

OWENS COMMUNITY COLLEGE  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
FEBRUARY 2, 2016 ~ MINUTES

A meeting of the Board of Trustees was held in the Board Room, Administration Hall, on the Owens Community College Toledo Campus.

**Call to Order** – Chair Rich Rowe called the meeting to order at 12:30 p.m. and directed the record to show the meeting was held in accordance with the Ohio Revised Code and the policies of the Board of Trustees.

**Roll Call** – Roll call was taken, and the following members were present: Mary Beth Hammond, Srinivas Hejeebu, Michael McAlear, Ronald McMaster, Edwin Nagle, Tonya Rider, Rich Rowe and Thomas Uhler. (8)

Chair Rowe welcomed and introduced Tonya Rider and Mike McAlear, who were appointed to the Board of Trustees by Governor Kasich.

**Approval of the Minutes of the Board of Trustees** – The minutes of the December 1, 2015 regular meeting were provided. The Chair declared the minutes approved as circulated.

**Finance Committee Report** – Mr. Nagle reported the Finance Committee met on January 21, 2016. He commented that Dave Cannon, Vice President/CFO and Treasurer, presented the financial report for the period ending December 31, 2015. Mr. Nagle commented that the financial report reflected improvement in the projected year-end figures, but the College must continue to be very conscious in controlling costs. He noted that at the January Finance Committee meeting, the members met Jim Bennett, Vice Chancellor for Finance and Data Management from the Ohio Department of Higher Education. Mr. Nagle stated that Treasurer Cannon will be submitting a follow up of the Financial Recovery Plan with fiscal year end 2015 information. Mr. Nagle stated that with the Treasurer, the Finance Committee will continue to review the non-general fee revenue and costs of services provided to students. He commented on the Finance Committee's review of today's Treasurer's/President's recommendations. He stated that the next scheduled Finance Committee meeting is February 18, 2016.

**Nominating Committee Report** – Ms. Hammond reported the Nominating Committee met on January 21, 2016. She presented the slate of nominees for the election of officers: Mr. Nagle for the Chair position and Mr. Rowe for the Vice Chair position.

**Election of Officers** – Ms. Hammond called for nominations from the floor. No further nominations were made, and Ms. Hammond closed the nominations.

Ms. Hammond conducted the election, which was by voice vote. Mr. Nagle was elected as Chair, and Mr. Rowe was elected as Vice Chair.

Trustee Rowe thanked President Bower, Board Secretary Patricia Jezak and the administration for their support. He noted that the local job growth is to be celebrated and that it is reflected in the College's enrollment. Trustee Nagle presented a gift to outgoing Board Chair Rich Rowe, and he thanked Mr. Rowe for his service as Board Chair, 2013, 2014 and 2015.

Board Chair Nagle commented on the commitment to the Financial Recovery Plan, the momentum and the future of Owens Community College.

**President's Report** – President Mike Bower presented his activity report for December and January. He commented on the Cherry Street Mission Ministries in Toledo inviting the College to participate in educational programming for culinary arts and machine tooling, as part of the Life Revitalization Center, (former Macomber High School), which is an educational/job training initiative to help indigent people reenter the community. President Bower provided President/CEO Dan Rogers with a campus tour of Owens academic programs. President Bower acknowledged Trustee Hammond on coordinating a meeting between Owens administrators and Findlay Hancock County Economic Development for a job outlook update and discussion of developing pathways beginning at the grade school level with businesses and industries. President Bower closed with noting that he spoke to the members of the Rotary Club of Toledo on the state-of-the-college and the potential for a change to the College's charter.

**Vice President of Academic Affairs Report** – Steve Robinson, Vice President of Academic Affairs, announced the State of Ohio Board of Nursing granting a certificate of full approval of the Owens Community College Nursing Programs for a period of five years, in accordance with the Ohio Administrative Code and the Ohio Revised Code. He noted that the Ohio Board of Nursing completed a site visit in September 2015, and that five years is the maximum approval that a program can receive. He commented on the course evaluation recommendation, in accordance with Ohio Revised Code 3345.35, based on the institutional definition of “threshold” for low enrollment plus 20 percent. He noted that there is no basis for comparison between institutions. He emphasized that a strength of the College is course/section management, and the College has achieved significant savings each semester by combining and reducing sections, which is documented in the Financial Recovery Plan. Dr. Robinson briefly commented on a new Academic Quality Improvement Program (AQIP) action project of reviewing and improving the AQIP continuous quality program at Owens, which is being facilitated by Denise Smith, Associate Vice President, Academic Affairs, and a team will be formed. In response to a question from Mr. Uhler, Dr. Robinson explained that the AQIP action project team will make an improvement recommendation to the President. Mr. Uhler inquired as to the timeframe, which Dr. Robinson noted the action project team will develop a time frame, and he will plan to provide routine updates at the Board's regular meetings. Dr. Robinson noted that the Building Internal Relationships action project is in progress and the team is finishing a series of focus groups with employee stakeholders. On behalf of the newly appointed trustees, Dr. Robinson introduced the Deans of the academic schools.

**Vice President of Enrollment Management, Student Services and Marketing Report** – Betsy Johnson, Vice President of Enrollment Management, Student Services and Marketing Report, provided a brief update of Spring Semester 2016 headcount enrollment of 10,532, which met the targeted goal; however, it reflected a 10.1 percent decline from prior Spring Semester 2015. She noted that when targets were developed a year ago, the trends of high school graduation rates and the economic outlook were considered. She commented on recruitment and moving the needle in a positive direction with retention and completion rates. On behalf of the newly appointed trustees, Dr. Johnson provided an overview of the offices, functions and initiatives of the Student Services division, which included:

- New Admissions Center opening (February)
- Admissions/recruiting texting software implemented
- 102 College Credit Plus agreements executed, which included 22 new high schools

- College Credit Plus Tuition Waiver recommendation for 2016-2017 for non-funded students that mainly impact non-public and home-schooled students
- New Veteran Services area being planned for the Kingsley Hall Renovations (Veterans student population is 380 for Spring Semester 2016)

Dr. Johnson closed in thanking the Board of Trustees and College administration for the opportunity to work at the College for fifteen years and that the institution is important to northwest Ohio.

**Financial Report** – Dave Cannon, Vice President/Chief Financial Officer, presented the financial statements for the period ending December 31, 2015 and November 30, 2015, which were accepted as submitted. He commented on the six-year capital improvement plan (FY 2017 to FY 2022), as submitted to the Ohio Department of Higher Education, and introduced the Operations staff. Mr. Cannon commented on the year-to-date projected Senate Bill 6 composite score of 1.70, which slightly improved over the prior two months. Chair Nagle commented on the position of continuing on-track toward reaching the targeted goal of operating gain/(loss) after depreciation of (\$2,000,000) by fiscal year-end 2016 and of a targeted goal of breaking even for the operating gain/(loss) after depreciation by fiscal year-end 2017. Mr. Cannon closed with noting that an update to the Financial Recovery Plan with FY 2015 information is planned for submission to the Chancellor, Ohio Department of Higher Education. (*Board Secretary's note: The Chancellor of the Ohio Department of Higher Education approved the Financial Recovery Plan, as updated with FY 2015 information, on February 18, 2016.*)

## **EXECUTIVE SESSION**

Chair Nagle announced an executive session for discussion of pending or imminent litigation, collective bargaining and for a status report for the sale of property. Mr. Uhler made a motion to adjourn to executive session as specified. Mr. Rowe seconded the motion, and the Chair called for a roll call vote. Roll Call: Mary Beth Hammond, yea; Srinivas Hejeebu, yea; Michael McAlear, yea; Ronald McMaster, yea; Edwin Nagle, yea; Tonya Rider, yea; Rich Rowe, yea; and, Thomas Uhler, yea (8).

Upon return from executive session, roll call was taken and the following members were present: Mary Beth Hammond, Srinivas Hejeebu, Michael McAlear, Ronald McMaster, Edwin Nagle, Tonya Rider, Rich Rowe and Thomas Uhler (8).

## **RECOMMENDATIONS OF THE PRESIDENT TO THE BOARD OF TRUSTEES**

### **Employment of Personnel:**

#### **RESOLUTION 2016-02-02-01**

WHEREAS, in accordance with items (3)(D) and (5)(B) of the primary employment agreement, the annual performance review and the annual salary review were respectively conducted; and

WHEREAS, in accordance with item (4)(D) of the primary employment agreement, after the completion of the annual performance review, the term of the agreement may be renewed for consecutive additional terms of one year conditioned upon Board approval;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees renews the term of the President's employment agreement on the basis indicated below:

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>SPECIAL TERMS</u>
Larry M. Bower	President/CEO	July 1, 2016, thru June 30, 2017

RESOLUTION 2016-02-02-02 & 16

BE IT HEREBY RESOLVED that the recommendation of the President to employ the following persons, in compliance with Affirmative Action Guidelines established by the College, be approved by the Board of Trustees:

NAME: Katherine Danko-McGhee  
ADDRESS: Toledo, OH  
EDUCATION: Doctor of Philosophy, with a major in Art Education and Early Childhood, from The Ohio State University; Master of Science, with a major in Art Education, from Indiana State University; Bachelor of Science, with a major in Art Education, from West Virginia Wesleyan College  
EXPERIENCE: Nineteen years of experience in post-secondary teaching and administrative experience in the field of education  
ASSIGNMENT: Chair, Teacher Education and Social Work

NAME: Jeffry Davidson  
ADDRESS: Tiffin, OH  
EDUCATION: Associate of Applied Business, with a major in Forestry Management, from Hocking State College; Associate of Applied Business, with a major in Business Management, from Owens Community College; Associate of Applied Science, with a major in Culinary Arts, from Owens Community College  
EXPERIENCE: Three years of experience in food service management  
ASSIGNMENT: Manager, Culinary Operations and Labs

NAME: Jason Griffin  
ADDRESS: Ottawa Hills, OH  
EDUCATION: Bachelor of Science, with a major in Broadcast Journalism, from Miami University  
EXPERIENCE: Sixteen years of experience in marketing  
ASSIGNMENT: Director, Marketing and Communications

NAME: Marnie Hutchison  
ADDRESS: Rossford, OH  
EDUCATION: Bachelor of Arts, with a major in Interdisciplinary Studies, from The University of Toledo; Associate of Applied Science, with a major in Legal Assisting Tech, from The University of Toledo  
EXPERIENCE: Three years of experience working in an office setting  
ASSIGNMENT: Secretary, Medical Imaging Technologies

NAME: Oriana Rife  
ADDRESS: Toledo, OH  
EDUCATION: Master in Business Administration, with a major in Business Administration, from Lourdes University; Bachelor of Science, with a major in Marketing, from Lourdes University  
EXPERIENCE: Seven years of experience working in education  
ASSIGNMENT: Coordinator, College Credit Plus and Career Tech (Grant-Funded)

NAME: Jennifer Togrul  
ADDRESS: Perrysburg, OH  
EDUCATION: Bachelor of Science, with a major in Biology, from The University of Toledo  
EXPERIENCE: Six years of customer service experience  
ASSIGNMENT: Secretary, Student Life

NAME: Michelle Younker  
ADDRESS: Toledo, OH  
EDUCATION: Master of Arts, with a major in Mathematics, from Bowling Green State University; Bachelor of Science, with a major in Mathematics, from Bowling Green State University  
EXPERIENCE: Twenty-one years of experience teaching at the post-secondary level and administrative experience  
ASSIGNMENT: Chair, Mathematics

NAME: Veronica Burgert  
ADDRESS: Toledo, OH  
EDUCATION: Bachelor of Science, with a major in Criminal Justice, from The University of Toledo; Diploma, with a major in Medical Assisting, from Stautzenberger College  
EXPERIENCE: Six years of experience teaching in a Medical Assisting Program  
ASSIGNMENT: Instructor, Medical Assisting Program

RESOLUTION 2016-02-02-03

BE IT HEREBY RESOLVED that the recommendation of the President to revise the assignment on the basis indicated below be approved by the Board of Trustees:

<u>NAME</u>	<u>ASSIGNMENT</u>
Jill Gentry	Manager, Graduation Services
Erica Parish	Director, TRIO Student Support Services (Grant-Funded)
Kurtis Soltman	Director, Disability Services
Paula Steward	Advisor

Mr. Uhler made a motion to approve the employment of personnel, which was seconded by Mr. McAlear. Following a voice vote, the motion was adopted. Chair Nagle thanked President Bower for his service to the College.

*Board Secretary's note: The candidate for the Director, Enterprise Application Systems position withdrew his/her application prior to starting the position in March.*

## **Chartering of the Board Standing Committees and Appointments:**

RESOLUTION 2016-02-02-04

WHEREAS, 3358:11-1-02(E)(4)(a) of the Bylaws states that standing committees shall be chartered annually through a motion of the board chair and approved by majority vote; and

WHEREAS, the Board Chair has the authority to appoint members to standing and ad hoc committees;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees charters and charges the standing committees for 2016 and the ad hoc committee through the completion of its charge:

- **Student Life Committee** ~ to recognize and celebrate individual students or groups of students who demonstrate any of the College's core values of service, learning, innovation, collaboration and excellence through their achievements in academics, community engagement or involvement in student leadership or student life;
- **Finance Committee** ~ the purpose of the Finance Committee is
  - (A) to ensure a generally acceptable level of prudent professional financial management and foresight as well as the protection of college assets;
  - (B) to review or receive:
    - (1) financial audit reports from the Independent Public Accounting or the State Auditor;
    - (2) other reports related to the college's finances or financial indicators;
  - (C) to provide oversight, guidance and review recommendations, including:
    - (1) annual fiscal year unrestricted fund budgets and financial forecasts;
    - (2) matters concerning property, capital planning/facilities, tuition, reserves, financing options or other as related to the financial condition of the college;
  - (D) to establish and monitor a dashboard of financial metrics;
  - (E) to be informed of the State's higher education priorities and funding formula; to support Ohio Association of Community Colleges advocacy; and, to support the President in advocacy of the College's fiscal needs;

BE IT FURTHER RESOLVED that it is now appropriate for the Board Chair to appoint members of the standing committees and to appoint a designee to serve on the Owens Community College Foundation Board of Directors in accordance with the Owens Community College Foundation Code of Regulations Section 4.01.

Dr. Hejeebu made a motion to approve the resolution, which was seconded by Ms. Hammond. Following a voice vote, the motion was adopted.

## **Appointment of OACC Delegate and Alternate:**

RESOLUTION 2016-02-02-05

WHEREAS, Owens Community College is a member of the Ohio Association of Community Colleges (OACC); and

WHEREAS, OACC is governed by a board made up of one trustee (designated to serve as the delegate) and the president of each such college; and

WHEREAS, the OACC bylaws require that a trustee delegate and an alternate be annually appointed by resolution of the respective board by or on March 31;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Owens Community College Board of Trustees that Trustee *Diana Talmage* is appointed to serve as the delegate and Trustee *Thomas Uhler* is appointed to serve as the alternate to the Ohio Association of Community Colleges.

Mr. McAlear made a motion to approve the resolution, which was seconded by Dr. Hejeebu. Following a voice vote, the motion was adopted.

**Policy Recommendation(s):**

RESOLUTION 2016-02-02-06

WHEREAS, the listed academic policies were previously adopted, and the Academic Standards Committee provides five-year reviews and recommends:

- Amendment of 3358:11-2-22 Age of Coursework Policy
- Amendment of 3358:11-2-24 Course Substitution Policy
- Amendment of 3358:11-2-54 Grade Appeal Policy

WHEREAS, the President concurs with the Academic Standards Committee and recommends the amendment of said policies;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees amends the 3358:11-2-22 Age of Coursework Policy (Appendix I); the 3358:11-2-24 Course Substitution Policy (Appendix II); and, the 3358:11-2-54 Grade Appeal Policy (Appendix III);

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Secretary to the Board of Trustees to file said policies with the Ohio Legislative Service Commission.

Mr. Uhler made a motion to approve the resolution, which was seconded by Dr. Hejeebu. In response to a question from Mr. Uhler on the amendment of 3358:11-2-24 Course Substitution Policy, Dr. Robinson noted that a reason for a course substitution may be due to an academic program change. Following a voice vote, the motion was adopted. The Board Secretary noted that college procedures packets will be mailed in advance with proposed policy changes.

RESOLUTION 2016-02-02-07

WHEREAS, the Treasurer/Chief Financial Officer and the President reviewed and recommend the listed general administration policies related to purchasing and finance for legal compliance and to ensure practices for transactions are properly authorized, documented, recorded and integrated with the fiscal year budget:

- Amendment of 3358:11-4-12 Purchasing Policy
- Adoption of Construction Purchasing Policy
- Adoption of Investment Policy

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees amends the 3358:11-4-12 Purchasing Policy (Appendix IV); adopts the Construction Purchasing Policy (Appendix V); and, adopts the Investment Policy (Appendix VI);

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Secretary to the Board of Trustees to file said policies with the Ohio Legislative Service Commission.

Mr. Rowe made a motion to approve the resolution, which was seconded by Dr. McMaster. Following a voice vote, the motion was adopted.

RESOLUTION 2016-02-02-08

WHEREAS, the Vice President of Human Resources/Administration and the President reviewed and recommend the listed employment policies in accordance with legal compliance and current practice:

- Adoption of Leave Program Policy
- Rescission of 11-5-41 Vacation Policy
- Rescission of 11-5-42 Personal Leave Policy
- Rescission of 11-5-43 Sick Leave Plan Policy
- Rescission of 11-5-45 Leave Without Pay Policy
- Rescission of 11-5-46 Jury Duty Policy

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees adopts the Leave Program Policy (Appendix VII); and, rescinds: 11-5-41 Vacation Policy; 11-5-42 Personal Leave Policy; 11-5-43 Sick Leave Plan Policy; 11-5-45 Leave Without Pay Policy and 11-5-46 Jury Duty Policy (Appendix VIII);

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Secretary to the Board of Trustees to file said policies with the Ohio Legislative Service Commission.

Dr. McMaster made a motion to approve the resolution, which was seconded by Ms. Rider. Following a voice vote, the motion was adopted.

**Tuition Waiver Recommendation** (College Credit Plus Program 2016-2017):

RESOLUTION 2016-02-02-09

SYNOPSIS: Contingent upon the approval of the Chancellor of the Ohio Board of Regents and the Owens Community College Board of Trustees, the College President recommends a tuition waiver to eligible Ohio non-public high school or home-schooled students (enrolled in grades 7-12) who apply to participate in Ohio's College Credit Plus (CCP) program, but who are not funded due to the State's limited funding of this program for the academic year 2016-2017.

Directive 2009-011 established procedures for institutions requesting the Chancellor's approval of tuition waivers. The College's proposal is to offer a reduced tuition rate, which is equal to the rate of \$41.50 per credit hour approved within the College Credit Plus program for the 2016-2017 academic year. (For example, based on the current tuition rate of \$153.00 of one credit hour, a tuition waiver would equal \$111.50 of one credit hour for a reduced tuition rate of \$41.50 of one credit hour.) The proposal is to offer the tuition waiver for the 2016-2017 academic year, which may affect approximately 100 students, dependent upon the number of students who are not funded under the College Credit Plus program.

The purpose of the tuition waiver for the unfunded College Credit Plus students is three-fold:

- 1) it serves the mission of offering an affordable means to the communities' engaged early learners;
- 2) it supports the State's goals of reducing the cost of college to students; to reduce the time to attain a degree and to create seamless pathways for students from high school to community college to university; and 3) it supports the College's Student Completion Plan and the Strategic Enrollment Management Plan.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Owens Community College Board of Trustees authorizes:



- (A) a tuition waiver for the unfunded College Credit Plus students who enroll at Owens Community College for the 2016-2017 academic year, subject to the approval of the Chancellor of the Ohio Department of Higher Education; and,
- (B) the College President to submit the tuition waiver request to the Chancellor of the Department of Higher Education.

Ms. Hammond made a motion to approve the resolution, which was seconded by Mr. Rowe. In response to a question from Mr. Uhler, President Bower commented that this tuition waiver is intended for non-funded College Credit Plus program students who would otherwise have to pay the full tuition cost. Dr. Johnson noted pending approval of the Chancellor, the tuition waiver would become effective for Summer Semester 2016. Following a voice vote, the motion was adopted.

**Ohio Revised Code 3345.35 Course Evaluation Recommendation:**

RESOLUTION 2016-02-02-10

WHEREAS, the 131<sup>st</sup> Ohio General Assembly added Ohio Revised Code (ORC) 3345.35 Course Evaluation based on enrollment and performance, which became effective on September 29, 2015; and

WHEREAS, ORC 3345.35 requires that not later than January 1, 2016, and by the first day of January of every fifth year thereafter, the Board of Trustees of each state institution of higher education, as defined in ORC 3345.011, shall evaluate all courses and programs the institution offers based on enrollment and student performance in each course or program; and

WHEREAS, ORC 3345.35 states that for courses with low enrollment, as defined by the Chancellor of Higher Education, the Board of Trustees shall evaluate the benefits of collaboration with other institutions of higher education, based on geographic region, to deliver the course;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the recommendation of the President/CEO and the Vice President of Academic Affairs/CAO to adopt the course evaluation for Owens Community College be approved by the Board of Trustees; and

BE IT FURTHER RESOLVED that the course evaluation shall be submitted to the Chancellor of Higher Education, not later than thirty days after the completion of the evaluations.

Mr. Rowe made a motion to approve the resolution, which was seconded by Dr. Hejeebu. Following a voice vote, the motion was adopted.

**Report of Monthly Budget Transfers for Board Approval:**

RESOLUTION 2016-02-02-11

BE IT HEREBY RESOLVED that the report of monthly budget transfers, be approved by the Board of Trustees.

Mr. McAlear made a motion to approve the resolution, which was seconded by Mr. Uhler. Following a voice vote, the motion was adopted.

**Facilities/Capital Improvements:**

**- Recommendation of a Sublease Agreement**

RESOLUTION 2016-02-02-13

NOW, THEREFORE, BE IT HEREBY RESOLVED as recommended by the President, the Board of Trustees authorizes the President and Treasurer, with guidance of legal counsel, to negotiate and execute a sublease agreement and to amend, if appropriate, the primary lease agreement dated July 1, 2009 between Arrocorp III and Owens Community College for the remaining college-occupied and common area space at the Owens Community College Learning Center, Maumee, generally described as 1724 Indian Wood Circle, Maumee.

Mr. Uhler made a motion to approve the resolution, which was seconded by Dr. McMaster. Following a voice vote, the motion was adopted.

**- Recommendation regarding North Coast Gas Transmission, LLC**

RESOLUTION 2016-02-02-14

SYNOPSIS: The Somerset Gas Transmission Company, LLC is a privately held company, which owns and operates natural gas gathering systems in Pennsylvania, and operates an intrastate natural gas pipeline in Ohio through a subsidiary, North Coast Gas Transmission, LLC, under the authority of the Public Utility Commission of Ohio. North Coast Gas Transmission, LLC operates a 266-mile natural gas pipeline originating in Cygnet, Ohio and ending east of Cleveland, Ohio. North Coast Gas Transmission LLC currently provides natural gas transportation service for a diverse group of local distribution companies, end users and market aggregators in northern Ohio. (Source: [http://www.somersetgas.com/about\\_us.html](http://www.somersetgas.com/about_us.html) )

NOW, THEREFORE, BE IT HEREBY RESOLVED as recommended by the President, the Board of Trustees authorizes the President and Treasurer, with guidance of legal counsel, to negotiate and execute an easement (to contain a 24” buried natural gas pipeline) and a temporary easement of (during a construction in progress period of about two years), which will cross the following listed parcels along Tracy Road and along Walbridge Road, with North Coast Gas Transmission, LLC: (Exhibit – North Coast Gas Transmission LLC)

- H28-712-070000018000
- H28-712-070000017000
- H28-712-070000016000
- H28-712-070000014000
- H28-712-070000013000
- H28-712-06000009000

Dr. McMaster made a motion to approve the resolution, which was seconded by Dr. Hejeebu. Mr. Uhler abstained. Following a voice vote, the motion was adopted.

**- Recommendation regarding Columbia Gas of Ohio**

RESOLUTION 2016-02-02-15

SYNOPSIS: Columbia Gas of Ohio has a general easement on two parcels of Owens property that are dated October 7, 1952. The existing easement is for a high pressure gas main, which is scheduled to be replaced in early 2016, with plans for a new gas main to be installed within feet of the existing gas main to be abandoned. The affected parcels are open fields. Per the existing easement language, the property owner shall be compensated for damage and inconvenience during construction. The question of whether the new replacement gas main is included in the existing easement or if it may require a new easement is being reviewed on the College's behalf by the Ohio Department of Administrative Services. Due to the timing of the Columbia Gas project, the following is for the Board's consideration.

NOW, THEREFORE, BE IT HEREBY RESOLVED as recommended by the President, the Board of Trustees authorizes the President and Treasurer, with guidance of legal counsel and the Ohio Department of Administrative Services, to either a) accept the compensation offered by Columbia Gas of Ohio in accordance with the existing easement language for the construction of a new 4" diameter gas main proposed to run parallel to existing 4" diameter gas main; or, b) negotiate and execute a new easement for the construction of a new 4" diameter gas main proposed to run parallel to existing 4" diameter gas main, of which a total linear footage of 3,245' is to be installed on the following listed parcels on Walbridge Road, with Columbia Gas of Ohio: (Exhibit – Columbia Gas of Ohio)

- P57-300250002001000
- P58-300250001003000

Ms. Hammond made a motion to approve the resolution, which was seconded by Dr. McMaster. Mr. Uhler abstained. Following a voice vote, the motion was adopted.

**REGULAR REPORTS**

**Monthly Reports to the Board of Trustees** – Members of the Board of Trustees were issued monthly reports from Academic Affairs, Business Affairs, Student Services and other reports to the President, including the Foundation, Alumni Relations and the Findlay Campus.

**Adjournment** – As there was no further business to come before the Board of Trustees, Chair Nagle declared the meeting adjourned.

APPENDIX I  
Policy Amendment

**3358:11-2-22 Age of coursework policy.**

- (A) Purpose. The philosophy of Owens ~~state~~ community college is to accept courses satisfying degree and certificate requirements without regard to ~~age~~ length of the time since completion of the course, except ~~where prohibited by accrediting agencies or as regulated by law~~ when otherwise determined by the academic program.
- (B) Implementation. The ~~office of the provost~~ chief academic officer will implement procedures, guidelines, and forms that are consistent with the provisions of this rule.

Promulgated under: 111.15  
Statutory authority: 3358.08  
Rule amplifies: 3358.08  
Prior effective dates: 3/7/2002, 11/20/2010

APPENDIX II  
Policy Amendment

**3358:11-2-24 Course substitution policy.**

- (A) Purpose. Under special circumstances, a student may request the substitution of a different course for a required course within an academic program. All general education requirements must still be met. A course considered for substitution must be of similar classification to the required course.
- (B) Implementation. The ~~office of the provost~~ chief academic officer will implement procedures, guidelines, forms that are consistent with the provisions of this rule.

Promulgated under: 111.15  
Statutory authority: 3358.08  
Rule amplifies: 3358.08  
Prior effective dates: 3/7/2002, 11/20/2010

APPENDIX III  
Policy Amendment

**3358:11-2-54 Grade ~~Academic~~ appeal policy.**

- (A) Purpose. Owens community college provides a process of appeal in the event that a student disagrees with a course grade ~~or with an action taken within the teaching and learning process~~. ~~The establishment of a process for the appeal of academic decisions is promulgated in the associated procedures by the associate vice provost.~~

- (B) Appeals. ~~Types of appeals may generally include, but are not limited to, the following: a student appeals a course grade; a student appeals a formative evaluation such as a class assignment; a student disagrees with the interpretation of a syllabus or anything academic-related in nature.~~ A grade appeal may be initiated for the reason of: if there is a computational error of a grade; or, if the student was graded differently than stated in the syllabus or assignment; or if the student was graded differently than class peers.
- (C) Application. ~~This policy rule applies to all full-time and part-time students, both credit and non-credit students~~ in credit courses including developmental education courses.
- (D) Implementation. ~~The associate vice provost will implement procedures, guidelines and forms consistent with the provisions of this policy as well as communicate same to students.~~ The chief academic officer will implement procedures and forms, which are consistent with the provisions of this rule.

Promulgated under: 111.15  
 Statutory authority: 3358.08  
 Rule amplifies: 3358.08  
 Prior effective dates: 11/22/2009

#### APPENDIX IV Policy Amendment

#### **3358:11-4-12 Purchasing policy.**

- (A) Purpose. ~~The board of trustees of Owens community college desires to give consideration to the objectives and policies of the institution,~~ to obtain the maximum value of each dollar of expenditure, and to obtain quality goods and services merchandise from the lowest responsive and responsible vendor or bidder. This rule does not apply to purchases related to works of improvement/construction, which are addressed in rule 3358:11-4-24 of the Administrative Code (construction purchasing).
- (B) Determination of lowest, responsive and responsible bid. A bidder shall be considered responsive if their proposal meets or exceeds specifications. The bidder shall be considered responsible for proper execution of contract or purchase order by demonstrating acceptable proof of proper experience, financial condition, insurance, conduct and performance on previous contracts, which shall include compliance with regulatory agencies, history of accidents and illness rates, safety training, references, licensing, and facilities and personnel. Wherever possible, consideration will be given to bidders utilizing a local workforce. All bidders are encouraged to participate in a quality of life programs for their employees to enhance the greater wellbeing of the local community.

Owens ~~Community College~~ community college, however, reserves the right to reject any and all bids or parts thereof or items therein and to waive any informality in bids received whenever such rejection or waiver is in the interest of the college. Owens ~~Community College~~ community college also reserves the right not to award a contract to the low bidder if the college determines that the low bid is not in the best interest of the college.

Owens community college shall follow the statutory requirements of the Revised Code for the purchase or the award of a contract for goods and services, including but not limited to section 9.24 of the Revised Code for findings for recovery; section 3517.13 of the Revised Code for campaign financing.

(C) Encumbering of funds.

- (1) The authority to obligate the college for any expenditure of funds shall be limited to the approval of either the board, the president/chief executive officer, the treasurer/chief financial officer, ~~senior vice president, business affairs/treasurer~~, or to an employee who has been delegated that responsibility of budget authority by the president or ~~senior vice president business affairs/treasurer~~ treasurer/chief financial officer. Employees making an unauthorized purchase may be held personally liable for that purchase.
- (2) The purchase or lease of goods and services requires prior authorization through the issuance of a purchase order. The issuance of a purchase order ensures funding is available in the budget within the requested object code. Such issuance of a purchase order shall encumber funds appropriated for the purchase. Authority to obligate the college for the purchase of goods and services and to enter into such contracts is limited to those individuals specifically designated by the board, the president, and the treasurer/chief financial officer. ~~senior vice president, business affairs/treasurer~~.
  - (a) Exceptions to the requirement to establish a purchase order are for travel, memberships, referees, scholarship money returned to donors, club accounts, athlete medical bills, plant operation emergencies, state and federal aid funds returned to respective governmental agency. When requesting services from an Owens' department, verification of funds must be provided prior to the ordering of goods, materials or services.
  - (b) A purchase requisition less than one thousand dollars must be approved by an employee with budget authority. A purchase requisition equal to or greater than one thousand dollars must be approved by the budget authority and the supervisor. A purchase requisition equal to or greater than than five thousand dollars must be approved by the budget authority, the supervisor and the vice president of the division. A division vice president has the authority to approve a purchase requisition at lower levels and as pursuant to specified limit(s) in (C)(3) of this rule.
  - (c) A request for direct pay will not be allowed; exceptions are for employee travel, memberships, club accounts, request for proposals public advertisements, athletic tournament entry fees, college nights (hosted at various schools) for less than two hundred dollars and state and federal aid funds to be returned to respective governmental agency within three days. Other direct pay requests will not be processed and will be returned to the requestor for the issuance of a purchase requisition for the encumbrance of funds. Repeated requests to establish a purchase requisition/order after a

good or service is ordered will result in the removal of a budget authorization and the necessity of a supervisor's approval in advance of all purchase requisitions.

- (d) A request to reimburse an employee without the issuance of a purchase order is limited to membership dues or for miscellaneous supplies totaling up to two hundred fifty dollars.
- (e) Routine or ongoing purchases with a purchase card in accordance with approved purchase card limits require a purchase order issued in advance of acquiring the goods or service.

The purchase card purchase limit is one thousand dollars. The treasurer/chief financial officer has authority to increase the purchase card limit for special circumstances. A special circumstance may include travel for an athletic team, an emergency purchase or a time-limited purchase.

A purchase card cannot be used for meals, liquor, computer software, computer equipment. An exception for use of a purchase card for food is limited to an athletic team or a club account.

Repeated use of a purchase card without budgetary approval or the issuance of a purchase order will result in the termination of purchase card use, removal of budget authorization and the necessity of a supervisor's approval in advance of all purchase requisitions.

- (f) A budget authority must ensure available funds or initiate a budget transfer for funds in advance of processing a purchase requisition or such purchase requisition will be returned.

- (3) The purchase or lease of vehicles, furniture, ~~and~~ equipment or other goods with an aggregate value ~~between~~ ~~of~~ ~~ten~~ ~~thousand~~ ~~dollars~~ ~~and~~ ~~twenty~~ ~~four~~ ~~thousand~~, ~~nine~~ ~~hundred~~ ~~ninety~~ ~~nine~~ ~~dollars~~ ~~or~~ ~~more~~ requires prior authorization by a vice president/president and treasurer/chief financial officer, a president's council member and the senior vice president business affairs/treasurer.

The purchase or lease of vehicles, furniture, ~~and~~ equipment or other goods with an aggregate value of twenty-five thousand dollars or more requires prior authorization by a vice president and treasurer/chief financial officer and the president, ~~president's council member, the senior vice president business affairs/treasurer and the president.~~

The purchase or lease of vehicles, furniture, equipment or other goods with an aggregate value of fifty thousand dollars or more requires prior authorization by the president and treasurer/chief financial officer and the board of trustees.

- (D) Fixed assets. The capitalization amount for fixed assets with a useful life of at least three years will be five thousand dollars per unit price.

(E) Competitive bidding.

- (1) ~~It is recommended that college~~ College personnel involved in the procurement process should exercise good judgment and secure informal competitive pricing for items requisitioned. All goods and services ~~costing equal to or greater than ten thousand dollars or more,~~ costing equal to or greater than ten thousand dollars, but less than twenty-five thousand dollars, per unit price, shall have three written proposals.
- (2) All goods and services, excluding works of improvement, ~~costing equal to or greater than~~ costing equal to or greater than twenty-five thousand dollars ~~or more,~~ per unit price will be competitively bid and legally advertised once a week for ~~two~~ three consecutive weeks in at least one newspaper of general circulation within the college district. The award will be given to the lowest responsive and responsible bidder pursuant to the competitive bidding requirements as established in the Revised Code.
- (3) Competitive bidding requirements may be waived:
  - (a) Whenever the board, the president, ~~or senior vice president, business affairs/treasurer~~ and treasurer/chief financial officer ~~have~~ has determined that an emergency situation exists. (An emergency situation involves safety, severe damage to college equipment or property or situations in which the college's ability to continue operations is significantly at risk.)
  - (b) In the judgment of the procurement department and with the approval of the ~~treasurer/chief financial officer associate vice president, business affairs and senior vice president, business affairs/treasurer,~~ treasurer/chief financial officer, it is deemed impossible or impractical to obtain more than one bid due to the product being a used item, a single source item, or for any other sufficient reason.
  - (c) Whenever ~~the~~ the state of Ohio, ~~the Ohio inter-university purchasing council, general services administration, educational and institutional cooperative, national joint powers alliance, national inter-governmental purchasing alliance, u.s. communities, provista, sourcing office, Ohio association of community colleges, metropolitan Toledo educational purchasing association,~~ the Ohio inter-university purchasing council, general services administration, educational and institutional cooperative, national joint powers alliance, national inter-governmental purchasing alliance, u.s. communities, provista, sourcing office, Ohio association of community colleges, ~~metropolitan Toledo educational purchasing association,~~ or other educational and institutional cooperative contracts are utilized as a source for an established price.
  - (d) When the Revised Code allows for the exemption of professional ~~Professional~~ service providers (i.e., auditors, attorneys, architects, consultants, etc.) from competitive bidding requirements. (These services should follow a request for proposal process to ensure the professional service provider has the capability to successfully complete the required services within the timeframe requested and at a reasonable cost.)
  - (e) When distribution is ~~Distribution~~ authorized by the college for whom the college is the fiscal agent or custodian of funds.

(F) Requests for proposals.



- (1) Requests for proposals for goods and services, excluding works of improvement, will be legally advertised in a newspaper of general circulation within the college district once a week for at least two consecutive weeks prior to the date specified by the college for receiving proposals.
- (2) The college shall select for review at least three proposals. If fewer than three proposals are received, the college shall review every proposal. The college may cancel a request for proposals at any time before entering into an agreement with a respondent.
- (3) Upon further review of the proposals selected, the college shall award a purchase order or enter into an agreement with the respondent that is considered to have the most merit, taking into consideration the scope, complexity and nature of the services to be performed by the respondent.

~~(G) — Works of improvement.~~

- ~~(1) — Works of improvement costing ten thousand dollars to forty nine thousand nine hundred ninety nine dollars, shall have three written proposals to be purchased outright or it can be sought on a request for proposal basis.~~
- ~~(2) — In accordance with state of Ohio house bill 675, works of improvement costing fifty thousand dollars or more shall be sought through sealed bids. To obtain the sealed bids the college will advertise in at least one newspaper of general circulation within the college district, wherein the work is to be done, for once a week for three consecutive weeks. A bid opening date can be scheduled any time after eight (8) days from the last legal advertisement date. The board of trustees shall approve awarding of contracts for works of improvement costing fifty thousand dollars or more. Such contract will be signed by the board of trustee chair, the senior vice president business affairs/treasurer, the awarded contractor, and approved by the attorney general's office, education section representative.~~
- ~~(3) — The college shall adhere to the provisions chapter 153 of the Revised Code; section 9.312 of the Revised Code, and the state of Ohio standard conditions of contract for construction.~~

(G) ~~(H)~~ College library and bookstore operations.

- (1) All purchases of library materials such as print and electronic books, and periodicals, ~~and goods for resale~~ shall be procured by securing informal competitive price quotations for items requisitioned.

- (2) The responsibility and authority of the procurement of library books and periodicals for the college library is vested in department chairs and deans and the director, library services. ~~the dean of the library.~~
- ~~(3) The responsibility and authority for the procurement of materials for resale in the bookstore is vested in the bookstore manager.~~

(H)(4) Purchase of printed materials.

- (1) Ohio law (section 3345.10 of the Revised Code) ~~mandates~~ requires competitive bidding procedures for the award and purchase of printed material and that all contracts for printed material shall be awarded to vendors who have manufacturing facilities within the state.
- (2) If the required printed products are not available from a vendor who has manufacturing facilities within the state, the college shall be permitted to purchase from an out-of-state vendor.

(I) This rule supplements and supports the Owens community college rule 3358:11-1-12 of the Administrative Code (financial standards). College administration shall adhere to the contracting manual provided through the legal services office.

(J) The treasurer/chief financial officer has the authority to promulgate procedures consistent with this rule.

Promulgated under: 111.15  
Statutory authority: 3358.08  
Rule amplifies: 3358.08  
Prior effective dates: 7/15/2005

APPENDIX V  
Policy Adoption

**3358:11-4-24 Construction Purchasing policy.**

- (A) Threshold for competitive bidding. A capital improvement project, whether local or state funded, with a project cost of fifty thousand dollars and above must follow a formal competitive bidding process, including advertising, in accordance with section 9.312, section 3358.10 and Chapter 153. of the Revised Code.
- (1) Improvement projects with a total project cost equal to or greater than fifty thousand dollars shall be advertised after the notice calling for bids has been published once a week for three consecutive weeks in at least one newspaper of general circulation within the Owens community college district where the work is to be done.
  - (2) The board of trustees shall approve the contract of the recommended lowest responsive and responsible bidder. Such contracts shall be accompanied by or shall

refer to plans and specifications for the work to be done. Such contracts shall be signed by the board of trustees chairperson and by the contractor.

- (3) The treasurer/chief financial officer shall certify there are sufficient funds for the project in accordance with section 3358.10 of the Revised Code.
  - (4) The college shall obtain a bid bond and performance and payment bond for all projects with a total project cost equal to or greater than fifty thousand dollars.
  - (5) A project may not be divided into separate projects to avoid competitive bidding.
  - (6) Thresholds are based on total project cost, not contract cost, regardless of the source of funds.
- (B) Project below threshold. A capital improvement project with a total project cost less than fifty thousand dollars is not required to follow the formal competitive bidding process; however, a project with a total project cost of ten thousand dollars and up to forty-nine thousand nine hundred ninety-nine dollars, requires that three written quotations be obtained whenever possible.
- (1) If less than three quotations are available, the reasons must be documented in writing.
  - (2) The college shall select the quote or proposal that is in the best interest of the college.
  - (3) Project administrators shall avoid any potential conflict of interest and any action, which might result in the appearance of impropriety. All proposed contractors shall receive the same information, and any questions and answers shall be made equally available to all proposed contractors.
  - (4) The college may accept or reject any or all proposals or quotes, in whole or in part.
  - (5) Any change to specifications may require an extension of the time for receiving quotations or proposals, or a re-issuance of the solicitation.
  - (6) The college will make a case-by-case decision as to when a bid bond and performance and payment bond will be required for construction projects that cost less than fifty thousand dollars. In general, a bond will be required for all projects for which the total cost is equal to or greater than fifty thousand dollars, and for all projects of any cost involving demolition, excavation, utility work, hazardous materials, specialized work, or roofing.
- (C) Prevailing wage projects. All prevailing wage projects shall be managed by the college's prevailing wage coordinator.
- (1) For improvement projects with a total project cost equal to or greater than seventy-five thousand dollars (or other threshold as determined under section 4115 of the Revised Code,) the project administrator must include prevailing wage rates in the bidding specifications and in the contract.

- (2) For all parking lot, road, street, alley, sewer, or ditch related projects that exceed prevailing wage thresholds determined biennially by the Ohio department of commerce, the project administrator must include prevailing wage rates in the bidding specifications and in the contract consistent with section 4115 of the Revised Code.
  - (3) If a project involves any federal funds, legal counsel should be consulted to determine whether federal prevailing wage rates apply.
- (D) Documentation and process for all construction projects. For all construction projects, regardless of size, the following are required:
- (1) Debarment list. Review the state of Ohio debarment list to ensure that none of the contractors are barred from doing business with the state.
  - (2) Findings for recovery. Ensure that each contract includes a provision for findings for recovery.
  - (3) Secretary of state. Ensure with the Ohio secretary of state office that each contractor is properly registered to do business.
  - (4) Drug-free safety program. Require proof that each contractor has a valid drug-free safety policy approved by the Ohio bureau of worker's compensation.
  - (5) Notice of commencement. Issue a notice of commencement for all projects of any size that involve construction or construction-related work. A copy of the notice shall be sent to all contractors and to all subcontractors of whom the college is aware. The notice shall be posted at the college's website or other publicly visible space.
  - (6) Contract form and time of completion. Use a contract form and include the estimated time for completion of the project.
  - (7) Non-discrimination clause. The contract shall contain the non-discrimination clause provided for in section 153.59 of the Revised Code.
  - (8) Release form. A signed payment release affidavit form from each contractor that affirms payment of prevailing wages and release of all potential lien claims is required before the college can release the final payment to the contractor.
  - (9) Certification of contract completion form. A certified contract completion form from each contractor is required before the college can release the final payment to the contractor.
- (E) Insurance requirements. For projects equal to or greater than fifty thousand dollars, and for all projects of any size involving demolition, excavation, utility work, hazardous materials, specialized work, or roofing, insurance coverage will be required. Such insurance shall be written by a company or companies authorized to engage in the business of general liability

insurance in the state of Ohio with an a.m. best rating of at least “a” or be otherwise approved in writing by the college. Any insurance policy required hereunder shall include an endorsement naming the college and the state of Ohio as additional insured. Coverage amounts are as follows:

- (1) Five hundred thousand dollars on account of bodily injury to or death of one person; and
  - (2) One million dollars on account of bodily injuries or death of more than one person as a result of any one accident or disaster; and
  - (3) Two hundred fifty thousand dollars for property damage in any one accident or disaster.
- (F) Sole source specifications. The college shall follow the state’s rules as published by the Ohio facility construction commission regarding the use of sole source specifications, which include but are not limited to the following requirements.
- (1) The performance requirements of a given product cannot be so narrow as to restrict competition. Any component of other manufacturer’s or vendor’s product which meets the performance requirements of the procurement documents may be considered equally acceptable provided the component is submitted to the architect/engineer as a substitution request prior to the bid opening with sufficient time for the architect/engineer to review, and approve, and to notify all bidders by issuing an addendum.
  - (2) Proprietary specifications may call for a particular brand and model to be used. Whenever any product is specified by brand name (such as the manufacturer’s or supplier’s name or trade name and catalog or model number or name), the intent is to establish a standard of quality which the architect/engineer has determined is necessary. In order to foster competition, the architect/engineer is required to develop specifications such that a minimum of three manufacturers are named. If less than three manufacturers are named, the architect/engineer must submit a waiver request. When the architect/engineer lists components produced by specific manufacturers to denote kind, quality, or performance requirements, the component listed first in the specifications is the basis of design component.
  - (3) Note that sole source specifications have the effect of eliminating competitive bidding and the instances in which its use is permitted have been limited. Under some circumstances, the specifications may call for patented materials, articles, or items which may not be offered by two or three manufacturers. An owner has the authorization to include a sole source specification only when it is clearly in the public interest to do so, after carefully considering the serviceability and cost of the material or article for which the contract is made.
  - (4) Instances that may support an exception are cases where a specified material must match an existing material in appearance or a system or component must match an existing system or components for functional reasons (such as for hardware keying systems). The specification of a limited number of manufacturers may in some

cases be justified in order to achieve specific design intent provided that the value of the specified goods is insignificant in relation to the overall project. In all cases, the scope of work that is covered by a sole source specification should be as minimal as necessary to achieve the intended benefit (such as, lock cylinders instead of door hardware).

(G) State term purchasing of construction services. Construction services may not be purchased from state term schedules, the inter-university council purchasing group, or other purchasing consortiums for projects with a total project cost greater than one hundred ninety-nine thousand dollars.

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	7/15/2005

APPENDIX VI  
Policy Adoption

**3358:11-4-25 Investment policy.**

(A) The purpose of this rule is to provide a framework for the prudent management of all public funds that will adhere to Chapter 135. of the Revised Code and to all other applicable laws and regulations at all times.

(1) Owens community college shall invest public funds in a manner, which will provide maximum security with the highest investment return, safety and preservation of principal, while meeting the daily cash flow demand and conforming to all applicable statutes governing the investment of public funds.

(B) Authority. The treasurer/chief financial officer is the investment officer of the college and is responsible for the purchase and sale of invested funds and the implementation of the investment rule. The treasurer/chief financial officer will adhere to the investment rule, section 3358.06 of the Revised Code, section 3345.05 of the Revised Code, and all other applicable laws and regulations.

(C) Scope. The investment rule applies to all financial assets of the college, including state and federal funds held by the college. The treasurer/chief financial officer or designated staff shall routinely monitor the composition of the college's investment portfolio, the available markets and relative value of competing investments and will adjust the portfolio accordingly.

(D) Standard of prudence. The standard of prudence to be applied by the treasurer shall be the industry prudent-person standard, which states, "investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

- (1) Acting in accordance with the investment rule or any other appropriate written procedures pertaining to the administration and management of the college investment portfolio while exercising due diligence, shall relieve the treasurer of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported to the board of trustees in a timely fashion and appropriate action is taken to respond to adverse developments.
- (E) Objectives. The primary objectives of the college's investment activities are in priority order, as follows:
- (1) Safety. The safety of principal is the foremost objective of the investment program. College investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. Diversification is required in order that potential losses on individual securities are not excessive relative to the income generated from the remainder of the portfolio.
  - (2) Liquidity. The college investment portfolio will remain sufficiently liquid to enable it to meet all operating requirements, which might be reasonably anticipated.
  - (3) Return on investment. The College's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account this investment rule and the cash flow characteristics of the portfolio.
  - (4) Minimization of cost of services. The fourth objective is to minimize transaction costs. Relationships with securities dealers, investment bankers, and other entities providing investment services will be carefully managed to secure high quality services while simultaneously minimizing costs.
- (F) Ethics and conflict of interest. Designated college employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, -including having any material financial interest involved in financial institutions or any substantial personal financial or investment positions that could be related to, or affected by, the performance of the college's portfolio. All employees, officers and investment consultants to the college shall subordinate their personal investment interests to those of the college, particularly with regard to the timing of purchases and sales.
- (G) Authorized financial dealers and institutions. The treasurer/chief financial officer shall maintain a list of financial institutions and approved security broker/dealers selected by creditworthiness who are authorized to provide investment services and who qualify under division (M)(1) of section 135.14 of the Revised Code.
- (1) All financial institutions and broker/dealers, which desire to become qualified to handle investment transactions for the college should provide the treasurer/chief financial officer with: audited annual financial statements; proof of good standing with the office of the comptroller of the currency and state banking regulators;.

national association of security dealers certifications; proof of Ohio registration; and biographical and regulatory information regarding the employees who would be the primary contact.

(2) All financial institutions, broker/dealers and consultants, which desire to conduct investment business for the college must certify that they have read, understood, and agree to abide by this policy.

(H) Authorized investments. The authorized investments below constitute a nonexclusive list of appropriate investments, as follows:

(1) The Ohio subdivision's fund, also known as the state treasury asset reserve of Ohio fund, set forth in section 135.45. of the Revised Code.

(2) Certificates of deposit of any national bank located in the state of Ohio.

(3) No-load money market mutual funds, rated in the highest category by at least one nationally recognized rating agency, investing exclusively in the types of eligible securities as defined under sections 3345.05 and 3358.06 of the Revised Code. Eligible money market funds shall comply with section 135.01 of the Revised Code, regarding limitations and restrictions.

(4) Bankers' acceptances, maturing in two hundred seventy days or less, rated in the highest category by one of two nationally recognized rating agencies.

(5) United States of America treasury bills, notes, and bonds; various federal agency securities including issues of federal national mortgage association, federal home loan mortgage corporation, federal home loan bank, federal farm credit bank, student loan marketing association, government national mortgage association, and other agencies or instrumentalities of the United States of America. Eligible investments include securities that may be "called" prior to the final maturity date. Any eligible investment may be purchased at a premium or a discount. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.

(6) Bonds and other obligations of the state of Ohio.

(I) Prohibited investment practices. In addition to any other prohibitions in the Revised Code, the college shall not:

(1) Contract to sell securities that have not yet been acquired on the speculation that prices will decline.

(2) Make any investment in "derivations" as defined in division (C) of section 135.14 of the Revised Code.

(3) Invest in a fund established by another public body for the purpose of investing public money of other subdivisions unless the fund is the Ohio subdivision's fund (state treasury asset reserve of Ohio fund).



- (4) Enter into reverse repurchase agreements.
- (5) Leverage current investments as collateral to purchase other assets.
- (6) Invest in stripped principal or interest obligation of otherwise eligible obligations.
- (J) Diversification. The college will diversify its investments by security, type and institution. With the exception of direct obligations of the Ohio subdivision's fund (state treasury asset reserve of Ohio fund), no more than seventy-five per cent of the college's total investment portfolio will be invested in a single security type or with a single financial institution.
- (K) Maximum maturities. To the extent possible, the college will attempt to match its investments with anticipated cash flow requirements. No investment shall be made unless the treasurer/chief financial officer, at the time of making the investment, reasonably expects it can be held to its maturity. Unless there is no loss to be suffered due to possible early liquidation, the college will not directly invest in securities maturing more than five years from the date of settlement.
- (L) Safekeeping and custody. All security transactions, including collateral for repurchase agreements, entered into by the college shall be conducted on a delivery-versus-payment basis. Securities will be held by a third party custodian designated by the treasurer/chief financial officer and evidenced by safekeeping receipts. Pledge collateral will only be released by the college after verifications that the principal and interest have been credited to the college's account.
  - (1) The treasurer/chief financial officer may require any depository holding a significant portion of the portfolio to identify specific collateral and to deliver that collateral to the federal reserve bank as security for the deposit.
- (M) Internal controls. The treasurer/chief financial officer is responsible for internal controls, which include but are not limited to:
  - (1) The treasurer/chief financial officer shall maintain a current inventory of all investments, including:
    - (a) Description of each security
    - (b) Cost
    - (c) Par value
    - (d) Dates (beginning, settlement, maturity)
    - (e) Rates
    - (f) Seller

- (2) The establishment of an investment committee consisting of the treasurer/chief financial officer, controller and budget officer. The investment committee shall generally meet monthly and review investment options.
- (a) With the approval of the board of trustees, the investment committee may authorize the services of an investment advisor who meets both of the following qualifications:
- (i) Licensed by the division of securities under section 1707.141 of the Revised Code; or, registered with the securities and exchange commission.
- (ii) Demonstrated experience in the management of investments of public funds, particularly in the investment of state-government investment portfolios; or, is an eligible institution as a public depository in accordance with section 135.03 of the Revised Code.
- (b) The investment advisor may assist in the management of the college's portfolio and will share the responsibility for the investment and reinvestment of such investment assets, including the execution of investment transactions. Upon the request of the board of trustees finance committee or the treasurer/chief financial officer, the investment advisor will report on all aspects of the college's portfolio, including bond market conditions affecting the value of the college's investments. The investment advisor may transact business (execute the purchase and/or sale of securities) with eligible financial institutions, in accordance with this investment rule. The investment advisor will be required to issue monthly and quarterly portfolio reports to the treasurer/chief financial officer, as defined in this investment rule.
- (3) The treasurer/chief financial officer shall provide an investment report at regularly scheduled meetings of the board of trustees finance committee.
- a. The investment report will include list of all investments and a report on investment activity and returns.
- (N) Education. The treasurer/chief financial officer shall participate in continuing education training programs sponsored by the state treasurer or the state auditor, in which the treasurer/chief financial officer is required to participate pursuant to section 135.22 of the Revised Code. Through participation in such programs, the treasurer/chief financial officer will develop and enhance background and working knowledge in investment, case management and ethics.
- (O) Adoption and amendment. The board of trustees shall adopt the investment rule and it shall be annually reviewed for recommended amendment. The treasurer shall file the adopted or amended investment rule with the office of the auditor of state.
- (P) Certification of reading, understanding and acceptance of the investment rule by those who desire to conduct investment business with the college.

- (1) The undersigned, hereby certifies that it has read, understands and will accept and abide by this investment rule and the relevant provisions of section 135.14 of the Revised Code in conducting investment business on behalf of Owens community college; that it understands that binding arbitration provisions are not permitted and that any non-binding arbitration provisions governing its relationship with the college must be expressly approved by the Owens community college board of trustees , and that the officer executing this certification is authorized to do so on behalf of the undersigned.

Undersigned: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Promulgated under: 111.15  
Statutory authority: 3358.08  
Rule amplifies: 3358.08  
Prior effective dates: NA

APPENDIX VII  
Policy Adoption

**3358:11-5-55 Leave program policy.**

- (A) Owens community college provides leave time to respond to employee needs.
- (1) Vacation leave is provided to employees on twelve-month assignments, except for those employees in grant-funded positions where such leave is not provided.
  - (2) Sick leave benefits are provided to employees on schedules of twenty or more hours per week, excluding, among others, adjunct faculty.
  - (3) Personal leave is provided to non-exempt employees on schedules of twenty or more hours per week.
  - (4) Jury and other civil service duty leave is provided to employees who are summoned for jury duty or are subpoenaed to appear before a court or other legal body authorized to compel the attendance of witnesses, provided that the employee is not a party to the action.
  - (5) Leave without pay may be approved for an eligible employee who has an exceptional circumstance, such as childbirth or illness.

- (6) Military leave, as prescribed by federal and/or state law, is provided to eligible employees. Refer to Owens community college rule 3358:11-5-47 (military leave).
- (7) Family and/or medical leave, as prescribed by federal and/or state law, is provided to eligible employees. Refer to Owens community college rule 3358:11-5-44 (family and medical leave).
- (B) With respect to employees covered by a collective bargaining agreement, the college will comply with the provisions set forth in said agreement.
- (C) Implementation. The vice president, human resources/administration will implement procedures and forms, which are consistent with the provisions of this rule and applicable law.

Promulgated under: 111.15  
Statutory authority: 3358.08  
Rule amplifies: 3358.08  
Prior effective dates: NA

APPENDIX VIII  
Rescission of Leave-Related Policies

- 11-5-41 Vacation (twelve-month employees)**
- 11-5-42 Personal Leave**
- 11-5-43 Sick Leave Plan**
- 11-5-45 Leave Without Pay**
- 11-5-46 Jury Duty**

**TO BE RESCINDED**

**3358:11-5-41 Vacation (twelve-month employees) policy.**

- (A) Purpose. Vacation time is provided to employees on twelve-month assignments. Employees must schedule vacation at a time that is convenient to meet the particular needs of their department. All vacations must be submitted in writing on the appropriate form and approved in advance by the employee's immediate supervisor.

When an employee begins employment before the sixteenth day of the month, the employee will begin accruing the last pay date of that month. Otherwise the employee will begin accruing the last pay date of the following month. (Persons on unpaid leave will not earn vacation during such absence.)

- (B) Guidelines.

- (1) Accrual.

- (a) Full-time exempt staff accrue twenty-three days (one hundred eighty-four hours) vacation per year, which represents a monthly accrual of 15.33 hours per month.

(b) Full-time non-exempt staff accrue vacation as follows:

- (i) Full-time, twelve-month employees will for their first five years of service receive twelve vacation days (ninety-six hours) per year, which represents a monthly accrual of eight hours per month.
- (ii) At the completion of the employee's fifth year of service, the monthly accrual rate will be revised to 11.33 hours per month so that at the end of the sixth year the employee will have accrued seventeen days (one hundred thirty-six hours) vacation per year.
- (iii) At the completion of the employee's tenth year of service, the monthly accrual rate will be revised to 14.67 hours per month so that at the end of the eleventh year the employee will have accrued twenty-two days (one hundred seventy-six hours) vacation per year.

(2) Vacation leave may be taken in half-hour increments. If an employee takes a day off, the number of hours used will be equal to the number of hours that they were scheduled to work on that day. Vacation time can only be used after it has been earned. Maximum accrued vacation, which can be carried over from one fiscal year to the next fiscal year, cannot exceed two years of vacation accrual.

(3) Employees who transfer from a less-than-twelve-month position to a twelve-month position will have their years of service counted toward the calculation of the appropriate accrual. Vacation accrual for the twelve-month assignment will begin at the end of the first full month of service in the twelve-month assignment.

(C) Part-time staff working twenty hours or more per week accrue as follows:

- (1) Part-time, twelve-month employees will for their first five years of service receive six vacation days (forty-eight hours) per year, which represents a monthly accrual of four hours per month.
- (2) At the completion of the employee's fifth year of service, the monthly accrual rate will be revised to 5.67 hours per month so that at the end of the sixth year the employee will have accrued 8.5 days (sixty-eight hours) vacation per year.
- (3) At the completion of the employee's tenth year of service, the monthly accrual rate will be revised to 7.33 hours per month so that at the end of the eleventh year the employee will have accrued eleven days (eighty-eight hours) vacation per year.

(D) Part-time staff working less than twenty hours per week do not accrue vacation time.

**TO BE RESCINDED**

**3358:11-5-42 Personal leave policy.**

- (A) Purpose. For full-time non-exempt staff a limit of sixteen hours per fiscal year of leave (non-accruable) will be allowable. For part-time staff working twenty hours or more per week, a limit of eight hours per fiscal year of leave will be allowable.
- (B) Implementation. The vice president of human resources will implement procedures consistent with this rule.

**TO BE RESCINDED**

**3358:11-5-43 Sick leave plan policy.**

- (A) Purpose. Sick leave benefits are provided to college employees. Paid sick leave is a benefit of employment with the college. As such, it may only be used as outlined in this policy and the corresponding procedures adopted by the office of human resources.
- (B) Sick leave benefit provided for full-time employees.
  - (1) Each full-time employee is entitled to fifteen days of sick leave per year accumulated at the rate of one and one-fourth days (ten hours) for each completed month of service. The maximum days accumulated shall be two hundred sixty days. The same monthly accrual of one and one-fourth days per month shall continue during the use of sick leave, provided the employee has not been officially separated from the present payroll.
  - (2) Full and part-time employees who have accumulated a minimum of four hundred hours of sick leave may contribute up to one hundred hours of their accumulation annually to a catastrophic illness "bank" provided that an employee's balance cannot be reduced below three hundred hours as a result of such a contribution. The amount of accumulation that is contributed by an employee will be deducted from the employee's sick leave balance and cannot be recovered. The catastrophic illness bank will be managed in accordance with procedures developed by the office of human resources.
  - (3) Any full-time college employee whose personal illness extends beyond the period of compensation provided by the accumulated or additional sick leave provisions may be granted a leave of absence without pay for such time as is necessary for complete recovery from such illness. If one hundred twenty days have been worked during the previous school term, full-time employees on leave of absence without pay shall be entitled to consideration in any board-approved plan for advancement on the salary schedule for experience upon return from leave. The maximum duration of any such unpaid leave of absence shall be one calendar year starting with the first day of absence for which the employee does not receive pay.
  - (4) Accrued credits shall be allowed to full-time employees transferring their employment from other governance boards of educational institutions or political subdivisions in Ohio and contiguous states, provided said credits have been computed under the minimum requirements of the laws of the state of Ohio.

(C) Sick leave benefit provided for part-time employees.

(1) Sick leave is accumulated at the rate of five hours for each completed month of service for employees who are scheduled for and regularly work twenty or more hours per week. Sick leave is accrued up to a maximum of two hundred sixty days. The same monthly accrual shall continue during the use of sick leave, provided the employee has not been officially separated from the present payroll.

(2) Part-time staff working less than twenty hours per week do not accrue sick time.

(D) Except as otherwise provided in a collective bargaining agreement between the college and certain employees, an employee having ten or more years service at the college who resigns from the college to retire directly into the state teachers retirement system of Ohio, the school employees retirement system of Ohio or an alternative retirement plan is eligible to be paid in cash for one-fourth of the value of his or her accrued, but unused sick leave upon retirement. Such payment shall be based on the employee's rate of pay at the time of retirement and shall be considered to eliminate all sick leave that has been accrued by the employee at that time. The maximum payment which may be made under this provision is one-fourth of two hundred sixty days.

(E) Implementation. The vice president of human resources will implement procedures and forms consistent with the provisions of this rule.

#### **TO BE RESCINDED**

3358:11-5-45 Leave without pay.

(A) Purpose. Any employee who requests time off without pay must complete the appropriate form to cover unpaid maternity leave, unpaid sick leave, etc.

(B) Guidelines.

(1) Unpaid leave may only be requested in half-day (four hour) or full day (eight hour) increments. If taken in conjunction with paid leave, it may be taken in smaller increments.

(2) Leave without pay may only be used after accrued vacation has been exhausted.

**TO BE RESCINDED**

**3358:11-5-46 Jury and other civil service duty.**

- (A) Purpose. Owens community college expects its employees to carry out their civic duty by performing jury or other related civil service when called. Other related civil service may include, but is not limited to, legal proceedings and/or other outside business directly related to the operation of the college.
- (B) Personal legal proceedings or other personal business is not covered by the provision of this rule and require the use of appropriate leave time.
- (C) Implementation. The vice president of human resources will implement procedures consistent with this rule.