member chaired the university's Centennial Campaign, the second comprehensive campaign in its history that raised \$265 million by its conclusion in 2012. He was a member of the Kent State University Board of Trustees from 1987 to 1999 including service as Board Chair for two terms. Mr. Pizzuti's total commitment to Kent State surpassed \$2.3 million in giving and volunteer service, she said. He also was instrumental in the town-gown relations and played an important role in developing the Kent State University Hotel and Conference Center, creating the revitalized downtown Kent and the adjoining Lester A. Lefton Esplanade, a beautiful green space that connects the city of Kent to the Kent State campus.

## **Resolution 2022-60**

### **NAMING OF PIZZUTI PARK**

WHEREAS, Ronald A. Pizzuti graduated from Kent State University in 1962 with a Bachelor of Business Administration in marketing before building a highly successful career in commercial real estate development, marketing, and management through The Pizzuti Companies and with his wife Ann, establishing a national reputation as prolific collectors and patrons of contemporary art; and

WHEREAS, through his volunteer service, giving and leadership, Ronald A. Pizzuti has made a substantial positive impact upon his alma mater Kent State University, and his hometown of Kent, Ohio, leading to a rebirth of the downtown Kent community; and

WHEREAS, a member of the Kent State University Foundation Board of Directors, Mr. Pizzuti served as Chair of the university's Centennial Campaign that ended in 2012 after raising \$265 million; and

WHEREAS, he served faithfully as a member of the Kent State University Board of Trustees from 1987 to 1998, holding multiple leadership roles including Board Chair and earning the recognition of Trustee Emeritus upon his retirement from the board; and

WHEREAS, the endowed scholarship that he established in 1992 has provided much-needed support to generations of Kent State students; and

WHEREAS, through this proposed naming action, the university wishes to recognize the generosity and leadership of Ronald A. Pizzuti in providing gifts and volunteer support totaling more than \$2.3 million to benefit the Kent State community; now, therefore,

BE IT RESOLVED, that the Board of Trustees, on behalf of Kent State University and its current and future students, expresses deep appreciation to Ronald A. Pizzuti for his generosity and service; and

BE IT FURTHER RESOLVED, that the Kent State University Board of Trustees hereby names the land at the northwest end of the Lester A. Lefton Esplanade, at the border of the Kent Campus and Downtown Kent, as Pizzuti Park.

Next, Trustee Bobst described two naming actions under \$100,000 approved by President Diacon. First was the Gary M. Gale Office, which will be located in the new Crawford Hall and will be provided to the chair of the Department of Marketing and Entrepreneurship. The naming honors Mr. Gale's \$55,000 commitment toward the construction of Crawford Hall. He graduated from Kent State University in 1967 with a BBA in marketing. Next, she presented the Timothy

Moore Student Multicultural Center named in recognition of a \$50,000 gift from Dr. D'Andra Mull, who joined the committee meeting. Dr. Mull graduated from Kent State University in 2002 with a Bachelor of Arts in political science and criminal justice studies. She has served in student affairs leadership positions at universities across the country. The naming of the Timothy Moore Student Multicultural Center honors the memory and legacy of E. Timothy Moore, a three-time Kent State graduate who served as associate professor of Pan-African Studies and associate dean of the College of Arts and Sciences. During his time as a student at Kent State, Dean Moore served as president and minister of art for Black United Students. This naming action connects Dean Moore's legacy to the heart of Kent State's efforts to foster belonging and cultural affirmation among all of its students, she said. Senior Vice President of Student Affairs Lamar Hilton spoke about the importance of this naming action and how it honors Dean Moore's legacy. Dr. Mull and members of Dean Moore's family also shared heartwarming memories of him as a mentor, father, and husband and expressed gratitude for this recognition. President Diacon also shared his memories of Dean Moore and read from an email written by the jazz and arts writer Willard Jenkins, who expressed how important Dean Moore had been in his life, she noted.

Trustee Bobst observed that fiscal year 2022 represented an historically successful year in fundraising at Kent State. All told, \$77.85 million was raised, which included the two largest gifts in the university's history. Even setting aside those transformational gifts, Kent State surpassed its annual goal of \$30 million by \$9.85 million. She offered congratulations to Vice President Valoree Vargo and the entire team upon this achievement. She further highlighted that \$338.5 million was raised to date in the Forever Brighter comprehensive campaign including \$135 million toward the goal of \$100 million to support student success. This success represents more than 97% of the campaign's total goal of \$350 million. For the current fiscal year to date, the university raised \$7.7 million toward its annual goal of \$30 million. This attainment represented a 34% increase from FY 2022 and a 66% increase from FY 2021 for the same period. She also noted there was a 42% increase in the number of donors compared to last fiscal year to date.

The committee also was informed of recent programming and outreach highlights including the Black Alumni Chapter event held in conjunction with the DC JazzFest and a fashion show held in New York City during New York Fashion Week. The fashion show featured designs from students at both Kent State and the International Fashion Academy (known as IFA Paris). Four United Nations Ambassadors attended the show, she added. Homecoming 2022 will feature the reunion of women in athletics, celebrating 50 years of Title IX at Kent State.

In conclusion, she reported that the committee met and heard from Stephen Ward, who joined Kent State as vice president of university communications and marketing on July 1. He delivered an update on the state of the university's communications and marketing effort, grouping the opportunities facing Kent State into five themes: the university's internationalization strategy; its collective footprint as a unified Kent State leveraging all of its strengths; the importance of the recent R1 designation and abundant opportunities to share stories about research at Kent State; Kent State's excellent positioning to address the challenges facing higher education in the 21st century; and the importance of the Strategic Roadmap in helping Kent State become a value-centered university.

With that, Trustee Bobst concluded her report on behalf of the External Relations and Philanthropy Committee. Chair Riley thanked her for her report and asked if any trustee wished to remove the proposed naming resolution from the consent agenda for further discussion. Hearing none, the resolution was added to the consent agenda by general consent.

### **ACADEMIC EXCELLENCE AND STUDENT SUCCESS COMMITTEE**

Next, Chair Riley called on committee chair Robert Frost to present the report of the Academic Excellence and Student Success Committee. Trustee Frost reported that the Academic Excellence and Student Success Committee met on September 14, 2022. The committee proposed Board approval of three resolutions, all of which were recommended for inclusion on the consent agenda.

#### *CONFERRAL OF DEGREES - SPRING 2022*

On behalf of the committee, he recommended Board approval of the conferral of 5,715 degrees in Spring 2022.

#### **Resolution 2022-61**

#### **CONFERRAL OF DEGREES - SPRING 2022**

WHEREAS, Section 3341.05 of The Revised Code of Ohio provides that "...On the recommendation of the (KSU) faculty, the (KSU) Board of Trustees may confer such honorary and academic degrees as are customarily conferred by colleges and universities in the United States..."; and

WHEREAS, the faculties, deans and directors of Kent State University's colleges and schools recommend that appropriate degrees be conferred on those Kent State students who completed – during the period of December 18, 2021 to May 15, 2022, – the various requirements of the respective programs of study they pursued; and

WHEREAS, the university has recognized completion of said programs of study by awarding diplomas as appropriate at a suitable time, during the period cited, upon such persons listed in the accompanying Summary of Candidates for Degrees; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby confirms the conferral of their respective degrees upon those persons who have been officially recorded by the Kent State University Registrar as having completed the requirements during said period December 18, 2021 to May 15, 2022.



***ENDORSEMENT OF UNIVERSITY RESPONSE TO STATE LAW RELATED TO  
ENROLLMENT AND DUPLICATION WITH OTHER INSTITUTIONS***

Next, Trustee Frost reported the committee's endorsement of the university response to state law related to enrollment and duplication with other institutions, which is a plan Kent State is required to create and submit to the Ohio Department of Higher Education every five years. He noted that the university regularly monitors enrollment in courses and programs as part of the existing university practices and as part of the evaluative review process for the Ohio Department of Higher Education and the Higher Learning Commission. The proposed report provided the results of additional evaluations of course and program enrollment since Fall 2017. Since that time, 1,230 courses have been inactivated and 536 courses have been put on hold and not currently offered. The review identified 176 additional courses that could be eliminated or course sections could be consolidated, he said. Trustee Frost said Senior Associate Provost Manfred van Dulmen noted that since Fall 2017, 22 degree programs were eliminated and 10 degree programs suspended admission. The review found most degree programs to be very healthy and identified 12 degree programs that required further review, he concluded.

**Resolution 2022-62**

**ENDORSEMENT OF UNIVERSITY RESPONSE TO STATE LAW  
RELATED TO ENROLLMENT AND DUPLICATION WITH OTHER  
INSTITUTIONS**

WHEREAS, Kent State University is committed to advancing student success while keeping true to its mission of providing an accessible education for the citizens of Ohio and beyond; and

WHEREAS, since 2015, Section 3345.35 of the Ohio Revised Code has required university boards of trustees to evaluate all courses and programs the institution offers based on enrollment and other factors; and

WHEREAS, with the passage of Senate Bill 135 in 2022, state law now requires universities to evaluate all courses and programs the institution offers based on enrollment and duplication of its courses and programs with those of other state institutions of higher education within a geographic region; and

WHEREAS, under Section 3345.35, findings of the review of courses and programs must be submitted to the Chancellor of the Ohio Department of Higher Education by October 14, 2022; and

WHEREAS, consistent with that requirement, the university administration has conducted reviews of low-enrollment and duplicative courses and programs and has provided recommendations for action including the possibility of collaboration with other state institutions; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby endorses the above-mentioned university report, which will be submitted to the Chancellor of the Ohio Department of Higher Education by the required deadline of October 14, 2022.

*REVISIONS TO THE CODE OF REGULATIONS FOR THE KENT STATE  
UNIVERSITY FOOT AND ANKLE CLINIC*

Trustee Frost next presented proposed revisions to the Code of Regulations for the Kent State University Foot and Ankle Clinic, which would permit the awarding of emeritus status to retiring clinic board members. These individuals provide valuable voluntary service to the Foot and Ankle Clinic and this revision would allow board members who have completed outstanding service to receive emeritus status upon the completion of their term, he stated.

**Resolution 2022-63**

**REVISIONS TO THE CODE OF REGULATIONS  
FOR THE KSU FOOT & ANKLE CLINIC**

WHEREAS, the KSU Foot & Ankle Clinic was created on May 4, 2012, as part of Kent State University's acquisition of the Ohio College of Podiatric Medicine; and

WHEREAS, Kent State University serves as the sole member of the KSU Foot & Ankle Clinic, an Ohio nonprofit corporation; and

WHEREAS, Kent State University and the KSU Foot & Ankle Clinic undertook a review of the existing relationship as well as the continuing evolution of activities within each organization; and

WHEREAS, following this review, revisions to the existing Code of Regulations of the KSU Foot & Ankle Clinic were recommended to add a new section – Article IV. Board of Directors, Section 6. Emeritus Status – to recognize KSU Foot & Ankle Clinic board members who have completed outstanding, loyal, and faithful service; and

WHEREAS, the KSU Foot & Ankle Clinic Board of Directors reviewed and approved the proposed revisions at its meeting on March 23, 2022; and

WHEREAS, as sole member, Kent State University has final approval of revisions to the Code of Regulations; now, therefore,

BE IT RESOLVED, that Kent State University approves the proposed revisions of the Code of Regulations of the KSU Foot & Ankle Clinic at its meeting on September 21, 2022.

Trustee Frost recommended that these resolutions be placed on the consent agenda for Board approval.

The committee also received informational reports from Vice President for Enrollment Management Sean Broghammer and Senior Vice President for Student Affairs Lamar Hylton. Vice President Broghammer presented an update of Fall 2022 enrollment observations including first-year student cohort data and recruitment efforts and initiatives. He explained that the reporting of student enrollment data would now be presented as FTE, which is full-time enrollment rather than headcount. FTE data provides a more accurate number of the university's full-time students and aligns with budgetary practices.

Kent State's Fall 2022 entering class is the most diverse in the university's history, with 19% underrepresented students and 33.8% first-generation students. Kent State's recruitment priorities included increasing enrollment across Ohio, having a larger focus on community-based organizations, and strengthening academic quality messages and experiences, he said. Enrollment continues to decline for Kent State regional campuses, mirroring the trend at regional campuses statewide. Vice President for Regional Campuses Peggy Shadduck is working in conjunction with enrollment management and regional administrations to develop a five-year regional enrollment plan focused on lifelong learning and on how regional campuses can support their communities, he shared.

The committee heard a presentation regarding mental health initiatives from Senior Vice President for Student Affairs Lamar Hylton, Associate Vice President and Dean of Students Talea Drummer-Ferrell, and Professor of Health Policy and Management Deric Kenne, Trustee Frost reported. Dr. Hylton reported on activities that Kent State accomplished in the program's first phase, which included an expansion of clinical and mental health professionals and an expansion of the telehealth and after-hours line with Impact Solutions, eliminating wait times. Dr. Kenne and Dr. Drummer-Farrell reviewed five phase-two recommendations provided by the mental health working group, he noted.

This concluded Chair Frost's report of the Academic Excellence and Student Success Committee. Chair Riley thanked Trustee Frost for his report. Hearing no objections, the resolutions were added to the consent agenda by general consent.

### **AUDIT AND COMPLIANCE COMMITTEE**

Chair Riley next called on committee chair Donald Mason to present the report of the Audit and Compliance Committee.

#### ***APPROVAL OF REVISED INTERNAL AUDIT CHARTER***

Trustee Mason noted that the members of the Audit and Compliance Committee met electronically with the university's leadership on September 16, 2022. The committee recommended Board approval of proposed changes to the Internal Audit Charter. The proposed

revisions included language on providing internal audit services to external parties and to use co-sourcing and outsourcing on internal audit projects, he said.

### **Resolution 2022-64**

#### **APPROVAL OF REVISED INTERNAL AUDIT CHARTER**

WHEREAS, the approved Audit and Compliance Committee Charter includes responsibilities of the Audit and Compliance Committee to review the Internal Audit Charter; and

WHEREAS, the professional standards of the Institute of Internal Auditors require the Internal Audit Charter be approved by the Board of Trustees; and

WHEREAS, the university has entered an agreement to provide internal audit services to Youngstown State University; and

WHEREAS, the Internal Audit Charter was reviewed and updated; now, therefore,

BE IT RESOLVED, that the Board of Trustees of Kent State University hereby approves the recommended revised Internal Audit Charter.

He said Director of Internal Audit Sarah Gampo gave the committee a brief update on the newly implemented shared-services agreement with Youngstown State University's Internal Audit Department and its new internal auditor, Michelle DiLullo, he said.

He further reported that the committee reviewed both the fourth quarter internal audit plan reviews and activities, covering the period of April 1 through June 30, 2022, and the FY 2022 report on internal audit activities. There were no unusual items to report, he noted. A revised FY 2023 Internal Audit Plan was presented that incorporates a change in the allocation of project time due to ongoing shared-services arrangement with Youngstown State University, he said.

Lastly, Trustee Mason stated that Vice President for Information Technology John Rathje presented a detailed annual report on cybersecurity and the state of cyber risk in higher education, how Kent State University is working to mitigate those risks, and the university's strategy moving forward.

With that, Trustee Mason concluded his report of the Audit and Compliance Committee. Hearing no objections, the resolution was added to the consent agenda for Board approval.

#### **FINANCE AND ADMINISTRATION COMMITTEE**

Chair Riley then asked committee chair Stephen Perry to present the report of the Finance and Administration Committee. Trustee Perry stated that the Finance and Administration Committee

met electronically on September 13, 2022, and discussed several proposals to be considered by the Board. All management decision items were recommended for inclusion on the consent agenda, he said.

*AMENDMENT OF PAY STRUCTURE FOR UNREPRESENTED CLASSIFIED  
CIVIL SERVICE STAFF*

Trustee Perry presented proposed amendments to the pay structures for the unrepresented classified civil service staff. It was proposed that these pay structures be increased by 2% for fiscal year 2022, he said.

**Resolution 2022-65**

**AMENDMENT OF PAY STRUCTURE  
FOR UNREPRESENTED CLASSIFIED CIVIL SERVICE STAFF**

WHEREAS, Section 3345.31 of the *Ohio Revised Code* authorizes the Board of Trustees of Kent State University to establish compensation plans including pay structures for all employees not represented in a bargaining unit, and to establish rules or policies for the administration of the compensation plans; and

WHEREAS, the Board of Trustees authorized a compensation plan for classified civil service staff, who are not in a recognized bargaining unit, effective June 30, 1991; and

WHEREAS, the pay structure associated with the plan is reviewed and amended periodically to reflect changes in economic and market conditions; and

WHEREAS, the attached pay structure has been recommended by the Interim Vice President for Human Resources and approved by the Senior Vice President for Finance and Administration; and

WHEREAS, Administrative Policy 6-07.2 regarding the compensation plan for classified civil service staff who are not in a recognized bargaining unit requires that the Board of Trustees of Kent State University authorize this amendment to the pay structure for unrepresented classified civil service staff, on behalf of the university; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby approves the attached Pay Structures for Unrepresented Classified Civil Service Staff, effective with the pay period inclusive of October 1, 2022, and the Classified Unrepresented Civil Service Pay Structure Addendum Market Adjusted Hiring Rates, effective the same date.

*AMENDMENT OF SALARY STRUCTURES FOR UNCLASSIFIED  
ADMINISTRATIVE AND PROFESSIONAL EXEMPT STAFF AND  
UNCLASSIFIED NONEXEMPT STAFF NOT REPRESENTED IN A  
BARGAINING UNIT*

Trustee Perry next presented proposed amendments to salary structures for the unclassified administrative and professional exempt staff and unclassified non-exempt staff not represented in a bargaining unit, also recommended to increase by 2%.

**Resolution 2022-66**

**AMENDMENT OF SALARY STRUCTURES  
FOR UNCLASSIFIED ADMINISTRATIVE AND PROFESSIONAL  
EXEMPT STAFF AND UNCLASSIFIED NONEXEMPT STAFF  
NOT REPRESENTED IN A BARGAINING UNIT**

WHEREAS, Section 3345.31 of the *Ohio Revised Code* authorizes the Board of Trustees of Kent State University to establish compensation plans including pay structures for all employees not represented in a bargaining unit, and to establish rules or policies for the administration of the compensation plans; and

WHEREAS, the Board of Trustees authorized the establishment of an administrative and professional pay structure for unclassified exempt administrative and professional staff with continuing appointments, effective August 1, 1999; and

WHEREAS, the pay structures associated with the plan are reviewed and amended periodically to reflect changes in economic and market conditions; and

WHEREAS, the attached revised pay structures have been recommended by the Interim Vice President for Human Resources and approved by the Senior Vice President for Finance and Administration; and

WHEREAS, the Kent State University Board of Trustees approved the creation of separate functional/divisional structures for Unclassified Administrative and Professional Exempt Staff and Unclassified Nonexempt Staff, effective November 1, 2013; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby approves a 2.0% adjustment to the 12-Month Salary Structures for Unclassified Administrative and Professional Exempt Staff and Unclassified Nonexempt Staff. The structures are: President, Academic Affairs and Regional Campuses, Philanthropy and Alumni Engagement, Information Technology, University Communications and Marketing, Finance and Administration, Student Affairs and Enrollment Management, Human Resources, Diversity, Cross Divisional, and

Athletics – Support Positions and Coaches. This adjustment will be effective October 1, 2022 for Unclassified Administrative and Professional Exempt Staff and for Intercollegiate Athletics. The structure adjustments for Unclassified Nonexempt Staff are effective September 25 (the pay period that includes October 1, 2022).

He noted that both adjustments were routine in nature and occur periodically to maintain competitiveness of the university's pay scales.

*APPROVAL OF VENDOR SELECTION FOR VISION INSURANCE SERVICES*

Trustee Perry then requested Board approval of the vendor selection for vision insurance services. Through a competitive process, EyeMed Vision Care LLC was chosen as the vendor that offered the best overall value. The proposed purchase agreement would be for an initial term of one year at \$29,802 and a university option to renew up to four additional one-year terms at \$29,802 amount each year. The university expects to save nearly \$5,000 per year in administrative costs due to the competitive bidding, he said. Annual estimates of claims for vision services are approximately \$559,000.

**Resolution 2022-67**

**APPROVAL OF VENDOR SELECTION FOR  
VISION INSURANCE SERVICES**

WHEREAS, University Policy 3342-7-12 requires Board of Trustees approval of any single agreement to purchase goods and/or services with an estimated total cost of \$1 million or more, including the initial term and any optional renewals; and

WHEREAS, Kent State University provides vision insurance for its employees and eligible dependents on a self-funded basis, with estimated total claims of \$559,000 annually; and

WHEREAS, the university desires a vendor to provide vision insurance administrative services in support of this program; and

WHEREAS, in response to a request for proposal issued by the Kent State University Procurement Department, EyeMed Vision Care LLC provided the proposal with the best overall value; and

WHEREAS, the estimated cost for these administrative services is \$29,802 for the initial one-year term and for four, one-year potential extensions, and the estimated total cost of claims self-funded by the university and administered by EyeMed Vision Care LLC will be approximately \$559,000 annually; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to enter into a contract with EyeMed Vision Care LLC for the provision of medical benefit administrative services for university employees and their eligible dependents for one year plus a university option to renew up to four additional one-year periods in accordance with University Policy 3342-7-12.

*AMENDMENT TO THE APPROVAL OF CRAWFORD HALL PROJECT*

He next presented the request for an amendment to the Board's approval of Crawford Hall project at its October 22, 2021, special meeting. At that time the Board approved construction of Crawford Hall as the new home of the Ambassador Crawford College of Business and Entrepreneurship with a budget of \$74.0 million. Due to escalating material and labor costs, it was recommended that the project's budget be increased to \$83.5 million, he said. The university retained Gilbane as the construction manager at-risk and had locked in the guaranteed maximum price, explained Trustee Perry.

**Resolution 2022-68**

**AMENDMENT TO THE APPROVAL OF CRAWFORD HALL PROJECT**

WHEREAS, at its October 25, 2021 meeting, the Kent State University Board of Trustees approved Resolution 2022-80 for the construction of a new building for the Ambassador Crawford College of Business and Entrepreneurship with an established budget of \$74.0 million; and

WHEREAS, the university has witnessed unprecedented instabilities in the construction market and building commodities that have resulted in historic inflation costs from raw material price increases, supply chain issues, and labor shortages; and

WHEREAS, the unstable conditions within the construction market have impacted the Crawford Hall, Aeronautics and Engineering Building addition, and Rockwell Hall renovation projects with extended delays and limited availability of building materials, and considerable increases in materials and labor costs; and

WHEREAS, leading industry and government tracking data anticipate continued construction materials and labor cost increases driving the inflation trend line well into the 2023 calendar year; and

WHEREAS, the design, bidding, and construction of this project will follow all state laws and regulations; and

WHEREAS, the university has amended the Crawford Hall project budget from \$74.0 million to \$83.5 million, with the \$9.5-million budget increase funded by



\$5.0 million from funds set aside for future debt service, \$4.0 million from the Terrace Drive realignment project, and \$500,000 from University Culinary Services renewal and replacement funds to support food service features in the new building; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with the design and construction of this project at an amended cost of \$83.5 million in accordance with University Policy 3342-7-04.

*AMENDMENT TO THE APPROVAL OF THE FRONT CAMPUS CHILLED  
WATER PLANT AND LOOP PROJECT*

The committee also recommended an amendment to the approval of the Front Campus Chilled Water Plant project, he said. This essential project was approved with a \$7.5-million budget at the Board's December 2021 meeting. Due to rising construction costs, there is a need to increase the approved budget to \$9 million in order to meet the scope and timeline for this project, he said.

**Resolution 2022-69**

**AMENDMENT TO THE APPROVAL OF THE FRONT CAMPUS  
CHILLED WATER PLANT AND LOOP PROJECT**

WHEREAS, at its December 15, 2021 meeting, the Kent State University Board of Trustees approved Resolution 2021-112 for the approval of the Front Campus Chilled Water Plant and Loop Project and established its budget as \$7.5 million; and

WHEREAS, due to the current supply chain and inflation issues, the entire scope proposed during project inception in 2021 has increased to \$9.0 million compared to the original project budget of \$7.5 million; and

WHEREAS, a new central chilled water plant will be constructed at White Hall replacing three separate chiller facilities that are near or at the end of their service life, avoiding more than \$20 million in deferred maintenance costs; and

WHEREAS, the new highly efficient replacement plant is needed to serve the new Crawford Hall along with nine existing buildings, providing energy, operating, and capital cost savings; and

WHEREAS, the new all-electric Chilled Water Plant will help assist in Kent State's sustainability goal of carbon footprint reduction and improve the environment; and

WHEREAS, the design-build contractor, The Brewer-Garrett Company, will be responsible through Guaranteed Maximum Price Amendments to complete the project by the spring of 2024; and

WHEREAS, the university has budgeted \$9.0 million for this project that includes \$7.5 million in State of Ohio capital appropriations from House Bill 687 and \$1.5 million in local funding for facilities; and

WHEREAS, the design, bidding, and construction of this project will follow all state laws and regulations; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with up to \$9.0 million for the design, procurement, and installation of this project in accordance with University Policy 3342-7-04 and to authorize the construction of the project.

*APPROVAL OF BEALL HALL SECOND FLOOR REHABILITATION*

Trustee Perry presented a request for Board approval of the Beall Hall second floor rehabilitation. This project would provide much needed student studios, fabrication space, and research and technology updates for the College of Architecture and Environmental Design. Due to rising construction costs, the project budget was recommended to increase from the original \$6.5 million to \$7.8 million.

**Resolution 2022-70**

**APPROVAL OF BEALL HALL SECOND FLOOR REHABILITATION**

WHEREAS, Kent State University at Kent proposes to renovate the second floor of Beall Hall to provide additional studio and program space for the College of Architecture and Environmental Design; and

WHEREAS, the additional studios and program space will provide the necessary space to serve the college's current and projected enrollment needs; and

WHEREAS, the proposed project budget of \$7.8 million will be funded by State of Ohio capital appropriations from House Bill 687; and

WHEREAS, the design, bidding and construction of this project will follow all state laws and regulations; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with this project in accordance with University Policy 3342-7-04.

***APPROVAL OF CUNNINGHAM HALL DEFERRED MAINTENANCE  
IMPROVEMENTS***

Trustee Perry said that the committee also requested approval of the Cunningham Hall deferred maintenance improvements project. Many of the third-floor spaces are original construction and this renovation would address research needs as well as address deficiencies and storage protocols and code-required safety improvements, he said. The project budget is set at \$3,675,000, he noted.

**Resolution 2022-71**

**APPROVAL OF CUNNINGHAM HALL DEFERRED MAINTENANCE  
IMPROVEMENTS**

WHEREAS, the third-floor research facility at Cunningham Hall houses vital externally funded research and much of the facility remains as originally constructed in 1968; and

WHEREAS, the deferred maintenance improvements will address replacement of critical laboratory support equipment that has become obsolete and is increasingly difficult to maintain; and

WHEREAS, the improvements will provide a research facility that can support modern research practices and meet all the requirements for ongoing accreditation; and

WHEREAS, the project budget is estimated at \$3,675,000 and will be funded by \$3,325,000 in State of Ohio capital appropriations from HB 687 and \$350,000 in local funding for facilities; and

WHEREAS, the design, bidding, and construction of this project will follow all state laws and regulations; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with this project in accordance with University Policy 3342-7-04.

***APPROVAL OF FINE ARTS BUILDING ROOF REPLACEMENT AND LIBRARY  
CEILING REPLACEMENT, KENT STATE UNIVERSITY AT STARK***

Next, the Board was asked to approve the Kent State University at Stark Fine Arts Building roofing replacement and a library ceiling replacement project. The proposed project would provide a new roof system including flashing roof accessories and emergency overflow drains. In addition, the final phase of the library ceiling and life improvements safety improvements project

would be completed including a sprinkler system, a fire alarm with new ceiling system, and energy-efficient lighting. This project was budgeted at \$2.3 million, reported Trustee Perry.

#### **Resolution 2022-72**

##### **APPROVAL OF FINE ARTS BUILDING ROOF REPLACEMENT AND LIBRARY CEILING REPLACEMENT, KENT STATE UNIVERSITY AT STARK**

WHEREAS, the roof on the Fine Arts Building at the Kent State University at Stark campus is more than 28 years old and is no longer repairable; and

WHEREAS, the third and final phase of the Library ceiling replacement will complete the sprinkler and life safety improvements and install new energy-efficient lighting; and

WHEREAS, the university has budgeted \$1.8 million in State of Ohio capital allocations from House Bill 687 and \$500,000 in local funds for facilities to address this project; and

WHEREAS, the design, bidding, and construction of this project will follow all state laws and regulations; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with this project in accordance with University Policy 3342-7-04.

##### ***APPROVAL OF KENT CAMPUS 2023 ADA IMPROVEMENTS***

He then presented the committee's request for approval of the Kent Campus 2023 ADA (Americans with Disabilities Act) improvements, noting that this project continued the efforts started with funding provided under the prior state biennium. The university accessibility committee had prioritized needs associated with signage, universal restrooms, toilet rooms, and drinking fountain accessibility, along with areas that have limited or no wheelchair access. He further stated that the university would utilize \$1 million in state capital improvement funds from House Bill 687 for this project.

#### **Resolution 2022-73**

##### **APPROVAL OF KENT CAMPUS 2023 ADA IMPROVEMENTS**

WHEREAS, Kent State University's accessibility study and plan identified that many campus buildings remain unchanged since their original construction and as a result are out of compliance with Americans with Disabilities Act (ADA) requirements; and

WHEREAS, the university must address campus accessibility needs across the campus, including but not limited to signage, toilet rooms and drinking fountain accessibility, and areas with limited or no wheelchair access; and

WHEREAS, the proposed project will address academic areas that will not be targeted for major improvements during the next five years; and

WHEREAS, the design, bidding and construction of this project will follow all state laws and regulations; and

WHEREAS, the university has budgeted \$1 million in State of Ohio capital allocations from House Bill 687 to address this project; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with this project in accordance with University Policy 3342-7-04.

*APPROVAL OF INFORMATION TECHNOLOGY NETWORK ACCESS  
ENHANCEMENTS IN ACADEMIC BUILDINGS*

Trustee Perry presented the request for approval of information technology network access enhancements in academic buildings. The proposed project would focus on various components of network and security infrastructure, enhancing wireless access, academic spaces, and cybersecurity. He noted that the project was budgeted at \$3,588,475 funded by the university's State of Ohio capital allocations from House Bill 687.

**Resolution 2022-74**

**APPROVAL OF INFORMATION TECHNOLOGY NETWORK ACCESS  
ENHANCEMENTS IN ACADEMIC BUILDINGS**

WHEREAS, Kent State University requires information technology solutions to fulfill its mission; and

WHEREAS, Kent State University's network and security infrastructure are foundational to enable and protect students, faculty, and staff requiring technology solutions; and

WHEREAS, the increasing sophistication of national and international threats necessitates a sound cybersecurity environment to mitigate risks stemming from cyber threats; and

WHEREAS, Kent State University's network and security systems are comprised of network switches, wireless access controllers, wireless access points, routers, firewalls, supporting infrastructure, and related management and monitoring

software that require regular enhancement to ensure protection, performance, and availability of these strategic systems; and

WHEREAS, the design, bidding, and implementation of this project will follow all state laws and regulations; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed with the design and implementation of this project in the amount of \$3,588,475 in accordance with University Policy 3342-7-04.

*APPROVAL OF ATHLETIC TRACK REPLACEMENT FOR THE KENT STATE UNIVERSITY FIELD HOUSE*

He then presented a request for Board approval of the replacement of the athletic track in the Kent State University Field House. This project would involve the removal and replacement of the existing track surfaces along with the removal of all visible mastic from the asphalt base, he said. Trustee Perry further stated that the estimated cost for this project was \$2.5 million and funded by Intercollegiate Athletics.

**Resolution 2022-75**

**APPROVAL OF ATHLETIC TRACK REPLACEMENT  
FOR THE KENT STATE UNIVERSITY FIELD HOUSE**

WHEREAS, the existing rubberized track at the Kent State University Field House has begun to deteriorate at an accelerated pace, increasing potential safety concerns and reducing playability for the many Intercollegiate Athletics teams and others who utilize this facility; and

WHEREAS, the track surface is past its expected life span and in need of replacement; and

WHEREAS, the track surface and mastic (adhesive) contain materials that require abatement; and

WHEREAS, the proposed project budget of \$2.5 million will be funded through an internal lease to be paid by Intercollegiate Athletics from its annual operating budget over the next eight fiscal years; and

WHEREAS, the design, bidding, and construction of this project will follow all state laws and regulations; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to proceed

with the design and construction of this project in accordance with University Policy 3342-7-04.

*AUTHORIZATION TO SELL REAL PROPERTY LOCATED AT 401 COLLEGE STREET, EAST LIVERPOOL, OHIO*

Trustee Perry next introduced the proposed sale of university-owned property at 401 College Street in East Liverpool, Ohio. The parcel, which was previously owned by the American National Red Cross, consists of four city lots, three of which contain surface parking and the fourth lot houses a two-story building of 5,220 square feet. The entire property is approximately 3/10 of an acre, he said. Kent State determined this property to be surplus to its current and future needs. An offer has been received to purchase the property for \$40,000, which was equal to its appraised value, he said.

**Resolution 2022-76**

**AUTHORIZATION TO SELL REAL PROPERTY LOCATED  
AT 401 COLLEGE STREET, EAST LIVERPOOL, OHIO**

WHEREAS, Kent State University owns certain real estate parcels at 401 College Street, East Liverpool, Ohio, consisting of a building and surface parking; and

WHEREAS, the university has determined that there is no current or future need for the property and thus it is surplus real estate that is available for disposition; and

WHEREAS, Kent State University has received an offer to purchase 0.3 acres of land and improvements identified as Parcel ID 37-08296.000, 37-05208.000, 37-05974.000, 37-09497.000 at fair market value; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby authorizes the Senior Vice President for Finance and Administration to enter into a purchase agreement for the sale of 0.3 acres of real property and improvements located at 401 College Street, East Liverpool, Ohio.

Trustee Perry recommended that all of these items reviewed by the Finance and Administration Committee be placed upon the consent agenda for approval. He also noted that the committee had heard reports from committee chair Donald Mason of the Investment Committee meeting held September 16, 2022, and Senior Vice President Mark Polatajko regarding the completion of the university's 2022 Efficiency Report. Informational items routinely provided to the Board for its review and consideration also were presented.

*APPROVAL OF UNIVERSITY FACULTY SEPARATION PLAN (UFSP)*

Finally, Trustee Perry presented for the Board's review and approval, the offering of a university faculty separation plan for full-time faculty members. The proposed plan would give eligible

full-time faculty members the option of taking a separation package while permitting the university to redirect salary savings to balance budgets and to reallocate resources to areas of strategic importance including research-active tenure-track faculty, student success, and support services. The program would be overseen by the Provost's Office in collaboration with the Division of Human Resources. He stated that the window for participation would open in October and end in December 2022 with the final exit date of July 1, 2023. The program would be funded through a base budget savings in each of the respective colleges or campuses, he noted.

### **Resolution 2022-77**

#### **APPROVAL OF UNIVERSITY FACULTY SEPARATION PLAN (UFSP)**

WHEREAS, Kent State University is implementing various measures to meet the objectives outlined in the *Flashes Together: Strategic Roadmap to a Distinctive Kent State*; and

WHEREAS, the administration recommends the one-time offering of a voluntary University Faculty Separation Plan (UFSP) for full-time faculty (tenured/tenure-track, non-tenure track, and unclassified staff with faculty rank) who have 15 years or more of service to Kent State University, or are eligible to retire (full or partial benefit) from STRS, or with equivalent eligibility under ARP, as of June 30, 2023; and

WHEREAS, the plan will give eligible faculty the option of taking advantage of a separation package while providing the university with greater flexibility to respond to current budgetary priorities and to continue forward in implementing strategic initiatives; and

WHEREAS, neither part-time faculty nor faculty who have retired and were subsequently rehired are eligible for the plan; and

WHEREAS, the plan will make monthly payments to faculty members who qualify and elect the plan over a five-year period if the faculty member is eligible and chooses to separate; and

WHEREAS, faculty qualifying and electing the plan will separate from service with Kent State no later than July 1, 2023; and

WHEREAS, under terms of the plan the university reserves the right to retain certain faculty members qualifying for and electing the plan for a period up to one year beyond July 1, 2023, based upon the university's educational and operational needs, after which period their separation and UFSP participation will commence; and



WHEREAS, the plan is projected to result in significant cost savings overall, and a portion of which will support hiring of tenure-track research-active faculty and enhance student success and support services; now, therefore,

BE IT RESOLVED, that the Board of Trustees of Kent State University hereby authorizes the President to proceed with the implementation of the voluntary University Faculty Separation Plan.

With that Trustee Perry concluded his report. Chair Riley expressed that he and Trustee Perry wanted to thank the members of the Finance and Administration Committee – trustees Frost, Mason, Womer Benjamin, and Fetterman – for their hard work in delivering these impactful recommendations.

Chair Riley then asked if any trustee wished to remove any of the proposed resolutions and the proposed university faculty separation program from the consent agenda for further discussion. Hearing no requests, the resolutions were added to the consent agenda by general consent.

## **NEW BUSINESS**

Chair Riley then stated there were three items of new business to come before the Board.

### ***REGARDING CAMPUS FREE SPEECH UNDER OHIO REVISED CODE SECTION 3345.0215***

Chair Riley first called on President Diacon to present a resolution, Regarding Campus Free Speech Under Ohio Revised Code Section 3345.0215. President Diacon said the resolution responded to recently passed legislation concerning campus free speech. He explained that Kent State University has a deep and abiding commitment to free speech and freedom of expression, which is referenced throughout its institutional mission, core values, and policies. A small working group of administrators is reviewing university policies, processes, and procedures to ensure continuing compliance with state law and Ohio campus free speech standards recently issued by Chancellor Randy Gardner.

### **Resolution 2022-78**

#### **REGARDING CAMPUS FREE SPEECH UNDER OHIO REVISED CODE SECTION 3345.0215**

WHEREAS, given its standing as one of the nation's top research universities and its unique history, Kent State University has a deep and abiding commitment to freedom of speech and freedom of expression, which is reflected throughout its core values and institutional policies; and

WHEREAS, the Ohio General Assembly has passed legislation establishing campus free speech principles and requirements as the state's public policy

including Ohio Revised Code Section 3345.0212 (SB 40), which was effective March 24, 2021, and Ohio Revised Code Section 3345.0215 (SB 135), which was effective July 21, 2022; and

WHEREAS, Kent State University provides public information on its compliance with Ohio Revised Code Section 3345.0212 (SB 40) through its annual Freedom of Expression Report and the website [www.kent.edu/freedom-of-expression](http://www.kent.edu/freedom-of-expression); and

WHEREAS, Ohio Revised Code Section 3345.0215 (SB 135) further codified the public policy of the State of Ohio regarding campus free speech principles and requirements of state universities; and

WHEREAS, Chancellor Randy Gardner of the Ohio Department of Higher Education recently issued proposed Ohio Campus Free Speech Standards to provide specific guidance to state universities in ensuring compliance with these standards, which are under review by the Kent State University administration; and

WHEREAS, it is the practice of the Board of Trustees to ensure Kent State University operates in conformity with state law and Ohio public policy; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees hereby:

1. Affirms that the principles of campus free speech enumerated in Revised Code section 3345.0215 (1) through (9) are the public policy of the State of Ohio;
2. Recognizes the university's existing complaint processes previously reviewed or approved by the Board, which enable students, student groups, and faculty members to submit complaints about alleged violations of the campus free speech principles, or violation of any university policy or state law concerning campus free speech by a university employee, including any allegation that a student's grade was reduced on account of the student's free speech rather than on account of ordinary academic standards of substance and relevance, including legitimate pedagogical concerns and is instead based on the contents of student's free speech;
3. Requires that the university's policies and complaint resolution processes be reviewed and amended as appropriate to ensure conformity with the proposed Ohio Campus Free Speech Standards recently promulgated by the Chancellor of the Ohio Department of Higher Education; and
4. Directs that this issue be placed upon the Board's December 7, 2022, agenda for further consideration and action as necessary to ensure Kent State University's continued compliance with state law and furtherance of Ohio public policy.

Hearing no requests for further discussion, the resolution was added to the consent agenda.

*RESOLUTION OF APPRECIATION TO JOHNATHAN HOLIFIELD*

Chair Riley then presented that the second item of new business – a resolution expressing appreciation to Jonathan Holifield who served as a member of the Kent State University Board of Trustees during the past year. He was appointed by Governor Mike DeWine in August 2021 but resigned his position effective September 14, 2022, due to an out-of-state relocation. Chair Riley asked Trustee Frost to present the resolution.

**Resolution 2022-79**

**RESOLUTION OF APPRECIATION TO JOHNATHAN HOLIFIELD**

WHEREAS, Johnathan Holifield was appointed to the Kent State University Board of Trustees by Governor Mike DeWine on August 27, 2021; and

WHEREAS, he brought to the Board of Trustees more than 20 years of diverse local and federal government and private sector experience including his current role as senior vice president for new economies at Bitwise Industries, a venture-backed tech training company, and his recent position as executive director of the White House Initiative on Historically Black Colleges and Universities (HBCU); and

WHEREAS, Trustee Holifield gave dedicated service to Kent State University and the Board of Trustees as a member of the Board's Academic Excellence and Student Success Committee and External Relations and Philanthropy Committee; and

WHEREAS, throughout his board service he demonstrated a strong commitment to helping all students reach their full potential and to encouraging Kent State University collaboration across higher education sectors; and

WHEREAS, due to an out-of-state relocation and in accordance with Ohio law, he resigned his position as Trustee of Kent State University, effective September 14, 2022; now, therefore,

BE IT RESOLVED, that the Kent State University Board of Trustees expresses its appreciation to Johnathan Holifield for his passionate stewardship and wishes him well in his future pursuits.

The resolution was added to the consent agenda.

*ANNUAL REVIEW OF THE PRESIDENT*

Chair Riley then presented the final item of new business regarding the annual review of President Diacon. The Board conducts an annual review of the university president to ensure

clear communication of the Board's intentions, to align mutual expectations to assist the president's performance leading the institution, to inform the Board's annual decisions on presidential compensation, and to maintain accountability for legal, regulatory and ethical compliance, he noted. Chair Riley said that in reviewing President Diacon's performance during the 2021-2022 year, trustees recognized Kent State University's impressive progress in student access and completion, academic and research programs, regional impact, stewardship of organizational resources, and protecting the health, safety and wellbeing of the university community. Based upon its review, the Board earlier that day determined that President Diacon had earned the full amount of his annual performance incentive as set forth in his employment agreement of April 29, 2019. The Board further determined that he should continue as President with a 3% increase in his base salary for the next fiscal year, Chair Riley reported.

### **Resolution 2022-80**

#### **ANNUAL REVIEW OF THE PRESIDENT**

WHEREAS, the Board of Trustees elected Todd A. Diacon as the 13<sup>th</sup> President of Kent State University, effective July 1, 2019; and

WHEREAS, the annual evaluation of the President is intended to ensure a clear communication of the Board's intentions, to align mutual expectations, to assess the President's performance in leading the institution, to inform the Board's annual decisions on presidential compensation, and to maintain accountability for legal, regulatory, and ethical compliance; and

WHEREAS, in reviewing President Diacon's 2021-2022 goals and accomplishments, the Board recognized Kent State University's impressive progress in student access and completion, academic and research programs, regional impact, stewardship of organizational resources, and protecting the campus community's health, safety and well-being; now, therefore,

BE IT RESOLVED, the Kent State University Board of Trustees has determined that President Diacon has earned the full amount of the annual performance incentive in his employment agreement effective April 29, 2019, and that his employment shall continue as previously authorized by the Board of Trustees with a 3% increase in base salary for the 2022-23 year.

Hearing no objections, the resolution was added to the consent agenda.

Chair Riley then asked President Diacon if he would like to make any comments. President Diacon thanked Chair Riley, remarking that it was a pleasure to work with him and all members of the Board of Trustees. Serving as a university trustee is a time-consuming process in a voluntary position, he observed. He commended trustees for providing great advice, for always being available to talk about issues and challenges confronting the university, and for enthusiastically celebrating our successes. If one looks at a university like Kent State that is

doing very well, the board plays a key role in that success, he commented. President Diacon then turned to recognize members of the President's Cabinet and asked them to stand for recognition. He expressed appreciation for their service and thanked them for their ongoing support and faith in his leadership. President Diacon congratulated the team upon another great year and said he looked forward to the continued success of the university and to working together.

#### *APPROVAL OF THE CONSENT AGENDA*

Chair Riley asked for a motion to approve the consent agenda, which included minutes of the May 25, 2022, Board business meeting; personnel actions; recommendations of the standing committees; approval of the University Faculty Separation Plan, the resolution regarding campus free speech, the resolution of appreciation to Jonathan Holifield, and the resolution regarding the Board's annual review of the President.

**ACTION: Trustee Mason moved, seconded by Trustee Bobst, that the motion be approved. There were no objections. Trustee Perry took a roll call vote of the voting membership. By virtue of a unanimous roll call vote, the motion passed.**

#### **ADJOURNMENT**

Chair Riley then moved to adjourn the Board's business meeting. He noted that the next meeting of the Kent State University Board of Trustees was scheduled for Wednesday, December 7, 2022, at the Kent campus. He thanked Dean Christina Bloebaum and her team for their hospitality in hosting the meeting at the Kent State University Airport, and he congratulated the college's students, faculty, staff, and leadership for their remarkable achievements and progress in advancing the College of Aeronautics and Engineering. He said trustees looked forward to spending time with members of the college during the social luncheon and tour of the facility following the Committee of the Whole presentations on internationalization and intercollegiate athletics.

On motion duly noted, the Board's business meeting adjourned at 11:26 a.m.