



June 22, 2012 meeting, Board of Trustees

The Chairman, Mr. Schottenstein, called the meeting of the Board of Trustees to order on Wednesday, June 20, 2012 at 3:07 p.m.

Present: Robert H. Schottenstein, Chairman, Brian K. Hicks, John C. Fisher, Algenon L. Marbley, Linda S. Kass, Janet B. Reid, William G. Jurgensen, Jeffrey Wadsworth, Clark C. Kellogg, Alex Shumate, Cheryl L. Krueger, G. Gilbert Cloyd, Corbett A. Price, Evann K. Heidersbach and Benjamin T. Reinke.

Good afternoon, I would like to convene the meeting of the Board of Trustees. Before we take the roll call vote to go into Executive Session, I want to announce that the full Board will reconvene this afternoon at 4:30 p.m. in Sanders Grand Lounge.

I hereby move that the Board recess into Executive Session to consider personnel matters regarding appointment, employment and compensation of public officials.

Upon motion of Mr. Schottenstein, seconded by Mrs. Kass, the Board of Trustees adopted the foregoing motion by unanimous roll call vote, cast by Trustees Schottenstein, Hicks, Fisher, Marbley, Kass, Reid, Jurgensen, Wadsworth, Kellogg, Shumate, and Krueger.

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The Chairman, Mr. Schottenstein, called the meeting of the Board of Trustees to order on Wednesday, June 20, 2012, at 5:07 p.m.

Present: Robert H. Schottenstein, Chairman, Brian K. Hicks, John C. Fisher, Algenon L. Marbley, Linda S. Kass, Janet B. Reid, William G. Jurgensen, Jeffrey Wadsworth, Clark C. Kellogg, Alex Shumate, Cheryl L. Krueger, G. Gilbert Cloyd, Corbett A. Price, Evann K. Heidersbach and Benjamin T. Reinke.

Mr. Schottenstein:

Good afternoon. We will reconvene the meeting of the Board of Trustees. A quorum is present as noted by our Secretary. We have one item for discussion and that is the ratification of the 2012-2013 committee appointments and for that I call on the Chair of the Governance Committee, Mr. Shumate.

Mr. Shumate:

Thank you, Mr. Chairman. As you know, last year in particular, the Trusteeship Committee had been looking at the structure of our committees and the real purpose of our review was to align the Board structure with the strategic priorities of the University. Our goal is to increase the efficiency of the Board's work and in that regard, we are recommending the following:

First, that the eight existing standing committees would be consolidated into six with Agricultural Affairs becoming a standing subcommittee of Academic Affairs and Student Life and Physical Environment becoming a standing subcommittee of Finance, that the name of the Trusteeship Committee would be changed to Governance, and that the six standing committees would therefore be: Advancement, Academic Affairs and Student Life, Medical Affairs, Audit and Compliance, Finance, and Governance.

The specific item that lists the six committees and the membership is before the Board and if there are any questions, I would be happy to answer those questions.

Mr. Schottenstein:

You want to first make a motion that this be approved?

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Mr. Shumate:

Absolutely.

Mr. Schottenstein:

Is there a second?

Dr. Cloyd:

So moved.

Mr. Schottenstein:

Discussion, comments?

President Gee:

Well, I will say something which is the fact that first of all, I applaud our Chairman for working very hard to think about how we best operationalize our aspirations as a University and doing it through the constructive engagement with the Board. Second of all, I applaud this organization because I think it is an iteration of what is next with the University. As you know, we have organized ourselves based upon needs and wants and now I think we are at a point, and I made this point to some of you on other occasions, and that is that we are now in a very fast forward operational world with large strategic initiatives, and this gives us an opportunity to both be agile and also be very strategic, so I really welcome this.

Mr. Schottenstein:

Thank you. Brian.

Mr. Hicks:

Just a question, do we have a limit on the number of non-trustees that we have on the committees? I know we do in terms of charters, but I can't remember.

Mr. Shumate:

Yes. It has been our practice that there would always be more voting trustees on the committees than non-trustees.

Mr. Hicks:

So within each of the committees we have some room, so to speak, to add other non-trustees on in some cases.

Mr. Shumate:

Yes, that is correct.

Mr. Schottenstein:

And one of the thoughts is that over the coming weeks, and maybe even prior to the August meeting, at least in the case of Medical Affairs, the conversations that I have had, quite a few frankly, with Alan Brass and also with Corbett Price is that several individuals that currently serve on the Medical Center Board, which is a separate Board, will be moved to the Medical Affairs Committee to help with the work of the committee.

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Mr. Hicks:

That's great.

Mr. Schottenstein:

Any other comments?

Dr. Cloyd:

I guess I would just like to build on the point that Brian made. In terms of our advancement model, when we try to work towards engagement, gaining participation of non-trustees who can bring a particular expertise and experience to help the University is one of the most meaningful forms of engagement we can have, and I would continue to encourage us to look for individuals outside of the Central Ohio area because, again, this allows us to get very meaningful engagement by people who can be advocates for this University beyond the bounds of Ohio, which I think is another important step forward. To me it is a real win-win if we can do that.

Mr. Hicks:

I think that is a great point. I also think it has been a very good addition to have some former trustees come back so if Alex hadn't gotten re-appointed to the Board for his sixth or eighth time here, we were going to have him come back because we don't want to lose that valuable insight, and Gil, the same with you and Jo Ann Davidson, particularly, on Finance Committee, you both really add a lot of value, I think.

Mr. Schottenstein:

I agree and, Gil, you remind me, I think that at least in one instance on Audit, exactly the kind of person that you are describing, sooner than later, hopefully before the August meeting, will become a non-trustee member of the Audit Committee.

Dr. Cloyd:

Yes.

Judge Marbley:

Excuse me, Mr. Chairman. Actually, it looks like we are going to have two additional non-trustees. One of whom I regard as one of the best compliance people nationally who will come on to help us as we build our compliance office, and one who will serve an audit function who is an OSU alum. We talked to her today. A protégée of Dr. Cloyd's who will do outstanding work in the audit area.

Mr. Schottenstein:

And that person is a resident of Austin, Texas?

Dr. Cloyd:

That is correct.

Mr. Schottenstein:

And is the managing partner for Deloitte's Central Texas operation, a graduate of OSU, loves Ohio State.

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Judge Marbley:

Both she and her husband are OSU graduates.

Mr. Schottenstein:

Both certainly bring a dimension that exactly underscores the point that you make, Gil. Any other comments before we vote? All in favor say yes. Opposed, please say no. The motion carries.

Upon motion of Mr. Shumate, seconded by Mr. Hicks, the Board of Trustees adopted the foregoing motion by unanimous roll call vote, cast by Trustees Schottenstein, Hicks, Fisher, Marbley, Kass, Reid, Jurgensen, Wadsworth, Kellogg, Shumate, and Krueger.

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**THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES  
COMMITTEE APPOINTMENTS 2012-2013**

Resolution No. 2012-99

BE IT RESOLVED, That the Committee appointments for 2012-13 are as follows:

**Academic Affairs and Student Life  
Committee:**

Jeffrey Wadsworth, Chair  
John C. Fisher, Vice Chair  
Algenon L. Marbley  
Linda S. Kass  
Janet B. Reid  
Clark C. Kellogg  
Timothy P. Smucker  
Cheryl L. Krueger  
Benjamin T. Reinke  
Robert M. Duncan  
Kevin G. Boyle (Faculty Member)  
Robert H. Schottenstein (ex officio)

**Advancement Committee:**

G. Gilbert Cloyd, Co-Chair  
Linda S. Kass, Co-Chair  
John C. Fisher  
Clark C. Kellogg  
Timothy P. Smucker  
Benjamin T. Reinke  
John W. Kessler  
Phil Duncan  
Nancy Kramer  
Michael Clark (Alumni Assn Member)  
Donald H. Schriver (Alumni Assn  
Member)  
John B. Gerlach (Found Brd Member)  
David T. Kollat (Found Brd Member)  
Robert H. Schottenstein (ex officio)

**Audit and Compliance Committee:**

Algenon L. Marbley, Chair  
John C. Fisher, Vice Chair  
Ronald A. Ratner  
William G. Jurgensen

Clark C. Kellogg  
Cheryl L. Krueger  
Benjamin T. Reinke  
James Gilmour  
Larry Hilsheimer  
Robert H. Schottenstein (ex officio)

**Finance Committee:**

William G. Jurgensen, Chair  
Ronald A. Ratner, Vice Chair  
Brian K. Hicks  
Alan W. Brass  
Alex Shumate  
Evann K. Heidersbach  
Corbett A. Price  
G. Gilbert Cloyd  
Jo Ann Davidson  
Robert H. Schottenstein (ex officio)

**Medical Affairs Committee:**

Alan W. Brass, Chair  
Corbett A. Price, Vice Chair  
Brian K. Hicks  
Algenon L. Marbley  
Janet B. Reid  
William G. Jurgensen  
Jeffrey Wadsworth  
Cheryl L. Krueger  
Evann K. Heidersbach  
Robert H. Schottenstein (ex officio)

**Governance Committee:**

Alex Shumate, Chair  
Janet B. Reid, Vice Chair  
Alan W. Brass  
Linda S. Kass  
Jeffrey Wadsworth

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Timothy P. Smucker  
Evann K. Heidersbach

G. Gilbert Cloyd  
Robert H. Schottenstein (ex officio)

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Mr. Schottenstein:

That concludes our business. This meeting is adjourned. We will reconvene tomorrow morning at 8:30 a.m. in the Rockow room. Thank you, all.

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The Chairman, Mr. Schottenstein, called the meeting of the Board of Trustees to order on Thursday, June 21, 2012, at 8:34 a.m.

Present: Robert H. Schottenstein, Chairman, Brian K. Hicks, John C. Fisher, Algenon L. Marbley, Linda S. Kass, Janet B. Reid, William G. Jurgensen, Jeffrey Wadsworth, Clark C. Kellogg, Alex Shumate, Cheryl L. Krueger, G. Gilbert Cloyd, Corbett A. Price, Evann K. Heidersbach and Benjamin T. Reinke.

Mr. Schottenstein:

Before we take the roll call vote to go into Executive Session, I want to announce that the full Board will reconvene tomorrow at 9:00 a.m. in the Sanders Grand Lounge at the Longaberger Alumni House.

I hereby move that the Board recess into Executive Session to consider personnel matters regarding appointment, employment and compensation of public officials.

Upon motion of Mr. Schottenstein, seconded by Mr. Hicks, the Board of Trustees adopted the foregoing motion by unanimous roll call vote, cast by Trustees Schottenstein, Hicks, Fisher, Marbley, Kass, Reid, Jurgensen, Wadsworth, Kellogg, Shumate, and Krueger.

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The Chairman, Mr. Schottenstein, called the meeting of the Board of Trustees to order on Friday, June 22, 2012, at 9:16 a.m.

Present: Robert H. Schottenstein, Chairman, Brian K. Hicks, John C. Fisher, Algenon L. Marbley, Linda S. Kass, Janet B. Reid, William G. Jurgensen, Jeffrey Wadsworth, Alex Shumate, Cheryl L. Krueger, G. Gilbert Cloyd, Corbett A. Price, Evann K. Heidersbach and Benjamin T. Reinke.

Mr. Schottenstein:

I promise you that it is not our style or mine but there were serious traffic issues that prevented a number of us from getting here on time. We appreciate your indulgence.

We will reconvene the meeting of the Board of Trustees and ask the Secretary to note the attendance.

Dr. Horn:

A quorum is present, Mr. Chairman.

Mr. Schottenstein:

Thank you, and so that we are able to conduct the business of this meeting in an orderly fashion, we would ask that everyone's cell phone ringers and other communication

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devices be turned off, and ask that Board members put away their BlackBerrys and iPads except to the extent they use them in connection with the business affairs of this meeting.

That is my first official act and maybe my last. I just had a few things that I wanted to say before we get into the business of the meeting. Some of this I shared with the trustees in the last day or so during some of our committee meetings, but I am Bob Schottenstein and this is my first meeting as the Chair of this Board. It is difficult for me to put into words just how humbled and honored I am to be in this position. Like everyone else sitting around this table, and presumably everyone in this room, I deeply love this University and am very excited about the work that lies before us.

There are a couple of things that I do want to say in that regard. Many will recall in our last meeting when we were sitting around this table, during the closing session of the April meeting, we were going around the room and paying tribute, properly, to the outgoing Chair Les Wexner, as it was his last meeting as Chair of this Board, and Board members were, one-by-one, acknowledging the outstanding work that he did as Chair. But also, I want to underscore that there was very strong sentiment that the University is in a good place. During turbulent times throughout, not just in higher education but in the world, we have momentum and we are making progress in so many different areas.

We have a number of items on the agenda today that will underscore what I am about to say that it wasn't that long ago that the balancing of public universities' budgets was a perfunctory matter, to say the least. It was pretty much automatic. There wasn't much discussion. A time when financial management was really something that no one even thought about and when issues of innovation and entrepreneurial thinking didn't really make their way into the Board meetings of, not just public, but also private universities. That is no longer the case and strategy matters, innovation matters, clearly leadership matters, perhaps now more than ever, and I just want to acknowledge a few people.

First, we started to think differently about Ohio State, never losing sight of that which is most important, the students, the faculty, our core mission, what we are about as a land grant university. We started to think of ways in which we could be most effective in pursuit of that mission five years ago under your chairmanship, Dr. Cloyd, and Gil did a spectacular job that I, and many of us, learned a lot from during his two years as Chair and certainly during his last three years as a charter trustee. I want to acknowledge again the powerfully effective chairmanship of Les Wexner, and I also want to mention and thank him for his work on the Board. Since our last Board meeting, Les has retired from this Board, but as everyone in this room knows, his commitment to Ohio State and his love for this University is, frankly, unmatched and at times has no bounds. We look forward to his continued involvement.

We want to officially welcome, with Les's retirement from the Board, back to the Board, Alex Shumate, who we all spoke of glowingly thinking that last meeting was his last meeting. We are happy that it wasn't, and as we said the other night when we were together, Alex brings not just wisdom and judgment, but balance to this table in so many ways, and we are just thrilled to have you back on the Board.

We also want to acknowledge two new trustees who are with us today: Cheryl Krueger and Ben Reinke. First, Cheryl, who has for many, many years been a stalwart supporter of this University and all of its pieces and parts, probably most significantly with the Medical Center and the James, but has a great love for this University and is a very strong leader in our community. We feel very honored to have her join us.

And then, Ben, who is filling the seat that Brandon Mitchell just gave up. Brandon was probably as fine a student trustee as we have had, and now Ben joins Evann. Ben brings unique skills. He got his undergraduate degree at Ohio State with honors; he had a double major in both French and Physics. You are the only French and Physics major that I have ever met and you are also the best. He is now, for those of you that may not

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know, in our College of Engineering getting his Ph.D. in nuclear engineering. As we were kidding the other night, we finally got a rocket scientist on the Board, so we think that is a good thing. Both Ben and Cheryl will be great additions to this Board. Welcome.

With that, the minutes of the April meeting of the Board of Trustees were distributed to all members of the Board and if there are no additions or corrections, the minutes are approved as distributed.

I would now like to call on Evann Heidersbach for the student recognition awards.

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## **STUDENT RECOGNITION AWARDS**

Ms. Heidersbach:

Thank you, Mr. Chairman. At this time, I would like to welcome Kathryn Zatroch and Jaci Wilkening up to the table, please. Thank you for both being here today. These are our two student recognition award recipients for this Board's meeting.

Katie Zatroch is from the College of Veterinary Medicine and is expected to graduate in 2013. She has been a devoted representative of the College throughout her time here at Ohio State and is outstanding academically.

She received her Bachelor's degree in Agriculture with minors in international studies and business from Ohio State in 2009, so she stayed in the right place. During undergrad, Katie was very involved, participating in the honorary system, serving as a University Ambassador, and becoming an officer for the Student Alumni Council. Her commitment and involvement has certainly remained strong. She currently serves as a student admissions interviewer for her college, is a senator for the Inter-Professional Council, and is the Student-Legislative Day Co-Chair for SAVMA, the Student American Veterinary Medical Association.

Katie represented OSU on a national level at the bi-annual (SAVMA) House of Delegate meetings during the SAVMA Conventions and SAVMA Symposium. She also served as a member of SAVMA's Governmental Affairs Committee where she used her skills to better the veterinary profession through governmental relations. Last summer, she was selected as a communications intern for SAVMA, an honor only a few students nationally obtain. She is involved in numerous activities with the College of Veterinary Medicine and recently was selected to receive the Outstanding OSU CVM Junior Service Award. Most recently, Katie won 1st place in the Veterinary Gazette's "Best Advice Essay". She is an outstanding leader dedicated to the veterinary profession and The Ohio State University.

She has one full year of clinical rotations left and she is unsure of what her plans are post-graduation, but she plans on pursuing a veterinary internship.

Joining Katie today are her parents, Dr. Robert and Rosemary Zatroch, and Dr. Lord, the Associate Dean of Students for the Veterinary School. Congratulations, Katie.

And now I would like to introduce Jaci Wilkening from the Moritz College of Law. Jaci is a member of the Moritz Class of 2012, so congratulations. At the end of five of six semesters at Moritz, she ranked among the upper 5% of her class. She has impressed the faculty and administration of the College of Law consistently with her quality of leadership. As a second-year student, Jaci received the Vorys, Sater, Seymour and Pease Award from the Ohio State Law Journal as the outstanding second-year member. At just about the same time, she was elected to be Editor-in-Chief of the Journal. During her third year, she has done an extraordinary job of managing the Journal.

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The qualities that have marked Jaci's leadership are efficiency and productivity, and compassion and deft touch with the varied personalities in a large organization. The Journal has had one of its most productive years under Jaci's leadership, publishing six editions and ramping up its on-line presence. Because of her outstanding qualities and the excellence of her work on the Journal, the College awarded Jaci with the Moritz Leadership Award, its highest honor, at its hooding in 2012.

After losing her father mid-way through her second year of law school, Jaci decided that her father would have been proud of her for carrying on her plans and maintaining the high goals that she set for herself. She redoubled her efforts and saw even greater success academically and in leadership. She also made herself available to comfort and counsel grieving students and some of the quotes from the students were "meaningful," "helpful," and "the nicest thing anyone has ever done for me."

Jaci is now studying to take the July 2012 Ohio bar exam. After getting married in September, she will start work as an Associate in the Cleveland office of Jones Day and anticipates concentrating in commercial litigation and appellate matters.

Joining Jaci today is her mother, Mrs. Janice Wilkening, and fiancé Dr. Kevin Overmann, a 2011 graduate of The Ohio State University Medical Center. Also joining her is Dean Michaels, the Dean of the Moritz College of Law. Congratulations.

If you both would like to share some remarks?

Ms. Zatroch:

Thank you, Evann, for that introduction and thank you for all the work that you do in representing the students on the Board of Trustees. I know I appreciate that, and I know that probably many other students do as well.

It is an honor to be here today. Thank you to President Gee and the rest of the Board of Trustees. It is quite humbling to be sitting here in front of so many people that are more accomplished than I could probably ever hope to be, and thinking about this honor, I started looking back and thought, "How did I get here?"

Really sitting here today, I could remember seven years ago when I was a freshman. It was my first day of freshman classes, and my mother will recall this because she got the frantic phone call, but I got lost! I got lost on the way to my first day of classes, and I was panicking, I was late, I was running, I had my giant book bag and my Buck ID, you all know what a lot of freshman look like, so that was me. And then I looked back on the last couple months, of my clinical rotations, and I thought, "My goodness, I got lost on my way to Kottman Hall, and Ohio State is trusting me to do surgery now." So you guys have a lot of faith in me. I don't say that to make you nervous in entrusting me with your pet's care, I swear, but really it is this personal growth. My mother can attest that I have not called her during any of my surgeries or any of my patients' treatments, but it is this personal and professional growth that I have gone through in my time here that really wouldn't be possible without the support system that I have been provided with here, and it really wasn't a drastic transition. It was a small succession of one buckeye or another really taking an interest in me and pointing me towards those resources that I really needed to become an active participant in my education.

Dr. Linda Lord is here today. She is someone who has been a huge ally in my interests and endeavors and leadership and governmental affairs. Dean Lonnie King at the Vet School and Dr. Michelle Harcha have also been phenomenal mentors and great people for me, and I really wouldn't be here today if it weren't for their mentorship.

I am not the only one that this is happening for. This is happening all around the University and all around the College of Veterinary Medicine that students are being encouraged and promoted by other people that are here, and I think that that is what is

so great: that Ohio State is a place where the lost, in my case literally, become found and to have such a large population. To feel like you are not alone and that there are other people looking out for you and you look out for them, that is really what makes this place so great, isn't it?

So I really appreciate all those people and, truly, also my parents and my family and my four sisters, two of whom are Ohio State alums. They are also an integral part of my success. They really are the unsung heroes of all of that. They are the ones that drive two hours to come see me when I am too busy to come home for Thanksgiving. The ones who go days without a return phone call during finals week; they are also the ones that helped me on that first day of freshman classes and, even now, when I am feeling a little bit lost, they will tell me to calm down and look at the map and figure out a plan and figure everything out; so I just appreciate them and really everyone who has been a support to me here at Ohio State, so thank you for this honor and thank you for the greatest seven years I have had in just a phenomenal learning institution and one heck of a support system. Thank you.

Ms. Wilkening:

It is really fun to hear Katie's remarks because she being in the College of Veterinary Medicine and me in the College of Law, we share similar stories in that us being here today in front of you is a testament, I believe, to really what the University, in my mind, has inspired in its students. So that is what brings me here and what excites me to now be a proud alumni of The Ohio State University, that I have been professionally inspired after having spent three years at the Moritz College of Law.

It is very humbling to be amongst this esteemed crowd right here, and I am excited to consider myself a part of this. It was a really difficult three years of law school for me, a lot to what Evann mentioned that my father passed away midway through my experience, so I felt very supported through that experience. It was fun for me to hear the first time what some of the students had mentioned about how I was able to maybe help them through what just really is not a fun experience to have to go through. That was a big defining part of my law school experience, but it was really on the tail end of that, three weeks after I came back in January of 2011, that I realized that I wanted to go for the gusto and run for the Editor-in-Chief of the Journal. That has been a phenomenal experience, mostly because of the exposure that I have had to some incredible people, a lot of whom have been my peers in law school, which is a very rigorous environment. Some describe it as being competitive because everybody just really wants to excel, but it was through that month of January and February that I really discovered that it has been an extremely supportive environment personally. And calling upon a lot of resources to publish journals exposed me to how many resources there are professionally and how supportive professionally the College of Law is too.

The students at the Moritz College of Law are incredible, as are the faculty, and inspiration is really the word I would use to describe my experience at the Moritz College of Law. Dean Michaels is an incredible resource for the students. Former Dean Gary Jenkins, who is an advisor for our Journal, and Professor Sharon Davies were other people who I really felt took a vested interest in me personally and professionally, helping me get through a very difficult experience as well as really helping me thrive in my role as Editor-in-Chief.

We did have an exciting, exciting year this year launching an online supplement. That really gave students a chance to be creative and innovative and invest their efforts in more than just the book work. That was fun for me having worked a few years before starting law school to really bring that to the law school environment.

It has been an incredible ride and especially now that I am a month out of law school, studying for the Ohio bar, I feel very prepared and had a really good experience. I am

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ready to head to Jones Day and be a practicing attorney. I would like to thank you for creating a very supportive and inspiring professional environment for me.

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### **DISTINGUISHED UNIVERSITY PROFESSOR**

Provost Alutto:

Thank you, Mr. Chairman. In Kathryn and Jaci you saw one half of the reason so many of us find an absolute joy in being at this institution every day of the year, and I am now about to describe the second reason why we are here and that is the outstanding faculty that help provide an environment where students can prosper.

It gives me great pleasure to recommend to the Board of Trustees the conferment of the title *Distinguished University Professor*, the highest honor that the University bestows on a faculty member, and to do so for Dr. Carlo M. Croce. To date, the University has conferred this honor on only 45 other faculty members.

Dr. Croce, Carlo, would you please step forward and join me at the speakers' table? Dr. Croce holds The John W. Wolfe Chair in Human Genetics and is the chair of the Department of Molecular Virology, Immunology and Medical Genetics, School of Biomedical Science, in the College of Medicine. He is also the director of the University's Institute of Genetics and director of the Human Cancer Genetics Program.

A faculty member at Ohio State since 2004, Dr. Croce is a world renowned physician-scientist who is considered "a major force in cancer genetics." His "contributions to our understanding of the genetic and molecular underpinnings of cancer are truly monumental," as one nominator wrote and then continued, "He has been consistently pioneering, highly original and has shown unfailing instinct for important problems that are solvable by the application of imaginative science."

In a few moments, Dr. Croce will tell us a little bit about some of his path-breaking work. He earned an M.D. degree, Summa Cum Laude, from the University of Rome, in Rome, Italy, where he also interned in both biochemistry and in internal medicine.

With the conferment of this title, he becomes a member of the President's and Provost's Advisory Committee. In addition, the Office of Academic Affairs will present a \$30,000 award to Dr. Croce to support his academic research.

And now I would like to invite President Gee, Chairman Schottenstein, Dr. Steve Gabbe, and Dr. Charles Lockwood to join Dr. Croce in the front of the room for the actual conferment of the honor, so please join us.

Dr. Croce:

Thank you very much for this great honor. It is a pleasure to receive it, and it has been a pleasure to work here.

As the Provost mentioned, my interest has been, since the early days, in finding out whether cancer was a genetic disease. At that time, it was not known and nothing was known, so we have viewed a number of genetic traits to show that, in fact, most cancer derives from genetic alteration. In fact, all cancer derives from genetic alteration but you should not misunderstand. It is not that most cancer is caused by genes that we inherit. Very few genes that we inherit cause cancer or are predisposed to cancer. Most of the genetic alteration occurring cancer occurs during our lifetime, for example, if we are exposed to cigarette smoke and so on, so it is fair, to be sure, that cancer is a genetic disease and is triggered by specific genetic alteration. Then we went on to discover a number of cancer genes that are called 'oncogenes' that have to be activated in cancer

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or genes called 'suppressive genes' that have to be inactivated in cancer. That turned out to be a dramatically important thing because today, we change completely our focus in trying to develop drugs to defeat cancer.

Before, we were developing drugs that kill every proliferating cell with a huge side effect in the treatment. Today, we take advantage of this specific genetic alteration to kill only the cancer cell on the basis of the genetic alteration and the product that is altered by those genetic alterations.

So, the therapy for cancer has changed completely. Now we only talk about targeted therapy. We target the consequences of this genetic alteration and the results are dramatic. There were some diseases, like chronic malogenous leukemia, that were incurable years ago. Now, with a specific drug targeted to the specific product of that genetic alteration, 95% of the patients go into complete remission and survival of six years is over 85%. So, this is revolutionary. We are not merely changing the way we treat cancer, but the way we treat many other diseases based on targeted therapy.

Then, coming to Ohio State, during my work here, we started a study on a novel class of molecules that we find involving cancer, they are called microRNA, so we show, for the first time, that the cancer can be caused not only by genes including proteins, but genes including more RNA. We can take advantage of this discovery for novel diagnostic and prognostic procedures and for monitoring the success of therapy and, I think, within a year or two or three, we will show that microRNA and anti-microRNA can be drugged in the treatment of cancer and other diseases. And finally, this occurred just in the last few months, we discovered a new function of this molecule called microRNA. They function as hormones and now they contribute to cancer spreading by acting as hormones.

Being here has been very successful scientifically, and I am enormously pleased to receive from you this honor, so thank you very much.

Dr. Cloyd:

Your presence at Ohio State and your work is a source of pride to everyone at this University. I have had the opportunity to follow your work in microRNA at a distance, and I truly believe it is one of those principle paradigm-changing events in biology. What is really admirable is the way you and your colleagues have not just left it as "this is a new way we need to think about cellular function," but that you are translating it into new therapeutic approaches for cellular-based diseases like cancer. I know some other diseases are being pursued in which it looks like the microRNA may provide a route for therapy for diseases today that are universally non-treatable.

I look forward to future days when there is going to be even more prestigious awards, and we are all going to be very, very proud to say, "we knew Dr. Croce when." So, thank you, sir.

Dr. Croce:

Thank you very much. I really appreciate what you said.

Mr. Schottenstein:

Thank you very much, Dr. Croce. Congratulations again. Now I would like to call on President Gee for his report.

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## PRESIDENT'S REPORT

President Gee:

Thank you very much. I am going to be very short because of the fact that I was running late today, and I caused everyone else to run late, and we have a lot of business to do today.

I think what we have seen today is the rhythm and magnificence and the nobility of the University. Think about Dr. Croce. I just want to note that he, of course, has brought great distinction to this institution and also has brought a lot of wonderful scientists, many of them Italians, I might note, and so he has brought class and good food and all other kinds of things in addition to the Nobel Prize, we hope, so we are grateful for that.

Obviously, we have seen Katie and Jaci, really two wonderful young women. They were so well spoken, but they spoke so brilliantly about their time at the University. It was moving to me. I just can't tell you that that is, as those of us who labor at this University and those of you who have been on this Board know –that that is our pay back. That is the time in which we celebrate very much and I am appreciative of that. I am appreciative of their families and appreciative of the fact that they come from places in which they have made a difference and now go to places in which they will make an enormous difference, so I appreciate that.

I appreciate, Bobby, your leadership. I would just say this, from what I have said to you privately I will say publicly, that I think he is setting a tone of inclusion. You know, we are one University and we are one Board, and I think you set that tone very brilliantly, and I really appreciate that.

I welcome Cheryl, the creator of the bow-tie cookie. I owe my career to you, Cheryl. What can I say? So I am finally glad to have you as part of our team. Cheryl is a fierce advocate for Ohio State. As many of you know, she has, for many years, labored in the vineyards of the Medical Center and clearly in the vineyards of our Cancer Center and for that we are really grateful. To now have you as part of our University Board is something that we take great pleasure in.

Ben, of course, I know very, very well. Ben was one of the most active students and, at the same time, getting a degree in Physics and French. I doubt for certain if Ben slept, but he is a brilliant student and a brilliant advocate for the sense of what the University is all about, so we are grateful to have you on the Board, Ben.

Our student trustees as you know, there is this issue pending in the legislature about whether or not student trustees ought to have the right to vote we have always allowed our students to be fully engaged, and they have been among our most responsible members. We are very grateful for that and, Ben, you have set that standard very high.

We lost our Chairman to resignation, replaced by Alex Shumate who is, as I think we all know, the solid center of this Board and, Alex, I acknowledge that. I acknowledge what you do. I acknowledge the friendship that I have had. Alex was the first member of The Ohio State University Board that I ever met in Phoenix in some strange hotel. We were there being interviewed, and Alex was the first member. I was impressed with Alex, then and even more impressed with him now, as he continues to ply the business of the University and what we do. I really want to thank you.

And to the members of the Board, this has been an interesting year. We have been through defining moments with some of the challenges we have had. We have been through moments of great pleasure and, most importantly though, this University is moving forward. In a time in which many universities are asking, "why do they exist and how can they exist in today's world," we are asking, "how fast can we go, how far can we move, and how quickly can we gain our aspirations and our expectations." For that,

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I think we have the members of this Board to thank. I thank all of you, and I thank you for your personal friendship, which means a great deal to me.

I would note also that the University has 525,000 living alumni and, on any day, there is a story. This morning, and Alan is here, Carter Phillips, who just received our Distinguished Service Award, is one of the most brilliant advocates in this country before the United States Supreme Court. Carter Phillips won three cases this week. I think he now holds the record as having won the most cases of any advocate before the United States Supreme Court ever, so you think that Ohio State education has served him very well. This morning I thought, "What can we say about the scope and vitality of this University." It reaches around the world each and every day and in so many small and large ways that we see.

To my colleagues in the University administration, we have much business that we have done, we have much business to do, and they are valiant about doing that. Obviously, I want to acknowledge our faculty leadership. Jim Rathman, who is not here today, who was our Faculty Chair, did a wonderful job and I appreciate that. Heather Link, who has been our two-time head of our University Staff Advisory Council, has been a wonderful leader, as have our student leaders.

So, we have had great leadership at this institution but, most importantly, I think what we have is a great spirit. Mr. Chairman, in that spirit, I am going to be short but also acknowledge the fact that this is a moment of real opportunity for this University. I do believe that our best days are in front of us. I thank you for letting me be here.

Mr. Schottenstein:

Well, we thank you, and I think there is strong sentiment for support of what you just said, President Gee. We appreciate what you and your senior team and, frankly, the entire administration at the University do every single day.

In that regard, I would like to call on Dr. Cloyd for a special acknowledgement of some of that great work.

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### **SEMESTER CONVERSION RECOGNITION**

Dr. Cloyd:

Thank you, Mr. Chairman. I want to introduce an expression of the Board's appreciation for the extraordinary work just completed in moving Ohio State from quarters to semesters. I will read the resolution, which the members have in front of them, in a few minutes but I wanted to make a few comments.

First, about the work of Vice Provost Randy Smith and Professors Ann Christy and Steven Fink. In response to the *University System of Ohio's Strategic Plan for Higher Education 2008-17* to enact a common academic calendar among all state universities, the Board adopted a resolution on April 3, 2009 to approve the conversion of an academic quarter system, in place here at the University since 1922, to a semester calendar. Although all of us knew at that time this would be a major three year undertaking, I don't think any of us could have envisioned how totally this process would transform the academic curriculum here at this University.

Under the leadership of Vice Provost Smith, along with his appointed faculty fellows, Professors Christy and Fink, and the engagement of more than 250 University faculty and staff, the project became more than just the mechanics of a conversion, but rather this group used this opportunity to completely re-think, re-tool, re-evaluate, and, in some

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cases, re-articulate the overarching goals and curricular materials of more than 12,000 courses throughout 700 programs.

This institutional soul searching resulted in some programs being closed or merged and others being created. In all of this work, which engaged so many of our faculty, our University colleagues always followed a principle to keep students first. It is a wonderful reflection, I believe, of the character of our leadership and our faculty. The end result is that Ohio State is now able to deliver state of the art subject matter in the best possible way for our students. All of us owe a great debt of gratitude to these three individuals. The University and its academic mission are in a much better place due to their work.

Now I would like to read the resolution.

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### **EXPRESSION OF APPRECIATION**

Resolution No. 2012-100

Synopsis: Resolution of appreciation for the leadership vital in developing strategies and a structure to implement the transition of The Ohio State University from the quarter to semester system.

WHEREAS the Ohio State University Board of Trustees ("University Trustees") adhered to all University rules and procedures in responding to the University System of Ohio's Strategic Plan for Higher Education, 2008-2017 to enact a common academic calendar among all state universities; and

WHEREAS the University Trustees adopted a resolution on April 3, 2009, to approve the conversion from an academic quarter system, in place at The Ohio State University since 1922, to a semester calendar; and

WHEREAS the Office of Academic Affairs, the University Senate and all academic units, working with other state universities that are changing from quarters to semesters, began the process of developing strategies to implement the conversion from quarters to semesters; and

WHEREAS Vice Provost for Academic Programs, W. Randy Smith, who has led other formidable endeavors, such as the University's last decennial accreditation, was appointed to provide the exceptional leadership absolutely essential to implement the process to change from quarters to semesters; and

WHEREAS Vice Provost Smith chose Ann D. Christy, associate professor in the Department of Food, Agricultural, and Biological Engineering, and Steven S. Fink, associate professor, Department of English, to serve as faculty fellows to assist in leading a three-year enterprise, involving the recalibration of more than 12,000 courses and 700 programs; as well as the significant involvement of more than 250 university faculty and staff and a communications team to keep the university community informed and engaged; and

WHEREAS all of these efforts resulted in not only a timely and successful implementation of the conversion from quarters to semesters which began on June 18, 2012, but also a rethinking of the entire academic curriculum of the University:

**NOW THEREFORE**

**BE IT RESOLVED**, That The Ohio State University Board of Trustees recognizes the commitment and contributions of each of these three extraordinary university faculty members, individually and collectively, for their leadership and expertise in effectively

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implementing the University's conversion from quarters to semesters in a timely and successful manner.

Upon motion of Dr. Cloyd, seconded by Judge Marbley, the Board of Trustees adopted the foregoing resolutions by unanimous roll call vote, case by Trustees Hicks, Fisher, Schottenstein, Marbley, Kass, Reid, Jurgensen, Wadsworth, Shumate, and Krueger.

President Gee:

Well, I will start because I think that there is no doubt that the conversion from quarters to semesters is not simply about a mechanical conversion and, by the way, Randy is Canadian. That is the first time that we have given a Canadian a standing ovation in this room, I want you to know that.

Randy, Steve, Ann and their colleagues have done a brilliant job, but I want to make this point, that it was not about the conversion from quarters to semesters. This is where our Provost Office made really, truly, a brilliant choice. They said that instead of conversion, which a lot of people did, the University of Minnesota and a number of places have converted just kind of mechanically, we decided that we were going to ask the fundamental question of, "What is this University like? What is teaching and learning about? How do we really improve the quality of what we are doing? How do we move into the 21<sup>st</sup> century?"

It has taken us three years, as it should have, because those are fundamental questions as to the role and the vitality of an academic environment. It also is a real question about who we are as an institution. And so at this moment, what happens when this conversion takes place, and some of you heard me say this, we will move from a really solid 1980s university into one of the most dynamic 21<sup>st</sup> century institutions in this country, due precisely to what these people have done.

We can't thank them enough, and it is a moment in time in which we ought to take great pride.

Dr. Cloyd:

Thank you, President Gee.

Mr. Schottenstein:

Any other comments from any other Board members? Jack?

Mr. Fisher:

Mr. Chairman, I got lots of feedback from numerous students, many that I never met before, about the support they got in this conversion. Obviously when you are in the transition from quarters to semesters as a sophomore, junior, or senior, that is a different scenario than our incoming freshmen class.

And so, many, many times I heard about "my faculty advisors, somebody in the college office worked with me to upgrade my academic plan or helped me to make the transition to graduate earlier or do something to make my career here at Ohio State fit into this conversion."

So, thanks to all of you, which involves every college and every one of you there and across campus, in doing a great service to our students.

Mr. Schottenstein:

Judge Marbley?

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Judge Marbley:

Mr. Chair, I just want to make a couple remarks on the leadership that was exemplified by Vice Provost Smith. I had a chance to work with him both as a member of the Academic Affairs and Student Life Committee and as Chair during the period of this transition. President Gee, of course, is absolutely correct. It is more than just a mechanical feat. He had to persuade his fellow academicians that it was a good thing. Randy had to persuade other administrators and he, along with his team, did a marvelous job. What we didn't see was the leadership that he exercised during many closed door sessions with other faculty members in persuading everyone that this was in the best interest of the University and, most importantly, our students. Randy, your leadership was nothing short of extraordinary in that regard.

Mr. Reinke:

I would like to say that when I was an undergraduate, I had the distinct pleasure to serve on the Council of Academic Affairs under Dr. Smith's leadership when this process was starting. As an undergraduate Student Government representative, I saw the diligence with which the council, under Dr. Smith's leadership, and also going through this process with Dr. Christy and Dr. Fink, took the responsibility of going through this process. It was incredible, especially in regards to the axioms that were set forth at the beginning and making sure that we stuck to those axioms. Under the leadership of Dr. Gerber, the original committee set out with this incredible feat, and the diligence with which they took the responsibility to make sure that we checked all the boxes and that we answered every question on behalf of the students and faculty was incredible.

Ms. Heidersbach:

Mr. Chairman, I would like to thank Dr. Smith and Professors Fink and Christy for keeping students in the know. As a rising senior in my undergraduate career, I have been through the transition, and there could have been mass confusion, but they kept students aware of the entire process. We got weekly, I think it was weekly but maybe bi-weekly, emails about the transition, and we got updates. They worked with the student governments to develop a website so we could juxtapose the quarter classes and semester classes, and thankfully, they set that up because I could not have registered for classes if that website wouldn't have been available. So I just want to thank you for keeping the students always in mind during this whole transition.

Dr. Cloyd:

Mr. Chairman, I move the adoption of this resolution.

Mr. Schottenstein:

All in favor? The motion carries unanimously, and let me just say on behalf of the Board, please know of the extreme depth of our appreciation for your great work. Thank you so much.

Upon motion of Dr. Cloyd, seconded by Judge Marbley, the Board of Trustees adopted the foregoing motion by unanimous roll call vote, cast by Trustees Schottenstein, Hicks, Fisher, Marbley, Kass, Reid, Jurgensen, Wadsworth, Shumate, and Krueger.

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President Gee:

Mr. Chairman, could I just take one moment to acknowledge also Dr. Tim Gerber who is in the room? We all know and love Tim, but Tim was actually the Faculty Chair of this whole process since the start of this and had to work through the convincing of a lot of

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people to make this happen. Tim, we really appreciate you. I would also like to say that Tim has finished his first year as our Senate Secretary and has done a marvelous job in a tumultuous time. So we have many people to thank, but the three folks in front have been the soldiers for making this happen so, again, I acknowledge you.

Mr. Schottenstein:

Thank you. Thanks, Dr. Cloyd, for bringing that forward. That process started under your Chairmanship and we appreciate your leadership and appreciate that great work.

I would now like to call on Mr. Chatas, Dr. Asher, and Dr. Whitacre to present an overview of the various risks and mitigation steps that we are going to be taking in connection with two very principal sources of funding for this University: federal and state. Before I do, I just want to underscore again what I said at the beginning of the meeting, which is that it wasn't that long ago when, first of all, we never would have considered having a presentation like this because balancing the budget was like arithmetic, it was a fairly perfunctory exercise, didn't take a lot of thought or analysis, and there was certainly not a great need in institutions of higher education to engage in innovative or entrepreneurial strategic financial planning. We do not live in those days anymore and, because of that, we thought it would be very important for us to spend some time talking about where we are, the risks that we face, and what we are doing about it.

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## GOVERNMENT FUNDING OVERVIEW

Dr. Asher:

Thank you, Mr. Chairman, and I will reinforce your point about tumultuous times. Let me just put this in a little bit of a broader context: in speaking as a political scientist, I don't think I have ever seen, at the national level, a time with as much uncertainty in terms of both politics and economics. This is really, and many would say, that this is really a scary time. I think it is a time of opportunity if we, in fact, are positioned appropriately and, of course, what we are going to be doing here today is talking about all the ways in which federal and state dollars enter the University.

At the state level, I think right now we are in the period of relative stability, but the state is not immune from what might happen on the national and international scene, so it is important to talk both about the federal level and the state level. But let me just reinforce the Chairman's point about how tumultuous things are in Washington. We have all heard the term 'sequestration.'

Nobody knows for sure whether sequestration will happen. Will it happen after the election? Will the can get kicked down the road? I think, increasingly, people are saying it will get kicked down the road but, in fact, even though there are broad parameters, there are already people trying to change the rules about sequestration.

The military is supposed to, in fact, endorse some automatic cuts but there are people who are now trying to form a coalition saying, "exempt the military." Well, if you exempt the military will that translate then into higher cuts in the discretionary programs that really benefit us. Nobody knows the answer to that.

We don't even know the answer to how agencies and departments will respond to sequestration. You may have, in fact, NIH getting a budget cut of "X" amount, but we don't know whether NIH will apply that budget cut equally across all of its programs, which typically is not a good way to do things, or will they target certain programs? If they target certain programs, will those be programs that are particularly important to Ohio State? Will we be lobbying at that granular level to help NIH make decisions?

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It is just an incredible environment right now in trying to really figure out what will happen, and then you hear the phrase “the lame duck session.” Those of you who have been involved in politics know that lame duck sessions can be wonderful to get things done or they can be chaotic, and as we are trying to make predictions, all we really need from all of us is the ability to predict which party will win the presidency and which party will win the US Senate, because both of those are up for grabs. And will the Republicans maintain control of US House?

You can imagine very different scenarios in this lame duck session. What can we do in the interim? We need to know how we are affected. We have taken the lead at the national level in putting together information that every university should be doing now about potential impacts, even though our estimates can't be overly precise because we don't know what the government will do. It is extremely important that all universities be sharing with their legislatures and their delegation what could happen at each of their institutions.

We are blessed and very fortunate, of course, to have a Speaker of the House from the state of Ohio. We are very blessed to have two US Senators, who are tremendous friends of the University, and our two local members of Congress are strong supporters, and so we have the opportunity to share our concerns. It doesn't mean that our concerns will drive the policy debate, but we need to have the information both for lobbying purposes and also for the mitigation steps that we might be talking about internally to head off or reduce the consequences if we get to a very difficult scenario.

With that context, let me pass it off to Geoff.

Mr. Chatas:

Thanks, Dr. Asher. So, what I want to do is just spend a minute to put everyone on the same page in terms of where we are in our funding sources and which percentages come from federal and state sources, and this page shows you the macro. This is as of the end of last fiscal year. Almost \$5.5 billion in revenue and about 30%, or \$1.6 billion, came from the federal government and about 13%, or \$700 million, from the state, so a total of \$2.3 of the \$5.4 billion came either from the state or federal funding sources.

This does not really tell the whole story. As we begin to discuss mitigation strategies, it is really important to put this in the context of the areas of business that we undertake across the University. This slide shows that breakdown. If we take a look at the first line, the Medical Center receives in total \$860 million of federal and state revenue, \$679 million from the federal government mostly in the form of Medicare reimbursements and also Medicaid reimbursements, and the state \$180 million includes contracts and Medicaid reimbursements. You can see that as a total percentage of the Medical Center's \$2 billion, \$860 million is about 41%.

If you look at the research dollars here, these are research dollars that flow just through the office that Dr. Whitacre manages, the Office of Sponsored Programs. In this case, \$400 million of the \$800 million, or 41%, are federal or state dependent. When you add all of the research that number grows so that federal or state is closer to \$700 million and you get closer to 70-80% of our research dollars across the institution.

In terms of student tuition and financial aid, you can see here \$479 million from the federal government; this is really in two buckets. It is federal direct loan guarantees, about \$400 million, and Pell grants, which is about \$60 million that go directly to our students and then come to the University. And then on the state side, this is predominantly the state, the SSI, which is in support of instruction. In this case, 57% of the roughly \$1.4 billion for our instructional costs is covered by federal and state sources. In the sense of capital for our new buildings, you can see that about 15%, a fairly small number, comes from federal and state sources.

This allows us then to have a context to discuss implications, and there are really two things that we need to discuss. One is individual strategies in each of these areas. As an example, the Wexner Medical Center is undertaking a strategic initiative to look at costs across the Medical Center, and we are in the midst of undertaking a plan to drive up our margins by about \$200 million, or 10% of our revenues, so that we are in a position to meet any cuts that we may experience.

In a macro sense, we have put on this next slide a couple scenarios. We have looked at literally hundreds of different scenarios, but just to give some grounding of the level of the impact we are discussing and as a reminder to the Board over this current biennium, although we do enjoy great state support of \$300+ million, we have had a reduction of about \$120 million in support just in this biennium relative to the previous biennium.

One example we ran, scenario one, looks at the sequestration that Dr. Asher talked about. You can see that if there is a 2% cut in Medicare that that would impact us by about \$8 million. If we are reduced in our non-defense discretionary research dollars, that could be \$30 or more million, and then no new starts in research could impact us to the tune of \$80 to \$130 million, so you are looking at something in the range of \$150 million just in the sequestration scenario in terms of revenues coming in over the next few years. If the funding is reduced at significantly higher rates, this is an example of one of many scenarios we are looking at where you can have a 20% reduction through various sources of revenue funding, both state and federal, then their impact on private pay reimbursement of 20% would be \$200 million. If we had a 25% reduction in research, that could be another \$100 million. And if the state were to cut its funding by a third, and clearly we are not suggesting that these are going to happen, but rather it allows us to look at scenarios and look at potential solutions, that would be another \$100 million for a combined impact of \$400 million.

I mentioned the individual strategies, and we will ask Dr. Whitacre in a minute to talk about the strategies aligned towards research, but the second thing that is important to bear in mind is that we have been working on an academic and financial strategic plan, which Dr. Alutto discussed at the last Board meeting, and part of that plan is securing over \$2 billion of incremental funding over the period between now and 2020 through a combination of expense management. In fact, this year we have saved \$26 million through smarter procurement on our way to a run rate of \$50 million a year over the next couple of years through new revenue programs including the Technology Commercialization Office and the affinity agreement that we signed with Huntington which gave us \$25 million of net new revenue this year and potentially another \$75 million over the next 14 years on top of that.

Third, we are looking at the assets that are not core to the teaching mission including parking, which we will discuss later today, as a source of potential funding. That \$2.1 million can be used to reinvest in our academic core on that road towards eminence, but it can also be used to protect the institution.

So we have individual strategies at the unit level and then macro strategies that we are undertaking at the University level to ensure that we not only survive but thrive in the coming years.

With that, I will ask Dr. Whitacre to talk just for a minute about strategies related to protecting our research dollars.

Dr. Whitacre:

As Mr. Chatas said, we enjoyed about \$828 million in FY11 in terms of research expenditures, about 60% of that is federal and about 12% of that is state. With sequestration on the horizon, that could really impact significantly anywhere from \$30 to \$130 million affecting those expenditures. How do we look at mitigating some of those

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risks that are actually on the horizon? There are a number of strategies we have identified.

First of all is to engage in strategic research partnership. As I have told many of you, Ohio State is second in the country in industry sponsored research and that really has served to diversify our funding streams from federal and state. So, really, the first strategy is to engage in more strategic research partnerships, more strategic and larger research partnerships. And also to closely monitor federal and state agency budgets, as Geoff mentioned, focusing on technology commercialization as a nonpolitical source of additional research funding, hiring strategic new faculty in particular areas, doing things like cluster hires, and finally investing in core research facilities to mitigate having to provide substantial research equipment in individual departments or individual colleges, investing in larger, core, centralized research facilities.

Dr. Asher:

Let me just comment to illustrate the complexity here, and Carol, help me on this, NIH, a very important source of funding, could decide to handle its cuts in any variety of ways. One possibility would be no new grants and basically continuing funding of existing grants. We have to figure out: is that a good choice for NIH to make as it relates to Ohio State or, in fact, does that choice disproportionately hurt us? In this case, would it be better if NIH proportionally cut all grants or whatever?

We don't know what NIH is going to do, we have people in Washington who are trying to collect intelligence on this, but we might find ourselves, in terms of our external strategies, really having lots of things that we have to do that are different at NIH versus the US Department of Agriculture versus the National Science Foundation and to do that we again have to know the internal numbers, if you will. But we also have to collect intelligence about what agencies are planning to do in anticipation of sequestration and that makes it a much more complicated environment.

Mr. Chatas:

So, just in conclusion, as a reminder as we continue to discuss our strategic academic, physical, and financial planning over the coming Board meetings, these issues of uncertainty are likely to remain and, in certain instances, elevate over time. This at least gives us a context for discussing the impact of those changes and the micro strategies we have at the local level within the units across the University and at the macro level to ensure that we are in a good place to weather the potential storms and to continue to grow the University.

We are happy to answer any questions.

Dr. Cloyd:

The point you just made, Herb, about defining what is the best approach for us, the thing that I think will be important there is that we balance what is best in the short term versus the longer term because, obviously, independent of what happens in this election, the deficit problem in this country is not going to go away, and we have been planning on it. There is going to be continued pressure, particularly in the research funding area that federal dollars are going to become scarcer. I think that is a reality that we need to look toward.

Now, I think the things that Dr. Whitacre outlined, where in that kind of situation you have got to have a very important focus to gaining market share, if you will, of available dollars is the right thing to do. But I would just caution us because something that might look very good as an option in the short term may not be what we really want to have in the longer term.

Dr. Asher:

I totally agree with you. If you looked at this only in the context of a government relations lobbying issue you would be much more likely to look at this in terms of short term, how do I solve your problem, how do we solve your problem, or whatever. I think what you are saying, and what we are certainly saying internally, is we need to have a broader discussion, and we also really have to have a broader set of objectives and broader strategies.

Dr. Whitacre:

There is a very important consideration here, I think, in looking at longer term strategies particularly if you say, "let's just skip a year in giving NIH awards," we will lose a generation of young investigators because it will be impossible for them to really start their careers, so you will lose faculty at the beginning of their careers and you will lose students in the pipeline. I think those are some very important long term strategies we need to really carefully consider in our lobbying efforts.

Judge Marbley:

I also want to emphasize, as Dr. Cloyd has, and I know that Geoff Chatas has redoubled his efforts and his office's efforts at this, but in terms of our priorities, the fourth bullet point is probably our most important priority because on an ongoing basis we should continue to try to deliver the highest quality education at the lowest cost to the students. I know that that has been the commitment of this Board. Geoff has provided great leadership. I think that we are set at the amount of growth that we would have in tuition, but I think that if we don't have that taken care of, the rest are mute because the most important asset that we have is our students. And we continue to attract outstanding students because we deliver the highest quality education at a reasonable price so that should continue to be our overarching consideration, Mr. Chair.

Mr. Schottenstein:

Well said. Any other questions or comments from Board members on this report? This is not intended to be any kind of a doom and gloom message, but rather an honest assessment of the world we live in and the degree to which we have, and it began a number of years ago as we said earlier, this proactive approach to gain more control over our destiny so that we don't just watch and wait as things happen to us but rather we help influence things that we can make happen.

I really commend all three of you for providing the overview. We are going to have the committee reports momentarily, but one of the things that we have tweaked or modified slightly during the last several months is our committee structure, and we didn't just do it to do it. We did it with a view towards trying to line up our six key standing committees so that they relate to our strategy. In that regard, a lot of the kinds of things that are on this last slide in terms of ongoing monitoring will be discussed in detail in our committees. We look forward to that, so thank you for your report.

With that, we will begin our committee reports, and we will start with Advancement. Our two committee chairs for Advancement are Linda Kass and Gil Cloyd, and if I can just say one thing, Gil. This is something that didn't even exist and wasn't even on our radar, well, it might have been on a few peoples' radar screens, I think it was on yours and Linda's, but it wasn't on most of our radar screens even just a few years ago. We are on the leading edge, I think, of where we should be in this area, and I think I speak for everybody on this Board just how much we appreciate the heavy lifting you all have done.

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## COMMITTEE REPORTS

Dr. Cloyd:

It has been a busy week in Advancement. We had a framework planning team meeting for a half day earlier this week, and then the Advancement Committee met yesterday. We flipped a coin and I lost, so I am going to provide the report this morning. Maybe I can win the toss next time.

Let me begin with a few items from the Advancement Committee, and then I want to provide just a few brief things that relate more to the advancement framework. First of all, relative to the development report that is on our consent agenda, which we will be recommending to the Board for approval, we are on track this year for our second highest fiscal year development activity ever. Last year, of course, we had the remarkable gift from the Wexner's and The Limited, \$100 million, so that is a wonderful base, but challenging, base.

Mr. Schottenstein:

The year is not over yet, but I hear what you are saying.

Dr. Cloyd:

Yea, I know. But anyhow, this year is going, I think, very well in a continued difficult environment. We have results through April of \$255 million. We talked in the committee, the consensus right now is that if we try to project ahead, and of course that is always difficult, we will probably come out somewhere in the \$308 million range by the end of the fiscal year, so that will be very good. And as we noted the last time, we are moving up in the public and that is a kind of trend that will keep us moving up in the public in terms of total private receipts.

Mr. Kaplan then provided some updates across the board of what we are doing in Advancement, and I just want to highlight a couple of things that I think are quite important. We were very, very pleased that our Alumni Association adopted constitutional change, which is now providing a new inclusive Alumni Association and, from an Advancement standpoint, this is just an absolutely tremendous step because now it puts all of the 500,000 plus alumni that we have within the family to where we will be having direct ties with all of them. It also allows members now, with what the University has done for those that choose to be sustaining members, to, rather than paying their dues to the Alumni Association, actually make contributions to The Ohio State University, to program areas of most interest to them. And, again, I think it is just an excellent win-win move for our alumni and for the University, so we are very excited about that. We will have that change on July 1. I don't think he is here today, but I would just like to acknowledge Mr. Griffin who did a tremendous job in conveying what an important change this was to all of our alumni, and also thanks to the Alumni Association Board who were very supportive of this effort.

We also had an update of where we are. As you know, we are recruiting a new President of the Foundation. We are working with Cindy Hilshiemer's group in that search. The executive search now is in the intensive reviewing phase. We anticipate that we will be into the interviewing stages this summer, and we have set a target for ourselves to have the new President of the Foundation, head of the development, on board by fall, which would be great as it ties to the last item I wanted to mention in this part of the report.

We have selected October 4 as the date for the kick off or celebration of the "But for Ohio State" campaign. You will be hearing more about that in the future, but that will really launch the public phase of the campaign. I am very pleased with really a lot of the good work and development. Our goal was that we wanted to have 50% of the \$2.5 billion goal for the campaign raised by the time we moved to the public phase, and I am

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confident that we will achieve that target by the October date. For those of you who haven't had the conversation, you may be having a conversation with Mr. Kaplan in the near future. So, we are going to finish out our quiet phase in that regard.

What I would like to do is give you just a brief update on the Advancement framework planning that we talked about in the meeting we had this week and then also in our committee meeting. I have three slides here. The first thing I want to do is show the timeline. Recall that this work was actively underway last December. We chose Edelman in November to help us in this process. We set the goal aggressively. We wanted to have a final report on our new Advancement model by the end of July so that we could present it to the Board during the August meetings. We wanted to get this work done before we kicked off the public phase of the campaign.

Broadly, we are working across three areas: branding, or defining the Ohio State equity and the key attributes of that equity; secondly the segmentation, so for the first time we will actually be able to do segmented base marketing at the University; and finally, the best overall organizational structure in process is to deliver the Advancement model across the University. The triangle on the bottom shows where we are at this point in time and, in my vernacular, we are at crunch time.

There has been a lot of data gathered as I will show on the next slide. We are in a deep assessment phase of that right now and then in developing final recommended proposals around branding, segmentation, and organizational structure. While there is a lot of work to do, we are really committed, and I am confident that we will have a final product by the end of July.

This kind of outlines the body of work, and you will get a chance to see more of this in the August meeting. I just want to highlight it here today that this has not been a group of eight or ten people sitting around a table defining what is the equity of Ohio State, what are the right market segments of Ohio State, and what is the right organizational structure working with Edelman. There has been an intensive amount of research done and analysis both within the University, key stakeholder groups, other important external groups, and other institutions in terms of what they are doing so that we can develop the best product.

The third thing I wanted to show, though, is a brand new advisory group that we put together within the University to help us in defining what is the equity of Ohio State. This has just been an extraordinarily helpful group, a very enthusiastic group of people. We tried to get a mix across different key stakeholder groups here within the University, and they have been working with the team every step of the way as we do some outside research, bring it in, revise equities, positioning, and work it with this group to develop the best final positioning.

There are a couple of other points that have been encouraging as a part of this work. You remember that when we started the work in Advancement we developed a model that intuitively seemed right, that there would be a flow from awareness to engagement giving. That really seemed to make sense. Essentially what we had in that regard, though, is it intuitively seems right, but through the research that we have done now with our stakeholder groups, there is a very definite correlation broadly that if you have individuals involved in three or more activities with the University, a true engagement with the University, that the level of giving increases.

It is going to help us as we identify segmented approach marketing, but it was very nice to really find, in a quantitative fashion, confirmation of the model that we developed in Advancement that this will be the right approach.

The other thing that our research has done is identified what we feel are really important opportunity areas for engagement, particularly with key segments, which we haven't fully utilized to date. These are the areas: the interest of continuous learning, and particularly

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what you are able to do then through online systems as connections with the University; desire of people to network with other people in their profession is an important one; and very importantly and thirdly, provide career support. Again, I don't think any of us are surprised in the Buckeye Nation that people want to mentor. They want to help people in their careers and this is the kind of engagement that there is a strong thirst for by the segments out there. Again, I think it comes back and shows the importance then of this new alumni model that the Alumni Association has provided with the way we will be able to leverage those opportunities.

So just in conclusion, Mr. Chairman, we are on track. In August, what we will be bringing to the Board is the overall Advancement model recommendation, which will include the branding for the University, key segmentation for the University, and the organizational structure recommended for Advancement, as well as an activation strategy of how we start putting this in to place. I want to highlight that one aspect is getting the design, but as one of my former bosses said, "A strategy is what has happened in the real world. It is not what is on the papers." So we are going to have to get going and really put this in place here at the University. We will also present the final scorecard for Advancement to the Board in August. That concludes my report.

President Gee:

Mr. Chairman, Dr. Cloyd makes it all sound so easy. This is one of the most dynamic, consequential efforts that will be undertaken by this University in decades, and I say that not hyperbolically. It is about preserving our traditions, our history. It is about putting us in a position to be beloved by so many, to capture hearts and minds of the state, and to do it as one voice and with one goal in mind. Because of the complexity of the University and trying to get all the moving parts moving at the same time, this is an extraordinary effort and the fact that they are doing it so quickly and so ably.

Gil, I think you and Linda have done an extraordinary job and all of those who have joined with you. It has been a team effort. We have a long way to go but we are really on fire right now. Also, I just wanted to acknowledge again, remember we had our best year in the history of the University fund raising last year and we are on track to have our second best year, which shows that people are doing their work while they are also doing work with this University in this larger context. I applaud everyone for doing that.

Mr. Schottenstein:

Any other questions for Dr. Cloyd or Linda? It was a great report. Gil, I love the fact that you called this "crunch time." There are a bunch of sports fans in this room and we know what we expect of our beloved Buckeyes when crunch time occurs and we expect nothing less from ourselves, right? We all do have a role to play in not just supporting the efforts of Advancement but in this campaign and it has come upon this group to lead. I appreciate what you guys are doing.

Corbett Price, Medical Affairs.

Mr. Price:

I will ask that Steve Gabbe come forward and make a presentation to us and then I will follow with a report from the Medical Affairs Committee afterwards. Steve?

Dr. Gabbe:

Thank you so much. I wanted to share with the Board a short video describing the topping out of the new James Cancer Hospital Solove Research Institute and Critical Care Center that took place on May 21 when the final beam of steel was placed on the 21st floor of the hospital, so if we could show you that.

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*Video*

Our next big event will be August 15 when we will rededicate the Spirit of Women Park. The building will be enclosed fully by December and so all the work then will be interior. I wanted to bring to the Board's attention just a few other important recognitions that we have received at the Medical Center recently.

First, just a few weeks ago, we were named by the Health Information and Management Systems Society a Stage 7 Hospital in terms of the complete integration of our electronic medical records. There are only about 80 hospitals out of 5,000 in the country that have achieved that recognition. We also received word from the National Institutes of Health, its Neurologic Disease and Stroke Institute, that we are one of 17 nationally funded stroke networks in the country. We now have about 20 hospitals in our Telestroke program.

We want to recognize our academic partners at Nationwide Children's Hospital. They were recently ranked seventh of all children's hospitals in the country by US News and World Report. It came at a very important time because this week, on June 20, they moved patients into their new hospital, and it was done flawlessly as you would expect.

Finally, the Leapfrog Group, which assesses the quality and safety of hospitals throughout the country, assessed over 2,600 hospitals ranking them "A" through "F" on the basis of 26 core parameters, and we were very pleased to receive an "A" from the Leapfrog Group.

So, a lot of good things are happening and we wanted to bring those to the Board's attention. Thank you, Mr. Price.

Mr. Price:

In following up from his presentation, as it is quite timely here, first of all, let me just say in the Medical Affairs Committee we have had some very robust discussions regarding the direction of the Medical Center, and we are also concerned about the future in terms of any potential degradation we might have in our funding sources through the federal and the state. We are taking steps to at least work out scenarios in terms of how we will deal with these issues. First and foremost, I think, we have McKinsey on board that will be working with us in that endeavor.

Now, let me flow back to the expansion program here, if I might. A request was made to release \$68.2 million for continuing funding, which would include \$55.3 million for the cancer and critical care tower which we just saw in the James presentation of the topping off ceremony; \$0.2 million for the Women's Park; and \$25 million for the building out of the 36 critical beds and the 4 operatories in the radiology and oncology office in the new James.

I have to say that I had the chance to visit the James in my due diligence in serving on the Medical Affairs Committee, and I have to say that in the interaction with that particular staff, I was extremely impressed with my, and I hate to say it, 30 plus years of health care experience. I was just blown away by the quality, the dedication, and the commitment of those individuals there, their leadership and the very fine work they are doing in dealing with cancer.

But coming back to this, the total of all of these items, approximately \$80.5 billion, we will have some savings that will offset the impact of the full amount of \$80.5 million that will bring us down to \$68.2 million, and I won't recite all of those savings, but certainly some of them have derived from the construction reform activities, so we are right on our mark there.

One of the things that we on the committee are very concerned with is making sure this program stays on time and on budget. And the staff there has, in fact, achieved that, and we monitor this on an ongoing basis so we are quite pleased with that performance.

I think tied to that, I'm sorry a bit of housekeeping here, I see it in front of me so I won't forget it, we have a resolution for the consent agenda. We have the authorization to release the funds for the Medical Center expansion. For those of you around the table, they just passed it out this morning, so you have that in front of you.

The second item that we dealt with at the committee was the presentation by the CFO of the 2013 health care system budget. The first presentation by Geoff Chatas, we have tied into that aspect of it in terms of the formation of our budget and recognizing the things we need to do for our budget. I think it is important for you to understand the assumptions of the budget which we went through and had a thorough vetting of that process. The budget calls for a 1.7% increase in admissions. We feel that that is conservative enough, and we think we can certainly achieve that. In addition to that, the budget calls for a 0.9% increase in out-patient visits, which is the future trend in terms of moving away from the in-patient to the out-patient. We have a fairly robust out-patient process now in terms of patients and census, but we do expect some further increase in that particular area.

We also feel that we will have an approximately 1.6% increase in surgical procedures, and we expect a 1-2% decrease in Medicare reimbursement in keeping with the first presentation. We think that that is a conservative posture and one of our approaches. We prefer to be very conservative in our forecasting so that at least we can ensure that perhaps that will be the worst case scenario, but again the activities going on at the national level, no telling what might happen, but we think that's a reasonable scenario.

We do expect an increase in managed care, and we expect an approximately 4-5% increase in the managed care activities. One caveat I would issue, and we did talk about this, as we see further degradation on the reimbursement side on a national level through Medicare and perhaps Medicaid, the various commercial pairs in terms of the managed care companies are going to try to tag their reimbursement rate to the Medicare rate. We are seeing that nationally and we certainly have seen it in New York State in terms of these various companies. It is a national trend so we are gearing up for that. So on one level, we will receive a 4-5% increase in managed care, pairs will see more volume, but we do expect to see some degradation on the actual reimbursement going forward.

Also, as a part of this budgetary process, we forecast an increase of approximately 3-4.5% in benefits going forward and approximately 3% in salary and wage adjustments. Going forward also in the supply and drugs, we expect a 4-5% increase there, no change in pairs case mix is expected. The earnings before interest and depreciation and amortization margin will be approximately 12.6% and the days-cash-on-hand, we expect that to grow to approximately 4.3% to approximately 60.6 days from 56.3 days.

Now you know that during the conversion we did see some degradation. It was expected and we forecasted that in terms of any conversion as it relates to an accounts receivable conversion. We experienced that, but we also had a perfect storm. Unfortunately, at the same time, there was a shift in the Medicare intermediary who pays us, and it was shifted to a firm that did not have a lot of experience in processing Medicare reimbursement funding to us so that impacted our days-cash-on-hand, but we do expect a further recovery of that throughout time.

In addition to that, in tying into that aspect, I need to commend the staff for their really superb work in really trying to manage these accounts receivable activities which I was concerned with when I first heard about the conversion, but they did a yeoman's job in achieving the commitment to maintain and I know it was very imperative for us.

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So, all in all, as a Committee and a Board, we believe that the Medical Center met the metrics that we as a Board have put forward to them and this particular budget. We will be seeking approval of that budget when we do the consent agenda.

The next item: we talked about the faculty group practice integration that is scheduled for July 1. All but 13 eligible physicians will have joined with a total of more than 900 physicians now in that practice plan. Again, I am constantly blown away in my involvement here at the University when I look at other health care university facilities and other health care organizations, that is a phenomenal percentage. I was startled by the percentage so much so that I personally went to visit Dr. Ellison and went through the numbers with him. He walked me through the whole process, so I think he needs to be commended along with the others for doing that. For those of you who don't know anything about bringing physicians into a practice plan, it is a yeoman's task because many physicians are kind of entrepreneurs even in the research realm and to get them to come together for the benefit of us moving forward to deal with this new health care paradigm, again, I would like to commend you for your efforts in that regard.

At this point in time, I think I have covered all the points. Dr. Gabbe, is there anything I have left out? If so, I will be pleased to amend.

Dr. Gabbe:

We did have a resolution to allow non-physician providers into the faculty group practice. They have been members of the group before as OSU needs. We didn't bring them in initially, so we are going to focus on the position. This would be clinical psychologists, for example, audiologists who are not yet faculty appointed. The numbers are relatively small but it would be good if they can be part of the group and benefit from our practice.

Mr. Price:

Thank you for bringing that forward. Mr. Chairman, if there are questions, I would be pleased to entertain those questions with Dr. Gabbe as well. Are there any questions?

Mr. Schottenstein:

Do we have questions for Corbett? First of all, Corbett, thank you for your leadership in stepping up. That was a great report and particularly stepping up as Mr. Brass, our fellow Trustee, is recovering from his surgery. We appreciate your leadership very much.

Mr. Price:

Thank you very much. That concludes my report.

Mr. Schottenstein:

Alex Shumate. Governance Committee.

Mr. Shumate:

Thank you, Mr. Chairman. As you alluded to when you were making your remarks earlier, the significant work of our Committee has culminated with the implementation of our new committee structure which, as we all know, we've been working on for the past year, doing benchmark studies and analyses as well as looking at other models, because we believe as a Board that it's critically important to align our structure with the strategic priorities of the University. We believe that that will enable us to be much more efficient and effective in our work. Very quickly, the revisions are that we're moving from eight existing standing committees to six. Agricultural Affairs will become a standing subcommittee of Academic Affairs and Student Life, and Physical Environment will become a standing subcommittee of Finance. The Trusteeship Committee will be

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changed to the Governance Committee to reflect the expanded scope and role of that committee. As a result, the six new standing committees are Advancement, Academic Affairs and Student Life, Medical Affairs, Audit and Compliance, Finance, and Governance.

As we all know, we've had three very effective working groups and it's important to continue the work of those groups. They will be combined with our standing committees so the Talent and Compensation working group will become part of Governance, Diversity and Inclusion will become part of Academic Affairs and Student Life, and Research and Commercialization will become part of Finance. Again, I emphasize the work and substantive activities of those working groups will be incorporated into our standing committees.

Also, a primary desire of the restructuring is to improve our communication and the planning of Board and committee agendas and meetings, so we've identified a single administrative liaison for each committee. And if I might very quickly highlight that with Advancement, a strategic imperative will be to finalize and implement the advancement plan, which is imperative number two. The liaison will be the Senior Vice President for Advancement.

With Academic Affairs and Student Life, the strategic imperatives will be numbers six and three: academic initiatives and enhanced undergraduate experience with the liaison being the Provost. For Medical Affairs, the strategic imperative will be Medical Center strategy and operations. The liaison is the Senior Vice President for Health Sciences. For Audit and Compliance, the Senior Vice President for Legal Affairs will take on that administrative role. With Finance, the strategic imperative is financial management and the liaison is the Senior Vice President for Finance. For Governance, it will be led administratively by our Board Secretary.

Each committee, as you know, has a charge and we look forward to working together with the administration to advance the strategy, agenda and priorities of the University. That completes my report.

Mr. Schottenstein:

Any questions for Mr. Shumate? Good report. Thank you. Next, Audit and Compliance, Judge Marbley.

Judge Marbley:

Thank you, Mr. Chairman. The Audit and Compliance Committee met yesterday. Two items were presented for discussion and there are no items presented here as action items for today's meeting.

We began with me reviewing with the committee our charge and, as Alex just highlighted, our charge will be in the short term to focus on the architecture and function of the University's new compliance office. In addition, we will continue to oversee the audit and compliance processes and the work of the committee will be expanded to include a periodic review of legal matters and may in the future also include enterprise risk management.

We began with Mr. Chatas presenting a verbal update on the status of the University-wide compliance initiative. He reported that he and Mr. Culley have been actively interviewing candidates for the Chief Compliance Officer role and are very satisfied with the caliber of candidates under consideration.

Mr. Briggs, who is the University's risk officer, then spoke. He reported that the University, in partnership with Protivity and its project management team, has been progressing through the eight compliance implementation tasks as previously

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communicated to the Board in the compliance implementation work plan. We believe that this implementation plan is on task and progressing appropriately, and he gave us the timeline for the work that he is undertaking.

We then heard from Mr. Stover, who is our contact partner with our outside auditors, Price Waterhouse Coopers, and he provided a verbal update on the status of the financial statement audits for the University for the fiscal year ending June 30, 2012. He communicated that all fiscal 2011 audit reports have been issued and that planning on interim work is on the way for Fiscal Year 2012. There were no concerns to communicate either to the committee or to the Board at this time.

The good news that Mr. Stover communicated was that all of the segments that he works with in performing the external audit have been fully cooperative and there were no problem areas. We asked him to, at the next meeting, highlight risk areas, it was an enterprise risk management issue, to identify risk areas that we need to monitor as we go forward.

Mr. Chairman, that concludes my summarization of yesterday's Audit and Compliance meeting. We missed you by the way.

Mr. Schottenstein:

I bet you did. Any questions or comments for Judge Marbley? Thanks. Next Academic Affairs and Student Life, Dr. Wadsworth.

Dr. Wadsworth:

Thank you, Mr. Chairman. Let's see, as was mentioned earlier, the Agricultural Affairs Committee will become incorporated into Academic Affairs and Student Life, but this morning we did have the final separate meeting. Thanks Jack for inviting me. It was at 7:30. I appreciated the opportunity to participate and Jack will give a brief report following this one.

We have quite a lot of items on the consent agenda. In fact, there are 15 of them, and I am not going to go through all of them. There is an amendment to number nine, *Rules of the University Faculty*. There was a late amendment to it in terms of the language, which has been incorporated. I just wanted to bring that to the Board's attention. You have a copy of that in front of you.

The first report we heard was from the Vice President for Strategic Enrollment Planning, Dolan Evanovich, which was full of data. I won't go through the details, but there are some interesting numbers. For example, in autumn of 2012, we expect to have 28,600 applicants. Those undergraduates will make approximately 16,500 offers of admission and we should enroll between 6,900 and 7,000 students, so that is the kind of cascade that we have from applications to offers to acceptances.

Our class will have an average ACT of about 28, which is continuing improvement. We studied the number of non-Ohio residents and international students and those are going to go up somewhat. Our number of minority students, however, is likely to stay about the same so we had some pretty good discussion about the details of those groups that raises some interesting strategic issues about what those numbers should be. We have aspirational numbers and are working towards them.

We discussed our retention and graduation rates, which are always a concern, and there are modest improvements in those. We discussed which groups tend to graduate and which don't and that is a rich discussion which we are going to continue to explore.

We also discussed the cost of an education at Ohio State and, in particular, this tricky issue about loans and defaults, which is a very interesting topic. 57% of graduating

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students borrow through federal loan programs. Those federal loan programs are the best deal from an interest rate view and those students leave the University with an average debt of about \$20,000. 17% of our students who borrow from private loan programs, not unexpectedly, leave with an average debt of nearly \$25,000, which is significantly more.

There is an interesting issue here regarding what the real debt is from some expensive universities, and I am indebted to Dr. Horn for enlightening me about some of these things. For example, at Harvard, the debt is much lower than ours because they are often getting full tuition and recovery, so some of the numbers are quite misleading when it comes to debt upon exiting a university.

Our default rate from Ohio State is only 3.1% compared with a national rate of nearly 9%. This implies our students are graduating into jobs and are able to pay back the loans, which is a good thing.

We are trying to help with this whole issue by creating a new eminence scholarship that will have four-year, full-ride scholarships plus a \$3,000 one-time stipend. That will put our students in that category of being able to leave with much less debt, if any. We have also increased the value of our Scarlet and Gray grants so there is a lot of help coming from the University into the student body regarding this money.

We are also trying to make it easier to apply to Ohio State. A common application is going to be instituted for Columbus campus new freshman beginning in fall 2013. This allows people a relatively modest cost to apply. At Michigan, this increased the number of applicants by 6,000, which provides a bigger pool for us to explore for possible students to join us.

On the second topic, a very important one, the Vice President for Student Life, Dr. Adams-Gaston, reported to the committee on the No Place for Hate task force. This is a consequence of the very ugly issue we had in the last few months regarding hate speech on and near the campus. If you recall, there were some incidents of words being scrolled on buildings. We listened at that time to a number of students and faculty who had come into this meeting, and they had some recommendations.

As a result of that, we had a task force led by Dr. J and Dr. Valerie Lee with a lot of help from Judge Marbley and Dr. Reid. They engaged a wide number of students, staff, or faculty in order to put a plan forward to try to understand how to mitigate and make sure that this kind of issue doesn't happen. There is quite a lot of detail which I won't go into here. But the short and long term plans are around the topics of awareness, the climate of this University, and recruitment and retention, so there is a lot of work going on, and I think that is very, very appropriate.

Finally, we heard from OSU's Senior Director of Learning Technology, Michael Hofherr. He described a recent collaboration between Ohio State and Apple to develop a mobile campus which will enhance teaching and learning and research. This is very appropriate in my mind for a 21st century education, what's it going to look like electronically and so forth.

It was very interesting to learn that Apple is really engaged with this campus in terms of how to provide resources. Of course, they have a business interest, but they also have a nice deal they're providing to students for certain programs. We also saw a number of videos of faculty and staff teaching using electronic media with great enthusiasm about the results as they were able to approach topics in a quite different way.

There are some very pragmatic things as well. A key chemistry book costs \$256.00 for the paper copy, but you can download it for \$97, so there's some savings that'll come about. And, of course, the digital book, for which you can get upgrades. It's interactive

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and it can quiz you and tell you how clever you're getting or not and all sorts of interesting things. So that was very good.

Apple chose OSU alongside Harvard and Yale. This is a company we'd like to be in in lots of areas, as outstanding examples of delivering open content through the university teaching system. So this is very much a vector of the future. I'm delighted to see we're engaged, and it's something we'll be spending a lot more time on.

Finally, we did discuss the academic initiatives scorecard with Dr. Alutto and then went into Executive Session.

That concludes my report, Mr. Chairman. Happy to take any questions.

Mr. Schottenstein:

Jerry.

Mr. Jurgensen:

I know that I've commented on this before, or I've commented on this every single time the subject gets raised. At the risk of becoming a broken record, I'm going to do it one more time. I subscribe to the theory that one of the greatest financial crises our country will ever confront involves the issue of student debt. And you know, when you look at the numbers, Ohio State is not remotely the cause or in the eye of the storm of this problem. And the reason is if our students graduate with an average debt of somewhere around \$20 to \$25,000, with medical or professional schools being much higher, the reason we're not part of the problem is-- the prospects of our students getting a job in pursuit of a career, in pursuit of a path toward living a meaningful, purpose-driven life, is pretty darn high.

The problem is these \$22,000 loans now total over \$1 trillion in the country. The last time I commented about this, the amount of student debt exceeded all credit card debt in America. It now exceeds the total of all credit card debt and automobile finance debt in America. 70% of this debt hunts to a series of institutions whose default rate is ten times what the rate at Ohio State is. And the prospect of those students finding a job in pursuit of a career, in pursuit of a meaningful, purpose-driven life is significantly lower.

A new area of increased marketing attention these institutions have discovered is returning vets. My thesis is that when you start messing around with the lives of kids, that's bad in its own right, but when you start messing around with the lives of returning vets, you will have no friend on either side of the aisle in Congress.

While we are not the cause of the problem, as Geoff Chatas' slides depicted, we will be impacted by what the government's response to this is. Now the tough thing in all of this is knowing when this is going to happen. When is the crisis going to end? We really need to keep our eye on this one.

President Gee:

I just wanted to say that that trillion dollar debt out there, many people would, it is kind of a silent debt, not think about it until you put it into stark reality. The issue, I think, is the fact that it is like the housing bubble such that it could go south in some way with high default rates in certain sectors of higher education.

We can all be impacted, and that's one of the reasons you heard these other presentations. We are surrounding ourselves with the best kind of positive energy that we can to make certain that we protect ourselves and our students, but you have identified what I think is one of the real silent killers that is out there and could come home more quickly than we anticipate.

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Mr. Schottenstein:

Any other comments for Dr. Wadsworth? It was a really good report. Jack. Our Agricultural Affairs Committee, which will become a standing subcommittee, is doing very important work and we appreciate your leadership.

Mr. Fisher:

I am happy to piggy back on Dr. Wadsworth's report. I want to share with all of you that we did have a recognition at OARDC in Wooster in the last couple weeks that ties together with a lot of the funding models and planning that we are doing today. In this case, President Gee and Dr. Slack at OARDC and our Government Affairs team were able to recognize a longtime congressman, Ralph Regula, who started his public service here in the state of Ohio in the 60's in the Ohio General Assembly and OARDC was in his district. It was a great opportunity to recognize not only the congressman by the naming of the PAR facility, our level three plant and animal biosecurity facility that was just completed at Wooster last year, but it was also a good way to recognize the collaboration of local, state, and federal government in what we do. The mayor of Wooster was there with the BioHio Research Park at the Wooster campus. We also had several legislators there to recognize our congressman with the naming of the building.

Indeed, what we do in the land grant space involves federal, state, and local government. It was a great day to recognize the congressman with the naming of the building, and also Mrs. Regula, who has been a longtime supporter of OARDC and particularly of the arboretum. With the opportunity to place a plaque with a new tree planting in the arboretum, I think Mrs. Regula was probably as moved as the congressman. It was a very nice event.

This morning we reviewed all of the activities, and primarily the research arm of agriculture, and looked at what is going on at OARDC and throughout the campus, recognized some of our researchers and some of their work, and discussed how we will tie this together in the future in public-private partnerships and integrate with our new office of Technology and Commercialization.

We are celebrating 150 years of land-grant universities and looking at how we transition in this new funding paradigm from that history of intellectual property being part of the public domain and transition into a 2013 model, if you will, in allowing the University to be able to fund a lot of our activities in a new way by way of commercialization. So, a lot is going on there, and we had a lot of good reports from several of Dean Moser's staff.

I also want to highlight that Ohio State put its best foot forward recently with an energy conference held here on campus involving land-grant universities. This was a reflection of leadership by President Gee and Dr. Ron Sega, who we share with Colorado State in the area of energy and was a great reflection of what is going on at Ohio State and our leadership role in energy. I think we had seven presidents and chancellors of universities of land grants here along with many, many institutions from across the country for that conference.

Lastly, OSU Cares is a part of our extension model. We have an office in all 88 counties and OSU Cares is a program to take the work of everyone here and out to the people of Ohio. There is a lot of great collaboration going on and, again, as we look at the next 150 years of the land grant model, what we do in engaging with our folks across the state of Ohio, and, indeed, our talk about being the land grant to the world, OSU Cares is about taking everything that is done here on campus and engaging in that work, research and academic discipline with our citizens across Ohio. There is a lot going on. It will be a way that we can merge into the advancement model as we enhance our effort to network with our alumni and stakeholders across the state.

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Finally, I would like to make a presentation to President Gee that is another indication of his leadership in regards to the Zero Waste Program at the stadium. All of us are so excited to be around President Gee that we want to share a part of us from football Saturdays that he can take home to the residence and be closer to us on a daily basis. At the back here is a bag of compost from several Saturdays last fall. Working with Gene Smith, our athletic director, and the team of athletics, we engaged in a zero waste recycling and composting program at the stadium and this is the first bag of stadium gold. I went out to the site this week with four students and we would like to present this to you. The serious part here is to thank you for your leadership. This is a cutting edge program in terms of recycling and composting. I am certain you will have a place for it at your residence to use.

President Gee:

Jack, out of all of the honors and gifts I have received, this is certainly the most recent.

Mr. Fisher:

And it is also the most lasting, I hope.

President Gee:

And it may be the most lasting. I don't intend on sleeping on it, I can assure you that. Let me just say seriously, first of all, thank you. We are going to have a chance to see OARDC. I think one of the challenges of being part of this massive, complex University is we don't realize how many treasures we have in how many places around the world and around the state and our campus at Wooster is one of the most important activities we have. It is one of the most important research centers of its kind in the world and the work we are doing there is very important, which I want to again acknowledge and thank you for the compost.

You know, this is a great program and it is a great example. It is student driven, by the way, and that is what is very important. Our students are really taking a leadership role. I think one of the things we all discover about this University is the fact that when we get our students focusing on something, they really take the leadership role rather than following and this is yet another example so I thank you, Jack. I will make good use of it. I don't know how.

Mr. Fisher:

I can help you with that as well.

President Gee:

Does it go good with coffee? I don't know.

Mr. Fisher:

No. I think we had better talk.

Mr. Schottenstein:

You know, Jack has a love of agriculture and, first of all, he just does a spectacular job elevating the dialogue and the importance of all matters related to agriculture. When he shared with me that he was going to bring a bag of something to the meeting, my first thought was "not compost," but I am glad it was compost instead of what else I thought it might be.

Thank you, Jack, for your report.

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Finally, our Finance Committee. Yes, Dr. Cloyd?

Dr. Cloyd:

I would like to make a serious comment, which is difficult after this last part, but I would like to come back and highlight and underscore a point that Jack made relative to our extension service and opportunity. I mentioned during the Advancement Committee report the importance of the new Alumni Association model as a way to establish connections to our alumni base around the world. One of the other concepts that has been developed around and engagement is the term of mutuality. As we think about our stakeholders creating mutual common interests and mutual common benefits, the extension service provides that relative to Ohioans.

Now, as Jack indicated, there is some work underway. Obviously we have done it in the past in the agricultural area but now need to expand it. We have talked previously in this group that the Ag-extension service model is the most highly developed and most successful model in the nation for moving intellectual assets and capabilities from a university into application and be of benefit in society. I think the opportunity we have that is just starting to be expanded now with the extension service and the new advancement model is to say, "how many other nodes of intellectual capability assets exist within this University that now can be delivered in the state of Ohio for mutual benefit." I am very excited about it because I think it is a very important connection that we are going to have.

Mr. Schottenstein:

Yes, thank you. Last committee report, Jerry Jurgensen, chair of Finance.

Mr. Jurgensen:

Thank you, Mr. Chairman. Yesterday we met and covered four items for discussion and 14 resolutions. I have a brief five minute slide deck on each one of them, so we should be out of here in another couple of days. Mr. Chatas presented a request for the interim budget approval which allows the University to continue to operate during July and August consistent with our last fiscal year funds budget while fee estimates, enrollment patterns, and those operations that have earnings to them are being finalized for fiscal year 2013.

This undoubtedly is not best practice. We don't like to come and ask for this kind of approval in front of being able to see next year's budget. Part of the issue, obviously, is when you close in June and meet in August and no longer meet in July like we used to, this gap gets created. But Geoff is doing his level best to try to figure out a way to take that gap out.

He also presented a resolution for authorization to issue additional general receipts bonds, commercial paper notes, and subordinated debt not to exceed \$1 billion in general receipt bonds over the next two years, including \$300 million to fund the remainder of our 2010 capital plan, \$350 million for the potential sophomore housing financing project, \$120 million to refinance current debt, this is an opportune time from a rate point of view to do that, and we may have further opportunities to refinance existing debt down the road.

Lynn Readey then presented a resolution to enter into the professional services contracts for construction projects for stadium waterproofing and concrete repair and for the Schottenstein Center basketball practice facility, which we have talked about before.

Terry Foegler presented five real estate related resolutions covering an authorization for a land exchange of nine acres out at the airport between Ohio State and the state of Ohio, an authorization to enter into the sale of OARDC southern branch farms, there is

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a 275 acre farm we own in southern Ohio, which was no longer being used for the purpose for which it was created, to sell the former ATI residence hall, and then, lastly, two leases at SciTech.

Mr. Chatas then presented two additional action items to the committee. The first covered our tuition increases for fiscal year 2013, the proposed tuition and all mandatory fee increases for undergraduates is 3.2%. We had an opportunity to talk about those numbers not only in absolute terms, but in relative terms to what is going on in similar institutions. Our graduate tuition increase is proposed at 3.5%, and the new surcharge will be assessed for international students at \$500 per semester.

Geoff then discussed the proposed user fees and charges included in the fiscal year 2013 budget, or expected to be included in that budget, which include increases for graduate and professional programs, room and board fees between 4.8% and 5%, and other user fees needed to implement the academic plan and to meet the needs of students. Each of those proposed increases in fees is outlined in your Board materials.

We went through our usual review of current period financial statements and all of the dashboards related to them. We did not cover in detail, as sometimes we do, the Medical Center dashboard, but that was covered in Medical Affairs by Corbett.

The one item on the balance sheet to probably call out is that the change in net assets is lower than target this year. It is related to investment income, this year being lower than last year, but it is noteworthy that we still generated a positive return of about 96 base points on the long-term investment pool this year that does compare favorably to a number of different indexes which relate fairly to the way that we invest money.

Mr. Chatas then presented the first quarter calendar 2012 waiver report. There was nothing substantive there to call out to your attention. Ms. Readey then presented a construction project status report, again something we do each time. It is not counting the Medical Center, which is counted separately, but does have all others. Everything looks good. It is on budget and on time except for two projects: the south high rise renovation and the William H. Hall complex expansion, but we are watching those things very closely.

The bulk of our time was devoted to consideration of the transaction to enter into a long-term lease of all of our parking operations. So at this point, if I could, I would like to call on Dr. Alutto and Mr. Chatas to briefly reprise for you the presentation that we got yesterday on parking.

Dr. Alutto:

Thank you, Mr. Jurgensen. We really want to present this in two parts. I am going to give a little sense of context and then Geoff is going to take the Board through some of the details of the transaction.

This is not an issue to be seen in isolation. It really is part of the strategic planning process we have been through as a Board. If you remember, that process identified a ten year period during which we wanted to have increased investments; increased support for students, faculty, and facilities; and increased support for the totality of the student experience. In order to accomplish that, we identified about \$2.1 billion in incremental resources we would need to generate over that period of time in order to support all of those activities.

Those sources of funding were to come from a variety of different activities including new development dollars, new program development within the University that would generate funding, external research funding that was possible, and then one time increments that would result from affinity agreements, the monetization of assets and

then, of course, the need for expense management as part of an opportunity to give us the chance to redirect resources that might be generated.

That is all in the context of long-term planning but there is also a recognition that as we plan for enhancement of the University, as we plan for greater support for students and so on, we have to deal with the short-term. You heard earlier today some of the risks that are involved in the short term as we face a relatively poor economy and some uncertainty as to what federal policies are going to be, so we are constantly looking for the balance between long-term commitment to our strategic plan and the short-term activities that we might need in order to build a transition to that set of objectives.

The issue of the leasing of parking provides an unusual opportunity for us actually to build the resources we need for both types of contingencies: both a long-term contingency, but also more importantly a short-term contingency. In the long run, as we think about that lease, we have \$483 million that would be provided by a vendor and is consistent with our academic plan. We really are anticipating placing those funds and directing them for four purposes.

The first is we would like to put about \$200 million as part of a commitment to support and increase the faculty here at Ohio State. I want to stress that it is only a piece of that effort and for all of these, as I said, we identified multiple new sources of funding that we are going to need. The funds from the lease that will be placed at a long-term investment pool are only a part of that effort.

Secondly, we will put about \$150 million into the long-term investment pool to support campus transportation systems, a more pedestrian friendly campus, and all the infrastructure that that will require, and also to provide support for many of our energy sustainability projects over that period of time. We will put about \$83 million sequestered essentially for the use of student scholarship support so that we begin to moderate, over time, the impact of changes we expect to take place, but also so that we guarantee our own commitment to access for this institution.

And then we also decided that what we would do with these resources is put about \$50 million into a special fund to support developments, primarily facility developments, in the arts. The arts are critical to this institution. They go to the core, the spirit of who we are and it is very difficult for them to find the funding that is necessary to build the facilities that will allow the faculty and our students in that area to really prosper.

So if we go forward with this proposal, as it has been made, and we are able to focus primarily on the long-term issues, those are the four buckets in which we would put the individual funding. If in fact there is a short-term issue that we have to deal with, then we can begin to think of other ways in which, in the short-run, we might behave differently. But the purpose, again, would be to focus on those four objectives consistent with our strategic plan, and I want to come back to that issue. None of this is being done in isolation. All of this is being done in an integrated fashion with that strategic plan. Now I will ask Geoff to talk a little bit more about the specifics of the transaction.

Mr. Chatas:

So the process began in September 2010 when President Gee asked us to review a number of noncore assets including parking. The bulk of that first year was spent doing an analysis of the potential to monetize the parking leading up to a resolution passed by this Board at the meeting last September in which we agreed we would go forward to solicit bids with a minimum requirement of \$375 million and a maximum increase in the first ten years of any concession agreement of 7.5%.

We then secured a request for qualifications where ten bidders expressed interest. Of that ten, seven were deemed to be qualified, including financial strength and operational experience in the United States managing significant parking operations. Of that seven

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that we received indicative bids from, four were invited to submit final bids, and of the four, three submitted bids. You can see the results of that final submission which came in early May.

As part of the ongoing discussion and dialogue over the course of the last year with faculty, staff, and students, a critical issue became the potential increases in parking rates, and I will say that, in addition to the Board resolution on the amount we raise and the cap, we also agreed that it was important not to raise parking rates more than we had in the past, had historically, and that we had an operator that can operate the parking as well or better than our current operations. So we listened to various constituencies and when you look at these scenarios, 5.5%, 6.5% and 7.5%, these reflect ranges in recent history in parking increases. So when we began the process a year ago, 7.5% was the ten year average for the ten years preceding from a year ago; 5.5% is if you look back at the ten year period from this current year.

We asked for the bidders to give us their results with 5.5%, 6.5% and 7.5%, and you can see each color here represents a different bidder. The red is QIC; the blue, McCrory; and the green, IFM. All three are Australian managers of pension money. The results came in with, as you can see, the bid of \$483 million at 5.5%.

As part of our analysis, we looked at what it would cost us if we were to invest proceeds into the endowment regardless of the rate that we passed on to the concession area if we kept rates at 5.5% for all of our employees, faculty, and staff. That differential in bid had to be greater than \$65 million in order for it to make sense economically for the University. So you can see in this case, if you just take the red going from the \$483 million at 5.5% and go over to the right and \$523 million, that \$40 million did not meet that economic threshold. We made the recommendation, because it was important to keep that rate increase as low as possible, to go with the bid here in scenario one, which was \$483 million at a 5.5% increase for the first ten years, and then 4% or inflation after that, and that inflation adjustment would be an average over a five year period so we wouldn't have shocks in price increases at any one given time.

Having reviewed this, we have made the recommendation to various groups, and I will come back to that, and yesterday to the Finance Committee that we go forward with bid one, which was QIC for 50 years at a 5.5% increase. QIC, as you can see from this map, is a \$60 billion manager of pension funds from Australia, the state of Queensland. They have a group that focuses on infrastructure and they have a global portfolio in the infrastructure sector. You can see here these red dots are investments they have made globally in the sector.

It is important to note this is a long-term investor. This is consistent with what is important to the University. We want a partner here that will clearly be managing this partnership over a very long-term period of time--that is not a group that is going to be coming in and going out, which was an important metric.

They are partnered with Laz, which is one of the largest operators of parking in the United States. You can see here, Laz manages over 600,000 spots, has revenues exceeding \$500 million, and manages those spots coast to coast. Perhaps more importantly, when we talked with members of our traffic and parking group, they expressed, of all the operators, that this would be their preferred operator. You can see here the second bullet point from the bottom: Laz currently manages over 15,000 spaces for universities including Boston College, Brown University, and Berkeley, as well as the Beth Israel Medical Center in Boston, so they have significant experience working with academic medical centers and universities, which is obviously going to be important to us going forward.

As we looked at the issues that we faced in making our recommendation there were a couple of things to bear in mind. Clearly, the price was important, and we exceeded our financial threshold, but the transaction also allows us to accomplish a couple of things.

First, on this page you can see we transfer certain risks. The concessionary operating and maintenance costs become the obligation of the concessionaire. They assume the risk of the cost going up over time. They are responsible for system capital expenditures which are projected to exceed \$500 million over the next 50 years. Second, you can see we shift the risk of usage to the new operator so any changes in driving or parking patterns become the risk of the concessionaire and, obviously, any financing costs related to their operations going forward become their risk.

Perhaps more importantly or as important, we did spend the bulk of the year looking at the contract. The University is a complex living organism. It certainly changes over time and so we tried to accomplish two things. One: we took a look at what has happened at other places that have privatized parking to go forward with lessons learned. On the left here, we have looked at the various privatizations and on the right are the things that we have incorporated into our contract that we think improve the nature of our contract compared to the others, that document is about 700 pages when you look at all the appendices. It was reviewed by various committees with students, faculty, staff, and others. We wrote the document, and you can see here that we put in a number of provisions that are important for the University and that the rate increases are gradual compared to others. We have significantly detailed operating standards, but perhaps most importantly, we have the flexibility that we need to continue to run the University.

In that lower right box, you will see that on 20 days in a given year, we can take over the parking system for days like move in and graduation. These are days where it is quite complex and it is important for us to be able to manage the operations. We also can identify up to 200 significant events during the course of the year where we can manage parking related to that event such as if there is an event at the Wexner Center as an example. We have that all in the contract but, of course, we do know that will change over time, so we made certain that that flexibility allows us to change the nature of those events over the life of the contract.

Based on our ability to negotiate a contract that we believe works quite well for Ohio State, that we received a bid in excess of our minimum threshold, in fact significantly so, and that we were able to limit increases to the lowest possible level and have a world class operator, we are recommending we go forward with option one.

You can see here that we have provided, in a brief summary form, if we do nothing, we would have no funds up front compared to the \$483 million that the Provost indicated would be invested into our long-term investment pool to generate income going forward. If you look at the life of the concession agreement over 50 years, this is one of many scenarios we ran and discussed yesterday in the Finance Committee, but in this scenario, you can see that there is a significant nominal advantage.

The concession would generate over \$8 billion of proceeds, including the return on the money invested in the endowment, versus if we kept the parking, and we were able to manage the parking such that the increase in prices did not all get used up in increased costs, which is not something that we have historically done, and we could then reinvest that money over time. We would generate about \$2.2 billion of incremental resources. Most of that comes after year 10, of course, so you have a long time lag before you can actually put any money significantly to work. Those are nominal dollars.

The bottom line here is net present value, so it is trying to make all those dollars equal. It shows you that the concession operation would give us about a \$200 million present value advantage over operating it ourselves under this scenario and that is one of the bases on which we are making the recommendation today.

Finally, it is important to talk about the process. This has been vetted by a significant number of groups across campus. It has been the focus of town hall meetings and significant advice from various groups over the course of the past year. This is the list of the groups that took action in the last two to three weeks once we had the bids known.

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It started with the Faculty Council which we had met with three times over the course of the year. There was a resolution to oppose the transaction at the last meeting. This was the day after we received the bids and so the Faculty Council did not have the benefit, at the date of this meeting, of the final bid but, even at that meeting, this resolution was defeated 22 to 15 with 8 abstentions reflecting those who wanted to wait for the final bids.

In the following week, the Senate Fiscal Committee met, reviewed the actual bids, and passed a resolution recommending that we go forward to the Board of Trustees by 13 to 2 with 1 abstention. The Parking Advisory Committee also met that day and voted 11 to 0 with two members not present. Later in the week, the Senate Steering Committee met, which is the group that has all of the heads of all of the Senate Committees across campus looking at everything from physical environment to benefits to financial issues. At that meeting, it was unanimous 12 to 0 to recommend approval.

I then met with the executive staff the following morning who recommended approval unanimously. I met with the student leaders, who did not have a formal resolution, but were unanimous in their support. And finally, we met with the University Senate at the last meeting, which had a vote of 75 to 20 with 3 abstentions in favor of recommending approval.

And the Provost already mentioned this, but this slide just shows you again where the money is invested in to these various buckets. With that we are happy to take any questions.

Mr. Jurgensen:

If I could, I would like to give you a sense of my own vetting of this. I have had the opportunity to add to the pile of the thousands and thousands of man hours that have gone into the analysis of this, and this would kind of be where I come out at the bottom. This is a serious issue to consider. It is a lot of money; it impacts a lot of people on this campus; and, probably most importantly, it is a decision for a really long time. Anytime that you are confronted by a decision of this magnitude where you aren't going to be around to see how it turned out, you really need to take time to reflect. And on this one, whether or not it turns out to be the right thing to have done or not won't be known until virtually every single person in this room is long gone.

I think it is appropriate that we ran it through as many screens as humanly possible to consider at this time. However, the seriousness of this is really in my mind only exceeded by its capacity to facilitate our strategic agenda beyond almost any other single move that we could make.

At its core, it is a tradeoff between the basket of risks involved in managing the complex, hard-to-predict operation of parking cars on this campus versus the risk of managing the endowment. But by entering into this trade off at this time, we are accelerating into the current period, the financial resources necessary to enable a series of initiatives which otherwise would have been held captive to our ability to generate the same amount of capital, piece by piece, over a long period of time. And we would have had to wait, as Geoff suggested, a decade to really do some of the things that we need to do now.

We no longer need to worry about whether we can afford these initiatives, because we have all of the money up front, and we are rarely confronted with that kind of opportunity. Now, having said all that, we still have got to be smart with what we do with the money. We need to invest it in the right things, and if we don't, those numbers won't work out quite that way. That is part of the scenario analysis that Geoff referred to. We have to be smart about how we invest it. If we don't manage it intelligently, those numbers won't work out, which was part of the scenario testing.

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The one thing about it though, the beautiful thing about financial assets as compared to physical assets is they have the capacity to regenerate themselves, if you are good and smart about how you do it. Every physical asset on this campus has a depreciable life, but cash is forever, so we actually end up at the end of the period with more money than we started with. Now, there are things that take away from that for sure.

The transaction has risk and, to me, the biggest risk is the tenor of the deal. I have never done a 50 year deal. I have also never borrowed money for 100 years. I could never find anybody that would be willing to lend us money for 100 years, which says something about the credit of this place, but it is a long time. And what is scary about long timeframes is nobody can predict with certainty what will happen over the next 50 years.

As many of you know, I am an antiquarian book collector. I don't have a single volume on my shelves that comes remotely close to the number of pages in this concessionary operating agreement, including my *Ulysses* or *War and Peace*. But, in all of those pages, what are people trying to do? They are trying to do what any common sense person would do. They are trying to think up every possible thing that could happen, not by necessarily looking at the past, but by looking both at the past and looking forward and trying to ask themselves the question, "How do we write into this document the flexibility necessary to manage that tremendous length of time?"

But, if you give me the choice between managing \$483 million and all that comes with that versus trying to manage this parking operation in a way that, over the next 50 years, would generate the same amount of financial capital, it is an obvious tradeoff to me. It is a tradeoff that I think we should make. I am satisfied with the work that has been done by our financial staff, our financial advisors, and our lawyers. I am comforted by the fact that all the agreements that govern this came out of our typewriter and not the other side's typewriter. I am confident and I am pleased about the amount of work that our faculty members have done in scrubbing this transaction. In the end, it's bold, but it is also powerful and it has the ability to enable our agenda better than anything else that I can see.

Today, if we approve this, I don't think it is necessarily just the culmination of a complex business transaction. It really represents the genesis of a new pattern of thinking on how we can generate the necessary financial resources to carry out the mission of this great University. So with that, I would be pleased to move for approval of the amendments to transportation and parking regulations necessary to execute this as well as the authorization of the long-term lease and concession agreement for The Ohio State University parking system.

Mr. Schottenstein:

May I have a second please before we have discussion?

Judge Marbley:

So moved.

Mr. Schottenstein:

Okay, discussion, comments from anyone?

President Gee:

Well, I would just make one comment. I will make two comments. First, I actually do intend on being here when this thing is paid off. I just want to go on the record with that so I don't think this is a risk. I am right here.

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But I do want to note, on a very serious note, that this has engaged this University in a discussion unlike any I have seen in a long time. There has been agreement and disagreement. In the end, though, the result is as you see it behind me and also with our faculty leadership and others that are very smart people when given an opportunity to take a look at things in the light of day and do understand and make good decisions.

The thing that is most powerful about this for me is that this is a University that is not looking through the rearview mirror. The discussions that are taking place on many other campuses in this country right now, as the Provost will tell you, is about how many programs are eliminated, how many furlough days are being engaged, how many people will no longer be working at the institution. We are not only protecting our assets, we are protecting our ability to be competitive in the world at a time when being competitive allows us to accelerate the opportunities for Ohio State, so I am very satisfied with what we are doing here.

Mr. Hicks:

We have had a lot of interesting debates and a lot of interesting issues. I am not sure that I have had as many people come up to me at school events for my kids or at dinners out in the community to talk about parking ever than in the last 12 months or so, so obviously it is a topic that has engendered a great deal of passion.

I just want to commend our staff first of all. I think the process that you guys have gone through has just been fabulous in terms of how inclusive it has been in this dialogue and I think that the result is very exciting. At the start of the meeting here today, we heard two things that really tie well into this. One was a great presentation on the financial uncertainty coming from the state and the federal government. And the other thing that we heard was from two unbelievably impressive young women. When we think about the uncertainty ahead of us and then when we think about the kind of students and the kind of people that this place produces, and we think about what more we could do when we have the resources to do it, in my mind that makes this a relatively easy decision, difficult process, serious issue, but an easy decision in terms of the right thing to do.

I would commend you guys for doing a fabulous job and I would also commend the University overall and the University family, because I do think despite being chatted and sometimes yelled at at dinners and school events, there was a very healthy dialogue that is going to end up in a very good place for us. Thank you.

Mr. Schottenstein:

Would any other Board members like to comment?

President Gee:

I will just add one last thing which I said yesterday, it is not about parking and it is not about a variety of things, it is about our future and the point that Jerry asked me to make yesterday, and I will make again, and that is the fact that we are cognizant of the people process, we are cognizant of all the other things, but no parking place has ever by itself cured cancer or taught a kid from West Liberty, Ohio or found opportunity for our students from small towns and communities to come to this institution. By doing what we are doing, those parking places will have a meaningful role in the life of so many people and I think that is the way we have to think about it.

Mr. Schottenstein:

I would just say, first of all, thank you for your words, Jerry. I thought they were very, very well said and thank you for your leadership in the past number of months not just with finance but with this issue.

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I want to really commend Provost Alutto and, of course you, Gordon, for helping to breathe life into this in the early stages together with this Board, but also our Chief Financial Officer, Geoff Chatas, who has enabled us to think outside the box in very innovative ways, and I will mention some of those in a moment.

I think I speak for the entire Board. I feel really good about our process. I think we have acted, not just thoughtfully, but with humility. We haven't tried to John Wayne this over any group of students or faculty. We have listened and, frankly, that listening has been informative. Many of the comments that were made have found their way into that 700 page agreement in terms of trying to create the necessary safeguards from an operating standpoint and trying to predict what may happen over time as you said, Jerry. One way that I have tried to think about this is that if some individual that happened to love this University as much as all of us love it walked in here today and dropped a bag of \$483 million in the middle of this room and there was not one parking space on this campus, I doubt if this Board would decide to take that \$483 million and construct 35,000 parking spaces, which I know is a little bit of a crude way to think about it, but there is some logic to that, and we would be severely criticized if we applied the \$483 million to building 35,000 spaces.

What we have decided to do with that \$483 million, that we are going to get in about 60 days if we approve this, is not to build those spaces, because we will already have them, but instead to invest in our faculty, in research, in students, in student scholarships, and the arts, things that are so mission critical to this University. And this \$483 million when combined with the \$500 million, the 100 year bond that you referred to, Jerry, is again the work of our CFO, Geoff Chatas. I am not sure we would have either of these pots to work with to enhance these initiatives that really make up what the University is about, that allow us to do things, not just in uncertain times, but in any time, but for the work of Geoff.

Again, I want to really pay tribute to the process and to the innovative thinking. I think this is a momentous day for us. I don't know if there are any other comments that anyone else wants to make or from the floor. With that, will the Secretary please call the roll?

Dr. Horn:

Motion carries, Mr. Chairman.

Upon motion of Mr. Jurgensen, seconded by Judge Marbley, the Board of Trustees adopted the foregoing resolutions by unanimous roll call vote, case by Trustees Hicks, Fisher, Schottenstein, Marbley, Kass, Reid, Jurgensen, Wadsworth, Shumate, and Krueger.

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#### **AMENDMENTS TO TRANSPORTATION AND PARKING REGULATIONS**

Resolution No. 2012-101

Synopsis: Approval of the following amendments to the *Traffic and Parking Regulations* are recommended.

WHEREAS on November 3, 1978, the Board adopted *Motor Vehicle, Traffic and Parking Regulations* of The Ohio State University, which were subsequently amended further on June 10, 1982 and May 30, 2003; and

WHEREAS there is a need to update those regulations and the Board is being requested to approve revised regulations for transportation and parking on the campus as attached:

NOW THEREFORE

June 22, 2012 meeting, Board of Trustees

BE IT RESOLVED, That the revised *Transportation and Parking Regulations* of The Ohio State University be adopted by the Board of Trustees.

(See Appendix XLIII for background information, page 1033.)

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**AUTHORIZATION OF THE LONG-TERM LEASE AND CONCESSION  
AGREEMENT FOR THE OHIO STATE UNIVERSITY PARKING SYSTEM**

Resolution No. 2012-102

Synopsis: Authorization of that certain Long-Term Lease and Concession Agreement for The Ohio State University Parking System, including authorization of the concessionaire thereunder, performance of all obligations thereunder and execution and delivery of documents in connection therewith.

WHEREAS the Board of Trustees (the "Board") of The Ohio State University (the "University") previously took formal action pursuant to the Board's Resolutions No. 2012-14, dated as of September 9, 2011, to pursue the lease and concession of the University's parking system; and

WHEREAS the lease and concession of the University's parking system is important in meeting the objectives and requirements previously set forth by the Board and the president of the University (the "President"); and

WHEREAS (a) a bidding process with respect to the Concession Agreement (as defined below) was established pursuant to a Request for Proposals dated as of April 25, 2012 (as amended and supplemented by the University, the "RFP"), and conducted by the University (such process, the "Bidding Process") and (b) three bids from such Bidding Process were accepted for consideration; and

WHEREAS QIC Private Capital Pty Ltd ("QIC"), acting on behalf of its managed funds and clients, submitted a bid of \$483 million on Form 1 of the RFP in accordance with the terms thereof and, at the University's request, submitted a bid in the same amount on Form 5 of the RFP marked "5.5% Rate Increase Scenario," together with security therefor in the amount of \$40,000,000, in each case in a form satisfactory to the University; and

WHEREAS pursuant to the Bidding Process, the President and chief financial officer of the University (the "Chief Financial Officer") recommends to the Board that CampusParc LP, a Delaware limited partnership which is owned indirectly by certain managed funds and clients of QIC (the "Concessionaire"), be chosen as the concessionaire under the Concession Agreement; and

WHEREAS it is proposed that the University enter into a Long-Term Lease and Concession Agreement for The Ohio State University Parking System (the "Concession Agreement") with the Concessionaire, on such terms and conditions set forth in, and in substantially the form of, the draft of the Long-Term Lease and Concession Agreement for The Ohio State University Parking System dated June 28, 2012 (the "Draft Concession Agreement"), a copy of which is attached hereto as Exhibit A:

NOW THEREFORE

BE IT RESOLVED, That the Board has determined that it is in the best interests of the University to enter into the Concession Agreement with the Concessionaire and the Related Documents (as defined below), to perform the obligations arising under, or in connection with, the Concession Agreement and the Related Documents (collectively, the "Transaction Obligations"), and to otherwise consummate the transactions contemplated thereby (the "Transaction"); and

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BE IT FURTHER RESOLVED, That the Board has reviewed the Bidding Process and accepts the recommendation of the Chief Financial Officer, selecting the Concessionaire as the concessionaire under the Concession Agreement; and

BE IT FURTHER RESOLVED, That the Board hereby authorizes the University (1) to enter into the Concession Agreement with the Concessionaire and into any other documents and agreements that the President and the Chief Financial Officer (the "Authorized Officers"), or either of them, deems necessary, advisable or appropriate in connection with the Concession Agreement (including, without limitation, a Memorandum of Lease Agreement and one or more consent agreements and estoppel certificates contemplated by the Concession Agreement for the benefit of the Leasehold Mortgagee (as defined in the Concession Agreement)) (collectively, the "Related Documents"), such Authorized Officer's execution thereof to be conclusive evidence of such approval and determination of the necessity, advisability or appropriateness thereof, (2) to take such actions as any Authorized Officer deems necessary, advisable or appropriate to perform the Transaction Obligations and to otherwise consummate the Transaction, such actions not to be materially inconsistent with the terms of the Draft Concession Agreement, such Authorized Officer's taking of such action to be conclusive evidence of such approval and determination of the necessity, advisability or appropriateness thereof; and

BE IT FURTHER RESOLVED, That the Board hereby authorizes and directs the Authorized Officers, or either of them, upon consultation with the Chair of the Finance Committee of this Board, the Senior Vice President for Legal Affairs and General Counsel, any outside counsel or advisors retained for this purpose and such other members of the senior leadership of the University that any Authorized Officer deems necessary, advisable or appropriate, subject to the terms, limitations and conditions prescribed in this resolution, (1) to negotiate, execute, acknowledge and deliver the Concession Agreement and any Related Document on such terms as any Authorized Officer deems necessary, advisable or appropriate, such terms not to be materially inconsistent with the Draft Concession Agreement, with such Authorized Officer's execution thereof to be conclusive evidence of such approval and determination of the necessity, advisability or appropriateness thereof, (2) to take such actions as any Authorized Officer deems necessary, advisable or appropriate to perform the Transaction Obligations and to otherwise consummate the Transaction, such actions not to be materially inconsistent with the terms of the Draft Concession Agreement, with such Authorized Officer's taking of such action to be conclusive evidence of such approval and determination of the necessity, advisability or appropriateness thereof; and

BE IT FURTHER RESOLVED, That all actions previously taken by any Authorized Officer or employee of the University, by or on behalf of the University in connection with the Transaction be, and each of the same hereby is, adopted, ratified, confirmed and approved in all respects; and

BE IT FURTHER RESOLVED, That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and

BE IT FURTHER RESOLVED, That this resolution shall take effect and be in force immediately upon its adoption.

(See Appendix XLIV for background information, page 1080.)

Mr. Schottenstein:

Thank you. We now go to the consent agenda which is before the Board. I would now like to call on our President to present it.

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## **CONSENT AGENDA**

President Gee:

Thank you, Mr. Chairman. Today we have a total of 29 resolutions on the consent agenda. As was mentioned in the Academic Affairs and Student Life Committee report, there is a small change in one of the rules of the University faculty appended to resolution number nine. You will also have an amended copy of resolution number 18 as was mentioned in the Medical Affairs Committee report; therefore we are seeking approval for the following:

### **DEGREES AND CERTIFICATES**

Resolution No. 2012-103

Synopsis: Approval of Degrees and Certificates for summer semester is proposed.

WHEREAS pursuant to paragraph (E) of rule 3335-1-06 of the Administrative Code, the Board has authority for the issuance of degrees and certificates; and

WHEREAS the faculties of the colleges and schools shall transmit, in accordance with rule 3335-9-29 of the Administrative Code, for approval by the Board of Trustees, the names of persons who have completed degree and certificate requirements:

NOW THEREFORE

BE IT RESOLVED, That the degrees and certificates be conferred on August 12, 2012, to those persons who have completed the requirements for their respective degrees and certificates and are recommended by the colleges and schools, and that the names of those persons awarded degrees and certificates be included in the minutes of this meeting.

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### **DISTINGUISHED SERVICE AWARD**

Resolution No. 2012-104

Synopsis: Approval of an additional 2012 Distinguished Service Award is proposed.

WHEREAS the Senior Management Council, upon the recommendation of the Committee on Distinguished Service Awards, nominated and recommended the following additional candidate for approval by the Board of Trustees to receive the Distinguished Service Award at a time convenient to the University and the recipient:

Jon R. Woods

WHEREAS the committee has recommended that an exception be made to the Board's requirement that nominees have been retired from the University for a full-year prior to awarding due to Dr. Woods exceptional service; and

WHEREAS this award is given in recognition of distinguished service to The Ohio State University and special exception is recommended to the action taken by the Board of Trustees in 1952:

NOW THEREFORE

BE IT RESOLVED, That the 2012 Distinguished Service Award be approved for awarding as designated above.

\*\*\*

**NAMING OF THE NORTH COURTYARD OF PARK-STRADLEY HALL**

Resolution 2012-105

**The Ronald A. Ratner Plaza**

Synopsis: The naming of The Ronald A. Ratner Plaza in the North Courtyard of the Park-Stradley Residence Hall, located at 120 West 11<sup>th</sup> Columbus, Ohio, 43201 on the Columbus campus. The newly renovated eleven story residence hall features a Hall Desk that is staffed 24 hours per day, recreational/gaming equipment in public spaces, study/lounge space on every floor, kitchen and laundry facilities, indoor bicycle storage, and loftable beds.

WHEREAS Ronald A. Ratner played an instrumental role in the design of Park-Stradley Hall and advocated for spaces to bring people together including an outdoor gathering place; and

WHEREAS his role in creating thoughtful building designs for The Ohio State University has been instrumental in advancing the concept of community on campus; and

WHEREAS Ronald A. Ratner has spent a career creating great gathering places around the country; and

WHEREAS the Ratner family has provided contributions to The Ohio State University's Office of Student Life to support the Extraordinary Student Experience:

NOW THEREFORE

BE IT RESOLVED, That, on the occasion of his birthday, in accordance with paragraph (F) of rule 3335-1-08 of the Administrative Code, the Board of Trustees approves that the aforementioned North Courtyard of Park-Stradley Residence Hall be named The Ronald A. Ratner Plaza.

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**NAMING OF THE RADIOLOGY WAITING ROOM**

Resolution 2012-106

**In the Stefanie Spielman Comprehensive Breast Center,  
the OSUCCC, James:  
The Daimler Foundation Radiology Waiting Room**

Synopsis: The naming of the Radiology Waiting Room in the Stefanie Spielman Comprehensive Breast Center, located at 739 West Third Avenue on the Gowdy Field Development campus; that is the only comprehensive breast center of its kind in the Midwest.

WHEREAS the Stefanie Spielman Comprehensive Breast Center is part of the Wexner Medical Center Expansion campaign; and

WHEREAS Daimler and their building and construction teams have provided contributions to the Wexner Medical Center Expansion for the expansion of Ohio State's Comprehensive Cancer Center, James Cancer Hospital and Solove Research Institute; and

WHEREAS Daimler and their building and construction teams have provided significant contributions to the OSUCCC, James:

NOW THEREFORE

June 22, 2012 meeting, Board of Trustees

BE IT RESOLVED, That in accordance with paragraph (F) of rule 3335-1-08 of the Administrative Code, the Board of Trustees approves that the aforementioned Radiology Waiting Room in the Stefanie Spielman Comprehensive Breast Center be named The Daimler Foundation Radiology Waiting Room.

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### **NAMING OF THE CONFERENCE ROOM**

Resolution No. 2012-107

#### **In the Stefanie Spielman Comprehensive Breast Center, the OSUCCC, James: The Daimler Foundation Conference Room**

Synopsis: The naming of the Conference Room in the Stefanie Spielman Comprehensive Breast Center, located at 739 West Third Avenue on the Gowdy Field Development campus; that is the only comprehensive breast center of its kind in the Midwest.

WHEREAS the Stefanie Spielman Comprehensive Breast Center is part of the Wexner Medical Center Expansion campaign; and

WHEREAS Daimler have provided contributions to the Wexner Medical Center Expansion for the expansion of Ohio State's Comprehensive Cancer Center, James Cancer Hospital and Solove Research Institute; and

WHEREAS Daimler have provided significant contributions to the OSUCCC, James:

NOW THEREFORE

BE IT RESOLVED, That in accordance with paragraph (F) of rule 3335-1-08 of the Administrative Code, the Board of Trustees approves that the aforementioned Conference Room in the Stefanie Spielman Comprehensive Breast Center be named The Daimler Foundation Conference Room.

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### **PERSONNEL ACTIONS**

Resolution No. 2012-108

BE IT RESOLVED, That the personnel actions as recorded in the Personnel Budget Records of the University since the April 6, 2012, meeting of the Board, including the following Appointments, Reappointments, Appointments of Chairpersons, Professional Improvement Leaves, Professional Improvement Leave, Change in Dates, and Emeritus Titles be approved.

#### Appointments

Name:	JOSEPH E. BRANDESKY
Title:	Professor (The Martha W. Farmer Endowed Professorship in Theatre)
College:	Arts and Sciences
Term:	July 1, 2012, through June 30, 2017
Name:	MICHAEL B. CADWELL
Title:	Professor (The Walter H. Kidd Designated Professorship in the Knowlton School of Architecture)
College:	Engineering
Term:	July 1, 2012, through June 30, 2017

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Name: SARAH R. COLE  
Title: Professor (John W. Bricker Professorship in Law)  
College: Moritz College of Law  
Term: July 1, 2012, through June 30, 2017

Name: CARLO M. CROCE  
Title: Distinguished University Professor  
Department: Molecular Virology, Immunology and Medical Genetics  
Effective: July 1, 2012

Name: EDWARD B. FOLEY  
Title: Professor (The Chief Justice Thomas J. Moyer Professorship for the Administration of Justice and Rule of Law)  
College: Moritz College of Law  
Term: July 1, 2012, through June 30, 2017

Name: LISA M. HALL\*  
Title: Assistant Professor (The H.C. "Slip" Slider Professorship in Chemical and Biomolecular Engineering)  
College: Engineering  
Term: September 1, 2012, through August 30, 2017

Name: ROBERT C. HOLUB  
Title: Professor and Ohio Eminent Scholar in German  
College: Arts and Sciences  
Effective: August 16, 2012

Name: JIANJIE MA\*  
Title: Professor (The Karl P. Klassen Chair of Thoracic Surgery)  
College: Medicine  
Term: July 1, 2012, through June 30, 2016

Name: URBAN F. MEYER\*  
Title: Head Football Coach  
Department: Athletics  
Term: November 28, 2011, through January 31, 2018

Name: SUBHA V. RAMAN  
Title: Professor (The Joseph M. Ryan, M.D. Chair in Cardiovascular Medicine)  
College: Medicine  
Term: May 1, 2012, through June 30, 2016

Name: ALI R. REZAI  
Title: Professor (The Stanley D. and Joan H. Ross Chair in Neuromodulation)  
College: Medicine  
Term: May 1, 2012, through June 30, 2016

Name: MARYAM SAEEDI\*  
Title: Assistant Professor (Thomas H. Patrick Free Enterprise Designated Professorship)  
College: Arts and Sciences  
Term: September 1, 2012, through August 31, 2017

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Name: MARC S. SPINDELMAN  
Title: Professor (The Isadore and Ida Topper Professorship in Law)  
College: Moritz College of Law  
Term: July 1, 2012, through June 30, 2017

Name: JOSEPH B. STULBERG  
Title: Professor (The Michael E. Moritz Chair in Alternative Dispute Resolution)  
College: Moritz College of Law  
Term: July 1, 2012, through June 30, 2017

Name: VICKI WYSOCKI  
Title: Professor and Ohio Eminent Scholar in Macromolecular Structure and Function  
College: Arts and Sciences  
Effective: August 22, 2012

Reappointments

Name: BRIAN D. JOSEPH  
Title: Professor (The Kenneth E. Naylor Professorship)  
College: Arts and Sciences  
Term: October 1, 2012, through September 30, 2017

Name: W. JAMES HARPER  
Title: Professor (The J.T. "Stubby" Parker Chair in Dairy Foods)  
College: Food, Agricultural, and Environmental Sciences  
Term: September 1, 2012, through August 31, 2013

Name: CAROLINE C. WHITACRE  
Title: Vice President  
Office: Research  
Term: October 1, 2012, through August 31, 2017

\*New Personnel to the University

Appointments/Reappointments of Chairperson/Directors

DAVID M. BLAU, Chairperson, Department of Economics, effective June 1, 2012, through May 31, 2016.

\*JILL M. BYSTYDZIENSKI, Chairperson, Department of Women's, Gender and Sexuality Studies, effective October 1, 2010, through June 30, 2014.

JOHN V. CAMPO, Chairperson, Department of Psychiatry, effective March 1, 2012, through June 30, 2016.

\*PETER S. CURTIS, Chairperson, Department of Evolution, Ecology, and Organismal Biology, effective July 1, 2009, through September 30, 2013.

\*E. CHRISTOPHER ELLISON, Chairperson, Department of Surgery, effective July 1, 2012, through June 30, 2013.

BERNHARD FISCHER, Interim Chairperson, Department of Germanic Languages and Literatures, effective September 1, 2012, through August 31, 2013.

\*PETER L. HAHN, Chairperson, Department of History, effective October 1, 2010, through June 30, 2014.

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\*DONALD C. HUBIN, Chairperson, Department of Philosophy, effective October 1, 2010, through June 30, 2014.

MARK B. LANDON, Chairperson, Department of Obstetrics and Gynecology, effective July 1, 2010, through June 30, 2014.

\*MICHAEL J. MILLER, Chairperson, Department of Plastic Surgery, effective July 1, 2012, through June 30, 2016.

\*HORACE E. NEWSUM, Chairperson, Department of African American and African Studies, effective July 1, 2012, through August 31, 2016.

SUSAN V. OLESIK, Chairperson, Department of Biochemistry, effective October 1, 2011, through August 31, 2015.

DANIEL D. SEDMAK, Chairperson, Department of Pathology, effective September 1, 2010, through August 31, 2014.

DEBORAH L. SMITH-SHANK, Chairperson, Department of Art Education, effective September 1, 2012, through August 31, 2016.

SHARI R. SPEER, Chairperson, Department of Linguistics, effective January 1, 2012, through August 31, 2016.

KIMBERLY SPRINGER, Acting Chairperson, Department of Women's, Gender and Sexuality Studies, effective June 18, 2012, through August 10, 2012.

GARY S. STRAQUADINE, Chairperson, Department of Agricultural Communications, Education, and Leadership, effective July 9, 2012, through June 30, 2016.

KARIN A. ZUCKERMAN, Director, Veterinary Medical Center, effective April 11, 2011.

#### Professional Improvement Leaves

HASSAN Y. ALY, Professor, Department of Economics (Marion), effective Autumn Semester 2012.

DOUGLAS A. BERMAN, Professor, Moritz College of Law, effective Autumn Semester 2012.

DAN BURGHELEA, Professor, Department of Mathematics, effective Autumn Semester 2012 and Spring Semester 2013.

L. STANLEY DURKIN, Professor, Department of Physics, effective Autumn Semester 2012 and Spring Semester 2013.

KATHERINE H. FEDERLE, Professor, Moritz College of Law, effective Spring Semester 2013.

RICHARD D. KASS, Professor, Department of Physics, effective Autumn Semester 2012.

HENRI MOSCOVICI, Professor, Department of Mathematics, effective Spring Semester 2013.

PAMELA J. SALSBERY, Professor, College of Nursing, effective Autumn Semester 2012 and Spring Semester 2013.

CYNTHIA A. TYSON, Professor, School of Teaching and Learning, effective Autumn Semester 2012 and Spring Semester 2013.

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ANN M. ALLEN, Associate Professor, School of Educational Policy and Leadership, effective Autumn Semester 2012 and Spring Semester 2013.

NEIL F. FALKNER, Associate Professor, Department of Mathematics, effective Autumn Semester 2012.

CHENGLONG LI, Associate Professor, College of Pharmacy, effective Autumn Semester 2012.

L. PAUL MARTINI, Associate Professor, Department of Astronomy, effective Autumn Semester 2012.

CRICHTON L. OGLE, Associate Professor, Department of Mathematics, effective Spring Semester 2013.

TAO SHI, Associate Professor, Department of Statistics, effective Spring Semester 2013.

KATHY C. TRUNDLE, Associate Professor, School of Teaching and Learning, effective Spring Semester 2013.

#### Professional Improvement Leave, Cancellation

J. HUSTON MCCULLOCH, Professor, Department of Economics, effective Autumn Semester 2012 and Spring Semester 2013.

#### Professional Improvement Leave, Changes

CLAUDIA BUCHMANN, Professor, Department of Sociology, changed from Autumn Semester 2012 and Spring Semester 2013 to Autumn Semester 2012.

ANDREA G. GROTTOLI, Associate Professor, School of Earth Sciences, changed from Autumn Semester 2012 and Spring Semester 2013 to Spring Semester 2013.

#### Emeritus Title, Change in Title

ROBERT D. NEWCOMB, College of Optometry, with the title Professor Emeritus, Clinical of The Vision Service Plan (VSP) Chair for the Advancement of Professional Practice, effective June 1, 2012.

#### Emeritus Titles

LEE K. ABBOTT, Department of English, with the title Professor Emeritus, effective October 1, 2012.

TAYLAN ALTAN, Department of Integrated Systems Engineering, with the title Professor Emeritus, effective July 1, 2012.

LAWRENCE A. BAUM, Department of Political Science, with the title Professor Emeritus, effective July 1, 2012.

ROBERT E. BURNKRANT, Department of Marketing and Logistics, with the title Professor Emeritus, effective July 1, 2012.

GWENDOLYN CARTLEDGE, School of Physical Activity and Educational Services, with the title Professor Emeritus, effective July 1, 2012.

CATHERINE W. KOHN, Department of Veterinary Clinical Sciences, with the title Professor Emeritus, effective July 1, 2012.

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ROY J. LEWICKI, Department of Management and Human Resources, with the title Professor Emeritus, effective July 1, 2012.

MARGARET A. MILLS, Department of Near Eastern Languages and Cultures, with the title Professor Emeritus, effective July 1, 2012.

NORTON H. NEFF, Department of Pharmacology, with the title Professor Emeritus, effective July 1, 2012.

DAVID A. ODDEN, Department of Linguistics, with the title Professor Emeritus, effective July 1, 2012.

MARGARITA L. OPHEE-MAZO, School of Music, with the title Professor Emeritus, effective July 1, 2012.

RICHARD E. PARENT, Department of Computer Science and Engineering, with the title Professor Emeritus, effective July 1, 2012.

JAMES M. PYNE, School of Music, with the title Professor Emeritus, effective July 1, 2012.

JACK A. RALL, Department of Physiology and Cell Biology, with the title Professor Emeritus, effective July 1, 2012.

DONALD M. RINGS, Department of Veterinary Clinical Sciences, with the title Professor Emeritus, effective July 1, 2012.

NANCY H. ROGERS, Moritz College of Law, with the title Professor Emeritus, effective July 1, 2012.

GOLDIE A. SHABAD, Department of Political Science, with the title Professor Emeritus, effective July 1, 2012.

ROBERT M. SNAPKA, Department of Radiology, with the title Professor Emeritus, effective July 1, 2012.

ANNA O. SOTER, School of Teaching and Learning, with the title Professor Emeritus, effective July 1, 2012.

THOMAS L. SPORLEDER, Department of Agricultural, Environmental, and Development Economics, with the title Professor Emeritus, effective July 1, 2012.

GARY STEIGMAN, Department of Physics, with the title Professor Emeritus, effective July 1, 2012.

JOSEPH S. VERDUCCI, Department of Statistics, with the title Professor Emeritus, effective July 1, 2012.

DIETER WANNER, Department of Spanish and Portuguese, with the title Professor Emeritus, effective July 1, 2012.

JON R. WOODS, School of Music, with the title Professor Emeritus, effective July 1, 2012.

MELVIN L. ADELMAN, School of Physical Activity and Educational Services, with the title Associate Professor Emeritus, effective July 1, 2012.

LINDA A. BERNHARD, College of Nursing, with the title Associate Professor Emeritus, effective August 1, 2012.

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LORA G. DOBOS, School of Music, with the title Associate Professor Emeritus, effective July 1, 2012.

RICHARD H. FERTEL, Department of Pharmacology, with the title Associate Professor Emeritus, effective July 1, 2012.

JERE L. FORSYTHE, School of Music, with the title Associate Professor Emeritus, effective July 1, 2012.

HEIKE S. GOELLER, Department of Design, with the title Associate Professor Emeritus, effective July 1, 2012.

LINDA S. GRAY, Department of Internal Medicine, with the title Associate Professor, Clinical Emeritus, effective July 1, 2012.

BHAGWANDAS GUPTA, Department of Anesthesiology, with the title Associate Professor, Clinical Emeritus, effective July 1, 2012.

WAYNE A. JOHNSON, Department of Consumer Sciences, with the title Associate Professor Emeritus, effective July 1, 2012.

DAVID O. KELCH, Ohio State University Extension, with the title Associate Professor Emeritus, effective July 1, 2012.

ALBERT J. KOLIBASH, Department of Internal Medicine, with the title Associate Professor Emeritus, effective July 1, 2012.

EDNA M. MENKE, College of Nursing, with the title Associate Professor Emeritus, effective July 1, 2012.

JOHN O. OLSEN, Department of Radiology, with the title Associate Professor Emeritus, effective July 1, 2012.

VINOD V. SHARMA, Department of Economics (Mansfield), with the title Associate Professor Emeritus, effective July 1, 2012.

GOPI A. TEJWANI, Department of Pharmacology, with the title Associate Professor Emeritus, effective July 1, 2012.

JAMES E. TEW, Department of Entomology, with the title Associate Professor Emeritus, effective July 1, 2012.

PAL L. VAGHY, Department of Molecular and Cellular Biochemistry, with the title Associate Professor Emeritus, effective July 1, 2012.

FRED A. ROECKER, University Libraries, with the title Assistant Professor Emeritus, effective July 1, 2012.

#### Promotions, Tenure, and Reappointments

### **COLLEGE OF THE ARTS AND SCIENCES DIVISION OF ARTS AND HUMANITIES**

#### PROMOTION TO PROFESSOR

Allen, Chadwick, English, effective September 1, 2012

Gardner, Jared, English, effective September 1, 2012

Noyes, Dorothy, English, effective September 1, 2012

Palazzi, Maria, Design, effective September 1, 2012

Park-Miller, Chan, East Asian Languages & Literature, effective September 1, 2012

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Rinaldo, Kenneth, Art, effective September 1, 2012  
Stebenne, David, History, effective September 1, 2012  
Steigerwald, David, History, Marion, effective September 1, 2012  
Torrance, Richard, East Asian Languages & Literature, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Braun, Catherine, English, Marion, effective September 1, 2012  
Buzov, Snjezana, Near Eastern Languages & Cultures, effective September 1, 2012  
Clopper, Cynthia, Linguistics, effective September 1, 2012  
Crocetta, Alison, Art, effective September 1, 2012  
Delagrang, Susan, English, Mansfield, effective September 1, 2012  
Dragostinova, Theodora, History, effective September 1, 2012  
Fernandez, Lilia, History, effective September 1, 2012  
Fletcher, Richard, Greek and Latin, effective September 1, 2012  
Friedman, Ryan, English, effective September 1, 2012  
Fudge, Bruce, Near Eastern Languages & Cultures, effective September 1, 2012  
Hutzel, Karen, Art Education, effective September 1, 2012  
Isurin, Ludmila, Slavic and East European Languages & Literatures, effective September 1, 2012  
Kaplan, Merrill, English, effective September 1, 2012  
Kleinbub, Christian, History of Art, effective September 1, 2012  
Kobo, Ousman, History, effective September 1, 2012  
Liu, Morgan, Near Eastern Languages & Cultures, effective September 1, 2012  
O'Sullivan, Sean, English, effective September 1, 2012  
Pyun, Danielle, East Asian Languages & Literature, effective September 1, 2012  
Romero, Eugenia, Spanish & Portuguese, effective September 1, 2012  
Sessa, Kristina, History, effective September 1, 2012  
Shea, Louisa, Comparative Studies, effective September 1, 2012  
Silver, Suzanne, Art, effective September 1, 2012  
Smooth, Wendy, Women's, Gender and Sexuality Studies, effective September 1, 2012  
Sumner, Margaret, History, Marion, effective September 1, 2012  
Tonhauser, Judith, Linguistics, effective September 1, 2012  
Williams, Andrea, English, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR WITHOUT TENURE

Smithies, Declan, Philosophy, effective September 1, 2012  
[tenure will be granted once Permanent Residence is achieved]

### **DIVISION OF NATURAL AND MATHEMATICAL SCIENCES**

#### PROMOTION TO PROFESSOR

Chamberlin, Helen, Molecular Genetics, effective September 1, 2012  
Chmutov, Sergei, Mathematics, Mansfield, effective September 1, 2012  
Freudenstein, John, Evolution, Ecology and Organismal Biology, effective September 1, 2012  
Kovchegov, Yuri, Physics, effective September 1, 2012  
Lang, Jan, Mathematics, Marion, effective September 1, 2012  
Suo, Zucui, Biochemistry Administration, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Alber, Birgit, Microbiology Administration, effective September 1, 2012,  
Bong, Dennis, Chemistry, effective September 1, 2012  
Costa Jr., Ozeas, Earth Sciences, Mansfield, effective September 1, 2012  
Gupta, Jay, Physics, effective September 1, 2012  
Howat, Ian, Earth Sciences, effective September 1, 2012  
Johnston-Halperin, Ezekiel, Physics, effective September 1, 2012  
Kaizar, Eloise, Statistics, effective September 1, 2012  
Lafont, Jean-francois, Mathematics, effective September 1, 2012  
Ottesen, Jennifer, Biochemistry Administration, effective September 1, 2012

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Poirier, Michael, Physics, effective September 1, 2012  
Rappleye, Chad, Microbiology Administration, effective September 1, 2012  
Tseng, Hsian-Hua, Mathematics, effective September 1, 2012  
Wu, Damin, Mathematics, Newark, effective September 1, 2012  
Xu, Xinyi, Statistics, effective September 1, 2012

#### **DIVISION OF SOCIAL & BEHAVIORAL SCIENCES**

##### PROMOTION TO PROFESSOR

Cohen, Jeffrey, Anthropology, effective September 1, 2012  
Gremillion, Kristen, Anthropology, effective September 1, 2012  
Hopf, Theodore, Political Science, effective September 1, 2012  
Knobloch-Westerwick, Siliva, Communication, effective September 1, 2012  
McCorriston, Joy, Anthropology, effective September 1, 2012

##### PROMOTION TO PROFESSOR WITH TENURE

Peters, Ellen, Psychology, effective September 1, 2012

##### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Coleman, Mathew, Geography, effective September 1, 2012  
Dwyer, Rachel, Sociology, effective September 1, 2012  
Fujita, Kentaro, Psychology, effective September 1, 2012  
Hupp, Julie, Psychology, Newark, effective September 1, 2012  
Kuhns, Lisa Libby, Psychology, effective September 1, 2012  
Liu, Desheng, Geography, effective September 1, 2012  
Mitzen, Jennifer, Political Science, effective September 1, 2012  
Neblo, Michael, Political Science, effective September 1, 2012  
Petrov, Alexander, Psychology, effective September 1, 2012  
Piperata, Barbara, Anthropology, effective September 1, 2012  
Thomas, Mary, Geography, effective September 1, 2012

#### **COLLEGE OF DENTISTRY**

##### PROMOTION TO PROFESSOR

Leys, Eugene, effective September 1, 2012

##### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Azer, Shereen, effective September 1, 2012  
Drum, Melissa, effective September 1, 2012  
Kumar, Purnima, effective September 1, 2012  
Thikkurissy, Sarath, effective September 1, 2012

#### **COLLEGE OF DENTISTRY REGULAR CLINICAL**

##### REAPPOINTMENT

Amini, Homa, effective September 1, 2013  
Iannucci, Joen, effective September 1, 2013  
Kalmar, John, effective September 1, 2013  
Prior, Simon, effective September 1, 2013  
Sharples II, Dale, effective September 1, 2013  
Villarroel, Soraya, effective September 1, 2013

#### **COLLEGE OF EDUCATION AND HUMAN ECOLOGY**

##### PROMOTION TO PROFESSOR

Enciso, Patricia, School of Teaching & Learning, effective September 1, 2012  
Haury, David, School of Teaching & Learning, effective September 1, 2012

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Hodge, Samuel, School of Physical Activity & Educational Services, effective September 1, 2012

Rudd, Nancy, Consumer Sciences, effective September 1, 2012

Stoel, Leslie, Consumer Sciences, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Focht, Brian, School of Physical Activity & Educational Services, effective September 1, 2012

Herner-Patnode, Leah, School of Physical Activity & Educational Services, Lima, effective September 1, 2012

Hessler, Theresa, School of Physical Activity & Educational Services, Newark, effective September 1, 2012

Li, Weidong, School of Physical Activity & Educational Services, effective September 1, 2012

Parsons, Linda, School of Teaching & Learning, Marion, effective September 1, 2012

Suspitsyna, Tatiana, School of Educational Policy & Leadership, effective September 1, 2012

Sutherland, Susan, School of Physical Activity & Educational Services, effective September 1, 2012

### **COLLEGE OF ENGINEERING**

#### PROMOTION TO PROFESSOR

Babu, Sudarsanam, Materials Science and Engineering, effective September 1, 2012

Graf, Douglas, Knowlton School of Architecture, effective September 1, 2012

Machiraju, Raghu, Computer Science and Engineering, effective September 1, 2012

Palmer, Andre, Chemical and Biomolecular Engineering, effective September 1, 2012

Shen, Han-Wei, Computer Science and Engineering, effective September 1, 2012

Yi, Allen, Integrated Systems Engineering, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Kucukyavuz, Simage, Integrated Systems Engineering, effective September 1, 2012

Liu, Jun, Biomedical Engineering, effective September 1, 2012

McNamara, Jack, Aerospace Engineering, effective September 1, 2012

Yilmaz, Alper, Civil and Environmental Engineering and Geodetic Science, effective September 1, 2012

Zhao, Yi, Biomedical Engineering, effective September 1, 2012

#### TENURE [AT THE CURRENT RANK OF ASSOCIATE PROFESSOR]

Xia, Cathy, Integrated Systems Engineering, effective September 1, 2012

### **MAX M. FISHER COLLEGE OF BUSINESS**

#### PROMOTION TO PROFESSOR

Makhija, Mona, Management and Human Resources, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Zach, Tzachi, Accounting and MIS, effective September 1, 2012

### **COLLEGE OF FOOD, AGRICULTURAL & ENVIRONMENTAL SCIENCES**

#### PROMOTION TO PROFESSOR

Barker, David, Horticulture and Crop Science, effective September 1, 2012

Davis, Gregory, OSUE County Operations, effective September 1, 2012

Horton, Robert, OSUE County Operations, effective September 1, 2012

McSpadden Gardner, Brian, Plant Pathology, effective September 1, 2012

Scheerens, Joseph, Horticulture and Crop Science, effective September 1, 2012

Sharp, Jeff, Environment and Natural Resources, effective September 1, 2012

Vodovotz, Yael, Food Science & Technology, effective September 1, 2012

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PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Gerber, Carri A., ATI- Administrative Support, effective September 1, 2012  
Giusti, M Monica, Food Science & Technology, effective September 1, 2012  
Hansen, Nels, ATI- Administrative Support, effective September 1, 2012  
Janini, Thomas, ATI- Administrative Support, effective September 1, 2012  
Li, Yebo, Food, Agricultural, and Biological Engineering, effective September 1, 2012  
Mitchell, Thomas, Plant Pathology, effective September 1, 2012  
Paul, Pierce, Plant Pathology, effective September 1, 2012  
Rhoades, Emily, Human and Community Resource Development, effective September 1, 2012  
Yu, Zhongtang, Animal Sciences, effective September 1, 2012  
Zoller, Christopher, OSUE County Operations, effective September 1, 2012

**COLLEGE OF LAW**

PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Carlame, Cinnamon, Law, effective September 1, 2012  
Hoffer, Stephanie, Law, effective September 1, 2012

PROMOTION TO PROFESSOR

Jenkins, Garry, Law, effective September 1, 2012

**COLLEGE OF MEDICINE**

PROMOTION TO PROFESSOR

Beattie, Christine, Neuroscience, effective September 1, 2012  
Catalyurek, Umit, Biomedical Informatics, effective September 1, 2012  
Guttridge, Denis, Molecular Virology, Immunology and Medical Genetics, effective September 1, 2012  
Parthun, Mark, Molecular and Cellular Biochemistry, effective September 1, 2012  
Stevenson, Kurt, Internal Medicine, effective September 1, 2012

PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Abaza, Ronney, Urology, effective September 1, 2012  
Amer, Amal, Microbial Infection and Immunity, effective September 1, 2012  
Baiocchi, Robert, Internal Medicine, effective September 1, 2012  
Caterino, Jeffrey, Emergency Medicine, effective September 1, 2012  
Chicoine, Louis, Pediatrics, effective September 1, 2012  
Chisolm, Deena, Pediatrics, effective September 1, 2012  
Davis, Jonathan, Physiology & Cell Biology, effective September 1, 2012  
Elsayed-Awad, Hamdy, Anesthesiology, effective September 1, 2012  
Godbout, Jonathan, Neuroscience, effective September 1, 2012  
Hall, Mark, Pediatrics, effective September 1, 2012  
Mackner, Laura, Pediatrics, effective September 1, 2012  
Rogers, Lynette, Pediatrics, effective September 1, 2012  
Wold, Loren, Pediatrics, effective September 1, 2012

PROMOTION TO ASSOCIATE PROFESSOR WITHOUT TENURE

Mikami, Dean, Surgery, effective September 1, 2012  
Prevedello, Daniel, Neurological Surgery, effective September 1, 2012

TENURE [AT THE CURRENT RANK OF ASSOCIATE PROFESSOR]

Ellis, Thomas, Orthopaedics, effective September 1, 2012  
Liu, Zhenguang, Internal Medicine, effective September 1, 2012  
Nana-Sinkam, Serge, Internal Medicine, effective September 1, 2012  
Pan, Quintin, Otolaryngology, effective September 1, 2012

**COLLEGE OF MEDICINE  
REGULAR CLINICAL**

PROMOTION TO PROFESSOR-CLINICAL AND REAPPOINTMENT

Bechtel, Mark, Internal Medicine, effective September 1, 2012 and September 1, 2013  
Bravender, Terrill, Pediatrics, effective September 1, 2012 and September 1, 2013  
Gastier-Foster, Julie, Pathology, effective September 1, 2012 and September 1, 2013  
O'Brien, James, Internal Medicine, effective September 1, 2012 and September 1, 2013  
Pesavento, Todd, Internal Medicine, effective September 1, 2012 and September 1, 2013  
Weisleder, Pedro, Pediatrics, effective September 1, 2012 and September 1, 2013

REAPPOINTMENT

Allen Jr., James Norman, Internal Medicine, effective September 1, 2013  
Ardoin, Stacy Payne, Internal Medicine, effective September 1, 2013  
Arnold, Mark William, Surgery, effective September 1, 2013  
Astbury, Caroline, Pathology, effective September 1, 2013  
Awan, Hisham, Orthopaedics, effective September 1, 2013  
Balada-Llasat, Joan-Miquel, Pathology, effective September 1, 2013  
Baliga, Ragavendra, Internal Medicine, effective September 1, 2013  
Barson, William Joseph, Pediatrics, effective September 1, 2013  
Bartholomew, Deborah A, Obstetrics & Gynecology, effective September 1, 2013  
Beal, Matthew Dean, Orthopaedics, effective September 1, 2013  
Bergese, Sergio Daniel, Anesthesiology, effective September 1, 2013  
Bernard, Aaron William, Emergency Medicine, effective September 1, 2013  
Bhandary, Sujatha, Anesthesiology, effective September 1, 2013  
Bhinder, Arvinder Singh, Internal Medicine, effective September 1, 2013  
Boehmler, James, Plastic Surgery, effective September 1, 2013  
Boster, Aaron Lee, Neurology, effective September 1, 2013  
Brill, Seuli, Internal Medicine, effective September 1, 2013  
Brilli, Richard, Pediatrics, effective September 1, 2013  
Brinkman, Vincent Eugene, Internal Medicine, effective September 1, 2013  
Butler, R. Bryan, Orthopaedics, effective September 1, 2013  
Caligiuri, Jeanne Lynn, Internal Medicine, effective September 1, 2013  
Cios, Jacquelyne Susan, Neurology, effective September 1, 2013  
Crandall, Wallace, Pediatrics, effective September 1, 2013  
Cunningham, Dennis, Pediatrics, effective September 1, 2013  
Das, Aneesa, Internal Medicine, effective September 1, 2013  
Davis, John Anthony, Internal Medicine, effective September 1, 2013  
Davis, Michael, Internal Medicine, effective September 1, 2013  
De los Reyes, Emily Caoili, Pediatrics, effective September 1, 2013  
deSilva, Brad William, Otolaryngology, effective September 1, 2013  
DeSocio, Peter Anthony, Anesthesiology, effective September 1, 2013  
Dickerson, Jennifer Ann, Internal Medicine, effective September 1, 2013  
DiGiovine, Carmen, School of Allied Medical Professions, effective September 1, 2013  
Din, Anwar, Internal Medicine, effective September 1, 2013  
Elkhammas, Elmahdi, Surgery, effective September 1, 2013  
Erwin, Elizabeth Anne, Pediatrics, effective September 1, 2013  
Essandoh, Michael Kojo, Anesthesiology, effective September 1, 2013  
Essig, Elizabeth Diakoff, Internal Medicine, effective September 1, 2013  
Evers, Michael Francis, Anesthesiology, effective September 1, 2013  
Ezzie, Michael Elias, Internal Medicine, effective September 1, 2013  
Glassman, Andrew, Orthopaedics, effective September 1, 2013  
Grandominico-Bradford, Jodi, Internal Medicine, effective September 1, 2013  
Granger, Jeffrey, Orthopaedics, effective September 1, 2013  
Groner, Jonathan Ira, Surgery, effective September 1, 2013  
Gubanich, Paul Joseph, Internal Medicine, effective September 1, 2013  
Haas, Garrie Joseph, Internal Medicine, effective September 1, 2013  
Haddad, Nabil Jamil, Internal Medicine, effective September 1, 2013  
Halim-Armanios, Mona Youssef, Anesthesiology, effective September 1, 2013

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Hamiwka, Lorie Diana, Pediatrics, effective September 1, 2013  
Heyer, Geoffrey Lyle, Pediatrics, effective September 1, 2013  
Hoffman, Timothy, Pediatrics, effective September 1, 2013  
Hoffmann, Stephen Paul, Internal Medicine, effective September 1, 2013  
Hoyle, Joseph Chad, Neurology, effective September 1, 2013  
Hunt, W Garrett, Pediatrics, effective September 1, 2013  
Hunt, Tamerah Nicole, School of Allied Medical Professions, effective September 1, 2013  
Husain, Syed, Surgery, effective September 1, 2013  
Isley, Michelle Marie, Obstetrics & Gynecology, effective September 1, 2013  
Jones, Grant Lloyd, Orthopaedics, effective September 1, 2013  
Jonesco, Michael, Internal Medicine, effective September 1, 2013  
Kaeding, Christopher Carl, Orthopaedics, effective September 1, 2013  
Kaitz, Ellen, Physical Medicine & Rehabilitation, effective September 1, 2013  
Kelly, Garrett Tyler, Anesthesiology, effective September 1, 2013  
Kenney, Brian David, Surgery, effective September 1, 2013  
Khan, Meena, Internal Medicine, effective September 1, 2013  
Khandelwal, Sorabh, Emergency Medicine, effective September 1, 2013  
Koletar, Susan Lynn, Internal Medicine, effective September 1, 2013  
Kreger, Cynthia Gail, Internal Medicine, effective September 1, 2013  
Kuennen, Rebecca Ann, Ophthalmology, effective September 1, 2013  
Leder, Mary, Pediatrics, effective September 1, 2013  
Lehwald, Lenora Moore, Pediatrics, effective September 1, 2013  
Love, Charles, Internal Medicine, effective September 1, 2013  
Madden, Jeffrey, Physical Medicine & Rehabilitation, effective September 1, 2013  
Marar, Unni Krishnan, Internal Medicine, effective September 1, 2013  
Martin, Daniel Robert, Emergency Medicine, effective September 1, 2013  
Martin, Bryan, Internal Medicine, effective September 1, 2013  
McGraw, Megan, Pediatrics, effective September 1, 2013  
McKiernan, Matthew, Anesthesiology, effective September 1, 2013  
Meyers, Lori Dawn, Anesthesiology, effective September 1, 2013  
Miller, Michelle, Physical Medicine & Rehabilitation, effective September 1, 2013  
Moore, J Layne, Neurology, effective September 1, 2013  
Mrozek, Ewa, Internal Medicine, effective September 1, 2013  
Murawski, Juanita Marie, Psychiatry, effective September 1, 2013  
Natwa, Mona, Radiology, effective September 1, 2013  
Nuss, Kathryn, Pediatrics, effective September 1, 2013  
Nwomeh, Benedict, Surgery, effective September 1, 2013  
Oas, John, Neurology, effective September 1, 2013  
Ogbogu, Princess, Internal Medicine, effective September 1, 2013  
Olencki, Thomas, Internal Medicine, effective September 1, 2013  
Pariser, Stephen Fellman, Psychiatry, effective September 1, 2013  
Pompili, Vincent John, Internal Medicine, effective September 1, 2014  
Pyatt, Robert, Pathology, effective September 1, 2013  
Quick, Adam, Neurology, effective September 1, 2013  
Racke Jr., Frederick Karl, Pathology, effective September 1, 2013  
Ramsey, Jane Balint, Pediatrics, effective September 1, 2013  
Rhodes, Melissa, Pediatrics, effective September 1, 2013  
Rikabi, Ali, Radiology, effective September 1, 2013  
Rogers, Alan David, Radiology, effective September 1, 2013  
Rose, Melissa, Pediatrics, effective September 1, 2013  
Rosen, Kerry, Pediatrics, effective September 1, 2013  
Roth, Andrew, Anesthesiology, effective September 1, 2013  
Schaffernocker, Troy, Internal Medicine, effective September 1, 2013  
Scharre, Douglas William, Neurology, effective September 1, 2013  
Schlanger, Richard, Surgery, effective September 1, 2013  
Schmidt, Carl Richard, Surgery, effective September 1, 2013  
Schofield, Minka Latrice, Otolaryngology, effective September 1, 2013  
Schwaab, Jillian Leigh, Emergency Medicine, effective September 1, 2013  
Sharkey, John James, Orthopaedics, effective September 1, 2013

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Sheikh, Shahid, Pediatrics, effective September 1, 2013  
Shell, Richard Davis, Pediatrics, effective September 1, 2013  
Shellhaas, Cynthia, Obstetrics & Gynecology, effective September 1, 2013  
Sokolov, Howard, Psychiatry, effective September 1, 2013  
Sopirala, Madhuri Mulam, Internal Medicine, effective September 1, 2013  
Spencer, Charles Hiram, Pediatrics, effective September 1, 2013  
Spetie, Lacramioara, Psychiatry, effective September 1, 2013  
Stein, Erica Judith, Anesthesiology, effective September 1, 2013  
Tandon, Amit, Ophthalmology, effective September 1, 2013  
Tartaglia, Kimberly, Internal Medicine, effective September 1, 2013  
Texter, Karen Marie, Pediatrics, effective September 1, 2013  
Tripathi, Ravi Sailesh, Anesthesiology, effective September 1, 2013  
Varekojis, Sarah Lynn, School of Allied Medical Professions, effective September 1, 2013  
Von Visger, Jon, Internal Medicine, effective September 1, 2013  
Waikhom, Suraj, Radiology, effective September 1, 2013  
Wells-Di Gregorio, Sharla Maelyn, Psychiatry, effective September 1, 2013  
Wenger, Aaron Samuel, Internal Medicine, effective September 1, 2013  
Wispe, Jonathan, Pediatrics, effective September 1, 2013  
Witwer, Andrea Nichole, Psychiatry, effective September 1, 2013  
Woollard, Jeffrey Earl, Radiation Oncology, effective September 1, 2013  
Xia, Yun, Anesthesiology, effective September 1, 2013  
Yardley, Heather Lehmkuhl, Pediatrics, effective September 1, 2013  
Young, James, Psychiatry, effective September 1, 2013

#### PROMOTION TO ASSOCIATE PROFESSOR-CLINICAL AND REAPPOINTMENT

Flanigan, David, Orthopaedics, effective September 1, 2012 and September 1, 2013  
Martin, Stanley, Internal Medicine, effective September 1, 2012 and September 1, 2013  
Nagy, Rebecca, Internal Medicine, effective September 1, 2012 and September 1, 2013  
Satoskar, Anjali, Pathology, effective September 1, 2012 and September 1, 2013  
Sipos, Jennifer, Internal Medicine, effective September 1, 2012 and September 1, 2013  
Zirwas, Matthew, Internal Medicine, effective September 1, 2012 and September 1, 2013

#### PROMOTION TO ASSOCIATE PROFESSOR-CLINICAL

Ali, Naeem, Internal Medicine, effective September 1, 2012  
Andritsos, Michael, Anesthesiology, effective September 1, 2012  
Arbona, Fernando, Anesthesiology, effective September 1, 2012  
Butter, Eric, Pediatrics, effective September 1, 2012  
Carvalho, Ryan, Pediatrics, effective September 1, 2012  
Gupta, Nilendu, Radiation Medicine, effective September 1, 2012  
Khabiri, Babak, Anesthesiology, effective September 1, 2012  
Martin, Douglas, Radiation Medicine, effective September 1, 2012  
Schwaderer, Andrew, Pediatrics, effective September 1, 2012  
Thackeray, Jonathan, Pediatrics, effective September 1, 2012  
Turner, Katja, Anesthesiology, effective September 1, 2012  
Witman, Patricia, Pediatrics, effective September 1, 2012

### **COLLEGE OF MEDICINE REGULAR RESEARCH TRACK**

#### REAPPOINTMENT

Baran, Christopher Phillip, Internal Medicine, effective September 1, 2013  
Bell, Erica McKenzie, Radiation Oncology, effective September 1, 2013  
Benndorf, Rainer, Pediatrics, effective September 1, 2013  
Chakroborty, Debanjan, Pathology, effective September 1, 2013  
Duan, Wenrui, Internal Medicine, effective September 1, 2013  
Grzybowski, Deborah Marie, Ophthalmology, effective September 1, 2013  
Pancholi, Vijay, Pathology, effective September 1, 2013  
Sarkar, Chandrani, Pathology, effective September 1, 2013  
Sharma, Sudarshana, Molecular and Cellular Biochemistry, effective September 1, 2013

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Yen, Po-Yin, Biomedical Informatics, effective September 1, 2013

**COLLEGE OF NURSING**

PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Smith, Laureen, effective September 1, 2012

**COLLEGE OF NURSING  
REGULAR CLINICAL**

PROMOTION TO PROFESSOR-CLINICAL AND REAPPOINTMENT

Daley, Linda, effective September 1, 2012 and September 1, 2013

REAPPOINTMENT

Barker, Elizabeth, effective September 1, 2013

**COLLEGE OF OPTOMETRY**

PROMOTION TO PROFESSOR

Fogt, Nicklaus, effective September 1, 2012

Kulp, Marjean, effective September 1, 2012

**COLLEGE OF OPTOMETRY  
REGULAR CLINICAL**

PROMOTION TO ASSOCIATE PROFESSOR-CLINICAL AND REAPPOINTMENT

Davis, Jacqueline, effective September 1, 2012 and September 1, 2013

PROMOTION TO PROFESSOR-CLINICAL

Pierce, Gilbert, effective September 1, 2012

PROMOTION TO PROFESSOR-CLINICAL AND REAPPOINTMENT

Nixon, Gregory, effective September 1, 2012 and September 1, 2013

**COLLEGE OF PHARMACY  
REGULAR CLINICAL**

REAPPOINTMENT

Casper, Kristin, effective September 1, 2013

PROMOTION TO PROFESSOR-CLINICAL

Mirtallo, Jay, effective September 1, 2012

**COLLEGE OF PHARMACY  
REGULAR RESEARCH**

REAPPOINTMENT

Liu, Zhongfa, effective September 1, 2013

**COLLEGE OF PUBLIC HEALTH**

PROMOTION TO PROFESSOR

Dembe, Allard, effective September 1, 2012

PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Liang, Song, effective September 1, 2012

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### **COLLEGE OF SOCIAL WORK**

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Anderson, Keith, effective September 1, 2012

### **UNIVERSITY LIBRARIES**

#### PROMOTION TO ASSOCIATE PROFESSOR [ALREADY HAS TENURE]

Hartel, Lynda, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

Cheek, Fern, effective September 1, 2012  
Dunham, Barbara, effective September 1, 2012  
Kattelman, Beth, effective September 1, 2012  
McGurr, Melanie, effective September 1, 2012  
Robb, Jenny, effective September 1, 2012  
Walsh, Maureen, effective September 1, 2012

#### PROMOTION TO PROFESSOR

Connell, Tschera, effective September 1, 2012  
Donovan, Maureen, effective September 1, 2012

### **COLLEGE OF VETERINARY MEDICINE**

#### PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE

da Costa, Ronaldo, Veterinary Clinical Sciences, effective September 1, 2012  
Davis, Ian, Veterinary Biosciences, effective September 1, 2012  
Rajashekara, Gireesh, Veterinary Preventive Medicine, effective September 1, 2012

### **COLLEGE OF VETERINARY MEDICINE REGULAR CLINICAL**

#### PROMOTION TO ASSOCIATE PROFESSOR-CLINICAL

Gordon, Eric, Veterinary Preventive Medicine, effective September 1, 2012

#### PROMOTION TO ASSOCIATE PROFESSOR-CLINICAL AND REAPPOINTMENT

Freed, Carrie, Veterinary Preventive Medicine, effective September 1, 2012 and  
September 1, 2013  
Lewis, Stephanie, Veterinary Preventive Medicine, effective September 1, 2012 and  
September 1, 2013

#### PROMOTION TO PROFESSOR-CLINICAL

Green, Eric, Veterinary Clinical Sciences, effective September 1, 2012

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### **RESOLUTIONS IN MEMORIAM**

Resolution No. 2012-109

Synopsis: Approval of Resolutions in Memoriam is proposed.

BE IT RESOLVED, That the Board of Trustees approves the following Resolutions in Memoriam and that the President be requested to convey copies to the families of the deceased.

June 22, 2012 meeting, Board of Trustees

Jane W. Gatliff

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on December 30, 2011 of Jane Wanda Gatliff, Assistant Professor Emeritus in the University Libraries.

Professor Gatliff was born on October 29, 1917 in Chillicothe, Ohio. She received a Bachelor of Science degree in Business Education from Wilberforce University in 1939 and a Master of Library Science degree from Atlanta University (now Clark Atlanta University) in 1953. She was the recipient of a Carnegie Foundation Fellowship in 1952 in support of her graduate studies. She served as a librarian at Spelman College in Atlanta, Georgia during 1953, prior to her appointment in July 1953 by The Ohio State University Libraries, where she served capably for 30 years in various capacities and was awarded emeritus status upon retirement in January 1984.

Dr. Gatliff served as reference librarian at Ohio State University Libraries from 1953 to 1956, when she became head of the Interlibrary Loan Department of the Libraries. She served in this role until 1979 and was acknowledged by her peers as a superb bibliographer. Director of Libraries William J. Studer wrote that Professor Gatliff earned great respect from our many faculty members for her bibliographic expertise and her ability to identify and obtain important but obscure research materials. From 1979 until her retirement in 1984, Professor Gatliff filled key public service roles as reference librarian in the Commerce Library and as Acting Head of the Black Studies Library. Jay Ladd, Assistant Director for Department Libraries, commended Professor Gatliff's wonderful public service attitude of being enthusiastic, thorough, and cheerful. After her retirement, Professor Gatliff continued to make important bibliographic contributions to the Libraries with a 25% appointment in the Cataloging Department from 1984 to 1987.

Professor Gatliff served her profession as a member of the American Library Association's Interlibrary Loan Committee and through her research activities. An article she co-authored, "Interlibrary Loan Policies on Dissertations and Serial Publications," was published in May 1964 in a prestigious professional journal, *College and Research Libraries*, and helped to guide other academic libraries as they set or revised loan policies. She also served her local community as a volunteer at the East High School After School Study Center, Columbus, Ohio.

On behalf of the University community, the Board of Trustees expresses to the family of Assistant Professor Jane W. Gatliff its deepest sympathy and sense of understanding of their loss. It is directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to her family as an expression of the Board's heartfelt sympathy.

Albert J. Kuhn

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on March 26, 2012, of Albert J. Kuhn, Professor Emeritus of English and former Provost of the University.

Professor Kuhn earned his undergraduate degree in English from the University of Illinois in 1950, following his service in the South Pacific as a radioman in the US Navy during World War II. He received his Ph.D. in 1954 from the Johns Hopkins University, where he studied with Professor Earl Wasserman. He joined the faculty at The Ohio State University in 1954, attaining the rank of full professor in 1965. Professor Kuhn chaired the Department of English from 1964 to 1971.

Under Presidents Novice Fawcett and Harold Enarson, Professor Kuhn served as Vice President for Academic Affairs and Provost from 1971 to 1979. As the academic leader of the University, Professor Kuhn focused steadfastly upon excellence in scholarship,

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teaching, and service through a period of great turmoil. After returning to the faculty for a number of years, Professor Kuhn took on yet another administrative position, serving as Director of University Honors from 1985 to 1989. In this capacity he was able to return to what mattered most to him in the academy: a love of ideas, books, and students. In recognition of his exceptional leadership and service, Honors House was named in his honor.

Professor Kuhn published articles in *The Journal of the History of Ideas*, *PMLA*, *Modern Philology*, and *Modern Language Notes*, among others, on Romanticism and eighteenth-century intellectual history. He edited *Three Sentimental Novels*, 1970, and with James Kincaid, *Victorian Literature and Society*, 1984, a festschrift for Richard D. Altick. He received the Distinguished Service Award from The Ohio State University in 1991. He was a member of the Region VIII Woodrow Wilson Selection Committee, 1961-1968, and he was a member of the Modern Language Association, Phi Beta Kappa, and Phi Kappa Phi.

Professor Kuhn's service extended well beyond the University. He was on the research board of Children's Hospital, 1973-1977, and Battelle Memorial Institute Foundation, 1975-1979. He belonged to the Kit Kat Club, for which he prepared and presented more than a dozen papers, and he participated in the Friday Morning Fellowship organized for campus ministers by The Reverend Robert Russell.

Beyond his own many significant contributions to the enhancement of academic excellence at The Ohio State University, Professor Kuhn was legendary for promoting and advancing the careers of many throughout the University and the profession. His core values thus extended well beyond his own personal reach, and, Professor Kuhn justifiably took great pride in the accomplishments of others.

Professor Kuhn believed deeply in the efficacy of literature. Instruction and delight in the word were real to him; he believed in the ability of literature to console and inspire. He believed in the best values and possibilities of higher education, and his life's work at The Ohio State University was an example of *Disciplina in civitatem*.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Albert J. Kuhn its deepest sympathy and sense of understanding in their loss. It is directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

Charles Dennis Minahen

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on February 23, 2012, of Charles Dennis Minahen, Associate Professor Emeritus in the Department of French and Italian.

Professor Minahen held a Bachelor of Arts degree in French from the University of California, Berkeley and a Master of Education and Master and Doctorate of French from Stanford University. He came to the Department of Romance Languages (later the Department of French and Italian) at Ohio State as an Assistant Professor only a year after receiving his Ph.D. in 1983, and he earned tenure here in 1990. Professor Minahen specialized in 19<sup>th</sup>- and 20<sup>th</sup>-century French prose and poetry with special interests in poetics, aesthetics, critical theory, gender studies, and cultural studies. He published a monograph entitled *Vortex/t: The Poetics of Turbulence*; two edited volumes, one on 20<sup>th</sup>-century French poetry and another on Jean-Paul Sartre; and over 30 articles and book reviews while here at Ohio State.

Professor Minahen was also a beloved teacher whose substantial repertoire of courses included, among many others, a general education course in English on 19<sup>th</sup>- and 20<sup>th</sup>-century French literary classics, an introduction to literary and cultural analysis course for

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new majors and minors, an introduction to graduate studies course, and various graduate seminars on the writers and movements about which he was most passionate, such as Baudelaire, Flaubert, Sartre, Char, Ponge, Symbolism, Surrealism, and Existentialism. In addition to his teaching, Professor Minahen advised countless undergraduate and graduate students in his several stints as Honors major advisor and graduate studies chair and adviser. He directed seven dissertations and served on the examination and dissertation committees of dozens more over the years. He was well known and appreciated among students for his conscientious readings of and detailed feedback on their papers, exams, and theses. He was a perfectionist in the best sense of the term and expected his students not to be perfect but to strive for perfection themselves.

Professor Minahen's service to the department, the University, and the profession was truly exceptional. In 2002 he organized and hosted the prestigious Nineteenth-Century French Studies Colloquium and was involved in that yearly conference in various capacities throughout his career, as member of the steering committee, submission evaluator, session chair, and presenter. He served as a regional delegate to the Modern Language Association Assembly from 1999-2002 and also organized and presented on a number of panels at the annual MLA Convention. He served on the editorial boards of or reviewed manuscripts for several journals and academic presses, among them *Romance Studies*, the *Stanford French Review*, *Nineteenth-Century French Studies*, *Parade Sauvage*, and the Pennsylvania State University Press.

Here at The Ohio State University, Professor Minahen served two terms as an Arts and Sciences College faculty senator, as an evaluator for several undergraduate research and scholarship competitions, and as chair of the Arts and Humanities Council of Graduate Chairs. His service accomplishments in the Department of French and Italian are too numerous to list here, but some of his most significant contributions were in the areas of undergraduate and graduate curriculum development, patterns of administration revision, and advising, as noted above.

All who knew Professor Minahen will remember him especially as a dedicated, creative, and kind colleague and teacher who loved literature and who succeeded in passing that love on to others. He will be sorely missed by all.

On behalf of the University community, the Board of Trustees expresses to the family of Associate Professor Emeritus Charles Dennis Minahen its deepest sympathy and sense of understanding of their loss. It is directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

Stephen James Rallis

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on April 17, 2012, of Professor Stephen James Rallis, Department of Mathematics.

Professor Stephen James Rallis was born on May 17, 1942, in Bennington, Vermont. He earned his B.A. from Harvard in 1964, and received his doctorate in mathematics from the Massachusetts Institute of Technology in 1968. After several postdoctoral positions, including two years at the Institute for Advanced Study in Princeton, he came to Ohio State as an assistant professor of mathematics in 1977. He was promoted to associate professor in 1979 and to full professor in 1984. He became Professor Emeritus upon his retirement in 2007.

He was an internationally recognized expert in the theory of automorphic forms, an important discipline to which he made many lasting contributions, publishing over 90 papers and four research monographs on the subject. Several fundamental constructions in the theory of automorphic forms are named after him: the Rallis inner product formula, Rallis towers, and the Piatetski-Shapiro & Rallis doubling method. He was an invited

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speaker at the International Congress of Mathematicians in Kyoto in 1990, and gave the Schur Lectures at Tel Aviv University in 2001. He was an associate editor of the Journal of Number Theory for many years. Throughout his time at Ohio State, he was an influential member of the Mathematics Department, and was an outstanding mentor to a long series of postdocs in mathematics, many of whom are now well-known and well-respected mathematicians. A conference was held at Ohio State in 2003 in honor of his 60<sup>th</sup> birthday.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Stephen James Rallis its deepest sympathy and sense of understanding of their loss. It is directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

#### Harold Schneiderman

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on April 25, 2012, of Harold "Hal" Schneiderman, Associate Professor Emeritus in the College of Social Work.

After graduating high school at age 16, Professor Schneiderman earned several degrees, including his Bachelor's degree from New York University and a Master's degree in social work from Wayne State University. He also earned a Ph.D. in education from Ohio University. When he was 60, he went to law school and received his law degree from Capital University.

Professor Schneiderman was a World War II veteran of the Army Air Corps. He also worked in Jewish community organizations in Detroit, Michigan; Portland, Maine; Waterbury, Connecticut; Los Angeles and Sacramento, California before joining the College of Social Work faculty in 1964.

Professor Schneiderman taught primarily social policy and he produced a generation of students who were committed to social justice and advocacy on behalf of the disenfranchised. He was known for having very high expectations for his students, both in his classroom, and as social work practitioners.

Professor Schneiderman retired from Ohio State in 1986, after which he practiced law as a youth advocate and as a guardian for seniors. Throughout his career and in retirement he was involved in many causes, including women's issues, animal rights, disenfranchised communities, child advocacy, justice, democratic politics, and the arts.

On behalf of the University community, the Board of Trustees expresses to the family of Associate Professor Harold Schneiderman its deepest sympathy and sense of understanding of their loss. It is directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's sympathy.

#### Susan Jones Sears

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on February 28, 2012, of Susan Jones Sears, Associate Professor Emeritus in the School of Physical Activity and Educational Services in the College of Education and Human Ecology.

She has a long history with the university having received her Bachelor's degree in education and a Ph.D. in teaching and learning, educational foundations and research. Before becoming the first licensed professional clinical counselor in Ohio, Dr. Sears taught social studies and was a counselor in the Columbus, Gahanna, Zanesville, and Maysville

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school districts. She was a professor in counselor education at The Ohio State University for 25 years and an associate dean in the College of Education. Dr. Sears was an education and career consultant who specialized in career counseling, program design, grant writing, and leadership development.

Dr. Sears had a great impact both within and beyond the university. She was instrumental in writing and pushing to get passed the legislation that created the regulation of licensed counselors, clinical counselors, and social workers in Ohio. She served as the first chair of the Ohio Counselor and Social Worker Board, appointed by then Governor Richard Celeste in 1984, and continued as a board member until 1990.

Among her many honors are Ohio State's Alumni Award for Distinguished Teaching in 1982-83, the Governor's Special Recognition Award for Leadership in 1986 and the American School Counselor Association's Counselor Educator of the Year honor in 2003. In 2011, the Ohio Counseling Association honored her with its first-ever Lifetime Achievement Award.

On behalf of the University community, the Board of Trustees expresses to the family of Associate Professor Susan Jones Sears its deepest sympathy and sense of understanding of their loss. It is directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to her family as an expression of the Board's heartfelt sympathy.

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#### **UNIVERSITY FOUNDATION REPORT**

Resolution No. 2012-110

Synopsis: The University Foundation Report as of April 30, 2012, is presented for Board acceptance.

WHEREAS monies are solicited and received on behalf of the University from alumni, industry, and various individuals in support of research, instructional activities, and service; and

WHEREAS such gifts are received through The Ohio State University Development Fund and The Ohio State University Foundation; and

WHEREAS this report includes the establishment of The Klotz Chair in Cancer Research #5 in Medicine, The Ted and Lois Cyphert Distinguished Professorship in Teacher Education in the College of Education and Human Ecology, The Bob and Mary Reusché Chair in Geography, and The American Electric Power Foundation Chair in Burn Care in Medicine; the establishment of thirty-five (35) named endowed funds; and the revision of four (4) named endowed funds:

NOW THEREFORE

BE IT RESOLVED, That the acceptance of the report from The Ohio State University Foundation as of April 30, 2012, be approved.

(See Appendix XLV for background information, page 1098.)

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## UNIVERSITY FOUNDATION REPORT

### Establishment of Named Endowed Chair

The Klotz Chair in Cancer Research #5  
(Is being established June 22, 2012, with a transfer from The Klotz Chair in Cancer Research #1 established with estate gifts from Marion N. Rowley in honor of Dorothy E. Klotz; used to provide salary support for a chair position in the field of cancer research within the College of Medicine.)

Total  
Gifts  
\$3,286,441.27

### Establishment of Named Endowed Professorship

The Ted and Lois Cyphert Distinguished Professorship in Teacher Education  
(Established February 4, 1994, with gifts from Frederick R. "Ted" and Lois Cyphert; used to support the research, teaching, and management activities of a distinguished professor in the field of general/generic teacher education in the College of Education and Human Ecology. Description revised October 4, 2002. The required funding level was reached and the name and description are being revised June 22, 2012.) (grandfathered)

\$611,484.95

### Establishment of Named Endowed Funds

The Physical Environment and Technology Enhancement Fund  
(Is being established June 22, 2012, with support from Huntington National Bank; used for classroom capital improvements in both technology and physical space.) (Not gift money)

\$10,000,000.00

The Reva and Sanford Lipson Student Support Fund  
(Is being established June 22, 2012, with gifts from Reva and Sanford Lipson; used to support students studying or researching the history and culture of the Jewish people.)

\$50,000.00

Pfeiffer, Miller and Saunway Family 4-H Scholarship Fund  
(Is being established June 22, 2012, with gifts from Dr. Jeffrey P. Miller and Dr. Kathy Durham Miller; used to provide at least one undergraduate scholarship to a current or former 4-H member who has demonstrated excellence in community service, leadership, and public speaking.) (grandfathered)

\$30,436.71

### Change in Description of Named Endowed Fund

From: Richards Farms Scholarship in Agricultural Economics and Rural Sociology  
To: Richards Farms Scholarship Fund

### Change in Name and Description of Named Endowed Fund

From: The Dunning, Higham, Mucil and Sprock Fund in Industrial & Systems Engineering  
To: The William A. Dunning, Bruce E. Higham, Anthony J. Musil, and Albert F. Sprock Fund in Industrial & Systems Engineering

### Establishment of Named Endowed Chair

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The Bob and Mary Reusché Chair in Geography \$2,056,477.46  
(Established April 4, 2008, with gifts from Robert F. and Mary W. Reusché; used to provide a chair in the Department of Geography in the College of Arts and Sciences. The required funding level was reached and the name and description are being revised June 22, 2012.)

The American Electric Power Foundation Chair in Burn Care \$2,000,000.00  
(Established June 24, 2011, with gifts from American Electric Power Foundation; used for a chair position supporting a nationally or internationally recognized physician faculty member in the Division of Trauma, Critical Care and Burn in the Department of Surgery in the College of Medicine. The required funding level was reached and the name and description are being revised June 22, 2012.)

Establishment of Named Endowed Funds

The Jane F. Rector Occupational Therapy Fellowship Fund \$1,500,000.00  
(Is being established June 22, 2012, with gifts from Jane Foulser Rector; used to support financial aid, tuition assistance, and stipends for students enrolled in the dual degree Master of Occupational Therapy program in the Health Rehabilitation Sciences track.)

The William O. Cleverley Scholarship Fund \$229,639.12  
(Is being established June 22, 2012, with gifts from friends, colleagues, and alumni in recognition of William's career; used to provide scholarships to students enrolled in the College of Public Health who are studying in the Health Services Management and Policy division based on either academic merit or financial need.)

Patricia Kunz Brundige Youth Development Fund \$202,370.50  
(Is being established June 22, 2012, with gifts from Patricia Kunz Brundige in honor of Dr. Bobby Moser's lifetime commitment to OSU Extension and 4-H Youth Development; used to support seed grants for research in positive youth development through OSU Extension.)

The Lisa and Dan Wampler Endowed Fellowship Fund for Foods and Health Research \$160,000.00  
(Is being established June 22, 2012, with gifts from Daniel J. Wampler and Lisa M. Wampler; used to support a fellowship in the Department of Food Science and Technology for students pursuing a graduate degree with research emphasis on development of novel functional foods and food components for the betterment of human health or on emerging research that positively impacts human health through food delivery.)

The Earl and Betty Hawkins Endowed Scholarship Fund \$150,000.00  
(Is being established June 22, 2012, with a gift from Earl Hawkins; used to support scholarships for students enrolled at the College of Food, Agricultural, and Environmental Sciences' Agricultural Technical Institute with preference given students who are the first generation in their immediate families to attend college.)

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The Blackmore Family Food Science and Technology Scholarship Fund (Is being established June 22, 2012, with a gift from Raymond H. Blackmore and Margaret Webb Blackmore; used to support renewable scholarships in the Department of Food Science and Technology in the College of Food, Agricultural, and Environmental Sciences with preference given to students who have graduated from Perry High School in Perry, Ohio.)	\$112,372.19
The Jim and Nancy Wasserstrom Family Athletic Scholarship Fund (Is being established June 22, 2012, with gifts from Jim and Nancy Wasserstrom; used to supplement the grant-in-aid scholarship costs of an intercollegiate student-athlete who is a member of the men's ice hockey team with preference given to students who are studying in the health/allied medical professions.)	\$100,015.00
The Jesse J. Tyson MBA Scholarship Fund (Is being established June 22, 2012, with gifts from Jesse J. Tyson in honor of Dr. Frank W. Hale, Jr.; used to provide a scholarship to a student enrolled in the Max M. Fisher College of Business with particular attention to, but not limited to, African Americans or other underrepresented groups.)	\$80,736.80
The Diane Cummins Community Education Fund in Jewish Studies (Is being established June 22, 2012, with gifts from Millard M. Cummins; used to support educational programming that broadens the public's knowledge of Jews, Israel, and Jewish History and to help educate the community on important topics related to Judaism.)	\$80,206.00
The Mary Diaz Fund for Pancreatic Cancer Research (Is being established June 22, 2012, with gifts from The Mary Diaz Pancreatic Cancer Fund; used to support basic, clinical, and translational medical research on pancreatic cancer.)	\$60,100.00
The Judy and Dean Reinhard Wrestling Scholarship Fund (Is being established June 22, 2012, with gifts from Judy and Dean Reinhard; used to supplement the grant-in-aid scholarship costs of an intercollegiate student-athlete who is a member of the varsity wrestling team.)	\$60,000.00
The Dr. James W. Haynes and Mrs. M. Teresa Haynes Scholarship Fund in Medicine (Is being established June 22, 2012, with gifts from Mrs. M. Teresa Haynes in memory of her husband Dr. James W. Haynes; used to provide annual scholarships to medical students with an interest in the field of Pathology who rank academically in the top 25% of their College of Medicine class.)	\$55,342.47
Thomas P. Nash Memorial Scholarship Fund (Is being established June 22, 2012, with gifts from Cheryl R. Nash; used to provide financial aid to a student/s admitted to the College of Engineering attending the Columbus Campus who graduated from a non-Ohio high school who have a grade point average of 2.5 or higher.)	\$50,500.00

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John O. Riedl Scholarship Fund (Is being established June 22, 2012, with a gift from John and Mary Riedl; used to provide scholarships for students beginning at The Ohio State University at Mansfield to pursue a degree in physical science, mathematics, or engineering.)	\$50,500.00
The William E. and Gail P. Loadman Scholarship Fund (Is being established June 22, 2012, with gifts from William E. Loadman; used to provide financial support to doctoral students in qualitative research evaluation and measurement in Education in the College of Education and Human Ecology.)	\$50,345.00
Ohio State Mansfield Board Leadership Scholarship Fund (Is being established June 22, 2012, with an initial gift from Christ J. Ticoras and additional gifts from current and past members of the Ohio State Mansfield Board; used for scholarships to continuing undergraduate and graduate students of The Ohio State University at Mansfield based on campus and community service.)	\$50,325.33
The Marlena Kay Richards-Cox Endowed Scholarship Fund (Is being established June 22, 2012, with gifts from John Cox in memory of his wife Marlena Kay Richards-Cox; used to provide scholarship support for an undergraduate or graduate student in the College of Social Work who intends to pursue a career in the area of gerontological social work.)	\$50,050.00
The Neva Farbizo Greenwald and Nancy Greenwald Pfeifer Physical Therapy Faculty Fund (Is being established June 22, 2012, with gifts from Neva Elizabeth Farbizo Greenwald and Nancy Greenwald Pfeifer; used for student education and the enhancement of client and patient services in the Division of Physical Therapy.)	\$50,012.79
The Steven Heath and Sarah Shireen Eddleblute Endowed Scholarship Fund (Is being established June 22, 2012, with gifts from Steven Heath Eddleblute and Sarah Shireen Eddleblute; used to provide a scholarship to a student enrolled in one of the degree-seeking programs at the John Glenn School of Public Affairs for students who demonstrate financial need and outstanding leadership skills both inside and outside the classroom.)	\$50,000.00
The Schneier Family Undergraduate Scholarship Fund (Is being established June 22, 2012, with gifts from Lance W. Schneier and Craig E. Schneier; used to provide scholarships for undergraduate students enrolled in the Max M. Fisher College of Business in good academic standing, majoring in finance from Stark County, Ohio or Northeast Ohio.)	\$50,000.00
The Sandy and Sue Schwartz Family Cheerleading Scholarship Fund (Is being established June 22, 2012, with gifts from Sandy and Sue Schwartz; used to supplement the grant-in-aid scholarship budget of the cheerleading squad.)	\$50,000.00

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Steven and Misty Smathers Endowed Scholarship Fund (Is being established June 22, 2012, with gifts from Steven E. Smathers; used to provide a need-based scholarship to a student in the Michael E. Moritz College of Law with first preference for a student who is unmarried and has at least one child and secondary preference for a student who is married and has at least one child.)	\$50,000.00
The Blanche K. and James H. Stanton Scholarship Fund (Is being established June 22, 2012, with a gift from the estate of Blanche Kelly Stanton in honor of her husband James Herbert Stanton; used to support scholarships for students in the College of Food, Agricultural, and Environmental Sciences.)	\$50,000.00
The Olivia (Doreen) Rogers Storm Endowed Fund (Is being established June 22, 2012, with gifts from Rick Delaney and Carol Greco Delaney; used to support the efforts of the College of Social Work within the summer youth camp, LiFE Sports.)	\$50,000.00
The Buckeye Opportunity Scholarship Fund (Is being established June 22, 2012, with gifts from David M. DiStefano; used to support educational diversity by providing one or more need-based scholarships for undergraduate students with preference given to students from rural America and particular attention to, but not limited to students who have served in the military or whose parent or guardian is serving in the military and/or students who have been adversely affected by a natural disaster or national emergency.) (grandfathered)	\$27,795.00
The Ohio State University Extension Master Gardener Endowment Fund (Is being established June 22, 2012, with gifts from colleagues and friends of the Ohio Master Gardener Program; used to support the Ohio Master Gardener Program in the College of Food, Agricultural, and Environmental Sciences.) (grandfathered)	\$25,260.00
Professor Patrick McKenry Memorial Fund (Is being established June 22, 2012, with gifts from friends, family, and colleagues to honor the memory of Professor Patrick McKenry; used to support and enhance the research agenda for one or more graduate students who are enrolled in the College of Education and Human Ecology and majoring in Family Science.) (grandfathered)	\$25,290.00
The Veterinary Medicine Class of 2013 Unrestricted Endowment Fund (Is being established June 22, 2012, with gifts from the Veterinary Medicine Class of 2013; used at the discretion of the dean of the College of Veterinary Medicine.) (unrestricted)	\$25,000.00
The Central Ohio Associated General Contractors Construction System Fund (Is being established June 22, 2012, with gifts from Central Ohio Associated General Contractors; used to provide one or more scholarships to undergraduate students ranked sophomore or higher who are enrolled in the College of Food, Agricultural, and Environmental Sciences and majoring in Construction Systems Management with an interest in commercial construction.) (grandfathered)	\$25,000.00

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The Dr. Robert C. and Carole T. Hummel Veterinary Medicine Business Scholarship Fund \$25,000.00  
(Is being established June 22, 2012, with gifts from Dr. Robert C. and Carole T. Hummel; used to provide a scholarship to Veterinary Medicine students enrolled in the Business of Science Healthcare Curriculum graduate minor program.) (grandfathered)

The Donna Redman-Bentley Unrestricted Endowed Fund \$25,000.00  
(Is being established June 22, 2012, with gifts from Donna Redman-Bentley; used to for general support of the College of Medicine.) (unrestricted)

Donald R. and Allen R. White Mechanical Engineering Undergraduate Student Professional Enrichment Support Fund \$25,000.00  
(Is being established June 22, 2012, with gifts from Allen R. White in memory of Donald R. White; used to provide one-time awards to third-year undergraduate students majoring in Mechanical Engineering who are seeking career-related experience for which no other funding is available and that is not related to student honors projects or other course related activities with the exception of student project teams.) (grandfathered)

Change in Description of Named Endowed Fund

The Robert C. Walter Memorial Endowment Fund

Change in Name and Description of Named Endowed Fund

From: The Colonel Bernard E. and Mrs. Mary R. McDaniel Scholarship Fund  
To: The Colonel Bernard E. and Mrs. Mary R. McDaniel Opportunity Scholarship Fund

**TOTAL** **\$21,630,700.59**

Establishment of Named Endowed Chair

**The Klotz Chair in Cancer Research #5**

The Klotz Chair in Cancer Research #5 was established June 22, 2012, by the Board of Trustees of The Ohio State University with a transfer from The Klotz Chair in Cancer Research #1. The original gifts were from the estate of Marion N. Rowley of Glendale, California; and made in honor of Dorothy E. Klotz (BSBA, 1929) of Glendale, California; and in memory of her sister, Kathleen Wellenreiter Klotz (BSBA 1932) of Glendale, California.

The annual distribution from this fund shall provide salary support for a chair position in the field of cancer research within the College of Medicine (College) and the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute (The James). The holder of the *The Klotz Chair in Cancer Research #5* shall be a nationally eminent physician faculty member appointed by the Board of Trustees of The Ohio State University as recommended and approved by the chief executive officer of The James, the director of the Comprehensive Cancer Center, the dean of the College, and the senior vice president for Health Sciences. The individual appointed to this position shall be known as *The Klotz Memorial Chair in Cancer Research*. The activities of the chair holder shall be reviewed no less than every four years by the dean to determine compliance with the intent of the donor as well as the academic and research standards of the University.

The research activities of the chair holder shall be supported, to include research personnel, equipment, supplies, and other necessary expenses of an active researcher

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involved in quality medical research in the field of cancer. In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

If the distribution generated by The Klotz Chair in Cancer Research #5 is no longer needed in the area of cancer research, the distribution shall be used to fund research into the study and cure of diseases affecting the mind of the elderly, including such afflictions as Alzheimer's disease, as recommended by the dean of the College in consultation with the senior vice president for Health Sciences.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek recommendations and approval from the chief executive officer of The James, the director of the Comprehensive Cancer Center, the dean of the College, and the senior vice president for Health Sciences.

Amount Establishing Chair: \$3,286,441.27

#### Establishment of Named Endowed Professorship

##### **The Ted and Lois Cyphert Distinguished Professorship in Teacher Education**

The Ted and Lois Cyphert Distinguished Professorship Fund in Teacher Education was established February 4, 1994, by the Board of Trustees of The Ohio State University with gifts from Frederick R. "Ted" and Lois Cyphert, in recognition of their commitment to teacher education; in recognition of Ted Cyphert's years of service on the faculty and as dean of the College of Education. It is meant to maintain the strong tradition fostered by persons like Earl Anderson, L.O. Andrews, Donald Cottrell, Donald Cruickshank, Ted Cyphert, Karl Openshaw, and Nancy Zimpher who have striven at The Ohio State University to prepare generalist teacher educators. The description was revised on October 4, 2002. The required funding level for a professorship was met and the name and description are being revised on June 22, 2012.

Ten percent (10%) of the annual distribution from this fund shall automatically reinvest in the endowment principal each year. The remainder of the annual distribution shall be used to support the research, teaching, and management activities of a distinguished professor in the field of general/generic teacher education in the College of Education and Human Ecology. Generic teacher education is defined as the knowledge, skills, and values needed by all teachers and all teacher educators, as these differ from pedagogical knowledge that is subject-field or age-level specific. The primary duties of the distinguished professor will be directing the studies of doctoral students majoring in generic pre-service and/or in-service teacher education who wish to be generalist teacher educators. Duties will also include oversight of general pedagogy classes for practicing and/or future teachers, supervising field and clinical experiences, and conducting research and publishing in this field.

Appointment to the professorship should be made by the dean of the College of Education and Human Ecology in consultation with faculty. An annual report of the activities of the distinguished professor shall be given to the faculty of the College of Education and Human Ecology.

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In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Education and Human Ecology.

If generic teacher education should no longer be a part of the curriculum of The Ohio State University, the distribution from this fund will be used to support the faculty member in the College of Education and Human Ecology who most closely personifies the objectives of the donors as delineated above.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from a representative of the donors, if possible, and the executive dean of the College of Education and Human Ecology.

Amount Establishing Professorship: \$611,484.95 (grandfathered)

#### Establishment of Named Endowed Funds

##### **The Physical Environment and Technology Enhancement Fund**

The Physical Environment and Technology Enhancement Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University, with support from Huntington National Bank.

The annual distribution from this fund shall be used exclusively for classroom capital improvements in both technology and physical space to supplement the University's current funding for operating and capital improvements for centrally supported teaching spaces. Specific uses for the annual distribution may include:

- Renovation of physical environments of large classrooms and lecture halls, improve seating and workspace; expand the seating capacity of lecture halls frequently used for General Education Curriculum courses that typically attract freshman and sophomores.
- Redesign classrooms, offer flexible furnishings for group collaboration and team-based projects and facilitate small groups working on projects while sharing a computer; replace old and worn furniture with new ergonomic furniture to improve the learning environment for students.
- Improve technology environment, network connection, instructional and assistance technologies, improve wireless coverage and add additional power through student seating area to facilitate student use of laptops; introduce more interactive technologies to be used by both faculty and students; install cameras in classrooms and at demonstration areas to allow for not only lecture capture and streaming content, but also improved view of demonstrations for the students.

Expenditures shall be approved by the executive vice president and provost in consultation with the senior vice president for Business and Finance and chief financial officer.

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In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the executive vice president and provost in consultation with senior vice president for Business and Finance and chief financial officer.

The principal is evadable at the discretion of the executive vice president and provost in consultation with the senior vice president for Business and Finance and chief financial officer.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

The endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the executive vice president and provost in consultation with senior vice president for Business and Finance and chief financial officer.

Amount Establishing Endowment: \$10,000,000.00 (Not gift money)

### **The Reva and Sanford Lipson Student Support Fund**

The Reva and Sanford Lipson Student Support Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University, with gifts from the estate of Reva and Sanford Lipson.

The annual distribution from this fund shall provide support for students studying or researching the history and culture of the Jewish people. Recipients shall be selected by the director of The Melton Center for Jewish Studies in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the director of The Melton Center for Jewish Studies.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the director of The Melton Center for Jewish Studies.

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Amount Establishing Endowment: \$50,000.00

### **Pfeiffer, Miller and Saunway Family 4-H Scholarship Fund**

The Pfeiffer, Miller and Saunway Family 4-H Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University with gifts from Dr. Jeffrey P. Miller (BA 1983, MS 1985) and Dr. Kathy Durham Miller.

The annual distribution from this fund shall be used to provide at least one undergraduate scholarship to a current or former 4-H member who has demonstrated excellence in community service, leadership, and public speaking. Preference shall be given to a student enrolled at The Ohio State University including its regional campuses and ATI who meet the aforementioned qualifications. If a qualified candidate cannot be found, the scholarship may be awarded to a student enrolled at an accredited institution of higher education in the state of Ohio.

The scholarship is renewable, not to exceed four years, provided they continue to meet the scholarship's criteria, remain in good academic standing, and are progressing toward their degrees.

Recipients shall be selected by the OSU Extension 4-H Youth Development scholarship selection committee in accordance with guidelines established by the vice president for Agricultural Administration and executive dean of the College of Food, Agricultural, and Environmental Sciences, and in consultation with the University's office of Student Financial Aid. The University may modify any selection criteria should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the donors, if possible, and the vice president for Agricultural Administration and executive dean for the College of Food, Agricultural, and Environmental Sciences.

Amount Establishing Endowment: \$ 30,436.71 (grandfathered)

### Change in Description of Named Endowed Fund

#### **Richards Farms Scholarship Fund**

The Richards Farms Scholarship in Agricultural Economics and Rural Sociology was established September 4, 1981, by the Board of Trustees of The Ohio State University with gifts to The Ohio State University Development Fund from Richards Farms. The description is being revised June 22, 2012.

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The annual distribution from this fund shall be used to support undergraduate scholarships for students in the Department of Agricultural, Environmental and Development Economics of the College of Food, Agricultural, and Environmental Sciences at The Ohio State University who are also members of the Alpha Gamma Rho fraternity.

Recipients shall be selected by the College's scholarship selection committee in accordance with guidelines established by the vice president for Agricultural Administration and executive dean of the College of Food, Agricultural, and Environmental Sciences, and in consultation with the Office of Student Financial Aid. The University may modify any selection criteria should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the vice president for Agricultural Administration, and executive dean for Food, Agricultural, and Environmental Sciences.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the donor, if possible, and the vice president for Agricultural Administration and executive dean for the College of Food, Agricultural, and Environmental Sciences.

#### Change in Name and Description of Named Endowed Fund

##### **The William A. Dunning, Bruce E. Higham, Anthony J. Musil, and Albert F. Sprock Fund in Industrial & Systems Engineering**

The Dunning, Higham, Mucil and Sprock Fund in Industrial & Systems Engineering was established May 8, 1987, by the Board of Trustees of The Ohio State University, with gifts from members of the Industrial Engineering Class of 1943. The name and description are being revised June 22, 2012.

The annual distribution from this fund shall be used for those purposes other than student aid which will support the research, teaching, service program/facilities, and alumni functions, within the Department of Industrial & Systems Engineering in the College of Engineering. The chairperson of the Department of Industrial & Systems Engineering will have sole authority to authorize the expenditures from the fund, as approved by the dean of the College of Engineering.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Engineering.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

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It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the dean of the College of Engineering.

#### Establishment of Named Endowed Chair

##### **The Bob and Mary Reusché Chair in Geography**

The Bob and Mary Reusché Chair Fund in Geography was established April 4, 2008, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Robert F. (BSBA 1949) and Mary W. (BSBA 1950) Reusché. The required funding level was reached and the chair is being established on June 22, 2012.

The annual distribution shall be used to support a chair position in the Department of Geography in the College of Arts and Sciences. Selection of the chair holder shall be made by the executive dean of the College of Arts and Sciences and approved by the University's Board of Trustees.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the department chair in consultation with the executive dean of the College of Arts and Sciences.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from Mary W. Reusché, if possible, and the executive dean of the College of Arts and Sciences.

Amount Establishing Chair: \$2,056,477.46

##### **The American Electric Power Foundation Chair in Burn Care**

The American Electric Power Foundation Chair Fund in Burn Care was established on June 24, 2011, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts from American Electric Power Foundation of Columbus, Ohio. The required funding level for a chair was met and the name and description are being revised on June 22, 2012.

The annual distribution from this fund shall be used for a chair position supporting a nationally or internationally recognized physician faculty member in the Division of Trauma, Critical Care, and Burn in the Department of Surgery in the College of Medicine. The chair holder shall be appointed by the Board of Trustees of The Ohio State University as recommended by the chairman of the Department of Surgery in consultation with the director of the Burn Center (unless a candidate) and approved by the senior vice president for Health Sciences and dean of the College of Medicine. The activities of the chair holder

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shall be reviewed no less than every four years by the dean to determine compliance with the intent of the donor, as well as the academic and research standards of the University.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from a representative of the donor and as recommended by the chairman of the Department of Surgery and approved by the senior vice president for Health Sciences and the dean of the College of Medicine.

Amount Establishing Chair: \$2,000,000.00

#### Establishment of Named Endowed Funds

##### **The Jane F. Rector Occupational Therapy Fellowship Fund**

The Jane F. Rector Occupational Therapy Fellowship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts from Jane Foulser Rector (BS 1957) of Azle, Texas.

The annual distribution from this fund shall support financial aid, tuition assistance, and stipends for students enrolled in the dual degree Master of Occupational Therapy program (MOT/PhD) in the Health Rehabilitation Sciences (HRS) track; for MOT students who have demonstrated academic research aptitude who might enter or are entered in the PhD program in HRS; and for licensed occupational therapists who are enrolled in the PhD program in HRS, in the School of Health and Rehabilitation Sciences. The named fellows will participate in research in occupational therapy as well as teaching and service to the Division of Occupational Therapy (Division). Student recipients will be selected by the director of the Division in consultation with Student Financial Aid. It is the donor's intent that the financial awards may be renewed for students who are judged to be in good academic and professional standing.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the director.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the donor, if possible, and as recommended by the director of the School

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of Health and Rehabilitation Sciences in consultation with the director of the Division, the dean of the College of Medicine, and with the senior vice president for Health Sciences.

Amount Establishing Endowment: \$1,500,000.00

#### **The William O. Cleverley Scholarship Fund**

The William O. Cleverley Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts made in recognition of the Health Services Management and Policy faculty career of William O. Cleverley (BSBA 1967; faculty 1973-2001; Professor Emeritus, 2001) of Powell, Ohio; given from friends, colleagues, and alumni.

The annual distribution from this fund shall provide scholarships based on either academic merit or financial need to students enrolled in the College of Public Health who are studying in the Health Services Management and Policy division. Recipients shall be selected by a College of Public Health scholarship committee in consultation with the University's Office of Student Financial Aid and shall be approved by the dean.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Public Health.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from a representative of the donors, if possible, and as recommended by the dean of the College of Public Health.

Amount Establishing Endowment: \$229,639.12

#### **Patricia Kunz Brundige Youth Development Fund**

The Patricia Kunz Brundige Youth Development Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Patricia Kunz Brundige in honor of Dr. Bobby Moser's lifetime commitment to OSU Extension and 4-H Youth Development.

The annual distribution from this fund shall be used to support seed grants for research in positive youth development through OSU Extension. Funds also may be used to support seed grants to implement programs developed as a result of the research grants. Research areas may include, but are not limited to, volunteer recruitment and retention for youth development programs, impact of youth development programs on workforce development, and evaluation of efficacy of existing 4-H youth development programs.

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Grants will be awarded on a competitive basis to OSU Extension faculty and staff. Awards shall be made in accordance with guidelines and procedures established by the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences in consultation with the assistant director of OSU Extension, 4-H Youth Development.

In any given year that the endowment distribution is not fully used for its intended purposes, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the vice president for Agricultural Administration and executive dean for the College of Food, Agricultural, and Environmental Sciences.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, should she be alive, and the vice president for Agricultural Administration and executive dean for the College of Food, Agricultural, and Environmental Sciences.

Amount Establishing Endowment: \$ 202,370.50

#### **The Lisa and Dan Wampler Endowed Fellowship Fund for Foods and Health Research**

The Lisa and Dan Wampler Endowed Fellowship Fund for Foods and Health Research was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Daniel J. Wampler (BS 1980 and PhD 1983) and Lisa M. Wampler (BS 1982) of Mason, Ohio.

The annual distribution shall be used to support a fellowship in the Department of Food Science and Technology. Eligible students must be pursuing a graduate degree (MS or PhD) with research emphasis on development of novel functional foods and food components for the betterment of human health, or on emerging research that positively impacts human health through food delivery. The fellowship shall be applicable to the cost of attendance as annually defined by the University, including but not limited to, tuition, fees, and stipends. As funds are available, the fellow also may receive support for equipment and supplies related to his/her research projects, and for travel to present research projects at professional conferences.

The fellowship may be awarded to the same student in successive years through the completion of his/her degree provided the student remains in good academic standing and continues to meet the fellowship's criteria. Recipients shall be selected by the chair of Food Science and Technology or his/her designee in accordance with guidelines and procedures approved by the executive dean for Food, Agricultural, and Environmental Sciences, and in consultation with the University's Office of Student Financial Aid.

The University may modify any selection criteria should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purposes, the unused portion should be reinvested in the endowment principal.

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If the fund can no longer be used as outlined above, it should be renamed The Lisa and Dan Wampler Endowment Fund for Food Science and Technology and used to support the Department of Food Science and Technology at the discretion of the chair of Food Science and Technology. If the department no longer exists, the principal and annual distribution should be added to The Daniel and Lisa Wampler Vice President's Excellence Fund (667540) such that this fellowship fund ceases to exist.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and from the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences in consultation with the chair of Food Science and Technology.

Amount Establishing Endowment: \$160,000.00

#### **The Earl and Betty Hawkins Endowed Scholarship Fund**

The Earl and Betty Hawkins Endowed Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from Earl Hawkins of Wooster, Ohio.

The annual distribution from this fund shall be used to support scholarships for students enrolled at the College of Food, Agricultural, and Environmental Sciences' Agricultural Technical Institute (ATI). Preference shall be given to students who are the first generation in their immediate families to attend college. This scholarship may be used for, but is not limited to, tuition, fees, and books. Eligible students must be enrolled at the ATI campus, in good academic standing, and progressing toward their degrees. Recipients shall be selected by the ATI scholarship selection committee in accordance with guidelines established by the vice president for Agricultural Administration and executive dean of Food, Agricultural, and Environmental Sciences or his/her designee and in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any selection criteria should the criteria be found, in whole or part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully expended, the unused portion may be reinvested in the endowment principal or held in the distribution account to be used in subsequent years and only for the purposes of the endowment at the direction of the vice president for Agricultural Administration and executive dean of Food, Agricultural, and Environmental Sciences in consultation with the director of ATI.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the

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need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the donor, if possible, and from the vice president for Agricultural Administration and executive dean of Food, Agricultural, and Environmental Sciences and the director of ATI.

Amount Establishing Endowment: \$150,000.00

#### **The Blackmore Family Food Science and Technology Scholarship Fund**

The Blackmore Family Food Science and Technology Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from Raymond H. Blackmore (BS 1941, MS 1942, PhD 1948) and Margaret Webb Blackmore of Sun City, Arizona.

The annual distribution from this fund shall be used to support student scholarships in the Department of Food Science and Technology in the College of Food, Agricultural, and Environmental Sciences. Preference shall be given to students who have graduated from Perry High School in Perry, Ohio. Scholarships may be awarded to the same students in successive years provided the students remain in good academic standing, are progressing towards their degrees, and continue to meet the scholarship's criteria. Scholarship recipients shall be selected by or in accordance with guidelines approved by the vice president for Agricultural Administration and executive dean for the College of Food, Agricultural, and Environmental Sciences and in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the vice president for Agricultural Administration and executive dean for the College of Food, Agricultural, and Environmental Sciences.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the vice president for Agricultural Administration and executive dean for the College of Food, Agricultural, and Environmental Sciences in consultation with the chair of Food Science and Technology.

Amount Establishing Endowment: \$112,372.19

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### **The Jim and Nancy Wasserstrom Family Athletic Scholarship Fund**

The Jim and Nancy Wasserstrom Family Athletic Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Jim (BA 1982) and Nancy Wasserstrom of Columbus, Ohio.

The annual distribution from this fund shall be used to supplement the grant-in-aid scholarship costs of an intercollegiate student-athlete who is pursuing an undergraduate degree and is a member of the men's ice hockey team. Preference will be given to a student-athlete studying in the health/allied medical professions. Scholarship recipients shall be selected by the director of Athletics in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the director of Athletics.

Amount Establishing Endowment: \$100,015.00

### **The Jesse J. Tyson MBA Scholarship Fund**

The Jesse J. Tyson MBA Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Jesse J. Tyson (MBA 1976) in honor of the legacy at Ohio State of scholar, researcher, author, teacher, administrator, consultant, and civil rights crusader Dr. Frank W. Hale, Jr. Dr. Hale, former vice-provost and professor emeritus, was the engineer of many new initiatives at The Ohio State University, especially in support of minority students.

It is the donor's desire that the annual distribution from this fund shall be used to provide a scholarship to a student enrolled in the Max M. Fisher College of Business who is in the MBA program with particular attention to, but not limited to, African Americans or other underrepresented groups. Selection of the recipient(s) shall be made by the director of the College's Graduate Programs Office in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

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In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, if possible, and the dean of the Max M. Fisher College of Business.

Amount Establishing Endowment: \$80,736.80

### **The Diane Cummins Community Education Fund in Jewish Studies**

The Diane Cummins Community Education Fund in Jewish Studies was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts from Millard M. Cummins (BS 1961) and family.

The annual distribution from this fund shall be used to support educational programming that broadens the public's knowledge of Jews, Israel, and Jewish History and will help educate the community on important topics related to Judaism. Expenditures shall be approved by the director of the Melton Center for Jewish Studies.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the executive dean of the College of Arts and Sciences.

Amount Establishing Endowment: \$80,206.00

### **The Mary Diaz Fund for Pancreatic Cancer Research**

The Mary Diaz Fund for Pancreatic Cancer Research was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gift from The Mary Diaz Pancreatic Cancer Fund, a charity established in memory of Mary Diaz by

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her family, friends, and others interested in advancing medical research towards a cure for pancreatic cancer disease.

The annual distribution from this fund shall support basic, clinical, and translational medical research on pancreatic cancer disease to make advancements in early detection, treatments, and patient care at The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute (The James). Allocation of distribution shall be made at the recommendation of the chief executive officer at The James and the director of the Comprehensive Cancer Center (CCC) in consultation with the senior vice president for Health Sciences.

Support may be used for, but not limited to: research supplies, equipment, and personnel lab space; fellowship awards; costs of travel to, and fees for, educational conferences or other training opportunities; and other activities required for high quality medical research.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the CEO and director.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from a representative of the donors, should one be available, as recommended by the chief executive officer of The James and the director of the Comprehensive Cancer Center (CCC) in consultation with the senior vice president for Health Sciences.

Amount Establishing Endowment: \$60,100.00

### **The Judy and Dean Reinhard Wrestling Scholarship Fund**

The Judy and Dean Reinhard Wrestling Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from Judy and Dean (BSBA 1962, JD 1965) Reinhard from Upper Arlington, Ohio.

The annual distribution from this fund shall supplement the grant-in-aid scholarship costs of an intercollegiate student-athlete who is a member of the varsity wrestling team and is pursuing an undergraduate degree at The Ohio State University. Scholarship recipients shall be selected by the director of the Department of Athletics in consultation with the Office of Student Financial Aid.

The University may modify any selection criteria should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the director of the Department of Athletics.

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The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the director of the Department of Athletics.

Amount Establishing Endowment: \$60,000.00

**The Dr. James W. Haynes and Mrs. M. Teresa Haynes  
Scholarship Fund in Medicine**

The Dr. James W. Haynes and Mrs. M. Teresa Haynes Scholarship Fund in Medicine was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Mrs. M. Teresa Haynes of Kirkwood, Missouri in memory of her husband, Dr. James W. Haynes (MD 1948).

The annual distribution from this fund shall be used to provide scholarship(s) awarded annually to a medical student(s) with an interest in the field of Pathology who rank academically in the top 25% of their College of Medicine class. Selection of the recipient(s) and allocation of the distribution shall be recommended by the College of Medicine Scholarship Committee in consultation with the University's Office of Student Financial Aid and approved by the dean of the College of Medicine.

The University may modify any selection criteria should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Medicine and senior vice president for Health Sciences.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, should she be alive, and the dean of the College of Medicine and senior vice president for Health Sciences.

Amount Establishing Endowment: \$55,342.47

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### **Thomas P. Nash Memorial Scholarship Fund**

The Thomas P. Nash (BS 1980) Memorial Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Cheryl R. Nash (BS 1979).

Ohio State played a major role in Tom's life; in turn, he enthusiastically supported the University. He especially enjoyed watching and attending Ohio State football games. While attending Ohio State Tom met his wife, Cheryl (née Worcester), and proposed to her at a school landmark, Mirror Lake. Tom and Cheryl were married September 1979. They had two children Timothy and Lauren Nash, who also attended The Ohio State University in the College of Engineering. Tom's degree from Ohio State lead him to a successful career designing business forms; he was a passionate designer and held 17 US patents associated with postal equipment.

The annual distribution from this fund shall be used to provide financial aid to a student(s) who graduated from a non-Ohio high school with a grade point average (GPA) of 2.5 or higher who are planning to attend the Columbus Campus and have been admitted to the College of Engineering. Scholarship recipients shall be selected by the dean of the College of Engineering in consultation with the Office of Student Financial Aid. Scholarships are renewable at the dean's discretion.

The University may modify any selection criteria should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion shall be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Engineering.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, if possible, and the dean of the College of Engineering.

Amount Establishing Endowment: \$50,500.00

### **John O. Riedl Scholarship Fund**

The John O. Riedl Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from John and Mary Riedl of Mansfield, Ohio.

The annual distribution from this fund shall be used to provide scholarships for students beginning at The Ohio State University at Mansfield to pursue a degree in physical science, mathematics, or engineering. Scholarship recipients shall be selected by the dean and director of The Ohio State University at Mansfield in consultation with the University's Office of Student Financial Aid.

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The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean and director of The Ohio State University at Mansfield.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the dean and director of The Ohio State University at Mansfield.

Amount Establishing Endowment: \$50,500.00

#### **The William E. and Gail P. Loadman Scholarship Fund**

The William E. and Gail P. Loadman Scholarship Fund was established on June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from William E. Loadman.

The annual distribution from this fund shall provide financial support to doctoral students in quantitative research evaluation and measurement in Education in the College of Education and Human Ecology. Recipients shall be selected by the dean in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, if possible, and the dean of the College of Education and Human Ecology.

Amount Establishing Endowment: \$50,345.00

June 22, 2012 meeting, Board of Trustees

### **Ohio State Mansfield Board Leadership Scholarship Fund**

The Ohio State Mansfield Board Leadership Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with an initial gift from Christ J. Ticoras of Mansfield, Ohio and additional gifts from current and past members of the OSU Mansfield Board of Trustees.

The annual distribution from this fund shall be used for scholarships to continuing undergraduate and graduate students of The Ohio State University at Mansfield, based on campus and community service. The dean and director of The Ohio State University at Mansfield in collaboration with a Scholarship Committee shall be responsible for selecting scholarship recipients and coordinating these scholarships with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean and director of The Ohio State University at Mansfield.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the dean and director of The Ohio State University at Mansfield.

Amount Establishing Endowment: \$50,325.33

### **The Marlena Kay Richards-Cox Endowed Scholarship Fund**

The Marlena Kay Richards-Cox Endowed Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gift from John Cox in memory of his beloved wife Marlena Kay Richards-Cox (BS 1974) and her passion for caring for the elderly.

The annual distribution from this fund shall be used to provide scholarship support for an undergraduate or graduate student in the College of Social Work who intends to pursue a career in the area of gerontological social work. Recipients shall be selected by the dean of the College of Social Work in consultation with the program directors for the MSW Program and the BSSW Program and the Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

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In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Social Work.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, if possible, and the dean of the College of Social Work.

Amount Establishing Endowment: \$50,050.00

**The Neva Farbizo Greenwald and Nancy Greenwald Pfeifer  
Physical Therapy Faculty Fund**

The Neva Farbizo Greenwald and Nancy Greenwald Pfeifer Physical Therapy Faculty Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts made by Neva Elizabeth Farbizo Greenwald, MSPH, PT (BA 1959, BS1960), Nancy Greenwald Pfeifer, PT (BS 1960).

The annual distribution from this fund shall be used for the purpose of student education and the enhancement of client and patient services in the Division of Physical Therapy (PT division). It is the intent of the donors that funds should support physical therapy faculty enrichment within the PT division, with special emphasis on initiatives, programs, projects, and research related to health and wellness, health behaviors, and physical therapy practice as aligned with health and wellness. Funds may be used for supplies, equipment, publications, conferences, research, and all other activities related to faculty enrichment. The allocation of funds shall be approved by the director of the School of Health and Rehabilitation Sciences in consultation with the director of the PT division, the dean of the College of Medicine, and the senior vice president for Health Sciences.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean or director.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and as recommended by the director of the School of Health and Rehabilitation Sciences in consultation with the dean of the College of Medicine and the senior vice president for Health Sciences.

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Amount Establishing Endowment: \$50,012.79

### **The Steven Heath and Sarah Shireen Eddleblute Endowed Scholarship Fund**

The Steven Heath and Sarah Shireen Eddleblute Endowed Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Steven Heath Eddleblute (BA 1994) and Sarah Shireen Eddleblute (BSBA 1993), of Solon, Ohio, in memory of Major Ray Mendoza (BA 1995), a Buckeye and member of the U.S. Marine Corps, who was killed in the line of duty while serving in Iraq.

The annual distribution from this fund shall provide scholarship support to a student enrolled in one of the degree-seeking programs at the John Glenn School of Public Affairs (Glenn School). To qualify, candidates must demonstrate financial need and outstanding leadership skills both inside and outside the classroom. Scholarship recipients will be selected by the director of the Glenn School in consultation with the Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the director of the Glenn School.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean or director.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the director of the Glenn School.

Amount Establishing Endowment: \$50,000.00

### **The Schneier Family Undergraduate Scholarship Fund**

The Schneier Family Undergraduate Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Lance W. Schneier (BS 1971) and Craig E. Schneier (BS 1969).

The annual distribution from this fund shall be used to provide scholarship support for undergraduate student(s) from Stark County, Ohio or Northeast, Ohio enrolled in Max M. Fisher College of Business in good academic standing, majoring in finance from Stark

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County, Ohio or Northeast, Ohio. Recipients shall be selected by the Undergraduate Program in consultation with the University's office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the Max M. Fisher College of Business.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the dean of Max M. Fisher College of Business.

Amount Establishing Endowment: \$50,000.00

#### **The Sandy and Sue Schwartz Family Cheerleading Scholarship Fund**

The Sandy and Sue Schwartz Family Cheerleading Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Sandy and Sue Schwartz of Atlanta, Georgia.

The annual distribution from this fund shall be used to supplement the grant-in-aid scholarship budget of the cheerleading squad. Scholarship recipients shall be selected by the director of Athletics in consultation with Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the director of Athletics.

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Amount Establishing Endowment: \$50,000.00

### **Steven and Misty Smathers Endowed Scholarship Fund**

The Steven and Misty Smathers Endowed Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Steven E. Smathers (BS 1972, JD 1976).

The annual distribution from this fund shall provide a need-based scholarship to support students enrolled in the Michael E. Moritz College of Law with first preference for a student who is unmarried and has at least one child, and secondary preference for a student who is married and has at least one child. If neither of these qualifications can be met, this scholarship should go to a student with demonstrable need. The College's dean and Office of Student Financial Aid shall be responsible for selecting scholarship recipients. The donor shall be kept apprised of the status of the selection process by the College.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, if possible, and the dean of the Michael E. Moritz College of Law.

Amount Establishing Endowment: \$50,000.00

### **The Blanche K. and James H. Stanton Scholarship Fund**

The Blanche K. and James H. Stanton Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from the estate of Blanche Kelley Stanton, in honor of her husband, James Herbert Stanton (BS 1951).

The annual distribution from this fund shall be used to support scholarships for students in the College of Food, Agricultural, and Environmental Sciences. Scholarship recipients shall be selected by the College's scholarship selection committee in accordance with guidelines approved by the vice president for agricultural administration and executive dean for Food, Agricultural, and Environmental Sciences or his/her designee, and in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

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In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It was the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences.

Amount Establishing Endowment: \$50,000.00

#### **The Olivia (Doreen) Rogers Storm Endowed Fund**

The Olivia (Doreen) Rogers Storm Endowed Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Rick Delaney (BS 1982) and Carol Greco Delaney (BS 1983, MD 1987).

This fund is established in honor of Olivia (Doreen) Rogers Storm in recognition of her service to the Delaney family, especially with their daughters, Sean and Anna, and in recognition of her relationship with them as a mentor and life guide.

The annual distribution from this fund shall be designated to the LiFE Sports Initiative to be used to support the efforts of the College of Social Work within the summer youth camp, LiFE Sports. Uses are restricted to the objectives of the camp including service and outreach, teaching and learning, and translational research. Expenditures must be approved by the College's dean and may include faculty and staff salaries, purchased services, travel, materials, and supplies.

If the LiFE Sports Initiative should cease to exist or change in a way that does not hold a College of Social Work component, it is the desire of the donors that the annual distribution from this endowment be used in the College of Social Work to support a student with an interest in youth development.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Social Work.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

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It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the dean of the College of Social Work.

Amount Establishing Endowment: \$50,000.00

### **The Buckeye Opportunity Scholarship Fund**

The Buckeye Opportunity Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from David M. DiStefano (BS 1991) of Columbus, Ohio.

The annual distribution from this fund shall be used to support educational diversity at the University, consistent with the University's mission and admissions policy by providing one or more need-based scholarships for undergraduate students. The first preference is to support students from rural America. It is the donor's desire that the scholarships be awarded in furtherance of the diversity mission with particular attention to, but not limited to, students who have served in the military or show parent or guardian is serving in the military and/or students who have been adversely affected by a natural disaster or a national emergency, such as a hurricane or a terrorist attack on the United States who have been accepted for admissions at the University. Scholarship recipients shall be selected by the Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the director of the Office of Student Financial Aid.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donor, if possible, and the director of the Office of Student Financial Aid.

Amount Establishing Endowment: \$27,795.00 (grandfathered)

### **The Ohio State University Extension Master Gardener Endowment Fund**

The Ohio State University Extension Master Gardener Endowment Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from colleagues and friends of the Ohio Master Gardener Program.

June 22, 2012 meeting, Board of Trustees

The annual distribution from this fund shall be used to support the Ohio Master Gardener Program in the College of Food, Agricultural, and Environmental Sciences. Expenditures shall be approved by the state coordinator for The Ohio State University Extension Ohio Master Gardener Program.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the vice president for Agricultural Administration and executive dean of the College of Food, Agricultural, and Environmental Sciences, in consultation with the state coordinator of The Ohio State University Extension Ohio Master Gardener Program.

Amount Establishing Endowment: \$25,260.00 (grandfathered)

#### **Professor Patrick McKenry Memorial Fund**

The Professor Patrick McKenry Memorial Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts from friends, family, and colleagues to honor the memory of Professor Patrick McKenry.

The late Patrick McKenry was a leading Professor in the Department of Human Development and Family Studies at the Ohio State University and across the county. His research focused on families and stress, with particular interest in family conflict and violence, post-divorce adjustment, variations in coping by gender and race, and the role of conflict and violence in the co-parenting process after divorce. He published extensively in marriage and family literature. He was a member of the American Sociological Association and the National Council on Family Relations, where he held several leadership positions. He was also the recipient of three Ohio State University awards for excellence in teaching and research.

The annual distribution from this fund shall be used to support and enhance the research agenda for one or more graduate students who are enrolled in the College of Education and Human Ecology and majoring in Family Science. Scholarships are renewable for up to two years, provided the recipients remain in good academic standing, are progressing towards the completion of their degrees, and continue to meet the scholarship's selection criteria. Recipients shall be selected in accordance with guidelines and procedures approved by the dean of the College or his/her designee, and in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

June 22, 2012 meeting, Board of Trustees

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the dean of the College of Education and Human Ecology.

Amount Establishing Endowment: \$25,290.00 (grandfathered)

### **The Veterinary Medicine Class of 2013 Unrestricted Endowment Fund**

The Veterinary Medicine Class of 2013 Unrestricted Endowment Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from the Veterinary Medicine Class of 2013.

The annual distribution from this fund shall be used at the discretion of the dean of the College of Veterinary Medicine.

If the fund's principal balance reaches \$50,000 by June 30, 2017, the fund shall be revised to *The Veterinary Medicine Class of 2013 Scholarship Fund* and 50% of the annual distribution will be reinvested in the principal and the remaining 50% of the annual distribution shall be used to provide scholarship support for students enrolled in the College of Veterinary Medicine. Scholarship recipients shall be selected by the College's dean in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the dean of the College of Veterinary Medicine.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from a representative of the donors, if possible, and the dean of the College of Veterinary Medicine.

Amount Establishing Endowment: \$25,000.00 (unrestricted)

June 22, 2012 meeting, Board of Trustees

### **The Central Ohio Associated General Contractors Construction System Fund**

The Central Ohio Associated General Contractors Construction System Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Central Ohio Associated General Contractors.

Originating in 1937 and chartered by the Associated General Contractors (AGC) of America, Central Ohio Associated General Contractors is a commercial construction association that serves the interests of contractors throughout fourteen central Ohio counties. Its members (contractors, subcontractors, and firms serving the construction industry) embody the AGC principles of skill, responsibility, and integrity. The association created this fund to positively influence the number and caliber of future commercial construction professionals.

The annual distribution from this fund shall provide one or more scholarships to undergraduate students ranked sophomore or higher who are enrolled in the College of Food, Agricultural, and Environmental Sciences and majoring in Construction Systems Management with an interest in commercial construction. The scholarship shall be awarded to students with the greatest potential to succeed in the field based on community involvement, awards received, other achievements, employment history in construction, and cumulative college grade point average of 2.5 or higher. First preference shall be given to students who demonstrate financial need. Additionally, students from: Delaware, Fairfield, Franklin, Hardin, Knox, Licking, Logan, Madison, Marion, Morrow, Muskingum, Perry, Pickaway, and Union counties in Ohio shall be given first consideration. It is the donor's desire that the scholarships be awarded with particular attention to, but not limited to, United States citizens or residents.

Scholarship recipients shall be selected by the College's scholarship selection committee in accordance with guidelines approved by the vice president for Agricultural Administration and the executive dean for Food, Agricultural, and Environmental Sciences, and in consultation with the University's Office of Student Financial Aid.

The scholarship may be awarded to the same students in successive years provided the students continue to meet the scholarship's criteria.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from a representative of the donor, if possible, and the executive dean for Food, Agricultural, and Environmental Sciences.

Amount Establishing Endowment: \$25,000.00 (grandfathered)

June 22, 2012 meeting, Board of Trustees

**The Dr. Robert C. and Carole T. Hummel  
Veterinary Medicine Business Scholarship Fund**

The Dr. Robert C. and Carole T. Hummel Veterinary Medicine Business Scholarship Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Dr. Robert C. (BS 1961, DVM 1961) and Carole T. (BA 1958) Hummel.

The annual distribution from this fund shall be used to provide a scholarship to Veterinary Medicine students enrolled in the Business of Science Healthcare Curriculum graduate minor program. Scholarship recipients shall be selected by the dean of the College of Veterinary Medicine in consultation with the University's Office of Student Financial Aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the dean of the College of Veterinary Medicine.

Amount Establishing Endowment: \$25,000.00 (grandfathered)

**The Donna Redman-Bentley Unrestricted Endowed Fund**

The Donna Redman-Bentley Unrestricted Endowed Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts from Donna Redman-Bentley, PT, PhD (Certificate 1970, MS 1973) of Banning, California.

The annual distribution from this fund shall be used for general support of the College of Medicine as allocated by the dean.

If the principal balance reaches \$50,000 by March 30, 2017, this endowment shall be renamed the *Donna Redman-Bentley Endowed Fund* and its annual distribution shall support the Division of Physical Therapy in the School of Health and Rehabilitation Sciences (HRS), specifically to provide scholarship or research support for Physical Therapy students or to support inter-professional education initiatives and programs in the division and HRS. Annual distribution shall be allocated by the division director in consultation with the director of HRS. Student recipients will be selected by the director of the Division in consultation with the director of HRS, with the College of Medicine Scholarship Committee as needed and with the University's Office of Student Financial Aid.

June 22, 2012 meeting, Board of Trustees

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the director.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donor that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the donor, if possible, and the director of the School of Health and Rehabilitation Sciences in consultation with the director of the Division, the dean of the College of Medicine and the senior vice president for Health Sciences.

Amount Establishing Endowment: \$25,000.00 (unrestricted)

**Donald R. and Allen R. White Mechanical Engineering  
Undergraduate Student Professional Enrichment Support Fund**

The Donald R. and Allen R. White Mechanical Engineering Undergraduate Student Professional Enrichment Support Fund was established June 22, 2012, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Allen R. White (BS 1991, MS 2000) in memory of Donald R. White.

The annual distribution from this fund shall support students seeking career-related experience for which no other funding is available and that is not related to student honors projects or other course related activities with the exception of student project teams. Third-year undergraduate students majoring in Mechanical Engineering are eligible to apply for this one-time award which provides travel expenses, registration fees, and other expenses for students to participate in activities that might serve to expose them to their chosen professional area and professionals in that area, helping them gain insight into the nature of the work in the field and a chance to meet prospective employers, mentors, or colleagues. Award recipients will be selected by the Mechanical Engineering advising staff in consultation with the Office of Student Financial Aid based on financial need of the student, potential for assisting students in their professional goals, and potential uniqueness of the experience.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully expended, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of

June 22, 2012 meeting, Board of Trustees

Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the dean of the College of Engineering in consultation with the chairperson of the Department of Mechanical Engineering.

Amount Establishing Endowment: \$25,000.00 (grandfathered)

#### Change in Description of Named Endowed Fund

##### **The Robert C. Walter Memorial Endowment Fund**

The Robert C. Walter Memorial Endowment Fund was established October 29, 2010 by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation with gifts made by the Walter Family Foundation in memory of Robert C. Walter (in recognition of his triumphant handling of adversity, including the loss of vision) and made possible by his son and daughter-in-law, Robert D. and Margaret M. Walter; and given in honor of Dr. Robert Bahnson (in recognition of his exemplary patient care and outreach, communication, and leadership in the Department of Urology). Support for the endowment was also provided by OSU Urology LLC and by the Department of Urology. The description is being revised on June 22, 2012.

The annual distribution from this fund shall be used for unrestricted support to the Department of Urology for ongoing needs, program enhancement, fostering innovation, or strengthening initiatives such as, but not limited to, research, medical education/training, faculty development/recruitment, patient outreach, etc. Allocation and approval of distribution shall be made by the chairman of the Department of Urology in consultation with the dean of the College of Medicine and senior vice president for Health Sciences.

The endowment shall be revised to a professorship or chair should the endowment principal level reach \$1 million or \$2 million, respectively, by December 31, 2015. After December 31, 2015, the endowment principal must reach the then-current minimum funding level to be revised to a professorship or chair. The annual distribution shall be used to support a faculty member in the Department of Urology. The appointment shall be made by the Board of Trustees of The Ohio State University as recommended by the senior vice president for Health Sciences and by the dean of the College of Medicine in consultation with the chairman of the Department of Urology. The activities of the professorship or chair holder shall be reviewed no less than every four years by the dean to determine compliance with the intent of the donors as well as the academic and research standards of the University.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be held in the distribution account to be used in subsequent years and only for the purposes of the endowment, or reinvested in the endowment principal at the discretion of the department chairman.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

June 22, 2012 meeting, Board of Trustees

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from both representatives of the donors and the chairman of the Department of Urology in consultation with the dean of the College of Medicine and the senior vice president for Health Sciences.

Change in Name and Description of Named Endowed Fund

**The Colonel Bernard E. and Mrs. Mary R. McDaniel  
Opportunity Scholarship Fund**

The Colonel Bernard E. and Mrs. Mary R. McDaniel Scholarship Fund was established April 6, 2007, by the Board of Trustees of The Ohio State University in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Colonel Bernard E. McDaniel (BA 1967) and Mrs. Mary R. McDaniel. Col. and Mrs. McDaniel reside in Round Hill, Virginia. The description was revised July 11, 2008 and November 7, 2008. The name and description are being revised June 22, 2012.

Col. and Mrs. McDaniel established this scholarship to encourage academically capable but financially challenged students to pursue college educations. They hope that this scholarship helps motivate young, talented students and provides them an opportunity to obtain a college education that otherwise may not be possible. The donors request that applicants document their strong leadership skills, integrity, and public service to their communities.

The annual distribution from this fund shall be used to support renewable scholarships for first-year undergraduate students in the College of Food, Agricultural, and Environmental Sciences at the University's Columbus Campus. Qualified students must have demonstrated high academic achievement, be of full-time status, and federal work-study eligible, or equivalent if the federal work-study program ceases to exist. Overall preference shall be given to public high school students who are the first generation in their immediate families to attend college with first preference given to students from Perry County, Ohio, and second preference given to students from any Appalachian Ohio county. If there are no eligible first generation students, then students who otherwise meet the scholarship's criteria with preference given to students from Perry County, Ohio, and then from Appalachian Ohio counties may be considered. The scholarship shall be used for tuition and fees, books and supplies, and room and board.

The scholarship may be awarded to the same students in successive years, not to exceed four (4) years, provided the students are enrolled as a declared major and actively pursuing a degree in the College of Food, Agricultural, and Environmental Sciences and continue to meet the scholarship's criteria. Students must maintain at least a 3.0 cumulative grade point average (earned no later than the end of the second academic year) and must work at least 10 hours per week on average during each semester. If students are not participating in the provided work-study program, then they will be required to provide documentation of gainful, external employment of at least 10 hours per week on average during each semester to remain eligible for the scholarship.

Recipients shall be selected by the College's scholarship selection committee in accordance with the guidelines and procedures approved by the dean of the College or his/her designees for scholarship administration, and in consultation with the University's Office of Student Financial Aid.

If unforeseen circumstances arise beyond a student's control that impedes his/her ability to meet the renewal criteria, the College's scholarship selection committee may renew the scholarship at its discretion.

June 22, 2012 meeting, Board of Trustees

As sufficient funds are available, it is the donors' intention for the fund to support one or more scholarship awards equivalent to 100% of the cost of tuition and fees, books and supplies, and room and board less any federal work-study or other grant aid.

The Ohio State University's mission and admissions policy supports educational diversity. The University may modify any criteria used to select scholarship recipients should the criteria be found, in whole or in part, to be contrary to federal or state law or University policy.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowment funds shall be in accordance with University policies and procedures as approved by the Board of Trustees. As authorized by the Board of Trustees, a fee may be assessed against the endowment portfolio for the University's costs of development and fund management.

It is the desire of the donors that the endowment established herein should benefit the University in perpetuity. Should unforeseen circumstances arise in the future so that the need for this endowment ceases to exist, then another use as nearly aligned with the original intent of the contribution as good conscience and need dictate, shall be designated by the Foundation's Board of Directors and the University's Board of Trustees. In making this alternate designation, the Boards shall seek advice from the donors, if possible, and the vice president for Agricultural Administration and executive dean of the College of Food, Agricultural, and Environmental Sciences.

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**AMENDMENTS TO THE RULES OF THE UNIVERSITY FACULTY**

Resolution No. 2012-111

Synopsis: Proposal to amend the *Rules of the University Faculty*.

WHEREAS the University Senate pursuant to rule 3335-1-09 of the Administrative Code is authorized to recommend through the President to the Board of Trustees the adoption of amendments to the *Rules of the University Faculty* as approved by the University Senate; and

WHEREAS the proposed changes in the *Rules of the University Faculty* includes changes related to the transition to semesters, which were approved by the University Senate on May 14, 2010; June 18, 2010; and October 29, 2010, and additional changes, which were approved by the University Senate on May 17, 2012 and June 7, 2012:

NOW THEREFORE

BE IT RESOLVED, That the attached amendments to the *Rules of the University Faculty* are hereby approved as recommended by the University Senate.

(See Appendix XLVI for background information, page 1101.)

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**DEACTIVATION/WITHDRAWAL OF DEGREE PROGRAMS IN THE COLLEGE OF ARTS AND SCIENCES; THE COLLEGE OF ENGINEERING; AND THE COLLEGE OF FOOD, AGRICULTURAL, AND ENVIRONMENTAL SCIENCES**

Resolution No. 2012-112

June 22, 2012 meeting, Board of Trustees

Synopsis: Proposal to deactivate/withdraw degree programs in the College of Arts and Sciences; the College of Engineering; and the College of Food, Agricultural, and Environmental Sciences.

WHEREAS the semester conversion process provided an opportunity for academic units to review their academic programs, resulting, in selected colleges, in a decision to deactivate (discontinue offering at this time) or withdraw (terminate) graduate degree programs; and

WHEREAS each proposal was developed, reviewed, and approved, within the relevant department/school; was then reviewed/approved by the College within which the unit is located, and endorsed by the Dean; was reviewed /approved by the Graduate Council of the Graduate School when appropriate; was then reviewed/approved by a subcommittee of the Council on Academic Affairs, expanded for additional input/perspectives during the semester conversion; and was then reviewed/approved by the full Council on Academic Affairs; and

WHEREAS the College of Arts and Sciences, based on a recent departmental merger, proposes to deactivate the programs in Plant Cellular and Molecular Biology leading to the Master of Science and Doctor of Philosophy degrees; and

WHEREAS the College of Engineering has determined, based on declining enrollment, to withdraw the program leading to the Bachelor of Science in Geomatics Engineering; and based on no enrollment, to withdraw the programs in Engineering Mechanics leading to the Master of Science and Doctor of Philosophy degrees, and the programs in Civil Engineering, Industrial Engineering, and Mechanical Engineering leading to the Advanced Professional Degree; and

WHEREAS the College of Food, Agricultural and Environmental Sciences, based on recent structural/programmatic changes within the College, proposes to withdraw the Human and Community Resource Development program leading to the Master of Science degree; the program in Vocational Education leading to the Doctor of Philosophy degree; the programs in Natural Resources leading to the Master of Science and Doctor of Philosophy degrees; and the programs in Soil Science leading to the Master of Science and Doctor of Philosophy degrees; and

WHEREAS the Ohio Board of Regents must now be informed of such actions; and

WHEREAS the proposals were approved by the Council on Academic Affairs at meetings on February 16, 2011, June 29, 2011, and July 28, 2011:

NOW THEREFORE

BE IT RESOLVED, That the deactivation/withdrawal of degree programs in the College of Arts and Sciences; the College of Engineering; and the College of Food, Agricultural, and Environmental Sciences is hereby approved, effective upon the approval by the Ohio Board of Regents.

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**CHANGE IN NAME OF THE DEPARTMENT OF ART EDUCATION  
TO THE DEPARTMENT OF ARTS ADMINISTRATION, EDUCATION  
AND POLICY, WITH A RELATED NAME CHANGE FOR THE DOCTOR  
OF PHILOSOPHY DEGREE PROGRAM**

Resolution 2012-113

Synopsis: Proposal to change the name of the Department of Art Education to the Department of Arts Administration, Education and Policy, with a related name change for the Doctor of Philosophy degree program, College of Arts and Sciences.

June 22, 2012 meeting, Board of Trustees

WHEREAS art education, and other visual arts programs, have a more than century-long history at the University, and over time have been organized in different and changing administrative structures; and

WHEREAS the Department of Art Education was established in 1971, but although the practices and contents of art education have changed, the name did not change to adequately reflect those changes; and

WHEREAS the proposal reflects and recognizes developments in the academic, policy, and arts organizational worlds, and combines them with an enlarged sense of what it means to build knowledge and prepare future generations to teach, shape, and practice the arts in the 21<sup>st</sup> century; and

WHEREAS the Department will continue to prepare teachers through its accredited state licensure program; and

WHEREAS the faculty within the Department considered other names but came to consensus and voted to support the proposed name; and

WHEREAS the proposal for the related name change for the Doctor of Philosophy degree program was approved by the Graduate Council; and

WHEREAS the proposal has support from academic units across the University; and

WHEREAS the proposal was approved by the Council on Academic Affairs at its meeting on May 16, 2012:

NOW THEREFORE

BE IT RESOLVED, That the change in name of the Department of Art Education to the Department of Arts Administration, Education and Policy, with a related name change for the Doctor of Philosophy degree program is hereby approved, effective immediately.

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**ESTABLISHMENT OF A MASTER OF SCIENCE, DOCTOR, AND  
TRANSITIONAL DOCTOR, OF GENETIC COUNSELING**

Resolution No. 2012-114

Synopsis: Proposal to establish A Master of Science, Doctor, and Transitional Doctor, of Genetic Counseling, Department of Internal Medicine, College of Medicine

WHEREAS the practice of genetic counseling combines the knowledge of genetic mechanisms and diseases with an appreciation for unique psychological burdens and complex ethical and social issues; and

WHEREAS the need for properly trained genetic counselors has never been greater as individuals struggle to understand how knowledge of genetic information might have an impact on them; and in an era of personalized health care there are new challenges to the medical system as it treats individuals differently based on their unique characteristics; and

WHEREAS there is student interest, and nationally enrollments and placement are strong in this field; and the programs have been developed to ensure that graduates will be eligible for certification by the American Board of Genetic Counseling (ABGC); and

WHEREAS in anticipation of a career-wide transition to the clinical doctorate in genetic counseling, a web-based transitional clinical doctorate will be developed; and

June 22, 2012 meeting, Board of Trustees

WHEREAS the proposal has the support of the department and college faculty; the curricular dimensions of the programs have been reviewed and the resources to support the program are established; and

WHEREAS the programs must receive final approval from the Ohio Board of Regents before the clinical doctorate can be submitted for review by the ABGC; and

WHEREAS the proposal was reviewed by the Graduate Council and the Council on Academic Affairs, and approved by the University Senate at its meeting on February 16, 2012:

NOW THEREFORE

BE IT RESOLVED, That the proposal to establish a Master of Science, Doctor and Transitional Doctor of Genetic Counseling is hereby approved, effective upon the approval by the Ohio Board of Regents.

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**ESTABLISHMENT OF NEW DEGREES/PROGRAMS IN THE COLLEGE OF  
EDUCATION AND HUMAN ECOLOGY AND THE SCHOOL OF HEALTH AND  
REHABILITATION SCIENCES, COLLEGE OF MEDICINE**

Resolution No. 2012-115

Synopsis: Proposal to establish new degrees/programs in the College of Education and Human Ecology and the School of Health and Rehabilitation Sciences, College of Medicine.

WHEREAS the semester conversion process provided an opportunity for academic units to re-envision their academic programs, resulting, in selected colleges, in new undergraduate, graduate, and professional degrees; and

WHEREAS each proposal was developed, reviewed, and approved, within the relevant department or school; was then reviewed/approved by the College within which the unit is located, and endorsed by the Dean; was reviewed/approved by the Graduate Council of the Graduate School, when appropriate; was then reviewed/approved by a subcommittee of the Council on Academic Affairs, expanded for additional input/perspectives during the semester conversion; and was then reviewed/approved by the full Council on Academic Affairs; and

WHEREAS the College of Education and Human Ecology proposes a new tagged undergraduate degree, Bachelor of Science in Human Development and Family Science; two new programs leading to the Master of Science degree, Consumer Sciences and Kinesiology; five new programs leading to the Doctor of Philosophy degree, Consumer Sciences, Human Development and Family Science, Kinesiology, Educational Policy and Leadership, and Teaching and Learning; and the establishment of a Doctor of Education (Ed.D.) degree program; and

WHEREAS the School of Health and Rehabilitation Sciences, College of Medicine proposes changing an established program in athletic training from a program leading to the Bachelor of Science in Allied Health Professions to a tagged degree, Bachelor of Science in Athletic Training; and

WHEREAS each proposal has a well-defined rationale, learning goals, program structure, and the resources in place for implementation; and

WHEREAS the proposals were approved by the Council on Academic Affairs, at meetings on May 4, 2011, July 13, 2011, January 18, 2012, and February 1, 2012, and all were reviewed by the University Senate's Faculty Council on May 10, 2012:

June 22, 2012 meeting, Board of Trustees

NOW THEREFORE

BE IT RESOLVED, That the new degrees/programs in the College of Education and Human Ecology and the School of Health and Rehabilitation Sciences are hereby approved, effective upon the approval by the Ohio Board of Regents.

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**CHANGE IN NAMES OF THE BACHELOR OF SCIENCE DEGREE AND THE  
PROGRAM LEADING TO THE MASTER OF SCIENCE FROM ALLIED HEALTH  
PROFESSIONS TO HEALTH AND REHABILITATION SCIENCES**

Resolution No. 2012-116

Synopsis: Proposal to Change the Names of the Bachelor of Science Degree and the Program Leading to the Master of Science from Allied Health Professions to Health and Rehabilitation Sciences, School of Health and Rehabilitation Sciences, College of Medicine.

WHEREAS the University Senate (November 10, 2011) and the Board of Trustees (December 9, 2011) approved the proposal to change the name of the School of Allied Medical Professions to the School of Health and Rehabilitation Sciences; and

WHEREAS the School determined that as part of the semester conversion process, it would now align the name of its degree programs with the name of its School; and

WHEREAS the programs for the Bachelor of Science in Allied Health Professions and the Master of Science were converted to semesters with minimal changes, and the program leading to the Doctor of Philosophy had used the new name since its inception; and

WHEREAS the proposal for the changes has the support of the School's faculty, and of the College of Medicine; and

WHEREAS the proposal for the changes was approved by the Council on Academic Affairs, at meetings on April 6, 2011, April 13, 2011, and May 4, 2011:

NOW THEREFORE

BE IT RESOLVED, That the change in names of the Bachelor of Science Degree and the program leading to the Master of Science from Allied Health Professions to Health and Rehabilitation Sciences is hereby approved, effective upon the approval by the Ohio Board of Regents.

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**ESTABLISHMENT OF A REGULAR CLINICAL FACULTY TRACK,  
COLLEGE OF EDUCATION AND HUMAN ECOLOGY**

Resolution No. 2012-117

Synopsis: Proposal to establish a Regular Clinical Faculty Track, College of Education and Human Ecology.

WHEREAS the College of Education and Human Ecology offers multiple programs that are intended to prepare students to engage in professional practice within their field of study and works closely with professionals in areas related to consumer sciences, nutrition, early childhood agencies, and schools; and

WHEREAS such partnerships are essential to provide practical, applied experiences for students; and

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WHEREAS the clinical faculty title would enable the College to attract highly qualified individuals into a long-term career track and offer more stability and consistency in meeting ongoing program needs; and would align the College's faculty options with peer institutions in the Committee on Institutional Cooperation (CIC); and

WHEREAS the College engaged in a detailed proposal development and review process, through its College Council, from Autumn 2009 through Winter 2011, and the proposal was then approved through a vote of the College faculty; and

WHEREAS the proposal was reviewed in detail by a subcommittee of the Council on Academic Affairs to ensure adherence to the Guidelines for the Establishment or Amendment of Clinical Faculty Tracks, and it recommended approval; and

WHEREAS the proposal has the support of the Dean of the College of Education and Human Ecology; and

WHEREAS the proposal was approved by the Council on Academic Affairs on May 2, 2012, and reviewed by the University Senate's Faculty Council on May 10, 2012:

NOW THEREFORE

BE IT RESOLVED, That the establishment of a Regular Clinical Faculty Track, College of Education and Human Ecology is hereby approved, effective immediately.

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**MERGER OF THE DEPARTMENT OF BIOCHEMISTRY AND  
THE DEPARTMENT OF CHEMISTRY TO BECOME THE  
DEPARTMENT OF CHEMISTRY AND BIOCHEMISTRY**

Resolution No. 2012-118

Synopsis: Proposal to Merge the Department of Biochemistry and the Department of Chemistry to Become the Department of Chemistry and Biochemistry, College of Arts and Sciences.

WHEREAS the merger of the Department of Biochemistry and the Department of Chemistry will address the issue that currently neither department has sufficient faculty size, a critical mass, to achieve the national prominence it seeks; each will bring resources that can help strengthen the other; and given that Chemistry needs a stronger biochemical component to strengthen its academic programs, and Biochemistry needs access to its own unit-based graduate program; the merger is deemed appropriate; and

WHEREAS discussions related to the merger began in 2008 through the work of a Task Force and its recommendations; and, following a preliminary vote on a merger in January, 2010, once additional details had been developed, in August 2011, both departments supported the formal merger proposal; and the Faculty of Arts and Sciences voted to approve the proposal in January 2012; and

WHEREAS in adherence to Faculty Rule 3335-3-37, the Council on Academic Affairs established an ad hoc committee to review the proposal to ensure adherence to the guidelines for alteration or abolition of units; the committee rigorously assessed the proposal, ensured that all major dimensions of such a merger were addressed, and recommended approval; and

WHEREAS the proposal has the support of the Executive Dean of the College of Arts and Sciences; and

WHEREAS the proposal was approved by the Council on Academic Affairs on May 2, 2012 and reviewed by the University Senate's Faculty Council on May 10, 2012:

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NOW THEREFORE

BE IT RESOLVED, That the merger of the Department of Biochemistry and the Department of Chemistry to Become the Department of Chemistry and Biochemistry is hereby approved, effective immediately.

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### **SECURITY CLEARANCE EXEMPTION**

Resolution No. 2012-119

Synopsis: To Exempt Members of the Board of Trustees from the Security Clearance Requirements of the National Industrial Security Program.

WHEREAS The Ohio State University and The Ohio State University Research Foundation conduct sponsored research projects which include access to classified information; and

WHEREAS The Ohio State University desires to create a program of compliance with the applicable security requirements and laws, including exemption of The Board of Trustees from the need to obtain the necessary security clearances:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees of The Ohio State University shall not require, shall not have, and can be effectively excluded from access to all classified information disclosed to any Ohio State employee in connection with sponsored research projects awarded to Ohio State and/or The Ohio State University Research Foundation, an affiliated entity of Ohio State; and

BE IT FURTHER RESOLVED, That the Board of Trustees, under the applicable security requirements and laws, do not occupy positions that would enable them to adversely affect the organization's policies or practices in the performance of classified contracts; and

BE IT FURTHER RESOLVED, That this action is taken in accordance with Paragraphs 2-104 and 2-106 of DoD 5220.22-M "Nation Industrial Security Program Operating Manual".

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### **AUTHORIZATION TO RELEASE FUNDS FOR THE MEDICAL CENTER EXPANSION PROJECT**

Resolution No. 2012-120

Synopsis: Release of funds for the Medical Center Expansion Project is recommended.

WHEREAS in September 2009 the Board of Trustees authorized the Medical Center Expansion (ProjectONE) at a cost not to exceed \$1 billion and authorized the President and/or Senior Vice President for Administration and Planning, in consultation with the Senior Vice President for Health Sciences, to enter into design, construction, construction management, and other contracts as necessary for the project in accordance with the established University and state of Ohio procedures, with all actions to be reported to the Board at the appropriate time; and

WHEREAS the project is expected to be funded by \$925 million from University bond proceeds and \$75 million from development funds for a total authorized project amount not to exceed \$1 billion; and

WHEREAS in April 2011 the Board of Trustees authorized the acceptance of a federal Health Resources and Services Administration (HRSA) \$100M grant to be expended for

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an expanded cancer ambulatory program for radiation oncology services and authorized such program as part of the Medical Center Expansion Project; and

WHEREAS the President and/or Senior Vice President for Administration and Planning in consultation with the Senior Vice President for Health Sciences shall only spend such funds as are released by the Board; and

WHEREAS the President and/or Senior Vice President for Administration and Planning, in consultation with the Senior Vice President for Health Sciences, shall report to the Board on the progress of the project every six months or more frequently as appropriate or as requested by the Board and, as a part of such reports, shall request release of such funds as needed; and

WHEREAS the following funds for construction commitments were requested and previously approved for release, but were not used:

Infrastructure & Roadways	\$ 4.8 M
Rhodes, Doan, James, Cramblett Mechanical Electrical Plumbing	\$ 4.4 M
Demo and Decommissioning	\$ 0.1 M
Support and Project Contributions	<u>\$ 3.0 M</u>
<b>Available for Reallocation</b>	<b>\$12.3 M</b>

WHEREAS the following funds for construction commitments are requested for release through December 2012:

Cancer & Critical Care Tower	\$ 55.3 M
Spirit of Women Park	\$ 0.2 M
James 36 Beds/4 ORs	<u>\$ 25.0 M</u>
	\$ 80.5 M

<b>Less Funds Available for Reallocation</b>	<b><u>\$(12.3)M</u></b>
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<b>CURRENT FUNDS REQUESTED FOR RELEASE</b>	<b>\$ 68.2 M</b>
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NOW THEREFORE

BE IT RESOLVED, that a total amount of \$68.2 million is hereby released for construction and related services as requested.

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**APPROVAL OF FACULTY GROUP PRACTICE  
INTEGRATION CRITERIA FOR EMPLOYMENT**

Resolution No. 2012-121

Synopsis: Approval of employment of non-physician faculty clinicians in the Faculty Group Practice in the University Office of Health Sciences is proposed.

WHEREAS on April 8, 2011, the University's Board of Trustees created within the Office of Health Sciences the Faculty Group Practice to employ the physician faculty of The Ohio State University College of Medicine in accordance with established University procedures and further authorized the Senior Vice President for Health Sciences and the Dean of the College of Medicine to take appropriate actions to employ all physician faculty either by the

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Faculty Group Practice or the Specialty Care Network in accordance with established University procedures, and

WHEREAS the Senior Vice President for Health Sciences, the Dean of the College of Medicine, the CEO for the Faculty Group Practice and the leadership of the College of Medicine have recommended the employment of certain non-physician faculty clinicians within the Faculty Group Practice in order to enhance the integrated care model fostered by the Faculty Group Practice:

NOW THEREFORE

BE IT RESOLVED, That the Senior Vice President for Health Sciences, the CEO for the Faculty Group Practice, and the Dean of the College of Medicine are hereby delegated the authority to take appropriate actions to employ, within the Faculty Group Practice, certain non-physician faculty under criteria adopted by the Senior Vice President for Health Sciences, the CEO for the Faculty Group Practice, and the Dean of the College of Medicine and with established University procedures.

(See Appendix XLVII for background information, page 1117.)

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### **APPROVAL OF TUITION INCREASES FOR FY 2013**

Resolution No. 2012-122

Synopsis: Approval of instructional and general fees and non-residential surcharge increases for undergraduate and graduate students at all campuses of The Ohio State University for the 2013 fiscal year is proposed.

WHEREAS the Board of Trustees of The Ohio State University supports the University's continued implementation of the Academic Plan and its initiatives to meet the needs of Ohio State students; and

WHEREAS resident undergraduate instructional and general fees are subject to a 3.5% instructional and general fee cap for State Fiscal Year 2013, as required by the proposed State of Ohio biennial budget bill; and

WHEREAS the proposed State of Ohio biennial budget bill reduced funding in FY 2012 to institutions of higher education by lowering the State Share of Instruction and special purpose appropriations, and continues to fund institutions at this reduced level resulting in an estimated loss of State Share of Instruction for The Ohio State University in excess of \$64 million in comparison to FY 2011; and

WHEREAS consultations have taken place within the University to determine the appropriate tuition increase for all campuses for Ohio State undergraduate and graduate programs and the non-resident surcharge for the 2013 academic year; and

WHEREAS the administration now presents instructional and general and non-resident surcharge increase recommendations for the Columbus Campus and for Lima, Mansfield, Marion and Newark Campuses and for the Agricultural Technical Institute (ATI) at Wooster for the 2013 academic year:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby confirms the recommendation of the administration and hereby approves tuition increases as follows:

- That instructional fees for undergraduates enrolled at the Columbus Campus will increase 3.5%, resulting in an overall increase of 3.2%;

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- That instructional fees for undergraduates at the regional and ATI campuses will increase approximately 3.5% for the 2012 academic year, effective for Autumn Semester 2012;
- That instructional fees for graduate programs will increase 3.5% for the 2013 academic year, effective Autumn Semester 2012;
- That the non-resident surcharge for undergraduates and most graduate students will be increased by 3.5% for the 2013 academic year, effective Autumn Semester 2012 and at the regional and ATI campuses will increase 3.5% for the 2013 academic year, effective Autumn Semester 2012;
- That a new charge be established for undergraduate students registering for more than 18 credit hours per semester assessed on a per credit hour basis for both instructional and general fees and the non-resident surcharge;

That a new surcharge of \$500 per semester be established for new international students.

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### **APPROVAL OF FY 2013 USER FEES AND CHARGES**

Resolution No. 2012-123

Synopsis: FY 2013 user fees and charges at the Ohio State and Regional Campuses for Fiscal Year 2013 are proposed, effective Autumn Semester of Fiscal Year 2013.

WHEREAS the Board of Trustees of The Ohio State University supports the University's continued implementation of the Academic Plan and its initiatives to meet the needs of Ohio State students; and

WHEREAS consultations have taken place within the University to determine the appropriate instructional and general fee increases for Ohio State graduate and professional programs, Ohio State room and board charges, and other user charges for self-supporting units as described in the accompanying text and tables which have been reviewed and recommended:

NOW THEREFORE

BE IT RESOLVED, That the Room and Board fees will be increased approximately 4.8% to 5.0%, existing fees will be increased, and new fees implemented as outlined in the attached document as presented to the Finance Committee of the Board of Trustees; and

BE IT FURTHER RESOLVED, That the University Health System charges rate increase by 6.5%; and

BE IT FURTHER RESOLVED, That all of these increases described in the attached document shall be effective Autumn Semester of Fiscal Year 2013, except where otherwise indicated, and charges for the Health System shall be effective July 1, 2012.

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### **APPROVAL OF INTERIM BUDGET FOR FY 2013**

Resolution No. 2012-124

Synopsis: Authorization to make expenditures in Fiscal Year 2013 is proposed.

WHEREAS the State of Ohio is in the process of a mid-biennial review of the State Fiscal Year 2012-State Fiscal Year 2013 state budget; and

WHEREAS the notification of the amount of the state subsidy funding level from the Board of Regents has recently been finalized; and

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WHEREAS the University has not yet finalized its operating budget for Fiscal Year 2013; and

WHEREAS it is necessary to continue University expenditures, including payment of faculty and staff, prior to the time that the Current Funds Budget for Fiscal Year 2013 is finalized and adopted:

NOW THEREFORE

BE IT RESOLVED, That the University is authorized to make expenditures consistent with the level of resources approved for Fiscal Year 2012, pending the adoption of the Current Funds Budget for Fiscal Year 2013 at the August 31, 2012 Board of Trustees' meeting.

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**AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICES  
CONTRACTS AUTHORIZATION TO ENTER INTO/INCREASE  
DESIGN/CONSTRUCTION CONTRACTS**

Resolution No. 2012-125

**OHIO STADIUM AND SCHOTTENSTEIN CENTER**

Synopsis: Authorization to enter into professional services contracts and enter into/increase construction contracts, as detailed in the attached materials, is requested.

WHEREAS in accordance with the attached materials, the University desires to undertake and enter into professional services contracts for the following project:

	Prof Svc. Amount	Total Project	
Stadium, Waterproofing and Concrete Repairs	\$0.5M	\$4.3M	Auxiliary funds

WHEREAS in accordance with the attached materials, the University desires to undertake and enter into/increase construction contracts for the following projects:

	Constr. Amount	Total Project	
Stadium, Waterproofing and Concrete Repairs	\$3.8M	\$4.3M	Auxiliary funds
Schottenstein Center, Basketball Practice Facility	\$13.9M	\$17.5M	Auxiliary funds

NOW THEREFORE

BE IT RESOLVED, That the President and/or Senior Vice President for Administration and Planning be authorized to enter into professional services contracts and to enter into/increase construction contracts for the projects listed above in accordance with established University and State of Ohio procedures, with all actions to be reported to the Board at the appropriate time.

(See Appendix XLVIII for background information, page 1120.)

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**AUTHORIZATION TO ENTER INTO A LAND EXCHANGE AGREEMENT**

Resolution No. 2012-126

**PROPOSED LAND EXCHANGE (9.009 ACRES) BETWEEN STATE OF OHIO  
AND THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES  
UNIVERSITY AIRPORT AT DON SCOTT FIELD  
COLUMBUS, OHIO**

SYNOPSIS: Authorization is requested to enter into an agreement to exchange 9.009 acres of vacant land owned by the State of Ohio for 9.009 acres of vacant land (3 parcels) owned by The Ohio State University-Board of Trustees at The University Airport, Don Scott Field, located at Columbus, Ohio.

WHEREAS the State of Ohio, for the benefit of The Ohio State University, owns real estate located on the northern boundary of the University Airport; and

WHEREAS the Board of Trustees also owns real estate located on the northern boundary of the University Airport; and

WHEREAS the Board of Trustees will transfer its interest in the three (3) parcels of land (7.648 acres, 0.198 acres and 1.163 acres) to the State of Ohio and the State of Ohio will transfer its interest in the one (1) parcel of land (9.009 acres) to the Board of Trustees; and

WHEREAS the result of this land exchange is to clarify and straighten the northern boundary of the airport property; and

WHEREAS there will be no net gain of revenue to either party as a result of this transfer and the Land Exchange is in the best interest of the University; and

WHEREAS the University has a long, cooperative and mutually beneficial relationship with the Federal Aviation Administration (FAA) regarding the operation of the University Airport and has obtained its approval of this exchange in a letter dated February 22, 2012:

NOW THEREFORE

BE IT RESOLVED, That the President and/or the Senior Vice President for Business and Finance be authorized to take any action required to effect the execution of this land exchange at such terms determined to be in the best interest of the University.

(See Appendix XLIX for background information, page 1123.)

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**SALE OF REAL ESTATE**

Resolution No. 2012-127

**OARDC Southern Branch Farm, 275+/- acres  
US Route 62/68, Brown County, Ohio**

Synopsis: Authorization is requested to sell a farm owned by the State of Ohio for the benefit of The Ohio State University, containing approximately 275 acres located along State Route 68, in Brown County, near Ripley Ohio.

WHEREAS this property has been declared excess to the University's immediate and long-term needs and no longer serves the academic mission of OARDC, the property is considered a disposable asset; and

WHEREAS this property has been appraised for \$752,000 and the indicated highest and best use of the property is for continued farming and possible livestock operations; and

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WHEREAS the appropriate University offices have determined that the sale of this property is in the best interest of the University; and

WHEREAS legislation has been introduced to authorize the Governor to execute a deed to convey title to the property from the State of Ohio:

NOW THEREFORE

BE IT RESOLVED, That the President and/or Senior Vice President for Business and Finance be authorized to sell property containing approximately 275 acres, located on US Route 68, in Brown County, Union Township, Ohio, upon such terms and conditions deemed to be in the best interest of the University and a purchase price of no less than 90% of the appraised value. Proceeds from the sale will be used by OARDC's Outlying Agricultural Research Stations Endowment Fund to support operating expenses and infrastructure improvements at OARDC's research stations.

(See Appendix L for background information, page 1125.)

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### **SALE OF REAL ESTATE**

Resolution No. 2012-128

#### **SALE OF FORMER ATI RESIDENCE HALL 1427 DOVER ROAD, WOOSTER, OHIO**

Synopsis: Authorization is requested to sell improved property owned by the State of Ohio for the benefit of The Ohio State University located at 1427 Dover Road, Wooster, Ohio, known as the former ATI Residence Hall.

WHEREAS the property is vacant and the expense of operating the property is not offset by income derived from the property; and

WHEREAS it has been determined that the property is no longer needed to provide student housing for the ATI Campus, and the property is not required for any other use by either ATI or OARDC; and

WHEREAS an appraisal of the property was recently completed and indicated that the current market value of the property is \$1,000,000; and

WHEREAS appropriate University offices have determined that the property is excess to any immediate or future need of the University and a sale of this property is in the best interest of the University; and

WHEREAS legislation has been introduced to authorize the Governor to execute a deed to convey title to the property from the State of Ohio:

NOW THEREFORE

BE IT RESOLVED, That the President and/or Senior Vice President for Business and Finance be authorized to take any action required to effect the sale of the property for a purchase price of no less than 90% of the appraised value and to negotiate a purchase contract containing terms and conditions deemed to be in the best interest of the University.

(See Appendix LI for background information, page 1126.)

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**AMENDMENT OF A SUBLEASE**

Resolution No. 2012-129

**BETWEEN SCITECH AND THE OHIO STATE UNIVERSITY  
VEHICLE SIMULATION PROJECT  
COLUMBUS, OHIO**

Synopsis: Authorization is requested to amend the sublease with SciTech, a not-for-profit corporation, to include two (2) successive five (5) year renewal options for approximately 5,800 square feet, for the continuation of vehicle simulation research on behalf of The Ohio State University-Office of Research located at 1305 Kinnear Road, Columbus, Ohio.

WHEREAS the Board of Trustees of The Ohio State University and the State of Ohio is presented with the opportunity to extend the term of the current 5 year lease of real property with SciTech in Columbus, Ohio; and

WHEREAS the renewal options to extend the lease term will provide for continued research for purposes deemed critical to the vehicle simulation project; and

WHEREAS The Ohio State University-Office of Research will pay rent / operating expenses in the amount of \$1.35M over the term of the lease; and

WHEREAS the proposed Tenant Improvements and the cost to purchase the vehicle simulator are estimated to be \$950,000 and will be paid for with funds already deposited with the University by Honda R & D Americas, Inc.; and

WHEREAS the approval of the renewal options for the continuation of vehicle simulation research is in the best interest of the University:

NOW THEREFORE

BE IT RESOLVED, That the President and/or the Senior Vice President for Business and Finance be authorized to take any action required to effect the execution of the proposed renewal options with SciTech at such terms determined to be in the best interest of the University.

(See Appendix LII for background information, page 1128.)

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**APPROVAL OF LEASE**

Resolution No. 2012-130

**BETWEEN SCITECH AND THE OHIO STATE UNIVERSITY  
The Molecular Imaging Pharmaceutical Research Center  
of the Wright Center of Innovation Biomedical Imaging  
1212-1218 Kinnear Road  
Columbus, Ohio**

Synopsis: Authorization is requested for entering into a 30 year lease of approximately 11,565 square feet with SciTech, a not-for-profit corporation, for the development of research space for The Molecular Imaging Pharmaceutical Research Center to be located at 1212-1218 Kinnear, Columbus, Ohio.

WHEREAS the Board of Trustees of The Ohio State University is presented with the opportunity to enter into a 30 year lease of real property with two five (5) year renewals in Columbus, Ohio with SciTech; and

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WHEREAS The Ohio State University, Office of Research will pay \$1.00/year in base rent and estimated operating expenses in year one in the amount of \$230,000.00; and

WHEREAS Tenant Improvements will be approximately \$3.7M and the primary funding for rent, operating expenses and Tenant Improvements will be funded by the Ohio Imaging Research and Innovation Network (OIRAIN) grant; and

WHEREAS the lease of this facility is in the best interest of the University as the Center is envisioned to serve as a magnet for small business and startup commercialization efforts and will be an invaluable resource for many national funding pursuits (NIH, NSF, DOD) as well as commercial research collaborations efforts with Battelle Health and Life Science:  
NOW THEREFORE

BE IT RESOLVED, That the President and/or the Senior Vice President for Business and Finance be authorized to take any action required to effect the execution of a 30 year lease with SciTech at such terms determined to be in the best interest of the University.

(See Appendix LIII for background information, page 1130.)

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**AUTHORIZATION FOR THE ISSUANCE OF ADDITIONAL GENERAL RECEIPTS  
BONDS, COMMERCIAL PAPER NOTES AND SUBORDINATED INDEBTEDNESS**

Resolution No. 2012-131

Synopsis: Authorization for the issuance and sale of general receipts bonds, commercial paper notes and subordinated indebtedness in an aggregate principal amount not to exceed \$1 billion, for the purposes of financing, on an interim and/or permanent basis, the costs of certain University capital improvement projects, refunding the outstanding principal amount of current obligations of the University, and paying costs and expenses associated with the issuance of such debt, and authorization for amendments to the existing trust indenture and other documents as required is proposed.

WHEREAS pursuant to Sections 3345.11 and 3345.12 of the Ohio Revised Code (the "Act"), as enacted under authority of the Constitution of Ohio, particularly Section 2i of Article VIII thereof, The Ohio State University (the "University"), a state university of the State of Ohio (the "State"), created and existing under Chapter 3335 of the Ohio Revised Code, is authorized and empowered, among other things, (a) to issue its obligations to pay the costs of certain "facilities," as defined in the Act, and to refund, fund or retire bonds and other obligations previously issued for such purpose; (b) to pledge to the payment of its obligations all or a specified part of its "available receipts," as defined in the Act (the "General Receipts") in priority to all other expenses, claims or payments; (c) to covenant that the University will make, fix, adjust and collect the fees, rates, rentals, charges and other items comprising General Receipts to produce General Receipts sufficient at all times to meet Debt Service Charges (as defined in the Amended and Restated Trust Indenture described below) on the Obligations, to establish and to maintain the required reserves and meet other requirements herein provided; and (d) to provide for a trust indenture and make further provisions for securing the payment of the Debt Service Charges; and

WHEREAS the University, by resolution adopted by its Board of Trustees (the "Board") on November 1, 1985 (the "Series 1985A Bond Resolution"), and by a Trust Indenture dated as of November 15, 1985 (the "Original Indenture") between the University and The Huntington National Bank, as Trustee (the "Trustee"), provided for the issuance from time to time of General Receipts Bonds of the University; and

WHEREAS the University, pursuant to the terms of a resolution adopted by the Board on October 1, 1999 (the "1999 General Bond Resolution"), amended and restated the Original Indenture, as supplemented, in accordance with the terms thereof, by entering into the

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Amended and Restated Trust Indenture dated as of December 1, 1999 (the "Amended and Restated Trust Indenture") with the Trustee; and

WHEREAS the Amended and Restated Trust Indenture provides that Obligations (as defined therein) may be issued pursuant to the terms thereof, with each such issue to be authorized by a Series Resolution (as defined therein) adopted by the Board and secured pursuant to the terms of a Supplemental Indenture (as defined therein), with respect to such issue (the Amended and Restated Trust Indenture and all Supplemental Indentures thereto being collectively referred to herein as the "Indenture"); and

WHEREAS the Indenture permits the University to incur Subordinated Indebtedness (as defined therein) otherwise than pursuant to the Indenture upon the satisfaction of the conditions for such incurrence established in the Indenture; and

WHEREAS the University has from time to time authorized the issuance of the Obligations listed on Schedule 1 attached hereto and made a part hereof pursuant to the Series 1985 A Bond Resolution, the Original Indenture, the 1999 General Bond Resolution, the Amended and Restated Trust Indenture, various supplements to the Original Indenture and the Amended and Restated Trust Indenture and various Series Resolutions; and

WHEREAS the Board has determined that it is in the best interests of the University to authorize the issuance of The Ohio State University General Receipts Bonds and Commercial Paper Notes (the "Senior Obligations") and Subordinated Indebtedness (the "Subordinated Indebtedness"), in one or more series, for the purposes of financing, on an interim and/or permanent basis, the costs of University Facilities, refunding, on a current or advance refunding basis, Outstanding Obligations of the University as determined herein, and paying costs and expenses associated with the issuance the Senior Obligations and Subordinated Indebtedness, and desires to make provisions for (i) the issuance of the Senior Obligations and the payment of Debt Service Charges thereon and the securing thereof by this Resolution and the supplement(s) to the Amended and Restated Trust Indenture as provided by this Resolution and (ii) the issuance of Subordinated Indebtedness and securing thereof by this Resolution and a Subordinated Indebtedness Indenture (as defined below) with all terms used herein with initial capitalization where the rules of grammar would not otherwise so require and not defined herein having the meanings given them in the Indenture:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees of The Ohio State University hereby authorizes the issuance of the Senior Obligations and Subordinated Indebtedness in an aggregate amount not to exceed One Billion Dollars (\$1,000,000,000) for the purposes as set forth in the recitals to this resolution; provided, however, that such limitation shall not apply to any Bonds or Notes authorized to be issued under this Resolution to retire or refund Commercial Paper Notes previously issued under this Resolution, to the extent that the principal amount of such refunding Obligations does not exceed the principal amount of the Commercial Paper Notes to be retired or refunded; and

BE IT FURTHER RESOLVED, That any debt authorized by this resolution shall not be issued after June 30, 2014; and

BE IT FURTHER RESOLVED, That the Board of Trustees hereby authorizes the President and/or Senior Vice President for Business and Finance, or either of them, upon consultation with the Chair of the Finance Committee of this Board and upon consultation with the Senior Vice President for Legal Affairs and General Counsel and any outside counsel retained for this purpose, to determine (a) the time or times that any of the Senior Obligations or Subordinated Indebtedness shall be issued as provided in this Resolution, (b) the principal amount, subject to the limitations prescribed herein, and type of debt to be issued from time to time, (c) the rate or rates of interest to be borne by such Senior Obligations or Subordinated Indebtedness, whether fixed or variable; provided, however,

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that in no event shall the interest rate on any series of Senior Obligations or Subordinated Indebtedness exceed eight percent (8.00%) per annum, (d) whether any interest rates shall be fixed or variable and (e) the maturity or maturities of any of the Senior Obligations or Subordinated Indebtedness; provided, however, the maximum maturity of any Senior Obligations or Subordinated Indebtedness shall not exceed 35 years or such lesser term as may be required by law, any or all of which terms, as well as any terms required by Section 2.02 of the Indenture, may be set forth in one or more Certificates of Award executed and delivered by the President and Senior Vice President for Business and Finance, or either of them, in connection with the issuance and sale of the Senior Obligations or Subordinated Indebtedness, the execution and delivery of such Certificates of Award and any of them being hereby authorized; and

BE IT FURTHER RESOLVED, That the President or Senior Vice President for Business and Finance, or either of them, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the University with respect to the Senior Obligations and Subordinated Indebtedness as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Senior Obligations and Subordinated Indebtedness or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments on behalf of the University; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the University, as may be appropriate to assure the status of the Senior Obligations and Subordinated Indebtedness as Tax Exempt Bonds; and (c) to give an appropriate certificate on behalf of the University for inclusion in the transcript of proceedings setting forth the facts, estimates and circumstances, and reasonable expectations of the University pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the University regarding compliance by the University with Sections 141 through 150 of the Code and the Regulations, as applicable; and

BE IT FURTHER RESOLVED, That the President and Senior Vice President for Business and Finance, or either of them, is authorized to negotiate and execute, on behalf of the University and this Board, such supplement or supplements to the Amended and Restated Trust Indenture, any indenture or agreement providing for the issuance and securing of the Subordinated Indebtedness (the "Subordinated Indebtedness Indenture"), any purchase contract for the sale of the Senior Obligations or the Subordinated Indebtedness, any escrow agreement, continuing disclosure agreement, any interest rate management or hedging contract, credit support or enhancement contract, any official statement or other offering document relating to the offer and sale of the Senior Obligations and the Subordinated Indebtedness, the use and distribution of which is hereby authorized and any other agreement, receipt, certificate or document (collectively the "Transaction Documents") as the President or Senior Vice President for Business and Finance or either of them shall deem necessary or appropriate to carry out this resolution and to provide for the most beneficial commercial terms reasonably available to the University in substantially the form of similar agreements Transaction Documents previously executed by the University in connection with the issuance of other Obligations of the University and not materially adverse to the University, with the execution by the President or Senior Vice President for Business and Finance of any such Transaction Documents constituting the conclusive determination of such officer that the terms of such Transaction Document are not materially adverse to the University; and

BE IT FURTHER RESOLVED, That the Senior Vice President for Business and Finance is authorized to call for optional redemption at the earliest date on which any Obligations to be refunded by the Senior Obligations may be redeemed pursuant to the Indenture, and the execution and delivery of a Supplemental Indenture for such Senior Obligations that provides for such refunding shall constitute the irrevocable direction to the Trustee to send

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such notices as are required by the Indenture to effect such call for redemption. The execution of any such Supplemental Indenture shall constitute the receipt by the Trustee of such direction and the agreement by the Trustee to give any such notice; and

BE IT FURTHER RESOLVED, That the Senior Vice President for Business and Finance shall report to the Board's Finance Committee on a regular basis all actions taken in pursuant to this resolution; and

BE IT FURTHER RESOLVED, That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and

BE IT FURTHER RESOLVED, That this resolution shall take effect and be in force immediately upon its adoption.

**Schedule 1**

<b>General Receipts Bonds</b>	<b>Original Amount</b>	<b>Amount Outstanding</b>
Series 1997 Bonds	\$ 79,540,000	\$ 17,160,000
Series 1999 B Bonds	108,000,000	\$ 11,800,000
Series 2001 Bonds	76,950,000	\$ 56,540,000
Series 2002 A Bonds	150,515,000	\$ 4,130,000
Series 2003 B Bonds	233,780,000	\$ 29,300,000
Series 2003 C Bonds	121,295,000	\$ 53,230,000
Series 2005 A Bonds	279,050,000	\$ 180,030,000
Series 2005 B Bonds	129,990,000	\$ 78,735,000
Series 2008 A Bonds	217,595,000	\$ 180,265,000
Series 2008 B Bonds	127,770,000	\$ 102,235,000
Series 2010 A Bonds	241,170,000	\$ 231,960,000
Series 2010 C Bonds	654,785,000	\$ 654,785,000
Series 2010 D Bonds	88,335,000	\$ 88,335,000
Series 2010 E Bonds	150,000,000	\$ 150,000,000
Series 2011 A Bonds	500,000,000	\$ 500,000,000
Total:	<u>\$3,158,775,000</u>	<u>\$2,338,505,000</u>

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Mr. Schottenstein:

May I please have a motion? Will the Secretary please call the roll?

Dr. Horn:

Motion carries, Mr. Chairman.

Upon motion of Mr. Hicks, seconded by Mr. Jurgensen, the Board of Trustees adopted the foregoing resolutions by unanimous roll call vote, case by Trustees Hicks, Fisher, Schottenstein, Marbley, Kass, Reid, Jurgensen, Wadsworth, Shumate, and Krueger.

Mr. Schottenstein:

Thank you. If there is no other business to come before the Board, our meeting stands adjourned. Our next meeting will take place on Friday, August 31<sup>st</sup>. Thank you, everyone, for being here.

\*\*\*

Thereupon the Board adjourned to meet Friday, August 31, 2012, at The Ohio State University, Longaberger Alumni House, Columbus, OH.

Attest:

Robert H. Schottenstein  
Chairman

David G. Horn  
Secretary

(APPENDIX XLIII)

**The Ohio State University  
Transportation and Parking Regulations**

	<b>Chapter</b>	<b>Description</b>
3335-21-01	CHAPTER ONE	General Provisions
3335-21-02	CHAPTER TWO	Definitions
3335-21-03	CHAPTER THREE	Transportation & Parking Services
3335-21-04	CHAPTER FOUR	Administration of Violations
3335-21-05	CHAPTER FIVE	Enforcement Generally
3335-21-06	CHAPTER SIX	Registration of Motor Vehicle
3335-21-07	CHAPTER SEVEN	Impounding
3335-21-08	CHAPTER EIGHT	Assessments and, Disciplinary Action, and
3335-21-09	CHAPTER NINE	Appeals
3335-21-10	CHAPTER TEN	Obstruction and Special Uses of Public Ways
3335-21- <del>11</del> <u>19</u>	CHAPTER <del>ELEVEN</del> <u>NINE</u>	Traffic Control Devices
3335-21- <del>12</del> <u>10</u>	CHAPTER <del>TWELVE</del> <u>TEN</u>	Pedestrians
3335-21- <del>13</del> <u>11</u>	CHAPTER <del>THIRTEEN</del> <u>ELEVEN</u>	Operations Generally
3335-21-14	CHAPTER FOURTEEN	Equipment
3335-21-15	CHAPTER FIFTEEN	Motor Vehicle Brakes
3335-21- <del>16</del> <u>12</u>	CHAPTER <del>SIXTEEN</del> <u>TWELVE</u>	Emergency and Public Safety Vehicles
3335-21-17	CHAPTER SEVENTEEN	Motorcycles
3335-21- <del>18</del> <u>13</u>	CHAPTER <del>EIGHTEEN</del> <u>THIRTEEN</u>	Bicycles, Motorized Bicycles and Toy Vehicles
3335-21- <del>19</del> <u>14</u>	CHAPTER <del>NINETEEN</del> <u>FOURTEEN</u>	Parking Generally
3335-21- <del>20</del> <u>15</u>	CHAPTER <del>TWENTY</del> <u>FIFTEEN</u>	Stopping, Standing or Parking Permitted, Restricted or Prohibited on Certain Streets Roadways and Parking Areas

### 3335-21-01 General Provisions

(A) TITLE; REFERENCES.

~~These Rules shall be known and may be cited as The Ohio State University Traffic and Parking Rules, or just the University Traffic Rules. References throughout these Rules to "these Rules" shall be deemed to mean and include all of the provisions of these Ohio State University Traffic and Parking Rules.~~

(~~BA~~) AUTHORITY; REPEAL OF PREVIOUS RULES AND REGULATIONS.

~~These RulesRegulations, governing traffic and parking upon the streets and, roadways, property and grounds of the University, are enacted pursuant to authority vested in the Board of Trustees by Ohio Revised Code (ORC), Chapters 3335 and 3345. All previous rules and regulations of the Board pertaining to traffic and parking are hereby repealed.~~

(~~CB~~) APPLICATION OF REGULATIONS; ~~COLLECTION OF ASSESSMENTS;~~ INCORPORATION OF STATE LAW.

~~These RulesRegulations constitute a dual system of enforcement of traffic laws and rules and regulations. They are enforceable by contract against faculty, studentsstaff, employees, students and agents of the University, as well as visitors to the University. Such assessments made under these Rules are enforceable by civil action against a violator in any court of competent jurisdiction. Incorporated by reference into these RulesRegulations are all State laws, when applicable, which are enforceable against any person, including the above specified persons, in any court of competent jurisdiction, pursuant to the authority conferred upon the Board of Trustees by Ohio ORC.C. Chapters 3335 and 3345. The authority granted to and the obligations of the University in these Regulations may be exercised and performed by third parties or agents (including but not limited to the Parking Operator within its authority under the Concession Agreement) contracted on behalf of the University to perform such obligations, to the extent of the authority granted by the University under such contract.~~

(~~DC~~) CERTIFICATION AND PUBLICATION OF REGULATIONS.

~~The Secretary of the Board of Trustees shall certify the passage of these RulesRegulations and cause the same to be published for public distribution in a manner reasonably designed to come to the attention of, and be made available to all faculty, staff, employees, students, and visitors.~~

(~~ED~~) EFFECTIVE DATE.

~~These RulesRegulations shall take effect from and after the date of their approval by the Board of Trustees.~~

(~~FE~~) SEPARABILITY.

~~If any Regulation or any part of these Rulesany Regulation is, for any reason, held to be invalid or unenforceable, such decision shall not affect the validity of the remainingany other Regulation or any other parts of these Rulesof a Regulation not specifically held to be invalid or unenforceable.~~

### 3335-21-02 Definitions

IN GENERAL.

As used in these RulesRegulations, the following words and phrases shall, for the purpose of these RulesRegulations, have the meanings respectively ascribed to them in this chapter.

(A) ACCIDENTCONCESSION AGREEMENT.

~~"Accident" and "motor vehicle accident" mean any accident involving a motor vehicle which results in bodily injury to or death of any person or damage to the~~

~~property of any person in excess of one hundred fifty dollars (\$150.00). The term "Concession Agreement" means the "Long Term Lease and Concession Agreement for The Ohio State University Parking System" between the University and the Parking Operator.~~

~~(B) ALLEY:~~

~~"Alley" means those driveways used primarily for the convenience of the University and not generally used for purposes of through traffic.~~

~~(C) ASSESSMENT:~~

~~"Assessment" means the sum exacted of faculty, employees, students, visitors and agents for violation of any of the provisions of these Rules, which sum constitutes the liquidated damages for violation of the contract existing by and between the University and faculty, employees, students, visitors and agents. Assessments are established by Transportation and Parking Services, approved by the Senior Vice President for Business and Finance of the University and adopted by the Board of Trustees.~~

~~(D) AUTHORIZED EMERGENCY VEHICLE:~~

~~"Authorized emergency vehicle" or "emergency vehicle" means emergency vehicles of the University, municipal, township, or county departments or public utility corporations when identified as such as required by law, the Ohio Director of Public Safety, or local authorities, and motor vehicles when commandeered by a police officer. (ORC 4511.01(D))~~

~~(E) BICYCLE:~~

~~"Bicycle" means every device, other than a tricycle designed solely for use as a play vehicle by a child, propelled solely by human power, upon which any person may ride, having either two tandem wheels or one wheel in the front and two wheels in the rear, any of which is more than fourteen inches in diameter. (ORC 4511.01(G))~~

~~(F) BOARD:~~

~~"Board" and "Board of Trustees" means the Board of Trustees of The Ohio State University.~~

~~(G) BUS:~~

~~"Bus" means every motor vehicle designed for carrying more than nine passengers and used for the transportation of persons, other than a ride-sharing arrangement, and every other motor vehicle, automobile for hire or funeral car, other than a taxicab or motor vehicle used in a ride-sharing arrangement, designed and used for the transportation of persons for compensation. (ORC 4511.01 (L))~~

~~(H) COMMERCIAL VEHICLE:~~

~~"Commercial vehicle" means every vehicle designed, maintained or used primarily for the transportation of property.~~

~~(I) CONTRACTOR:~~

~~"Contractor" means any person, including an employee, who undertakes by contract to perform work or service or to supply articles at a certain price or rate.~~

~~(J) CROSSWALK. "Crosswalk" means:~~

- ~~(1) That part of a roadway at intersections ordinarily included within the real or projected prolongation of property lines and curb lines and/or, in the absence of curbs, the edges of the traversable roadway;~~
- ~~(2) Any portion of a roadway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface;~~

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- (3) ~~Notwithstanding paragraphs (1) and (2) of this Rule, there shall not be a crosswalk where local authorities have placed signs indicating no crossing. (ORC 4511.01 (LL))~~
- (KB) CURB LOADING ZONE.  
The term "Curb loading zone" means a space adjacent to a curb, which is reserved for the exclusive use of vehicles during loading or unloading.
- (L) ~~DIVISION OF TRAFFIC AND PARKING.~~  
~~"Division of Traffic and Parking" means the Division of Traffic and Parking of the University.~~
- (L) ~~DEPARTMENT OF TRANSPORTATION AND PARKING SERVICES.~~  
~~"Transportation and Parking Services" means the Transportation and Parking Services department of the University.~~
- (M) ~~DIRECTOR.~~  
~~"Director" means the Director of Transportation and Parking Services.~~
- (N) ~~DRIVER.~~  
~~"Driver" means any person who drives or is in actual physical control of a vehicle. (ORC 4511.01(Y))~~
- (OC) FEE.  
The term "Fee" means a sum extracted of faculty, staff, employees, students, visitors and agents for permits, keycards, parking meters, pay parking facilities, parking fines or services. Fees are established by Transportation and Parking Services, approved by the Senior Vice President for Business and Finance of the University and adopted by the Board of Trustees in accordance with Schedule 5 of the Concession Agreement
- (PD) GROUNDS.  
The term "Grounds" means all lands belonging to the University or over which the University may have control.
- (QE) HOSPITAL AND CAMPUS SECURITY OFFICER.  
The term "Hospital and Campus Security Officer" means an employee of the Department of Hospital Safety and Security or Campus Security who, when authorized by the Director of Transportation and Parking Services or Public Safety, may perform one or more of the following duties:
- (1) Direct, regulate to or supervise traffic;
  - (2) Enforce all provisions of these RulesRegulations pertaining to parking; or
  - (3) Enforce rulesRegulations for bicycles.
- (R) INTERSECTION.  
(1) ~~"Intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.~~  
(2) ~~Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If an intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.~~  
(3) ~~The junction of an alley with a street or highway, or with another alley, shall not constitute an intersection. (ORC 4511.01(KK))~~

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- (S) ~~LANED STREET OR ROADWAY.~~  
~~"Laned street or roadway" means a highway or roadway which is divided into two or more clearly marked lanes for vehicular traffic. (ORC 4511.01(GG))~~
- (~~TF~~) ~~LAW ENFORCEMENT OFFICER.~~  
~~The term "Law enforcement officer" means a Law Enforcement Officer" means a law enforcement officer of the University or any officer authorized to direct, regulate or supervise traffic or to issue citations or make arrests for violations of State traffic law.~~
- (~~UG~~) ~~LOADING ZONE.~~  
~~The term "Loading zone" means a space or spaces adjacent to a building, which are designated for the exclusive use of vehicles during loading or unloading.~~
- (~~V~~) ~~MOTOR VEHICLE.~~  
~~"Motor vehicle" means every vehicle propelled or drawn by power other than muscular power, or power collected from overhead electric trolley wires, except motorized bicycles, road rollers, traction engines, power shovels, power cranes and/or other equipment used in construction work and not designed for or employed in the general highway transportation, hole-digging machinery, ditch-digging machinery, well-drilling machinery, farm machinery, trailers used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public street or highway at a speed of twenty-five miles per hour or less, threshing machinery, hay-baling machinery, and agricultural tractors and machinery used in the production of horticultural, floricultural, agricultural and vegetable products and trailers designed exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than 10 miles at a speed of 25 mph or less. (ORC 4511.01(B))~~
- (~~W~~) ~~MOTORCYCLE.~~  
~~"Motorcycle" means every motor vehicle, other than a tractor, having a saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as "motor-driven cycle," "motor scooter" or "motorcycle" without regard to weight or brake horsepower. (ORC 4511.01(C))~~
- (~~X~~) ~~MOTORIZED BICYCLE.~~  
~~"Motorized bicycle" means any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being pedaled and is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface. (ORC 4511.01(H))~~
- (~~YH~~) ~~NOTICE OF VIOLATION.~~  
~~The term "Notice of Violation" means a notice given by the University or the Parking Operator for a violation of any of the provisions of these RulesRegulations.~~
- (~~Z~~) ~~OFFICIAL TIME STANDARD.~~  
~~"Official time standard" means Eastern Standard Time or Eastern Daylight Savings Time, whichever is in effect at the time and in the general area in question.~~
- (~~AA~~) ~~OPERATOR.~~  
~~"Operator" means any person who drives or operates a motor vehicle upon a roadway.~~

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(BB) OPERATOR'S LICENSE.

~~"Operator's license" means a license issued to any person to operate a motor vehicle or motor-driven cycle, including a "probationary license" and a "restricted license".~~

(CC) PARK AND PARKING.

The terms "Park" and "parking" mean the standing of a vehicle, whether occupied or not, except while actually engaged in loading or unloading merchandise or passengers.

(DD) PARKING AREA OPERATOR.

"Parking area" means any portion of the land and property of the University which is designated for the parking of vehicles. The term includes parking lots and parking garages. The term "Parking Operator" shall have the same definition as the "Operator" in the Concession Agreement. This includes any third parties or agents contracted on behalf of the Parking Operator to perform parking services. Notwithstanding anything in these Regulations to the contrary, if at any time there is no Parking Operator or to the extent the Parking Operator is unable to perform its obligations under the Concession Agreement or has not been granted authority under the Concession Agreement, then the University shall have the authority granted to the Parking Operator hereunder.

(EE) PARKING ZONE.

~~"Parking zone" means any portion of University streets or roadways, parking areas, parking lots or parking garages on which the parking of vehicles may be permitted or regulated by the University.~~

(FF) PASSENGER CAR.

~~"Passenger car" means any vehicle designed and used for carrying not more than nine passengers.~~

(GG) PEDESTRIAN.

~~"Pedestrian" means any natural person afoot. (ORC 4511.01(X))~~

(HH) PERSON.

~~"Person" means a natural person, firm, copartnership association or corporation. (ORC 4511.01(W))~~

(HK) PUBLIC SAFETY VEHICLE.

The term "Public safety vehicle" means any of the following:

- (1) Ambulances, including private ambulance companies under contract to the University or to a municipal corporation, township or county, and private ambulances and non-transport vehicles bearing license plates issued under ORC section 4503.49 of ORC;
- (2) Motor vehicles used by public Law Enforcement Officers, Traffic Control Officers, Hospital and Campus Security Officers, or other persons sworn to enforce the criminal and traffic laws of the State;
- (3) Any motor vehicle when properly identified as required by the Ohio Director of Public Safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department and who is on duty pursuant to the rules or directives of that service. The State Fire Marshal shall be designated by the Ohio Director of Public Safety as the certifying agency for all public safety vehicles described in this subsection.
- (4) Vehicles used by fire departments, including motor vehicles when used by volunteer firefighters responding to emergency calls in the fire department service when identified as required by the Ohio Director of Public Safety.

- Any vehicle used to transport or provide emergency medical service to an ill or injured person, when certified as a public safety vehicle, shall be considered a public safety vehicle when transporting an ill or injured person to a hospital regardless of whether such vehicle has already passed a hospital.
- (5) Vehicles used by the commercial motor vehicle safety enforcement unit for the enforcement of orders and rules of the public utilities commission as specified in ORC section 5503.34 of the ORC. (ORC 4511.04(E))
- ~~(6) Any non-motorized vehicle used for Transportation and Parking Services.~~
- ~~(76) Any motorized or non-motorized vehicle used by the University's Public Safety Department.~~
- (JJ) RESTRICTED LICENSE.  
"Restricted license" means a license issued to any person to operate a motor vehicle, which license is subject to conditions or restrictions.
- (KK) RESTRICTED ZONE.  
"Restricted zone" means any portion of the Columbus campus of the University where the entry of all motor vehicles is controlled.
- (LL) RIGHT OF WAY.  
The term "Right of way" means the right of a vehicle or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or the individual is moving in preference to another vehicle or pedestrian approaching from a different direction into its or the individual's path. (ORC 4511.04(JJ))
- (MM) ROAD AND DRIVEWAY.  
"Road" and "driveway" mean a way or place in control of the University and used for vehicular travel by the University and those having express or implied permission from the University, but not by other persons.
- (NN) ROADWAY.  
"Roadway" means that portion of a University road or driveway improved, designed or ordinarily used for vehicular travel exclusive of the berm or shoulder. If a University road or driveway includes two or more separate roadways, the term "roadway," as used herein, refers to any such roadway separately but not to all such roadways collectively.
- (OO) RULES.  
"Rules" means the Traffic and Parking Rules of The Ohio State University.
- (PP) SAFETY ZONE.  
The term "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or marked or indicated by adequate signs as to be plainly visible at all time. (ORC 4511.04(MM))
- (QQ) SIDEWALK.  
"Sidewalk" means that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians. (ORC 4511.01(FF))
- (RR) STAND AND STANDING.  
The terms "Stand" and "standing" mean the halting of a vehicle, whether occupied or not, other than for the purpose of and while actually engaged in receiving or discharging passengers.
- (SS) STATUTE.  
The term "Statute" means any provision of State traffic law which is appropriately enforceable by Law Enforcement Officers on University grounds and property.

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(~~TFP~~) ~~STOP (WHEN REQUIRED).~~

~~The term "Sstop" when required, means a complete cessation of movement.~~

(~~UUQ~~) ~~STOP AND STANDING (WHEN PROHIBITED).~~

~~The terms "Sstop" and "standing," when prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Law Enforcement Officer or traffic control sign or signal.~~

(~~VVR~~) ~~STREET OR HIGHWAY.~~

~~The terms "Sstreet" or "highway" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel. (ORC 4511.01(BB))~~

(~~WW~~) ~~STUDENT TRAFFIC OFFICER.~~

~~"Student traffic officer" means a student who has been hired by Transportation and Parking Services or University Police to assist with traffic control upon any University property or roadway.~~

(~~XX~~) ~~THROUGH STREET OR ROADWAY.~~

~~"Through street or roadway" means a street, roadway, road or driveway, or portion thereof, on which vehicular traffic is given preferential right of way and at the entrances to which vehicular traffic from intersecting streets, roadways, roads or driveways is required to yield the right of way to vehicles on such through streets, roadways, roads or driveways in obedience to either a stop sign or a yield sign, when such signs are erected as provided in these Rules.~~

(~~YY~~) ~~TRAFFIC.~~

~~"Traffic" means pedestrians, ridden or herded animals, vehicles and other devices, either singly or together, while using any roadway for purposes of travel. (ORC 4511.01(TT))~~

(~~ZZS~~) ~~TRAFFIC CONTROL OFFICER.~~

~~The term "Traffic Control Officer" means an employee of Transportation and Parking ServicesThe Ohio State University authorized by the Director of Transportation and Parking ServicesUniversity to perform one or more of the following duties:~~

- ~~(1) Direct, regulate or supervise traffic;~~
- ~~(2) Investigate traffic accidents;~~
- ~~(3) Enforce all provisions of these Rules pertaining to parking; or~~
- ~~(43) Enforce rules and regulations for bicycles, skateboards and roller skates, roller blades, coasters and similar devices.~~

(~~AAAT~~) ~~TRAFFIC CONTROL DEVICE.~~

~~The term "Traffic control device" means all flaggers, signs, signals, markings and devices placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic including signs denoting the names of streets and highways. (ORC 4511.01(QQ))~~

(~~BBBU~~) ~~TRAFFIC CONTROL SIGNAL.~~

~~The term "Traffic control signal" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop, to proceed, to change direction or not to change direction. (ORC 4511.01(RR))~~

(~~CCC~~) ~~TRAFFIC CONTROL ZONE.~~

~~"Traffic control zone" means that area of the University campus protected by vehicle control gates.~~

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(DDD) UNIFORM TRAFFIC TICKET.

"Uniform traffic ticket" means the Ohio uniform traffic ticket, as provided for in the "Rules of Practice and Procedure in Traffic Cases For All Courts Inferior to Common Pleas" promulgated by the Supreme Court of Ohio.

(EEE) UNIVERSITY.

"University" means The Ohio State University.

(FFF) VEHICLE.

"Vehicle" means every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a street or roadway, except motorized wheelchairs, other than bicycles moved by human power. (ORC 4511.01(A))

(GGGV) VIOLATION.

The term "Violation" means an act or omission in contravention of any of the provisions of these RulesRegulations and/or applicable State statutes.

(HHHW) VISITOR.

The term "Visitor" means any person who is not either a faculty member, a staff member, an employee, a student, or a contractor, or a vendor or other agent of the University.

**3335-21-03 Transportation and Parking Services**

(A) ESTABLISHMENT.

~~There is hereby established within the Office of Business and Finance the Department of Transportation and Parking Services.~~

(BA) GENERAL FUNCTIONS.

~~Transportation and Parking Services~~The University shall coordinate these RulesRegulations, develop ways and means to improve traffic conditions in conjunction with the Department of Public Safety and carry out the specific functions set forth in these RulesRegulations. The University will coordinate these functions with the Parking Operator as it deems necessary or desirable. Such specific functions include, but are not limited to the following:

- (1) Maintenance of a current journal of all official traffic control devices erected on University streets, roadways, property and grounds ~~and properties~~, indicating the location and the date of erection.;
- (2) Regulation of the use of streets, roadways and bicycle paths by vehicles and pedestrians;
- (3) Regulation of traffic by means of enforcement personnel of the DepartmentUniversity or the Parking Operator and traffic control devices or, when necessary, with the assistance of Law Enforcement Officers of the University or other agencies, and Hospital and Campus Security Officers, on streets, roadways, ~~land and property~~ and grounds of the University on which traffic may be permitted;
- (4) Regulation or prohibition of processions on the parts of streets, roadways, ~~land and property~~ and grounds of the University upon which traffic may be permitted;
- (5) Designation of any street or roadway as a through street or roadway or a one-way street or roadway;
- (6) Designation of an intersection as a stop intersection where all vehicles shall stop at one or more entrances to such intersection; and
- (7) Regulation of the stopping, standing and parking of vehicles on streets, roadways, ~~land and property~~ and grounds of the University on which traffic may or may not be permitted.

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(CB) **INSTALLATION OF TRAFFIC DEVICE.**

It shall be the general function of the Department University to determine the installation and proper timing and maintenance of traffic control devices, to conduct engineering analyses of traffic accidents and to devise remedial measures for the same, to conduct engineering investigations of traffic conditions, to plan the operation of traffic on the streets, roadways, property and landsgrounds of the University and to cooperate with other University officials in the development of ways and means to improve traffic conditions.

**3335-21-04 Administration of Violations**

~~Transportation and~~ The Parking Services Operator shall be responsible for the administrative processing of all traffic parking tickets and a Notices of of v/violations.

(A) **RECORDS OF VIOLATIONS.**

The Parking Operator shall maintain records of all violations in accordance with the Concession Agreement.

- (1) All records of violations shall be serially numbered, with date and time.
- (2) ~~Transportation and Parking Services shall maintain records of all violations of these Rules, together with a record of assessments and collections and the final disposition of all such alleged violations. Such records shall be maintained as to show all types of violations and the total of each. Such records shall be maintained in accordance with University archive policies.~~

(B) **INVESTIGATION OF ACCIDENTS.**

Traffic Control Officers shall investigate non-injury related traffic accidents, which occur outside the public roadway, and shall request University Police assistance, if needed for such accident investigations, and shall assist other University officials in enforcing these Rules against violators causing or contributing to such. Traffic Control Officers shall investigate other accidents at the request of the University Police.

(C) **ACCIDENT STUDIES.**

~~Whenever the accidents at any particular location become numerous, Transportation and Parking Services, in conjunction with the Department of Public Safety shall conduct studies of such accidents and determine remedial measures.~~

(DC) **ACCIDENT REPORTS.**

University Police shall maintain all accident reports taken on University property. Such reports shall be maintained and filed in a manner authorized by the Chief of Police.

(ED) **EMERGENCY AND EXPERIMENTAL RULESREGULATIONS.**

- (1) ~~Transportation and Parking Services~~ The University is hereby authorized to make effective the provisions of these Rules Regulations and to make and enforce experimental rules and regulations to cover emergencies or special conditions.
- (2) ~~Transportation and Parking Services~~ The University may test traffic control devices under actual conditions of traffic.

(F) **ANNUAL REPORT.**

The Department of Public Safety shall annually prepare a traffic report which shall be filed with the Office of Business and Finance of the University. Such report shall contain information on University traffic matters, as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data;

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- (2) ~~The number of traffic accidents investigated and other pertinent data on traffic safety activities; and~~
- (3) ~~The plans and recommendations of the Department for future traffic safety activities.~~

### **3335-21-05 Enforcement Generally**

#### **(A) AUTHORITY OF ENFORCEMENT PERSONNEL.**

- (1) Law Enforcement Officers, Traffic Control Officers, Hospital and Campus Security Officers and ~~Traffic Control Officers~~ the Parking Operator shall enforce, to the extent authorized, these ~~Rules~~ Regulations on University streets, roadways, ~~lands~~ property and ~~properties~~ grounds.
- (2) The University Police, Hospital and Campus Security Officers and Traffic Control Officers are hereby authorized to direct all traffic by voice, hand, or signal in conformity with these ~~Rules~~ Regulations, provided that in the event of a fire or emergency or to expedite traffic or to safeguard pedestrians, such officers may direct traffic as conditions may require, notwithstanding the provisions of these ~~Rules~~ Regulations.
- (3) Officers of a fire department, when at the scene of a fire or other emergency, may direct or assist in directing traffic at the same place or in the immediate vicinity.
- (4) Other staff employed by ~~Transportation and Parking Services~~ the University or Public Safety may, at times, assist with traffic direction.

#### **(B) OBEDIENCE TO ENFORCEMENT PERSONNEL.**

No person shall willfully fail or refuse to comply with any lawful order or direction of a Law Enforcement Officer, a fire department official, a Traffic Control Officer, or a Hospital and Campus Security Officer ~~or a Student Traffic Officer~~.

#### **(C) APPLICATION OF RULES TO PUSHCARTS AND ANIMAL RIDERS.**

~~Persons propelling pushcarts or riding animals shall obey traffic rules. Every person propelling a pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of these Rules that are applicable to the driver of a vehicle, except those provisions which by their nature can have no application.~~

#### **(~~D~~) APPLICATION OF ~~RULES~~ REGULATIONS TO GOVERNMENT VEHICLES.**

The provisions of these ~~Rules~~ Regulations shall apply to the driver of any vehicle owned by or used in the service of the United States Government, the State of Ohio and its political subdivisions. No such driver shall violate or fail to comply with any of the provisions of these ~~Rules~~ Regulations, except as may be otherwise provided in these ~~Rules~~ Regulations or in State statutes.

#### **(~~E~~) ASSESSMENTS FOR VIOLATIONS.**

~~Whoever breaches his or her contract by violating or failing to comply with any of the provisions of these Rules is subject to an assessment establishment by Transportation and Parking Services OR University Police, approved by the Senior Vice President for Business and Finance of the University and adopted by the Board of Trustees. Any faculty member, staff member, student, employee, contractor, agent or visitor who violates or fails to comply with any of the provisions of these Regulations is subject to an assessment established in accordance with the Concession Agreement or the University.~~

#### **(F) FORMS AND RECORDS OF NOTICES OF VIOLATION.**

Transportation and Parking Services shall provide computer-generated or printed books of "Notice of Violation" forms for notifying individuals of alleged violations

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and appropriate response to alleged violation options. Such forms shall include serial numbers as prescribed by the Department.

~~(G) ISSUE OF FORMS.~~

~~The Department shall issue such Notice of Violation forms to individual members of the Department, Hospital and Campus Security Officers and University Law Enforcement Officers. The Department shall require and maintain a written receipt for every hand held computer device or book of forms issued.~~

~~(H) PROCEDURE UPON TRAFFIC VIOLATIONS.~~

~~Except when authorized or directed under State statutes to immediately take a person before a magistrate for the violation of any traffic law, a University Law Enforcement Officer who stops a person for a violation of any State statute, other than for the purpose of giving such person a warning notice, and who does not take such person into custody under arrest for a violation of any State statute, may take the name, address and operator's license number of such person, the registered number of the motor vehicle involved, and such other pertinent information that may be necessary, and may issue to such person in a local court of competent jurisdiction at a time not more than five days after such alleged violation, which time shall be specified in the notice. The officer, upon issuing such notice, shall allow such person to proceed.~~

~~(I) ISSUING NOTICE.~~

~~Except when authorized by a State statute to immediately take a person before a magistrate for a violation of any traffic law, a Law Enforcement Officer who stops a person for a violation of any of the provisions of these Rules, other than for the purpose of giving such person a warning, shall take the name, address and operator's license number of such person, the registration number of the vehicle, the University registration number, and all other information that may be necessary, and may issue to such person a notice of violation of these Rules. The officer, upon issuing such notice, shall then permit such person to proceed.~~

~~(J) DISPOSITION AND RECORDS OF TRAFFIC CITATIONS, WARRANTS AND COMPLAINTS.~~

~~(1) Every Law Enforcement Officer, upon issuing a uniform traffic ticket to an alleged violator of any provision of a State statute, shall deposit the original and remaining duplicate copies of the notice with his or her immediate superior officer, who shall cause the notice to be delivered to and filed with the local court of competent jurisdiction with the County.~~

~~(2) Upon the filing of such original notice in court, as specified, such notice may be disposed of consistent with rules of that court~~

~~(3) The Director of Transportation and Parking Services shall require the return of each Notice of Violation and all copies thereof which have been spoiled or upon which any entry has been made and which have not been issued to an alleged violator.~~

~~(4) University Police shall also maintain or cause to be maintained, in connection with every uniform traffic ticket complaint issued by a University Law Enforcement Officer, a record of the disposition of the charge by the court.~~

~~(5) The University Police shall also maintain or cause to be maintained a record of all warrants issued by a court of competent jurisdiction and of such State traffic law violation charges which are delivered to the University Police Department for service, and of the final disposition of all such warrants.~~

~~(KE) NOTICE OF PARKING VIOLATION.~~

~~Whenever any vehicle is found parked or stopped in violation of any of the provisions of these Rules Regulations, a Traffic Control Officer, a Hospital and Campus Security Officer or a Law Enforcement Officer the Parking Operator or~~

authorized University employee finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously place on such vehicle or provide to the violator a Notice of Violation, ~~on a form provided by Transportation and Parking Services, for the driver to answer within a time and at a place specified in such notice.~~

(LF) NONCOMPLIANCE WITH NOTICE OF PARKING VIOLATION.

If a violator of any of the provisions of these ~~Rules~~Regulations does not respond as specified on the Notice of Violation placed on a vehicle or provided to the violator within the specified period of time, ~~Transportation and the Parking Services Operator~~ may send to the owner of the motor vehicle to which the notice pertains a letter or a copy of the Notice of Violation informing such owner of the violation and that the related assessment is to be paid. In addition, the ~~Department~~Parking Operator may take whatever other enforcement action it ~~deems appropriate~~is authorized to do under the Concession Agreement.

(MG) PRIMA-FACIE LIABILITY FOR PARKING VIOLATIONS.

~~Presumption in reference to violation.~~ In any action charging a violation of ~~this~~these ~~r~~Regulations governing the stopping, standing or parking of a vehicle, ~~it there is presumed a~~ prima-facie presumption that the person who has registered such vehicle with the University Parking Operator was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred. In the event that the vehicle is not registered with the University Parking Operator, there is a prima-facie presumption that the registered owner of the vehicle ~~shall be held prima-facie to be~~was the person controlling, parking or otherwise using the vehicle and committing the violation.

(N) OFFICIAL MISCONDUCT.

~~No University officer or employee who receives or has custody of an assessment under these Rules, either before or after a deposit in the specified fund, shall fail, refuse or neglect to comply with any of the foregoing provisions of this chapter. Such failure, refusal or neglect shall be deemed misconduct in office and shall be grounds for removal of such officer or employee from office.~~

### 3335-21-06 Registration of Motor Vehicles

(A) PARKING; REGISTRATION AND PERMIT REQUIRED.

No faculty member, staff member, employee or student shall at any time park a motor vehicle on any street, roadway, ~~land or property or~~ grounds of the University without first registering such motor vehicle with ~~Transportation and the Parking Services Operator~~ and obtaining a permit and displaying such permit on the registered vehicle, unless such vehicle is parked in a pay parking facility or a parking area not controlled by the ~~Department~~Parking Operator. Visitors may not park a motor vehicle on any street, roadway, property or grounds of the University except at parking meters, in pay facilities or by first obtaining a permit and paying the prescribed fee. Contractors ~~and~~, vendors and other agents shall follow the same registration procedures as faculty, staff and students. Registration of motor vehicles, as required in this chapter, shall be made using application for parking permit forms prescribed by ~~Transportation and the Parking Services Operator~~. Such application forms shall be accompanied by fees established ~~by the Department, approved by the Senior Vice President for Business and Finance of the University and adopted by the Board of Trustees~~ in accordance with the Concession Agreement.

(C) GIVING FALSE INFORMATION.

No person shall give false information when registering a motor vehicle or applying for a permit as provided in this chapter. If such information is given by any person,

the registration may be held to be invalid and the permit or decal issued may be revoked and such person giving such false information may be denied registration for a period of one calendar year and, in addition, the person may be referred to proper University authorities for additional disciplinary action as deemed appropriate.

(D) PERMITS GENERALLY.

Parking permits shall be issued to applicants in accordance with the criteria and the fee paid for such issuance as established by ~~Transportation and the~~ Parking Services Operator and the Concession Agreement. Registration is not considered complete until the valid permit or decal is appropriately displayed on the vehicle according to instructions on the back of the permit or decal or as otherwise published by the ~~Department~~ Parking Operator.

(E) FEES.

Fees shall be charged for motor vehicle permits and collected from the applicant at the time application is made. Funds derived from such fees shall be deposited in a fund established for such purpose and such funds shall be used for establishment and maintenance of traffic controls, facilities for parking and equipment, and for enforcement and personnel, including, but not limited to the acquisition of permits or decals, signs and parking meters; construction and maintenance of parking facilities, traffic control devices and other materials and projects for the control of traffic and parking; the maintenance, repair and extension of existing facilities; and the provision of campus transportation services to facilitate parking and traffic. Such funds shall also be pledged in support of payment of such bonds as may be issued for the aforesaid purposes and for salaries of traffic control and parking personnel. Such fees for the Columbus campus of The Ohio State University shall be as established by the Department approved by the Senior Vice President for Business and Finance and adopted by the Board of Trustees.

(F) MOTORCYCLE PARKING.

Motorcycles with Columbus campus motorcycle permits shall park only in areas designated as two and three wheeled motor vehicle areas between the hours of 5:00 a.m. and 4:00 p.m. Monday through Friday. Motorcycles displaying motorcycle permits shall be allowed to park in four wheeled motor vehicle areas between the hours of 4:00 p.m. and 2:00 a.m. Monday through Friday, and on weekends beginning at 4:00 p.m. Friday through 2:00 a.m. Monday, except certain areas or zones which may be designated as restricted, limited or reserved and signs shall be posted in accordance with Paragraph (F) (5) of Rule 3335-21-20 of the Administrative Code.

(G) RESERVED AREA PERMITS.

A reserved area parking privilege may be granted under the rules and procedures established by the Department.

(H) ADDITIONAL MOTOR VEHICLE REGISTRATION AND PERMITS.

Faculty, staff, and students may register and obtain a permit for a second motor vehicle upon meeting specified criteria and upon payment of a fee established by the Department, approved by the Senior Vice President for Business and Finance and adopted by the Board of Trustees.

(IE) DISABILITY PERMITS.

Disability permits, allowing the holders thereof to park in areas other than those for which they already hold permits or in which they are already qualified to park under the rules of the ~~Department~~ Parking Operator, may be issued to students, faculty or staff after proof of disability has been established to the satisfaction of the Student Health Center and the Office for Disability Services and certified by a letter to Transportation and Parking Services. Parking under authority of a university disability permit may include on-street parking after 2:00 a.m. shall be issued to any

individual who already has a valid state disability permit; the university permit will expire when the state permit expires. All vehicles parked in reserved disability spaces shall display the license number corresponding to the license number on the sign.

- (1) Special parking locations and privileges for the handicapped shall be provided and designated by the DepartmentUniversity. Such locations shall be reasonably close to exits, entrances elevators and garages.
- (2) No person who is not handicapped or operating a motor vehicle to transport a handicapped person shall stop, stand or park any motor vehicle at special parking locations provided for the handicapped under this section.

~~(J) PARKING AT SHORT COURSES, WORKSHOPS, SPECIAL EVENTS AND CONFERENCE MEETINGS.~~

~~The Department shall establish rules by which arrangements shall be made to provide parking for visitors who are to attend and take part in short courses, workshops, special events and other conference meetings. Established fees shall be charged for parking. In general, such rules shall provide that individuals or departments or the conference coordinator, at least ten days prior to the commencement of the event, shall notify the Department of the location of the event and the number of persons involved and shall give other information as requested. Upon receipt of such information, arrangements shall be made to provide parking options for the persons participating, and appropriate permits shall be issued designating the area in which those persons may park their vehicles. Any special permits needed for events not outlined in this subsection must be approved by the Director of Transportation & Parking Services prior to their issuance.~~

~~(K) RETIREE PERMITS.~~

~~Retiree parking permits may be issued to eligible retired faculty members and administrative, professional and classified staff who anticipate the need for occasional parking on campus after their retirement. Eligibility, issuance of permits and appropriate fees for this program shall be established by the Department, subject to the approval of the Senior Vice President for Business and Finance of the University and approved by the Board of Trustees.~~

~~(L) PRESS PERMITS.~~

- ~~(1) Transportation and Parking Services has developed a press parking permit. The Office of University Relations shall distribute these permits to media personnel only and shall provide Transportation and Parking Services with the name, affiliation and license number(s) of persons to whom such permits are issued. This permit will allow parking as defined on the back of the permit while the news media representative is on official business only.~~
- ~~(2) Faculty, staff or students affiliated with the University must also purchase and display a valid University parking permit.~~
- ~~(3) Citations shall be issued when a vehicle is improperly parked or creating a hazard or the permit is being used improperly.~~
- ~~(4) Citations for violations shall be voided only on a case-by-case basis according to regular appeal procedures.~~
- ~~(5) Media representatives who identify themselves as such will be allowed inside the traffic control area.~~
- ~~(6) The Office of University Relations shall alert media representatives of these procedures. (7) These permits shall be issued on an annual basis or as needed to meet short-term needs.~~

~~(M) EXPIRATION OF PERMITS.~~

~~Permits described in this chapter, when issued, shall expire as identified on the permit.~~

(NF) DISPLAY OF PERMITS: TRANSFER OF VEHICLES.

Permits, decals, or cards for the current period, are issued to a specific individual or department, and shall be displayed in a motor vehicle and used in accordance with the rules of ~~Transportation and~~ the Parking Services Operator.

- (1) Permits - ~~Transportation & the Parking Services Operator~~ shall be notified if new license plates are obtained.
- (2) Decals - If a motor vehicle for which a permit has been issued is transferred, or windshield replaced, the decal shall be removed from the vehicle and the remnants presented to the ~~Department~~ Parking Operator for issuance of a new decal. If no such remnants are presented for replacement decals, the applicant must show proof that the decal is unobtainable, and an affidavit shall be signed certifying that the previous decals have been destroyed and shall assume full responsibility for their unauthorized use if found in service. If the applicant cannot show proof that the decals are unobtainable, the issuance of decals shall be at the established fee for original registration.

(OG) UNAUTHORIZED USE OF PERMIT.

Parking permits are not transferable to other individuals. Persons having registered vehicles and displaying a permit, may not allow their registered vehicle to be parked on campus by any person other than the registrant. The appropriate assessment shall be made for each violation. This ~~Rule~~ Regulation shall not apply in lots not under the control of ~~Transportation and~~ the Parking Services Operator or in pay facilities if the full parking fee is paid. ~~The permit is the property of The Ohio State University and may be recalled if not used in accordance with University rules. A violator of this subsection shall, for a first offense, receive a citation and be assessed the appropriate fee. A second violation will result in an assessment and may result in the loss of parking privileges for the remainder of the academic year.~~

(+ ) UNAUTHORIZED USE OF DECAL/KEY CARDS.

~~In some cases, parking decals are issued with a separate keycard. When this occurs, the keycard may only be used in conjunction with the decal.~~

(PH) DEFACING, REPRODUCTION OF AND USE OF REVOKED PERMITS.

No person shall deface, reproduce or use a parking permit, decal or sticker contrary to these ~~Rules~~ Regulations and no person shall use a permit, decal or sticker after the same has been revoked.

(QI) PARKING OF UNREGISTERED VEHICLES.

No person who is required to register a motor vehicle and display a parking permit, but who has not so registered, shall park such motor vehicle on any street, roadway, ~~land or property~~ or grounds of the University unless parked in a pay facility or at a paid parking meter. Whoever violates this section shall be ~~charged~~ assessed the appropriate fee, ~~or referred to University authorities for disciplinary action deemed appropriate, or both.~~

(R,J) RESERVED PARKING AREAS.

Certain parking areas, ~~by rule of Transportation and Parking Services~~ established in accordance with the Concession Agreement, may be reserved at all times or at special times. If such ~~rules~~ or regulations relating to reservation are promulgated, they shall be effective upon the placement of signs giving notice of such reservation and limitation on parking areas so selected.

(SK) PARKING RECIPROCITY AUTHORITY AMONG CAMPUSES.

- (1) ~~Parking privileges for motor vehicles registered with the University are reciprocal in comparable areas between all regional campuses of the University and the Columbus campus only if the current Columbus permit is displayed.~~

- (2) ~~All vehicles not displaying current Columbus campus permits shall use pay parking facilities exclusively.~~
- (3) The University has delegated the authority to administer, regulate and enforce traffic and parking on each of the University's regional campuses to the Dean/Director of their campuses. Each regional campus has on file in the office of the Director of Transportation and Parking Services a copy of its rules as approved by the regional campus Dean and Director. In addition, these Rules are approved by the Board of Trustees of each technical college sharing a University regional campus.

(FL) VISITOR PARKING.

All visitors to the campus shall park in pay parking areas designated by ~~Transportation and the~~ Parking Services Operator or display a valid visitor parking permit.

**3333-21-07 Impounding**

(A) DISABLED VEHICLES OBSTRUCTING TRAFFIC.

- (1) ~~University Law Enforcement Officers or Traffic Control eOfficers of Transportation and Parking Services~~ are hereby authorized to remove a vehicle from a street or roadway to the nearest garage or other place of safety when a vehicle upon a street or roadway is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is, ~~by reason of injury, incapacitated to such an extent as to be unable to provide for its custody or removal.~~
- (2) When a vehicle, left unattended upon a street or roadway, has been removed, and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, ~~Transportation and Parking Services~~ the University shall immediately give or cause to be given notice to such owner of the facts of the removal, the reasons therefore, and the place to which such vehicle has been relocated.
- (3) Whenever an officer removes a motor vehicle from a street or roadway under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give notice to the owner as hereinbefore provided, and if the vehicle is not returned to the owner within a period of thirty days, then ~~Transportation and Parking Services~~ the University shall immediately cause the vehicle to be turned over to the Sheriff's Department for disposition in accordance with State law applicable to abandoned vehicles. (See Ohio ORC .C. 4513.50 et seq.)

(B) OTHER REASONS FOR IMPOUNDING.

In addition to other powers of enforcement, ~~Transportation and~~ each of the University and, to the extent the following occur within a parking area subject to the Concession Agreement, the Parking Services Operator is hereby authorized and directed to impound any vehicle and hold the same in custody, ~~as designated by the Director,~~ if such vehicle is:

- (1.) On a sidewalk;
- (2.) Within an intersection;
- (3.) On a crosswalk;
- (4.) Within thirty feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;
- (5.) In any area where such standing or parking would obstruct construction, traffic, or prevent University services from being conducted;
- (6.) Parked within ten feet of a fire hydrant;

- (7.) Parked in such a way as to block a driveway or a service entrance, create a hazard to public safety or impede construction or maintenance requirements;
  - (8.) Parked in an area for which "no parking-tow-away area" or other restrictive signs or traffic control devices are erected;
  - (9.) ~~Has \$50 or more in~~Subject to unpaid or unsettled ~~n~~Notices of ~~v~~Violation issued against it in the aggregate amount of \$150 or more; or
  - (10.) An unauthorized vehicle parked in a space or area reserved for persons with disabilities.
  11. ~~A vehicle found parking on campus where Transportation and Parking Services has documented and verified information that indicates abuse of a permit or placard has occurred.~~
  12. ~~A vehicle parked contrary to these Rules.~~
- (C) VEHICLE IMMOBILIZING.  
~~Depending upon the circumstances, Transportation and~~The University or the Parking Services Operator may elect to immobilize a vehicle in addition to or in lieu of impoundment.
- (D) ENTERING AN IMPOUNDED VEHICLE.  
~~A~~A University Law Enforcement eOfficer or Traffic Control Officer has the right to enter an impounded vehicle if a lost, stolen, altered, reproduced, forged, or revoked permit is in use, or a state issued disability parking placard is displayed which is not assigned to the driver of said vehicle.
- (E) CHARGES AND ASSESSMENTS.  
Any vehicle impounded shall may be subject to towing and storage charges and all outstanding assessments as promulgated by Transportation and Parking Services and approved by the Board of Trustees established in accordance with the Concession Agreement.

### **3335-21-08 Assessments and Disciplinary Action**

- (A) OPTION TO PAY ASSESSMENT OR APPEAL.  
Any person receiving a ~~n~~Notice of ~~v~~Violation of any of the provisions of these Rules Regulations for which payment of an assessment may be made ~~to~~ Transportation and the Parking Services Operator shall have the option of paying such assessment within the time specified in the ~~n~~Notice of ~~v~~Violation at the office of the ~~Department or appearing at the office of the Department within the time specified in the Notice of Violation and~~ Parking Operator or filing a written appeal for final disposition of the alleged violation in accordance with the appeals procedure ~~provided for in these Rules as established by the Parking Operator~~
- (B) PAYMENT OF ASSESSMENT.  
The payment of an assessment to the ~~Department~~Parking Operator shall be deemed an acknowledgement of the violation of these Regulations and a breach of contract pursuant to any registration with the University, and the ~~Department~~Parking Operator, upon accepting the prescribed assessment, shall issue a receipt to the violator acknowledging payment thereof.
- (C) FAILURE TO PAY ASSESSMENTS; REVOCATION OF PRIVILEGES; COLLECTION OF DEBT.  
If a person upon whom a ~~n~~Notice of ~~v~~Violation is served, or the owner of a vehicle upon which a ~~n~~Notice of ~~v~~Violation is placed, fails, within fifteen days after service of such notice, to pay the prescribed assessment or to request an appeal, as provided for in this chapter, or fails to pay the prescribed assessment as affirmed on appeal, ~~Transportation and the Parking Services Operator~~ may initiate a procedure to enforce the University's contract with or discipline Regulations and

~~obtain the assessment against any student, or to enforce the University's contract with any faculty member, staff member, employee or agent of the University, by revoking the parking privileges on campus or by revoking or withholding any of the benefits appertaining to students, employees, faculty or agents by virtue of their relationship with the University or any visitor. In addition, for any unpaid assessment found to be applicable as liquidated damages to the University, the University may bring suit in any court of competent jurisdiction for the collection of the debt.~~

(D) ULTIMATE DISCIPLINARY ACTION APPEALS

~~Any person upon whom or upon whose motor vehicle a Notice of Violation (citation) has been served may, within fifteen days of such service, elect to appeal such citation by filing an appeal. Parking violations shall be appealed to the Parking Operator. Appeals may be submitted in any manner acceptable to the Parking Operator. The appeal shall contain, among other things, the identification of the violation notice (citation) and any facts or circumstances relevant to the merits of the appeal. The Parking Operator shall judge the appeals in accordance with the Concession Agreement. Non- Parking violations may be appealed in the manner prescribed by the University. In any event, and in addition to other powers of enforcement, any faculty member, employee, student or agent violating any provision of these Rules shall be subject to such disciplinary action by University authorities as may be provided by the Bylaws of the Board of Trustees, the Rules of the University Faculty, the Code of Student Rights and Responsibilities or other applicable University rules, as may be deemed appropriate by the disciplinary authorities as provided in such rules. Transportation and Parking Services is hereby authorized and directed to initiate such disciplinary procedures in cases provided in these Rules or in such cases as deemed appropriate under such rules.~~

**3335-21-09 Appeals**

(A) FILING OF APPEALS

~~Any person upon whom or upon whose motor vehicle a notice of violation (citation) has been served may, within fifteen days of such service, elect to appeal such citation by filing an appeal with Transportation and Parking Services. The appeal shall contain, among other things, the identification of the violation notice (citation) and any facts or circumstances relevant to the merits of the appeal.~~

1)- FIRST-LEVEL APPEALS:

~~Appellants filing a first-level appeal are not required to personally appear before the Appeals Administrator. However, an appellant who desires to personally present his or her appeal may do so.~~

The Appeals Administrator will:

- ~~(a) Review appeal documents to assess the validity of the citation and/or any extenuating circumstances prohibiting the appellant from complying with the regulations.~~
- ~~(b) Dismiss or modify the citation under appeal, and notify customer (in writing) of the decision if the violation was improperly cited, improperly written, or mitigating factors existed.~~
- ~~(c) Uphold the citation under appeal, and notify customer (in writing) of the decision if the violation was properly cited, properly written and no mitigating factors existed.~~

2)- SECOND-LEVEL APPEALS:

~~Appeal of a first-level decision must be made in writing to Transportation and Parking Services. The fine shown on the Notice of Citation must be paid prior to filing a second-level appeal. Supporting documentation must~~

~~state, in detail, the grounds wherein the appellant believes the first-level decision was in error.~~

~~Second-level appeals for students will be adjudicated by the Office of Student Advocacy or the Office of Legal Affairs for faculty, staff and visitors. These offices will review the supporting documentation and make a determination as to whether the appeal should be upheld, amended or dismissed. Appellants filing a second level appeal are not required to personally present the appeal but may do so if desired.~~

~~(B) DISPOSITION OF APPEALS.~~

~~Consistent with the decision of the Office of Student Advocacy or the Office of Legal Affairs, Transportation and Parking Services, shall dispose of the case by:~~

- ~~(1) Finding that the violation was committed as charged and determining the penalty to be assessed, whereupon the finding and assessment shall be certified to the Department for enforcement in due course;~~
- ~~(2) Finding that no violation was committed as charged, in which case the notice of violation shall be withdrawn and the Department shall adjust its records to reflect this disposition; or~~
- ~~(3) Finding that violation of a provision of these Rules has occurred, but that the penalty should be waived.~~

**3335-21-10 Obstruction and Special Uses of Public Ways**

~~(A) PLACING INJURIOUS MATERIALS OR OBSTRUCTION IN STREETS AND ROADWAYS.~~

- ~~(1) No person shall place or knowingly drop upon any part of a street or roadway, any tacks, bottles, wire, glass, nails or other articles which may damage or injure any person or vehicle traveling along or upon such street or roadway. Materials may be placed upon the street or roadway by proper authority for the repair or construction thereof.~~
- ~~(2) Any person who drops or permits to be dropped or thrown upon any street or roadway any destructive or injurious material shall immediately remove the same.~~
- ~~(3) Any person authorized to remove a wrecked or damaged vehicle from a street or roadway shall remove any glass or other injurious material dropped from the vehicle upon the street or roadway.~~
- ~~(4) No person shall place any obstruction in or upon a street or roadway without proper authority. (ORC 4511.74)~~

~~(B) RESTRICTIONS ON MOTORCYCLES, MOTORIZED BICYCLES AND NONMOTORIZED TRAFFIC.~~

- ~~(1) Transportation and Parking Services is hereby authorized to determine and designate those heavily traveled streets and roadways upon which the use of motorcycles, motorized bicycles, bicycles, horse-drawn vehicles or other nonmotorized traffic is prohibited. The Department shall erect appropriate signs giving notice thereof.~~
- ~~(2) When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.~~

~~(C) RESTRICTIONS ON COMMERCIAL VEHICLES.~~

~~When signs are erected by Transportation and Parking Services giving notice thereof, no person shall operate a commercial vehicle at any time upon any of the streets, roadways or parts of streets or roadways posted except for the purpose of~~

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delivering or picking up materials or merchandise. Where warranted, signs may be posted indicating limited commercial vehicle access.

(D) RECREATION STREETS AND ROADWAYS.

- (1) Transportation and Parking Services is hereby authorized to declare any street or roadway or part thereof to be a recreation street or roadway and to place appropriate signs or devices in such street or roadway indicating and helping to protect the same.
- (2) Whenever authorized signs are erected indicating that a street or roadway or part thereof is a recreation street or roadway, no person shall drive a vehicle upon any such street or roadway or portion thereof except drivers of vehicles having business in, or whose residences are within, such closed area, and then any such driver shall exercise the greatest care in driving upon any such street or roadway or portion thereof.

**3335-21-449 Traffic Control Devices**

(A) AUTHORITY TO INSTALL.

~~Transportation and Parking Services~~The University shall place and maintain traffic control signs, signals and devices when and as required under these ~~Rules~~Regulations to make effective the provisions of these ~~Rules~~Regulations. The ~~Department~~University may place and maintain such additional traffic control devices as may be deemed necessary to regulate traffic and parking under these ~~Rules~~Regulations or under State law or to guide or warn traffic.

(B) CONFORMITY WITH OHIO MANUAL.

All traffic control signs, signals and devices shall conform to the specifications of the "Ohio Manual of Uniform Traffic Control Devices." All traffic control devices so erected and not inconsistent with the provisions of State law or these ~~Rules~~Regulations shall be official traffic control devices.

(C) OBEDIENCE TO DEVICES.

No driver of a vehicle shall fail to obey the instructions of an official traffic control device applicable thereto placed in accordance with the provisions of these ~~Rules~~Regulations, unless otherwise directed by a Law Enforcement Officer, Traffic Control Officer, Hospital and Campus Security Officer, or other ~~Public Safety or Transportation and Parking Personnel, or Student Traffic Officer,~~ subject to the exceptions granted the driver of an authorized emergency vehicle in these ~~Rules~~Regulations.

(D) SIGNS REQUIRED FOR ENFORCEMENT.

No provision of these ~~Rules~~Regulations for which signs are required shall be enforced, and no assessment shall be made against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular ~~rule~~Regulation does not state that signs are required, such ~~rule~~Regulation shall be effective even though no signs are erected or in place.

(E) TRAFFIC CONTROL SIGNAL, TERMS AND LIGHTS.

~~Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and such lights shall indicate and apply to drivers of vehicles and to pedestrians as follows:~~

- (1) Green Indication.

- (a) ~~Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn, but vehicular traffic including vehicles turning right or left, shall yield the right of way to other vehicles and pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.~~
  - (b) ~~Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully using the intersection.~~
  - (c) ~~Unless otherwise directed by a pedestrian control signal, as provided in Rule 3335.21-11, of the Administrative Code pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.~~
- (2) Steady Yellow Indication.
- (a) ~~Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.~~
  - (b) ~~Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal as provided in Paragraph (F) of this Rule are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.~~
- (3) Steady Red Indication.
- (a) ~~Vehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in paragraphs (3) (b) and (3) (c) of this Rule.~~
  - (b) ~~Unless a sign is in place prohibiting a right turn as provided in paragraph (3) (e) of this Rule, vehicular traffic facing a steady red signal may cautiously enter the intersection to make a right turn after stopping as required by paragraph (3) (a) of this Rule and yielding the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.~~
  - (c) ~~Unless a sign is in place prohibiting a left turn as provided in paragraph (3) (e) of this Rule, vehicular traffic facing a steady red signal on a one-way street that intersects another one-way street on which traffic moves to the left may cautiously enter the intersection to make a left turn into the one-way street after stopping as required by paragraph (3) (a) of this Rule, yielding the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.~~
  - (d) ~~Unless otherwise directed by a pedestrian control signal, as provided in Paragraph (F) of this Rule, pedestrians facing a steady red signal alone shall not enter the roadway.~~
  - (e) ~~The Board of Trustees may, by regulatory action, prohibit a right or a left turn against a steady red signal at any intersection, which prohibition shall be effective when signs giving notice thereof are posted at the intersection.~~
- (4) Signals Not at Intersections. ~~In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions~~

~~of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal. (ORC 4511.13)~~

~~(F) PEDESTRIAN CONTROL SIGNALS.~~

~~Whenever special pedestrian signals exhibiting the words "walk," "don't walk" or "wait" are in place, such signals shall indicate the following instructions:~~

- ~~(1) "Walk": Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the operators of all vehicles.~~
- ~~(2) "Don't walk" or "wait": No pedestrian shall start to cross the roadway in the direction of the signal. (ORC 4511.14)~~

~~(G) FLASHING TRAFFIC SIGNALS.~~

~~Whenever an illuminated flashing red or yellow traffic signal is used in a traffic signal or with a traffic sign it shall require obedience as follows:~~

- ~~(1) Flashing Red Stop Signal. Operators of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.~~
- ~~(2) Flashing Yellow Caution Signal. Operators of vehicles may proceed through the intersection or past such signal only with caution. (ORC 4511.15)~~

~~(H) UNAUTHORIZED SIGNS AND SIGNALS; HIDING FROM VIEW; ADVERTISING.~~

- ~~(1) No person shall place, maintain or display upon or in view of any street any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles a traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any traffic control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit upon any street any traffic sign or signal bearing thereon any commercial advertising. This section does not prohibit the erection upon private property adjacent to streets of signs giving useful directional information and of a type that cannot be mistaken for traffic control devices.~~
- ~~(2) Every such prohibited sign, signal, marking or device is a public nuisance, and Transportation and Parking Services is authorized to remove the same or cause it to be removed. (ORC 4511.16)~~

~~(I) INTERFERENCE WITH DEVICES OR SIGNALS.~~

~~No person shall, without lawful authority from the University, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device or signal, or any inscription, shield or insignia thereon, or any other part thereof.~~

~~(J) CROSSWALKS AND SAFETY ZONES.~~

~~Transportation and Parking Services is hereby authorized to:~~

- ~~(1) Designate and maintain, by appropriate devices, marks or lines upon the surface of the street or roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the street or roadway and at such other places as may be deemed necessary; and~~

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- (2) ~~Establish safety zones of such kind and character and at such places as are necessary for the protection of pedestrians.~~

(K) ~~TRAFFIC LANES.~~

~~Transportation and Parking Services is hereby authorized to mark traffic lanes upon the roadway of any road or driveway where a regular alignment of traffic is necessary.~~

(L) ~~STOP AND YIELD INTERSECTIONS.~~

- (1) ~~Designation of Through Streets and Roadways. Those streets and roadways and parts of streets and roadways designated by Transportation and Parking Services are hereby declared to be through streets and roadways for the purpose of this section when stop or yield signs are erected and maintained by the Department at intersections of such streets and roadways to give preferential right of way to vehicular traffic on the through street and roadway.~~

- (2) ~~Signs Required at Through Streets and Roadways. Whenever any rule designates and describes a through street and roadway, the Department shall place and maintain a stop sign or, on the basis of an engineering or traffic investigation at any intersection, a yield sign, on each and every street and roadway intersecting such through street and roadway unless traffic at any such intersection is controlled at all times by a traffic control signal, provided, however, that at the intersection of two such streets and roadways or at the intersection of a through street and roadway and a heavy traffic street and roadway not so designated, stop signs shall be erected at the approaches of either or both of such streets and roadways as may be determined by the Department upon the basis of an engineering or traffic study.~~

- (3) ~~Signs Required at Other Intersections. The Department is hereby authorized to determine and designate intersections where a particular hazard exists upon other than through streets and roadways and to determine:~~

- (a) ~~Whether or not vehicles shall stop at one or more entrances to any such intersection, in which event a stop sign shall be erected at every such place where a stop is required; or~~
- (b) ~~Whether or not vehicles shall yield the right of way to vehicles on a different street or roadway at such intersection as prescribed in Paragraph (R) of Rule 3335-21-13 of the Administrative Code in which event a yield sign shall be erected at every place where obedience thereto is required.~~

- (4) ~~Stop Sign and Yield Sign Specifications.~~

- (a) ~~Every stop sign shall bear the word "stop" in letters not less than six inches in height. Every yield sign shall bear the word "yield" in letters not less than seven inches in height. Every stop sign and every yield sign shall, at night, be rendered luminous with an efficient reflecting surface.~~
- (b) ~~Every stop sign and every yield sign shall be erected as near as practical to the nearest line of the crosswalk on the near side of the intersection or if there is no crosswalk, then as near as practical to the nearest line of the intersecting street or roadway.~~

(ME) ~~ONE-WAY STREETS, ROADS AND ALLEYS.~~

~~Whenever Transportation and Parking Services~~the University ~~designates a street, roadway or alley as one-way, signs giving notice thereof shall be placed and maintained. No such rule or regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.~~

(NG) RESTRICTION ON DIRECTION DURING CERTAIN PERIODS.

~~Transportation and Parking Services~~The University is hereby authorized to determine and designate streets and roadways, parts of streets and roadways or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day, and shall either position Law Enforcement Officers, Hospital and Campus Security Officers, or Traffic Control Officers, or place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The ~~Department~~University may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the street and roadway.

(OH) MARKERS, BUTTONS AND SIGNS REGULATING TURNS.

~~Transportation and Parking Services~~The University is hereby authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections. Such course to be traveled as so indicated may conform to or be other than as prescribed by State statute or these ~~Rules~~Regulations.

(PI) ADDITIONAL TURNING RESTRICTIONS.

~~Transportation and Parking Services~~The University is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or "U" turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

(QJ) REGULATION OF SPEED.

~~Transportation and Parking Services~~The University is hereby authorized to regulate the timing of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the vicinity or at intersections and shall erect appropriate signs giving notice thereof.

(R) SIGNS OR MARKINGS INDICATING ANGLE OR PARALLEL PARKING

- (1) ~~Transportation and Parking Services shall determine upon what streets and roadways and parking areas angle or parallel parking shall be permitted and shall mark or sign such streets and roadways and parking areas.~~
- (2) ~~Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or roadway.~~

(SK) BUS STOPS AND TAXICAB STANDS.

~~Transportation and Parking Services~~The University shall establish bus stops, bus stands, taxicab stands and stands for other passenger common-carrier motor vehicles on streets and roadways in such places that provide adequate accessibility and safety to the public. Every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs.

(TL) LOADING ZONES.

~~Transportation and Parking Services~~The University is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which they may be lawfully used.

**3335-21-4210 Pedestrians**

(A) RIGHTS AND DUTIES GENERALLY.

Pedestrians shall be subject to the traffic control signals provided for in paragraphs (E) and (F) of ~~Rule~~Regulation 3335-21-11 of the ~~Administrative Code~~these Regulations, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter or in State statute.

**(B) RIGHT OF WAY IN CROSSWALKS; OVERTAKING STOPPED VEHICLES.**

- (1) When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if necessary to so yield, to a pedestrian crossing the street or roadway within a crosswalk when the pedestrian is upon the half of the street or roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the street or roadway as to be in danger.
- (2) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.
- (3) Whenever a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to cross the street or roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. ~~(ORC 4511.46)~~

**(C) MOVEMENT IN CROSSWALKS.**

~~Pedestrians shall move, wherever practical, upon the right half of crosswalks. (ORC 4511.49)~~

**(D) CROSSING STREETS AND ROADWAYS.**

No pedestrian shall cross a street or roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.

**(E) RIGHT OF WAY OF MOTORISTS.**

- (1) Every pedestrian crossing a street or roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the street or roadway.
- (2) Any pedestrian crossing a street or roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all traffic upon the street or roadway. ~~(ORC 4511.48)~~

**(F) PROHIBITED CROSSINGS.**

~~Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk. (ORC 4511.48)~~

**(G) WALKING ON STREETS AND ROADWAYS.**

- (1) ~~Where sidewalks are provided and their use is practical, no pedestrian shall walk along and upon an adjacent street or roadway.~~
- (2) ~~Where sidewalks are not available, any pedestrian walking along and upon a street or roadway shall walk only on a shoulder, or if no shoulder is available, shall walk as far as practical from the edge of the street or roadway. (ORC 4511.50)~~

**(H) SOLICITING RIDES OR BUSINESS FROM MOTORISTS.**

- (1) No person shall stand in a street or roadway for the purpose of soliciting a ride, employment or business from the occupant of a vehicle.
- (2) No person shall stand on or in proximity to a street, roadway or parking area for the purpose of soliciting a sale or the watching or guarding of a vehicle

while such vehicle is parked or about to be parked on a street, roadway or parking area.

(I) **RESPONSIBILITY OF DRIVERS.**

Notwithstanding the provisions of this chapter, every driver of a vehicle shall exercise due care to avoid colliding with a pedestrian upon a street or roadway, shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing a child or a confused or incapacitated person upon a street or roadway.

(J) **RIGHT OF WAY OF BLIND PERSONS.**

(1) As used in this section "blind person" or "blind pedestrian" means a person having not more than 20/200 visual acuity in the better eye with correcting lenses or visual acuity greater than 20/200 but with a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees. The driver of every vehicle shall yield the right-of-way to every blind pedestrian guided by a guide dog, or carrying a cane which is predominantly white or metallic in color, with or without a red tip.

(2) No person, other than a blind person, while on any public highway, street, alley or other public thoroughfare, shall carry a white or metallic cane, with or without a red tip. (ORC 4511.47)

(K) **BOARDING OR ALIGHTING FROM MOVING VEHICLES.**

No person shall board or alight from a vehicle while such vehicle is in motion.

(L) **HANGING ONTO OR RIDING ON OUTSIDE OF VEHICLES.**

No person shall hang onto, or ride on the outside of a motor vehicle while it is moving upon a street or roadway, except mechanics or test engineers making repairs or adjustments. No operator shall knowingly permit a person to hang onto, or ride on the outside of, a motor vehicle while it is moving upon a street or roadway, except mechanics or test engineers making repairs or adjustments. (ORC 4511.51)

**3335-21-4311 Operations Generally**

(A) **DRIVING UPON RIGHT SIDE OF STREET OR ROADWAY; EXCEPTIONS.**

Upon all streets and roadways of sufficient width, a vehicle shall be driven upon the right half of the street or roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction, or when making a left turn under the rules governing such movements.

(2) When an obstruction exists making it necessary to drive to the left of the center of the street or roadway, provided that any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the street or roadway within such distance as to constitute an immediate hazard;

(3) When driving upon a street or roadway divided into three or more marked lanes for traffic under the rules applicable thereon;

(4) When driving upon a street or roadway designated and posted with signs for one-way traffic;

(5) When otherwise directed by a Law Enforcement Officer, traffic control device, Hospital and Campus Security Officer, Traffic Control Officer, Public Safety or Transportation and Parking Personnel or Student Traffic Officer. (ORC 4511.25)

(B) **VEHICLES TRAVELING IN OPPOSITE DIRECTIONS.**

~~Operators of vehicles proceeding in opposite directions shall pass each other to the right, and upon streets and roadways having width for not more than one line of traffic in each direction, each operator shall give to the other one-half of the main traveled portion of the street or roadway or as nearly one-half as is reasonably possible.—(ORC 4511.26)~~

~~(C) OVERTAKING AND PASSING A VEHICLE.~~

~~The following rules govern the overtaking and passing of vehicles proceeding in the same direction.~~

- ~~(1) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall audibly signal to the vehicle to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the street or roadway until safely clear of the overtaken vehicle.~~
- ~~(2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle at the latter's audible signal, and, such operator shall not increase the speed of the vehicle until completely passed by the overtaking vehicle.—(ORC 4511.27)~~

~~(D) OVERTAKING, PASSING TO RIGHT OF VEHICLE.~~

~~The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:~~

- ~~(1) When the vehicle overtaken is making or about to make a left turn.~~
- ~~(2) Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.~~
- ~~(3) The driver of a vehicle may overtake and pass another vehicle only under conditions permitting such movement in safety. The movement shall not be made by driving off the roadway.~~

~~(EA) PASSING OF BUSES.~~

~~A vehicle may pass a bus receiving or discharging passengers only when:~~

- ~~(1) The bus is receiving or discharging passengers at a bus stop where a recess allows the bus to be located off the main roadway.~~
- ~~(2) The roadway has been marked to provide two or more lanes of traffic in the same direction.~~
- ~~(3) The driver of a vehicle overtaking and passing upon the left side of a bus that has stopped for the purpose of receiving or discharging passengers, when such overtaking and passing is permitted may proceed only upon exercising due caution for pedestrians.~~

~~(F) DRIVING THROUGH SAFETY ZONES.~~

~~No vehicle shall at any time be driven through or within a safety zone.—(ORC 4511.60)~~

~~(G) OVERTAKING, PASSING TO LEFT OF CENTERLINE.~~

~~No vehicle shall be driven to the left of the center of the roadway in overtaking and passing traffic proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made, without interfering with the safe operation of any traffic approaching from the opposite direction or any traffic overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for traffic approaching from the opposite direction, before coming within 200 feet of any approaching vehicle.—(ORC 4511.29)~~

~~(H) DRIVING UPON LEFT SIDE OF STREET OR ROADWAY.~~

~~No vehicle shall be driven upon the left side of the roadway under the following conditions:~~

- ~~(1) When approaching the crest of a grade or upon a curve in the highway, where the operator's view is obstructed within such a distance as to create a hazard in the event traffic might approach from the opposite direction;~~
- ~~(2) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct, or tunnel;~~
- ~~(3) When approaching within 100 feet of or traversing any intersection or railroad grade crossing.~~

~~This section does not apply to vehicles upon a one-way roadway, upon a roadway where traffic is lawfully directed to be driven to the left side or under the conditions described in Paragraph (A) of this Rule. (ORC 4511.30)~~

~~(I) DRIVING WITHIN TRAFFIC LANES.~~

~~When traffic lanes are marked upon a street or roadway, all operators of a vehicle shall remain within the marked lanes.~~

~~(J) TURNING AT INTERSECTIONS.~~

~~The driver of a vehicle intending to turn at an intersection shall be governed by the following rules:~~

- ~~(1) Approach for a right turn, and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.~~
- ~~(2) At any intersection when traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.~~
- ~~(3) At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane of the roadway being entered lawfully available to the traffic moving in that lane. (ORC 4511.36)~~

~~(KB) OBEDIENCE TO MARKERS, BUTTONS AND SIGNS REGULATING TURNS.~~

~~When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning at the same place, no driver of a vehicle shall disobey the directions of such indications.~~

~~(L) "U" TURNS.~~

- ~~(1) No vehicle shall be turned so as to proceed in the opposite direction upon a curve, or upon the approach to or near the crest of a grade, if such vehicle cannot be seen within 500 feet by the driver of a vehicle approaching from either direction. (ORC 4511.37)~~
- ~~(2) No vehicle shall be turned so as to proceed in the opposite direction within an intersection, or upon a street, roadway or other way where authorized signs are erected to prohibit such movement, or at any other location unless such movement can be made with reasonable safety to other users and~~

without interfering with the safe operation of any traffic that may be affected by such movement.

(M) SIGNALS BEFORE CHANGING COURSE, TURNING OR STOPPING.

- (1) ~~No person shall turn a vehicle or move right or left upon a highway unless and until such person has exercised due care to ascertain that the movement can be made with reasonable safety nor without giving an appropriate signal in the manner hereinafter provided.~~
- (2) ~~When required, a signal of intention to turn or move right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.~~
- (3) ~~No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give a signal.~~
- (4) ~~Any stop or turn signal required by this rule shall be given either by means of the hand and arm, or by signal lights that clearly indicate to both approaching and following traffic intention to turn or move right or left, except that any motor vehicle in use on a highway shall be equipped with, and the required signal shall be given by, signal lights when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet, whether a single vehicle or a combination of vehicles.~~
- (5) ~~The signal lights required by this rule shall not be flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this rule. (ORC 4511.39)~~

(N) HAND AND ARM SIGNALS.

~~All signals when given by hand and arm, shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:~~

- (1) ~~Left turn, hand and arm extended horizontally;~~
- (2) ~~Right turn, hand and arm extended upward;~~
- (3) ~~Stop or decrease speed, hand and arm extended downward. (ORC 4511.40)~~

(O) OBEDIENCE TO MARKINGS, SIGNS, ETC. REGULATING DIRECTION OF TRAVEL.

~~When markings, signs, barriers or other devices are placed to designate streets, roadways or parts thereof upon which vehicular traffic shall proceed in one direction only during one period of the day, no person shall operate a vehicle in a manner contrary to the direction of such markings, signs, barriers or other devices.~~

(P) RIGHT OF WAY WHEN TURNING LEFT.

~~The operator of a vehicle intending to turn to the left within an intersection or into an alley, private road or driveway shall yield the right of way to any vehicle approaching from the opposite direction whenever the approaching vehicle is within the intersection or so close to the intersection, alley, private road or driveway as to constitute an immediate hazard. (ORC 4511.42)~~

(Q) OBEDIENCE TO STOP SIGNS.

- (1) ~~Except when directed to proceed by a Law Enforcement Officer, a Traffic Control Officer, or a Hospital and Campus Security Officer or a Student Traffic Officer, every driver of a vehicle approaching a stop sign shall stop~~

at a clearly marked stop line, or if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting street or roadway where the driver has a view of approaching traffic on the intersecting street or roadway before entering it.

- (2) After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another street or roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of streets or roadways. (ORC 4511.43)

(RE) OBEDIENCE TO YIELD SIGNS.

- (1) The driver of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, or if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting street or roadway where the driver has a view of approaching traffic on the intersecting street or roadway before entering it.
- (2) After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another street or roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of streets or roadways. Whenever a driver is involved in a collision with a vehicle in the intersection or junction of streets or roadways, after driving past a yield sign without stopping, the collision shall be prima-facie evidence of the driver's failure to yield the right of way. (ORC 4511.43)

(S) ~~EMERGING FROM ALLEY, DRIVEWAY OR BUILDING.~~

~~The driver of a vehicle emerging from an alley, building, private road or driveway shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across the alley, building entrance, road or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon. (ORC 4511.43.1)~~

(TE) BLOCKING INTERSECTIONS.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (ORC 4511.71.2)

(U) ~~CROSSING FIRE HOSE.~~

~~No vehicle shall, without the consent of the fire department official in command, be driven over any unprotected hose of a fire department, when such hose is laid down on any street or private driveway to be used at any fire or alarm of fire. (ORC 4511.73)~~

(V) ~~DRIVING UPON SIDEWALKS.~~

~~No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway. (ORC 4511.71.1)~~

(W) ~~LIMITATIONS ON BACKING.~~

~~Before backing, operators of vehicles shall give ample warning, and while backing they shall exercise vigilance not to injure person or property on the street or roadway. (ORC 4511.38)~~

(X) ~~STARTING WITHOUT SAFETY.~~

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~~No person shall start a vehicle which is stopped, standing or parked until such movement can be made with reasonable safety. (ORC 4511.38)~~

(Y.G) DAMAGING CURBS, SIDEWALKS OR TRAFFIC CONTROL DEVICES.

Any person having charge of a vehicle who drives into or against any curbing, sidewalk or traffic control device along a street or roadway, thereby cracking, breaking or otherwise injuring the same, and any person who cracks, breaks or otherwise injures or defaces the same in any manner, shall be responsible for the repair or replacement of the damaged curb, sidewalk or traffic control device.

(ZH) DRIVING THROUGH OR AROUND GATE ARMS.

No person shall drive a vehicle through, under or around a gate arm while such arm is in the guarded position.

~~(AA) DRIVING ONTO OR FROM CONTROLLED ACCESS STREETS OR ROADWAYS.~~

~~No person shall drive a vehicle onto or from a controlled-access street or roadway except at established entrances and exits.~~

(BBI) FAILURE TO CONTROL.

No person shall operate a motor vehicle or motorcycle upon a street or roadway or on any public or private property other than streets or roadways without exercising reasonable and ordinary control over such vehicle.

(GGJ) SPEED; ASSURED CLEAR DISTANCE.

- (1) Speed limits. The speed limit on University streets or roadways shall be twenty-five miles per hour or as posted by official traffic control devices placed by Transportation and Parking Services upon the basis of engineering and traffic investigations.
- (2) Slow Speed. No person shall operate a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or to comply with law.
- (3) Assured Clear Distance. No person shall operate a motor vehicle in and upon a street or roadway at a speed greater or less than is reasonable or proper, having due regard for the traffic on and the surface and width of the street or roadway and any other condition, and no person shall drive any motor vehicle in and upon a street or roadway at a greater speed than will permit him or her to bring it to a stop within the assured clear distance ahead.

~~(DD) SPACE BETWEEN MOVING VEHICLES.~~

- ~~(1) The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the street or roadway.~~
- ~~(2) The driver of a truck, or of a motor vehicle drawing another vehicle, when traveling upon a street or roadway, shall maintain a sufficient space, whenever conditions permit, between such vehicles and another vehicle ahead so that an overtaking motor vehicle may enter and occupy such space without danger. This rule does not apply to a lane specially designed for use by trucks.~~

(EEK) RECKLESS OPERATION ON STREETS, PUBLIC OR PRIVATE PROPERTY.

- (1) No person shall operate a vehicle on any street or roadway in willful or wanton disregard for the safety of persons or property.
- ~~(2) No person shall operate a vehicle on any public or private property other than streets or roadways, in willful or wanton disregard for the safety of persons or property.~~

- (3) This rule does not apply to the competitive operation of vehicles on public or private property when the owner of such property knowingly permits such operation thereon.

**3335-21-14 Equipment**

- (A) ~~UNSAFE VEHICLES.~~  
No person shall drive or move, or cause or knowingly permit to be driven or moved, on any street or roadway, a vehicle or combination of vehicles which is in such an unsafe condition as to endanger any person or property. (ORC 4513.02)
- (B) ~~BUMPERS.~~  
No person shall operate upon a street or roadway a motor vehicle that:
- (1) Was originally equipped with bumpers as standard equipment, unless the vehicle is equipped with bumpers equal to the original equipment when so operated; or
- (2) Has a suspension system or body so modified that the height of any bumper on the vehicle varies more than three inches from the original manufactured bumper height for the vehicle. (ORC 4513.02.1)
- (C) ~~BUMPER SPECIFICATIONS.~~  
Transportation and Parking Services shall facilitate, when asked by Law Enforcement Officers, Traffic Control Officers and Hospital and Campus Security Officers the current manufacturer's bumper specifications.
- (D) ~~LIGHTED LIGHTS REQUIRED.~~  
Every vehicle upon a street or highway during the time from one-half hour after sunset to one-half hour before sunrise, and at any other time when there are unfavorable atmospheric conditions or when there is not sufficient natural light to render discernible persons, vehicles and substantial objects on the street at a distance of 1,000 feet ahead, shall display lighted lights and illuminating devices as required by this rule for different classes of vehicles, except that every motorized bicycle shall display at such times lighted lights meeting the rules adopted by the Ohio Director of Public Safety under Chapter 4511.521 of the Revised Code. No motor vehicle, during such times, shall be operated upon a street or highway using only parking lights as illumination. (ORC 4513.03)
- (E) ~~HEADLIGHTS.~~  
Every motor vehicle, other than a motorcycle, shall be equipped with at least two headlights with at least one near each side of the front of the motor vehicle. (ORC 4513.04)
- (F) ~~TAIL LIGHT; ILLUMINATION OF REAR LICENSE PLATE.~~
- (1) Every motor vehicle, trailer, semi-trailer, pole trailer or vehicle which is being drawn at the end of a train of vehicles shall be equipped with at least one tail light mounted on the rear which, when lighted, shall emit a red light visible from a distance of 500 feet to the rear, provided that in the case of a train of vehicles only the tail light on the rearmost vehicle need be visible from the distance specified.
- (2) Either a tail light or a separate light shall be so constructed and placed as to illuminate with a white light the rear registration plate, when such registration plate is required, and render it legible from a distance of fifty feet to the rear. Any tail light, together with any separate light for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlights or auxiliary driving lights are lighted, except where separate

lighting systems are provided for trailers for the purpose of illuminating such registration plate. (ORC 4513.05)

(G) **REAR RED REFLECTORS:**

~~Every new motor vehicle sold after September 6, 1941, and operated on a street, other than vehicles of the type mentioned in Chapter 4513.07 of the Revised Code or a commercial tractor to which a trailer or semi-trailer is attached, shall carry at the rear, either as a part of the tail lights or separately, two red reflectors of such size and characteristics and so maintained so to be visible at night from all distances within 300 feet to fifty feet from such vehicle. (ORC 4513.06)~~

(H) **RED LIGHT OR RED FLAG ON EXTENDED LOADS:**

~~Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at the times specified in Paragraph (D) of Rule 3335-21-14 of the Administrative Code, a red light or lantern plainly visible from a distance of at least five hundred feet to the side and rear. The red light or lantern required by this section is in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag, or cloth not less than sixteen inches square. (ORC 4513.09)~~

(I) **NUMBER OF LIGHTS PERMITTED: RED AND FLASHING LIGHTS:**

- (1) ~~Whenever a motor vehicle equipped with headlights is also equipped with any auxiliary lights, or spotlights, or any light on the front thereof projecting a beam of an intensity greater than 300 candlepower, not more than a total of five of any such lights on the front of a vehicle shall be lighted at any one time when such vehicle is upon a street or roadway.~~
- (2) ~~Any lighted light or illuminating device upon a motor vehicle, other than headlights, spotlights, signal lights or auxiliary driving lights, which projects a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.~~
- (3) ~~Flashing lights are prohibited on motor vehicles, except as a means for indicating a right or a left turn, or in the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing. This prohibition does not apply to emergency vehicles, road service vehicles servicing or towing a disabled vehicle, traffic line strippers, snow plows, rural mail delivery vehicles, Department of Transportation maintenance vehicles, funeral hearses, funeral escort vehicles, and similar equipment operated by the Department or local authorities, which shall be equipped with and display, when used on a street or highway for the special purpose necessitating such lights, a flashing, oscillating or rotating amber light, but shall not display a flashing, oscillating or rotating light of any other color, nor to vehicles or machinery permitted by Ohio R.C. 4513.11 to have a flashing red light.~~
- (4) ~~Except a person operating a public safety vehicle or a school bus, no person shall operate, move or park upon, or permit to stand within the right of way of any public street or highway any vehicle or equipment which is equipped with and displaying a flashing red or a flashing combination red and white light, or an oscillating or rotating red light, or a combination red and white oscillating or rotating light; and except a Law Enforcement Officer, or other person sworn to enforce the traffic laws of the State or the University, operating a public safety vehicle when on duty, no person shall operate, move or park upon, or permit to stand within the right of way of any street or roadway any vehicle or equipment which is equipped with, or upon which is mounted, and displaying a flashing blue or a flashing combination blue and white light, or an oscillating or rotating blue light, or a combination~~

~~blue and white oscillating or rotating light. This section shall not prohibit the use of warning lights required by law or the simultaneous flashing of turn signals on disabled vehicles.—(ORC 4513.17)~~

~~(J) HORN, SIREN AND THEFT ALARM SIGNAL.~~

- ~~(1) Every motor vehicle when operated upon a street shall be equipped with a horn which is in good working order and capable of emitting sound audible, under normal conditions, from a distance of not less than 200 feet.~~
- ~~(2) No motor vehicle shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle or bell. Any vehicle may be equipped with a theft alarm signal device which shall be so arranged that it cannot be used as an ordinary warning signal. Every emergency or public safety vehicle shall be equipped with a State approved siren, whistle or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet. Such equipment shall not be used except when such vehicle is operated in response to an emergency call or is in the immediate pursuit of an actual or suspected violator of the law, in which case the driver of the emergency or public safety vehicle shall sound such equipment when it is necessary to warn pedestrians and other drivers of the approach thereof. (ORC 4513.21)~~

~~(K) REAR-VIEW MIRROR; CLEAR VIEW TO FRONT, BOTH SIDES AND REAR.~~

~~Every motor vehicle and motorcycle shall be equipped with a mirror so located as to reflect to the operator a view of the street to the rear of such vehicle or motorcycle. Operators of vehicles and motorcycles shall have a clear and unobstructed view to the front and to both sides of their vehicles or motorcycles and shall have a clear view to the rear of their vehicles or motorcycles by mirror. (ORC 4513.23)~~

~~(L) SIGN OR POSTER UPON WINDSHIELD; WINDSHIELD WIPER.~~

- ~~(1) No person shall drive any motor vehicle, other than a bus, with any sign, poster or other nontransparent material upon the front windshield, side wings, side, or rear windows of such vehicle other than a certificate or other paper required to be displayed by law, except that there may be in the lower right hand corner of the windshield a sign or poster not to exceed four inches in height by six inches in width.~~
- ~~(2) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be maintained in good working order and so constructed as to be controlled or operated by the operator of the vehicle. (ORC 4513.24)~~

~~(M) MUFFLER; MUFFLER CUTOUT; EXCESSIVE SMOKE, GAS OR NOISE.~~

- ~~(1) Every motor vehicle and motorcycle with an internal combustion engine shall at all times be equipped with a muffler which is in good working order and in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cutout, by-pass or similar device upon a motor vehicle on a highway. Every motorcycle muffler shall be equipped with baffle plates.~~
- ~~(2) No person shall own, operate or have in his possession any motor vehicle or motorcycle equipped with a device for producing excessive smoke or gas, or so equipped as to permit oil or any other chemical to flow into or upon the exhaust pipe or muffler of such vehicle, or equipped in any other way to produce or emit smoke or dangerous or annoying gases from any portion of such vehicle, other than the ordinary gases emitted by the exhaust of an internal combustion engine under normal operation. (ORC 4513.22)~~

**3335-21-15 Motor Vehicle Brakes**

(A) ~~MOTOR VEHICLE AND MOTORCYCLE BRAKES.~~  
Every motor vehicle, other than a motorcycle, when operated upon a street or highway, shall be equipped with brakes adequate to control the movement of and to stop and hold such motor vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, then on such motor vehicles manufactured or assembled after January 1, 1942, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

(B) ~~ADEQUATE BRAKES.~~  
Every motorcycle, when operated upon a street or highway, shall be equipped with at least one adequate brake, which may be operated by hand or by foot.

(C) ~~EQUIPPED WITH BRAKES.~~  
Every motorized bicycle shall be equipped with brakes meeting the rules adopted by the Ohio Director of Public Safety.

(D) ~~SUSTAINED RATE.~~  
Every motor vehicle or combination of motor-drawn vehicles shall be capable at all times and under all conditions of loading of being stopped on a dry, smooth, level road free from loose material, upon application of the service or foot brake, within the following specified distances, or shall be capable of being decelerated at a sustained rate corresponding to these distances:

From a speed of 20 miles per hour

	Stopping distance (in feet)	Deceleration in feet per second
Brakes on all wheels	30	14
Brakes not on all four wheels	40	10.7

(E) ~~GOOD WORKING ORDER.~~  
All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. (ORC 4513.20)

(F) ~~SNOW REMOVAL EQUIPMENT.~~  
No person shall operate snow removal equipment on a street or roadway unless the lights thereon comply with and are lighted when and as required by the standards and specifications adopted by the Ohio Director of Transportation. (ORC 4513.18)

(G) ~~DISPLAY OF LICENSE PLATES.~~  
All vehicles upon the property of the University shall display a current license plate and validation sticker in compliance with the applicable laws of the state or commonwealth in which the vehicle is titled. Such license plates must be displayed in the manner required by the state or commonwealth issuing such plates.

**3335-21-1612 Emergency and Public Safety Vehicles**

(A) ~~PRIVILEGES OF DRIVERS.~~  
The driver of an authorized emergency vehicle or public safety vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected

violator of the law, or when responding to but not upon returning from a fire or other emergency alarm, may exercise the privileges set forth in this ~~rule~~Regulation, but subject to the conditions herein stated. The driver of an authorized emergency vehicle or public safety vehicle may:

- (1) Park or stand, irrespective of the provisions of these ~~Rules~~Regulations;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (3) Exceed the maximum speed limits so long as he or she does not endanger life or property; and
- (4) Disregard ~~rules~~Regulations governing direction of movement or turning in specified directions.

(B) OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY OR PUBLIC SAFETY VEHICLES.

The exemptions herein granted to an authorized emergency vehicle or public safety vehicle shall apply only when the driver of any such vehicle, while in motion, sounds an audible signal by bell, siren or exhaust whistle, as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying authorized emergency light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle or public safety vehicle operated as a police vehicle need not be equipped with or display an authorized emergency light visible from in front of the vehicle.

(C) DRIVER'S RESPONSIBILITY.

The foregoing provisions shall not relieve the driver of an authorized emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons using a street or roadway, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.

(D) VEHICLES APPROACHING EMERGENCY VEHICLES.

- (1) Upon the immediate approach of an authorized emergency vehicle or public safety vehicle making use of audible and visual signals meeting the requirements of these ~~Rules~~Regulations and/or State law, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a Law Enforcement Officer, Hospital and Campus Security Officer or ~~Transportation and Parking~~Traffic Control Officer.
- (2) Paragraph (D) (1) of this ~~rule~~Regulation shall not operate to relieve the driver of an authorized emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons using the street or roadway.

(E) FOLLOWING EMERGENCY OR PUBLIC SAFETY VEHICLES.

The driver of a vehicle, other than an emergency vehicle or a public safety vehicle on official business, shall not follow an emergency vehicle or a public safety vehicle, traveling in response to a fire alarm, closer than 500 feet, or drive into or park such vehicle within the block where the fire apparatus has stopped in answer to a fire alarm, unless directed to do so by a Law Enforcement Officer, Traffic Control Officer, Hospital and Campus Security Officer or fireman. ~~(ORC 4511.72)~~

**3335-21-17 Motorcycles.**

**RIDING OF MOTORCYCLES.**

A person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto or carry any other person upon such motorcycle other than on a firmly attached and regular seat thereon, nor shall any person ride upon a motorcycle other than upon such a firmly attached and regular seat. (ORC 4511.53)

**3335-21-4813 Bicycles, Motorized Bicycles and Toy Vehicles**

(A) **APPLICATION OF RULES REGULATIONS TO BICYCLES.**

The provisions of these ~~Rules~~Regulations that are applicable to bicycles shall apply whenever a bicycle is operated upon a street or roadway or upon a path set aside for the exclusive use of bicycles, subject to the exceptions stated in this ~~rule~~Regulation.

- (1) Every person riding a bicycle upon a street or roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle governed by these ~~Rules~~Regulations, except for special rules and regulations and except for those provisions of these ~~Rules~~Regulations which by their nature can have no application.
- (2) Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles or pedestrians, unless otherwise directed by a Law Enforcement Officer, Traffic Control Officer, Hospital and Campus Security Officer, or Public Safety ~~or Transportation and Parking Personnel or Student Traffic Officer~~.
- (3) Whenever authorized signs are erected indicating that no right, left or "U" turn is permitted, no person operating a bicycle shall disobey the directions of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the ~~rules~~Regulations applicable to pedestrians.

(B) **REGISTRATION: APPLICATION FORM.**

- (1) A person riding or propelling a bicycle upon University property, grounds, streets or roadways, or parking such bicycle upon University property, should register such bicycle with ~~Transportation and Parking Services~~ upon application for registration as provided in this ~~rule~~the Department of Public Safety.
- (2) ~~Application of bicycle registration and a decal or sticker shall be made upon a form provided by the Department and shall be made to its Director or designee.~~

(C) **ISSUANCE OF REGISTRATION.**

- (1) ~~Transportation and Parking Services, upon receiving a proper application therefore, is hereby authorized to issue a bicycle decal or sticker.~~
- (2) ~~The Department shall not issue a decal or sticker for any bicycle when there are reasonable grounds to believe that the applicant is not the owner of or entitled to the possession of such bicycle.~~
- (3) ~~The Department shall keep a record of the number of each decal or sticker, the date it is issued, the name and address of the person to whom it is issued, and the number of the frame of the bicycle for which it is issued.~~

(D) **ATTACHMENT AND REMOVAL OF DECALS OR STICKERS.**

- (1) ~~Transportation and Parking Services, upon receiving a bicycle registration, shall issue a decal or sticker bearing the registration number assigned to the bicycle and the name of the University.~~
  - (2) ~~The registrant shall cause such decal or sticker to be firmly attached to the frame of the bicycle for which it is issued, per instructions printed on the back of the decal or sticker, in such position as to be plainly visible.~~
  - (3) ~~No person shall remove a decal or sticker from a bicycle except if the decal or sticker expires, upon transfer of ownership or if the bicycle is dismantled and no longer operated upon a University street or roadway.~~
- (E) ~~SALE OR TRANSFER OF REGISTERED BICYCLES.~~  
Upon the sale or other transfer of a registered bicycle, the registrant shall remove the decal or sticker and shall surrender the same to Transportation and Parking Services.
- (F) ~~RECORDS OF BICYCLE REGISTRATION.~~  
Transportation and Parking Services shall maintain bicycle registration records for a period of five years.
- (G) ~~RIDING ON BICYCLES.~~
- (1) ~~A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.~~
  - (2) ~~No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.~~
- (H) ~~RIDING ON STREETS, ROADWAYS, BICYCLE PATHS AND GROUNDS.~~
- (1) ~~Every person operating a bicycle upon a street or roadway shall ride as near to the right side of the street or roadway as practical, exercising due care when passing a standing vehicle or one proceeding in the same direction.~~
  - (2) ~~Every person operating a bicycle upon University streets, roadways, bicycle paths or grounds shall at all times operate such bicycle with due regard to his or her own safety and the safety of other persons legally upon such streets, roadways, bicycle paths or grounds.~~
  - (3) ~~Every person operating a bicycle upon University streets, roadways, bicycle paths or grounds shall yield the right of way to pedestrians on crosswalks and sidewalks.~~
  - (4) ~~Every person operating a bicycle upon a bicycle pathway shall yield the right of way at designated yield signs or markings.~~
  - (5) ~~Every person operating a bicycle upon University property or grounds shall be restricted to bicycle paths in those areas of the campus where such paths exist.~~
  - (6) ~~Wherever a usable path for bicycles has been provided adjacent to a street or roadway, bicycle riders shall use such path and shall not use the street or roadway.~~
- (I) ~~SPEED.~~  
No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.
- (J) ~~EMERGING FROM ALLEY OR DRIVEWAY.~~  
The operator of a bicycle emerging from an alley or driveway shall, upon approaching a sidewalk or a sidewalk area extending across such alley or driveway, yield the right of way to all pedestrians approaching on such sidewalk or sidewalk area, and upon entering the street or roadway shall yield the right of way to all vehicles approaching on such street or roadway.

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(K) ~~CARRYING ARTICLES.~~

~~No person operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars. (ORC 4511.53)~~

(LD) ~~PARKING.~~

~~No person shall park a bicycle other than in a bicycle rack or designated bicycle parking area.~~

(ME) ~~RIDING ON SIDEWALKS~~SIGNAGE.

- (1) ~~No person shall ride a bicycle upon a sidewalk unless such sidewalk or parts thereof are properly marked and designated as bike paths.~~
- (2) ~~Transportation and Parking Services~~The University is hereby authorized to erect signs on any sidewalk, street or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

(N) ~~LIGHTS, SIGNAL DEVICES, BRAKES ON BICYCLES.~~

- (1) ~~Every bicycle when in use at nighttime shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Ohio Director of Public Safety that shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle and a lamp emitting a red light visible from a distance of 500 feet to the rear shall be used in addition to the red reflector.~~
- (2) ~~No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.~~
- (3) ~~Every bicycle shall be equipped with an adequate brake when used on a street or highway. (ORC 4511.56)~~

(OE) ~~USE OF COASTERS~~SKATEBOARDS, ROLLER SKATES, ROLLER BLADES, SKATEBOARDS~~COASTERS OR SIMILAR DEVICES.~~

~~Persons using skateboards, roller skates, roller blades, coasters, or any similar device on University premises are limited to riding upon sidewalks and crosswalks and must yield the right of way to pedestrians, bicyclists and motorists. The use of skateboards, roller skates, roller blades, coasters, or any similar device is prohibited in all other areas, including without limitation, upon roadways or bicycle paths; inside any university building; in any parking lot, garage, or construction area; or upon site furniture, architectural elements, walls, steps, ramps, or site improvements.~~

(P) ~~ATTACHING BICYCLES, MOTORCYCLES TO OTHER VEHICLES.~~

~~No person riding upon any motorcycle, bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway. No operator shall knowingly permit any person riding upon any motorcycle, bicycle, coaster, roller skates, sled or toy vehicle to attach the same or himself or herself to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle. (ORC 4511.54)~~

(QG) ~~NOTICES OF VIOLATION.~~

~~The operator of a bicycle in violation of any of the provisions of these Rules~~Regulations may be issued a ~~n~~Notice of v~~Violation~~ by ~~Transportation and Parking Services~~ or by a Law Enforcement Officer or a Hospital and Campus Security Officer of the University.

(RH) **IMPOUNDING OF BICYCLES, SKATEBOARDS, ROLLER SKATES, ROLLER BLADES, COASTERS OR SIMILAR DEVICES.**

Any bicycle, skateboard, roller skate, roller blade, coaster, or similar device used in violation of any of the provisions of these ~~Rules~~Regulations may be impounded by and held in the custody of ~~Transportation and~~ The University or the Parking Services Operator until there is final disposition of all issued ~~a~~Notices of violation. Any impounded bicycle, skateboard, roller skate, roller blade, coaster, or similar device held in custody by the ~~Department~~University or Parking Operator for longer than ninety consecutive days may be disposed of through an approved University process. A bicycle, skateboard, roller skate, roller blade, coaster, or similar device that the University or the Parking Operator has determined has been abandoned may be impounded by the University or the Parking Operator after it has been tagged for removal.

(S) **OPERATION OF MOTORIZED BICYCLES.**

~~No person shall operate a motorized bicycle upon a street or roadway or any public or private property used by the public for purposes of vehicular traffic or parking, unless both of the following conditions are met:~~

- ~~(1) The person is fourteen years of age or older and holds either a valid operator's license issued under Chapter 4507 of the Revised Code or a valid motorized bicycle license issued after the person has passed the test provided by the Ohio Director of Public Safety.~~
- ~~(2) The motorized bicycle is equipped in accordance with the rules adopted and promulgated by the Ohio Director of Public Safety pursuant to Chapter 4511.521 of the Revised Code. (ORC 4511.52.1)~~

**3335-21-4914 Parking Generally.**

(A) **GENERAL PROHIBITION.**

~~No person shall stop, stand or park a vehicle on the streets, roadways, land or property and grounds of the University except in areas and at the times and under the conditions specified by these ~~Rules~~Regulations or by signs posted by order of ~~Transportation and~~ the University or the Parking Services Operator.~~

(B) **CURBSIDE PARKING.**

~~Except as otherwise provided in this chapter, every vehicle stopped or parked upon a two-way street or roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within twelve inches of the right-hand curb.~~

(C) **ANGLE AND PARALLEL PARKING.**

- ~~(1) On those streets, roadways or parking areas which have been signed or marked by ~~Transportation and~~ the Parking Services Operator for angle or parallel parking, no person shall park or stand a vehicle other than at the angle or position indicated by such signs or markings.~~
- ~~(2) No person shall park or stand a vehicle in a parking space so that any part of such vehicle occupies more than one such space or protrudes beyond the markings designating such space.~~
- ~~(3) No person shall park or stand a vehicle in a parking space in violation of posted signs designating "Head In Parking Only."~~

(D) **LIGHTS ON PARKED OR STOPPED VEHICLES.**

~~Except in cases of an emergency, whenever a vehicle is parked or stopped upon a roadway open to traffic or shoulder adjacent thereto, whether attended or unattended during the times mentioned in Paragraph (D) of Rule 3335-21-14, such vehicle shall be equipped with one or more lights which shall exhibit a white or~~

~~amber light on the roadway side visible from a distance of 500 feet to the front of such vehicle, and a red light visible from a distance of 500 feet to the rear. No lights need be displayed upon any such vehicle when it is stopped or parked where there is sufficient light to reveal any person or substantial object within a distance of 500 feet upon such street. Any lighted headlights upon a parked vehicle shall be depressed or dimmed. (ORC 4513.10)~~

(E) STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with State statute or these ~~Rules~~Regulations or the directions of a Law Enforcement Officer, traffic control device or employee of Transportation and Parking Services, in any of the following places:

- (1) On a sidewalk, except a bicycle;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within twenty feet of a crosswalk at an intersection;
- (7) Within thirty feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;
- (8) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;
- (9) Within twenty feet of a driveway entrance to any fire station and, on the side of the street or roadway opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;
- (10) Alongside or opposite any street or roadway excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (11) Alongside any vehicle stopped or parked at the edge or curb of a street or roadway;
- (12) Upon any bridge or other elevated structure upon a street or roadway or within a street or roadway tunnel;
- (13) Within one foot of another parked vehicle;
- (14) At any place where signs prohibit stopping;
- (15) On any lawn, grass or landscaped area;
- (16) In any area, zone or parking space to which access, or in which parking, is prohibited by the placement of barricades authorized by the Department; or
- (17) Along painted yellow curbs.

(F) OBSTRUCTION OF TRAFFIC.

No person shall park a vehicle upon a street or roadway, other than an alley, in such manner or under such conditions as to leave available less than ten feet of the width of the street or roadway for free movement of vehicular traffic.

(G) PARKING IN ALLEYS.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the alley for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

(H) OVERNIGHT PARKING.

No person shall park a vehicle on a street or roadway between the hours of 23:00 a.m. and 5:00 a.m. of any day without a proper permit, except authorized emergency and public safety vehicles and vehicles assigned disability parking spaces.

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(IH) PARKING FOR SALE OR SERVICE.

No person shall park a vehicle upon a street or roadway for the principal purpose of:

- (1) Displaying such vehicle for sale; or
- (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

(JI) PARKING ON NARROW STREETS OR ROADWAYS.

- (1) ~~Transportation and Parking Services~~ The University is hereby authorized to erect signs prohibiting parking upon a street or roadway when the width of the street or roadway does not exceed twenty feet, or upon one side of a street or roadway, as indicated by such signs, when the width of the street or roadway does not exceed thirty feet.
- (2) When official signs prohibiting parking are erected upon streets or roadways, no person shall park a vehicle upon any such street or roadway in violation of any such sign.

(KJ) STANDING OR PARKING ON ONE-WAY STREETS OR ROADWAYS.

- (1) ~~Transportation and Parking Services~~ The University is hereby authorized to erect signs upon the left-hand-side of a one-way street or roadway to prohibit the standing or parking of vehicles. When such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.
- (2) If a roadway includes two or more separate streets and traffic is restricted to one direction upon any such street, no person shall stand or park a vehicle upon the left-hand side of such one- way street unless signs are erected to permit such standing or parking. The Department is hereby authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way street and to erect signs giving notice thereof.

(LK) STOPPING, STANDING OR PARKING IN HAZARDOUS CONGESTED PLACES.

- (1) ~~Transportation and Parking Services~~ The University is hereby authorized to determine and designate by proper signs places not exceeding 100 feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- (2) When official signs are erected at hazardous or congested places as authorized, no person shall stop, stand or park a vehicle in any such designated place.

(M) SIGNS OR MARKINGS INDICATING SUBCOMPACT PARKING SPACES.

- (1) ~~Any vehicle parked in an area that is signed or marked (posted) for subcompact vehicles shall not extend over the markings for such space or cause the operator of another vehicle inconvenience in entering or exiting such vehicle.~~
- (2) ~~Any vehicle parked in a subcompact parking space shall not obstruct or hinder an operator's view in entering or exiting a designated parking space.~~

(NL) LOADING ZONES.

- (1) Passenger Curb Loading Zones. No person shall stop, stand or park a vehicle for any purpose or period of time, other than for the expeditious loading or unloading of passengers, in any place marked as a passenger curb loading zone during hours when the Rules Regulations applicable to

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such zone are in effect, and then only for a period not to exceed three minutes unless otherwise marked.

- (2) Freight Loading Zones. No person shall stop, stand or park a vehicle for any purpose or length of time, other than for the expeditious unloading and delivery or pickup and loading of materials, in any place marked as a freight loading zone during hours when the rulesRegulations applicable to such zone are in effect, and then only for a period not to exceed the posted time limit.

(QM) BUS STOPS AND TAXICAB STANDS.

- (1) The operator of a bus shall not stand or park such vehicle upon a street or roadway at any place other than a bus stop so designated as provided in these RulesRegulations.
- (2) The operator of a bus shall not stop such vehicle upon a street or roadway at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided in these RulesRegulations, except in an emergency.
- (3) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a street or roadway in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position, with the right front wheel of such vehicle not farther than eighteen inches from the curb and the bus approximately parallel to the curb, so as not to unduly impede the movement of other vehicular traffic.
- (4) The operator of a taxicab shall not stand or park such vehicle upon any street or roadway at any place other than in a taxicab stand so designated as provided in these RulesRegulations. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking rulesRegulations at any place for the purpose of and while actually engaged in the expeditious loading and/or unloading of passengers.
- (5) No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

(P) DELIVERY PERMITS.

- (1) ~~The delivery permit allows proximity parking for deliveries or delivery related purposes for a maximum of thirty minutes. The delivery permit allows the user to park in any nonrestricted "A," "B," "C," or visitor parking space with the exception of metered and pay parking facilities.~~
- (2) ~~All applications for departmental delivery permits must be approved by the appropriate dean or department head before being reviewed by the Director of Transportation and Parking or designee and are only valid when displayed along with a valid University parking permit.~~
- (3) ~~Delivery permit users shall comply with Department rules. The delivery permit does not relieve the operator from responsibility for violations of these Rules.~~
- (4) ~~A permit for one-time access to the traffic controlled zone only can be obtained at the information booths located at Control Zone entrances.~~
- (5) ~~Users must display the delivery permit "face-up" on the vehicle's dashboard or in another prominent location to ensure the visibility of the permit.~~

(QN) MOVING OF VEHICLE.

No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such distance as is prohibited Rules by these Regulations.

**3335-21-2015 Stopping, Standing or Parking Permitted, Restricted or Prohibited on Certain Streets, Roadways and Parking Areas.**

(A) APPLICATION OF SECTION.

~~The provisions of this section prohibiting the standing or parking of vehicles shall apply at all times or at those times herein specified or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Traffic Control Officer, a Law Enforcement Officer or an official traffic control device placed by Transportation and Parking Services.~~

(B) RULES REGULATIONS NOT EXCLUSIVE.

The provisions of this section imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting parking in specified places or at specified times.

(C) PARKING PROHIBITED.

Parking is prohibited at all times on certain streets and roadways. When signs are erected by the ~~Department~~University giving notice thereof, no person shall park a vehicle at any time upon any street or roadway that is signposted.

(D) PARKING LIMITED TIME.

Parking time may be limited on certain streets and roadways. The ~~Department~~University or the Parking Operator, in accordance with the Concession Agreement is hereby authorized to establish limited time parking on certain streets and roadways by posting signs giving notice thereof.

(E) PARKING PERMITTED.

~~Parking of vehicles may be permitted by the Department in and on the following areas of the streets, roadways, land and property of the University, as designated by erected signs:~~

- (1) ~~— Parking lots. Parking may be permitted on lands and property assigned to the Department and designated by erected signs.~~
- (2) ~~— Parking categories. The Department may allocate the available parking area on the land and property of the University into categories restricting or specifying permit designations as follows:~~
  - (a) ~~“A” or “WA” parking areas may consist of marked areas along streets and roadways, garages and certain parking lots and shall be available to individuals displaying a current “A” or “WA” parking permit.~~
  - (b) ~~“B” or “WB” parking areas may consist of marked spaces along streets and roadways, garages and certain parking lots and shall be available to individuals displaying a current “B” or “WB” parking permit.~~
  - (c) ~~“C” or “WC” areas may consist of marked spaces along streets and roadways, garages and certain parking lots and shall be available to individuals displaying a current “C” or “WC” parking permit.~~
  - (d) ~~“R” parking areas may consist of marked spaces along streets and roadways, garages and certain parking lots and shall be available based upon restrictions designated on the sign.~~
- (3) Pay parking facilities. Certain parking areas may be designated as pay-parking facilities, and a schedule of fees for such parking shall be established by the ~~Department~~University or the Parking Operator, in

- accordance with the Concession Agreement. Parking in such areas may be open to all persons or limited by rule of the Department Parking Operator. No person parking in a pay facility shall refuse to pay the prescribed fee.
- (4) ~~Public event parking. Public parking of motor vehicles while drivers or operators attend public events on the land and property of the University, other than that usually used for parking, may be permitted under such rules and controls and for such fees as designated by the Department.~~
- (52) Signs. Whenever the Department University or the Parking Operator provides by rule that any area shall be limited to certain parking, such rule shall be effective when proper signs, giving notice that parking is limited to certain persons or times, have been erected in the area or when Law Enforcement Officers or parking personnel are present and are directing parking and traffic thereto and therefrom.
- (F) REGULATED PARKING TIME.  
Parking shall be permitted in areas designated herein only at the following times and under the following conditions, whether or not University classes are in session:
- (1) ~~From the hours of 5:00 a.m. to 4:00 p.m., Monday through Friday, parking shall be limited to designated permit zones. From 4:00 p.m. to 2:00 a.m., Monday through Friday, and from 4:00 p.m. Friday to 2:00 a.m. Monday, "B" or "C" and "WA", "WB" and "WC" permit holders may park in "A" or "B" zones, except that certain areas or zones may be designated as restricted, limited or reserved and signs shall be posted in accordance with paragraph (E) (5) of the Administrative Code.~~
- (2) ~~Certain areas may be designated as no parking or restricted parking on the streets, roadways, land and property of the University between 2:00 a.m. and 5:00 a.m. at any time except with a disability permit.~~
- (3) ~~Students may be eligible to purchase a proximity permit or remote permit, allowing overnight parking in certain designated parts of "C" or "WC" areas. Application and approval shall be made in accordance with rules established by the Department.~~
- (GD) PARKING METER ZONES.
- (1) ~~Transportation and~~The Parking Services Operator is hereby authorized to install parking meters in accordance with the Concession Agreement to regulate short-term parking within parking areas or upon those streets and roadways or parts of streets and roadways where it is determined that the installation of parking meters is necessary to aid in the regulation and control of parking vehicles
- (2) ~~Each parking meter shall bear a legend indicating the days and hours when the requirement to deposit coins applies, the value of the coin to be deposited and the period of time during which parking is permitted at the parking meter.~~
- (32) ~~No person shall park a vehicle in any parking space to which a parking meter has been installed during the restricted and regulated time applicable to the parking meter unless a coin or coins of United States currency of the appropriate denomination shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and said meter parking fee has been placed in operation paid.~~
- (3) All individuals who are parking a vehicle in a Pay and Display parking lot must display, on the dashboard of their vehicle, a valid parking voucher purchased at the nearest Pay and Display machine.
- (H) OPENING DOORS ON TRAFFIC SIDE.  
No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without

~~interfering with the movement of other traffic, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.—(ORC 4511.70)~~

(IE) UNATTENDED VEHICLES; DUTY TO LOCK IGNITION, REMOVE KEY, SET BRAKE, ETC.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the parking brake and, when the motor vehicle is standing upon any grade, turning the front wheels to the curb or side of the highway or roadway. The requirements of this section relating to the stopping of the engine, locking of the ignition and removing the key from the ignition of a motor vehicle shall not apply to an emergency vehicle or a public safety vehicle.—(ORC 4511.66.1)

(APPENDIX XLIV)

**THE OHIO STATE UNIVERSITY**

Re: Summary of Long-Term Lease and Concession Agreement

The following is a summary of the draft Long-Term Lease and Concession Agreement (the "Agreement") to be entered into by and between the Ohio State University (the "University") and a to-be-determined concessionaire (the "Concessionaire").<sup>1</sup>

**Article I. Definitions and Interpretation.** Article I sets forth the defined terms and certain other rules of interpretation used in the Agreement. The following are certain select definitions relating to this summary:<sup>2</sup>

- A. "Parking Facilities" means the Parking Garages and the Parking Lots.
- B. "Parking Garages" means the parking garages described in Part I of Schedule 3; provided, however, "Parking Garages" shall not include the office spaces identified on Schedule 17, which the University shall have the right to continue to possess with rights of ingress and egress thereto and therefrom.
- C. "Parking Lots" means the parking lots described in Part II of Schedule 3.
- D. "Parking System" means the parking system consisting of the Parking Facilities, the Street Metered Spaces, the Street Permits Spaces and the Parking System Assets, including (i) the computer systems and software set forth on Schedule 14, (ii) each University Leased Property (until such time as that University Leased Property is no longer leased by the University), and (iii) all improvements of any and every kind whatsoever forming a part of and used in connection with the operation and maintenance of the Parking Facilities, but excluding any interest in the streets, sidewalks, paving or similar real property.
- E. "Parking System Assets" means, (i) as of the time immediately prior to the Time of Closing, the personal property of the University used in connection with operations of the Parking System set forth on Part IV of Schedule 3, and (ii) from and after the Time of Closing, the personal property of the Concessionaire or the Operator used in connection with the operations of the Parking System.
- F. "Street Metered Spaces" means those areas depicted on Part III of Schedule 3.
- G. "Street Permit Spaces" means those areas depicted on Part III of Schedule 3.

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<sup>1</sup> This summary is for convenience only and should not be used in lieu of the Long-Term Lease and Concession Agreement.

<sup>2</sup> Initially capitalized terms used in this memorandum and not otherwise defined herein have the meanings set forth in the Agreement.

**Article II. The Transaction; Closing; Conditions Precedent; Covenants.**

- A. Section 2.1: Grant of Concession. At Closing, the Concessionaire shall pay the University \$[ ] in exchange for (i) a 50-year lease of the Parking Facilities, (ii) the granting of the right to (A) operate the Parking System and to provide Parking Services, including the use, possession, operation, management, maintenance and rehabilitation of the Parking System, (B) charge the Parking Fees, (C) charge, collect and retain the Parking Revenue and (D) charge, collect and retain the Parking Violation Revenues and retain a portion thereof to compensate the Enforcement Operator, and (iii) the conveyance of the Parking System Assets.
- B. Section 2.2: Closing. Upon receipt of the Closing Consideration, the University shall cancel and return the Closing Deposit and Cash Deposit. All revenues, charges, costs and expenses with respect to Assumed Liabilities shall be prorated between the University and the Concessionaire as of 11:59 p.m. on the day immediately preceding the Closing Date. A change in one basis point in the 30 year mid-market LIBOR swap rate will be reflected by a change of 1/25 of 1% in the Closing Consideration, provided that such change shall not be in excess of 2% without the prior written consent of the Party paying the change.
- C. Section 2.3: Deposit. Concessionaire pays to the University a Cash Deposit or Letter of Credit in an amount of \$40 million, which such deposit shall be retained by the University if the Agreement is terminated for failure of any of the conditions precedent to the University's obligation to close the Transaction.
- D. Section 2.4: Conditions Precedent; Termination. This section sets forth the conditions precedent to each Party's obligation to close the Transaction, as well as the termination rights of both Parties. The conditions precedent are standard for a transaction of this nature including the requirement that the University Transportation and Parking Regulations be amended to allow for the Enforcement Operator. The Agreement may be terminated prior to Closing:
1. by mutual consent of the University and the Concessionaire;
  2. by either the University or the Concessionaire if any Governmental Authority shall have issued an order permanently restraining the Transaction;
  3. by the Concessionaire if any condition precedent to the Concessionaire's obligation to close set forth in Section 2.4(a) is not satisfied;
  4. by the University if any condition precedent to the University's obligation to close set forth in Section 2.4(b) is not satisfied; or
  5. by either the University or the Concessionaire if the Closing has not occurred within 120 days of execution of the Concession Agreement.

- E. Section 2.5: Covenants. This section sets forth certain standard covenants and obligations of the Parties during the period between execution of the Agreement and Closing (the "Closing Period"). This section also sets forth (A) a requirement for the University to provide, upon Concessionaire's request, the services of its employees to Concessionaire for six months following Closing, which such costs shall be borne by the Concessionaire; (B) a requirement for Concessionaire to make known all terms and conditions of employment to University Parking System Employees and to use its best efforts to interview all such employees that apply for potential employment ten Business Days prior to Closing, which any such employment would be at the discretion of the Concessionaire; (C) a requirement that the Parties use commercially reasonable efforts to enter into a lease agreement for office space within the Competing Parking Area for use by the Concessionaire; (D) a requirement that the University assign over all contracts relating to the rehabilitation of the 12th Avenue Garage at Closing and that if such rehabilitation is not completed by December 31, 2012, that such failure shall be a Compensation Event; and (E) a requirement that the University construct 1,400 Parking Spaces within the Competing Parking Area that shall be deemed part of the Parking Facilities.
- F. Section 2.6: Intended Treatment for Federal and State Income Tax Purposes. This section sets forth the intended tax treatment of the Transaction for federal and state income tax purposes.
- G. Section 2.7: Closing Deliveries. At Closing, each Party shall execute and deliver all Documents necessary to effect the Transaction.
- H. Section 2.8: Memorandum of Lease. At Closing, the Parties shall execute and deliver the Memorandum of Lease, which shall be recorded with the Franklin County Recorder.

**Article III. Terms of the Concession.**

- A. Section 3.1: Quiet Enjoyment and Present Condition. The Concessionaire shall be entitled to quiet enjoyment of the Parking System, and the Concessionaire's rights to use the Parking System are subject to the right of the University to monitor compliance with this Agreement to ensure that the Parking System is used and operated as required by the Agreement. Concessionaire agrees to accept the Parking System "AS IS" and acknowledges that it has inspected the Parking System, is aware of its condition and acknowledges that the University makes no representation regarding the condition of the Parking System.
- B. Section 3.2: Parking System Operations.
  - I. This section states that Concessionaire shall be responsible for all aspects of the Parking System Operations during the Term, including costs, expenses, debts, liabilities and other obligations relating to the Parking System.

2. Additionally, Concessionaire (through the Enforcement Operator) and the University's personnel shall have the exclusive right to administer Parking Enforcement, and the Concessionaire will be responsible for the adjudication related thereto. Concessionaire will collect and retain all Parking Violation Revenue, and the Concessionaire, at the end of each Permit Year, will pay to the University the amount of the Parking Violation Revenue less the costs of collection and adjudication, of equipment purchased and maintained to reduce the cost of Parking Enforcement and of the Enforcement Operator's compensation. The University shall use commercially reasonable means to assist in the collection of Parking Violation Revenue, including conditioning the release of student transcripts and diplomas on the payment of Parking Violations Revenue owed.
  3. This section also provides a grant to the Concessionaire of a right of entry and access to the Public Way, agreement by the Parties to meet annually to discuss enhancements to Parking System Operations, and an agreement to allow the University to continue to operate valet parking services at the level as of the Bid Date.
- C. Section 3.3: Operator. Parking System Operations shall be under the direction and supervision of an experienced operator (the "Operator"). Concessionaire shall not replace Operator without approval of the University. If the Operator fails to operate the Parking System in compliance with the Operating Standards after 30 days notice to the Concessionaire, then the University may cure such failure and direct that Concessionaire remove the Operator, provided that if three such failures occur within a 12-month rolling period, the University may direct that Concessionaire remove the Operator without notice. Upon the University's direction to remove the Operator, if the Operator cures the failure within 45 days, the Concessionaire need not remove the Operator.
- D. Section 3.4: Authorizations; Qualifications. Concessionaire shall obtain and maintain all Authorizations necessary to operate the Parking System and shall maintain its existence and all qualifications necessary to carry on the Parking System Operations.
- E. Section 3.5: No Encumbrances. Neither the University nor the Concessionaire shall do any act that would create any Encumbrance against the Parking System. Each party shall use reasonable efforts to assist the other Party in attempting to remove any Encumbrance that comes into existence as a result of an act or omission by such other Party.
- F. Section 3.6: Single Purpose Covenants. Concessionaire shall be formed solely for purpose of owning the Concessionaire Interest and shall not engage in any unrelated business or possess any unrelated assets.

- G. Section 3.7: Rights of the University to Access and Perform Work on the Parking System and Utilize Space for Renewable Energy Resources. The University reserves the right to enter and have access to the Parking Facilities in order to inspect the Parking System, make necessary repairs in the event of any Concessionaire Default, install safety measures, rehabilitate or construct Affected Property, and install or maintain utilities, among other things. The University also reserves the right to use portions of the Parking Facilities for installation of renewable energy apparatus. The University shall not be obligated to pay Concession Compensation for access to inspect the Parking System, make necessary repairs in the event of Concessionaire default or in the event of an emergency. The University shall not have access to the cash collections or other intangibles of the Concessionaire.
- H. Section 3.8: Payment of Taxes. Concessionaire shall pay Taxes payable in respect of use or operations of the Parking System, provided, however, the University shall pay when due any Property Tax. Any sales tax attributable to Parking Fees may be passed through to the users and shall not be considered for calculating rate adjustments.
- I. Section 3.9: Utilities. Concessionaire shall pay when due all charges for gas, electricity, light, heat, power, telephone, waters and other utilities and services used in the Parking System, except the University shall be responsible for all stormwater charges.
- J. Section 3.10: Notices of Defaults and Claims. Concessionaire and the University shall promptly notify the other party of any Defaults of which it becomes aware, as well as any material claims, proceedings, disputes or litigation that arise.
- K. Section 3.11: Assignment of Operating Agreements and Plans. At the request of the University, Concessionaire shall collaterally assign to the University all of its right under the Operating Agreement and future plans relating to the Parking System Operations. The Operating Agreements and Plans to be assigned can also be assigned as security to a Leasehold Mortgage, provided that if the Leasehold Mortgagee is enforcing its security interest, the University shall not be entitled to use the Operating Agreements and Plans in enforcing its security.
- L. Section 3.12: Use of Information and Records. The University shall be entitled to access all reasonable records, electronic data and other information collected by Concessionaire to the extent needed by the University in connection with enforcement of parking regulations, identification of Parking Violations, imposition of fines and adjudication of cases. Concessionaire shall be entitled to access all reasonable records, electronic data and other information collected by the University to the extent reasonably required for Concessionaire's performance of its obligations, provided that Concessionaire shall keep such information confidential.

- M. Section 3.13: Parking System Assets. Concessionaire shall maintain and operate the Parking System in accordance with the Operating Standards. Concessionaire will inspect the Parking System Assets and promptly repair and defects.
- N. Section 3.14: Payments by the University. Concessionaire agrees that if the University is required by Law to withhold a portion of any payment that the University is obligated to make to the Concessionaire under the Agreement, the University will be deemed to have satisfied such payment to Concessionaire to the extent of such withholding by the University.
- O. Section 3.15: Naming Rights Other Revenue Activities and Commercial Advertisements and Activities. The University retains exclusive naming rights with respect to the Parking System, including the right to sell or lease any naming rights for the Parking System. The University shall not change the names of any Parking Garages and the Parking System or grant any third party the right to change such names without the prior consent of the Concessionaire. Additionally, Concessionaire shall neither conduct nor permit any commercial activities in the Parking System. The University grants the Concessionaire a license during the Term to use the name of the Parking System along with its trademarks.
- P. Section 3.16: Reversion of Parking System. On the Reversion Date, Concessionaire shall return to the University the Parking System.
- Q. Section 3.17: Police, Fire, Emergency, and Public Safety Access Rights. Any police, fire, and other emergency and security personnel retained by the University shall have access to the Parking System.
- R. Section 3.18: Negotiations with Governmental Authorities. Prior to entering into any agreement with a Governmental Authority that could extend beyond the Term of the Concession to which the University may incur liability, the Concessionaire shall submit such agreement for Approval by the University (which Approval may be withheld in the sole discretion of the University).
- S. Section 3.19: Administration of the Public Way. Concessionaire acknowledges and accepts that the University (depending on whether the University has responsibility for controlling streets and rights of way) will hold and administer the public way. Any action by the University with respect to streets controlled by University that materially restricts access to a Parking Garage or Parking Lot or results in reduction of Parking Revenue above \$100,000 (Adjusted for Inflation) will be a Compensation Event.
- T. Section 3.20: Air Rights. The University reserves, and does not lease to Concessionaire, the air rights of all of the Parking Facilities.
- U. Section 3.21: Ongoing Ancillary Services: The University shall continue to operate ancillary parking services, to include such items as remote bus services, as described in Schedule 19. The failure to provide such services shall constitute a Compensation Event.

**Article IV. Capital Improvements.**

- A. Section 4.1: Concessionaire Responsibility for Capital Improvements. Concessionaire shall be responsible for all capital improvements with respect to the Parking System, including those listed on Schedule 12.
- B. Section 4.2: Authorizations Related to Capital Improvements. Concessionaire's obligation to perform Capital Improvements shall be subject to the issuance by the Governmental Authorities and the University of any and all Authorizations.
- C. Section 4.3: University Responsibility for Capital Improvements. The University shall maintain and repair any sidewalks and roads constituting Affected Property under the jurisdiction of the University that provide access to the Parking System in a manner consistent with the Operating Standards.
- D. Section 4.4: Required Payment Options. Any Parking Space with Parking Fees of \$1.00 or more per hour must have multiple payment options, including cash, debit/ATM card and credit card.

**Article V. Modifications.**

- A. Section 5.1: University Directives. The University may issue a directive to perform work on the Parking System (a "University Directive") to the Concessionaire at any time during the Term. Parking Garages or Parking Lots constructed as the result of a University Directive become part of the Parking System to be operated by Concessionaire, and the University shall pay any Concession Compensation with respect thereto.
- B. Section 5.2: Other Construction. The University may construct additional parking garages, parking lots or other parking facilities in the Competing Parking Area. However, prior to the construction of any parking garage, parking lots or other parking facility that is not part of a larger structure or development, the University must provide Concessionaire with the option to perform such work. If Concessionaire wishes to accept the obligation to perform such work, Concessionaire bears the cost, and the parking garage or lot become part of this Agreement. If Concessionaire elects not perform the work, the University has the option to include or exclude such parking garage or lot from this Agreement.
- C. Section 5.3: Concessionaire Requests. Concessionaire must get University approval to make material changes in the dimensions, character, quality or location of any part of the Parking System, provided that a Concessionaire Request will not be required to install gates and other equipment in ensuring such Parking Facility is a closed-access Parking Facility.
- D. Section 5.4: Performance of Modifications. Concessionaire shall ensure that University Directives and Approved Concessionaire Requests are performed in a good and workmanlike manner.

**Article VI. Operating Standards.**

- A. Section 6.1: Compliance with Operating Standards. Concessionaire shall, at all times during the Term, cause the Parking System Operations to comply with the Operating Standards in all material respects.
- B. Section 6.2: Proposed Operating Standards. If the Concessionaire wishes to use operating standards other than the Operating Standards, the Concessionaire must provide notice of such proposed operating standards to the University for Approval.
- C. Section 6.3: Modified Operating Standards. The University has the right to modify the Operating Standards, provided that if such modification is not made in order to comply with law or in accordance with operating standards at Comparable Parking Facilities, the Concessionaire may be entitled to Concession Compensation but only if the amount of Concession Compensation claimed exceeds \$100,000 Adjusted for Inflation during a 360 Day consecutive period.

**Article VII. Revenues, Designation of Permits and Spaces and Closure of Parking Spaces.**

- A. Section 7.1: Schedule of Parking Fees. Parking Fees that may be charged over the Term will be listed in Schedule 5. Concessionaire shall have the right to collect the Parking Fees as well as revenue resulting from parking violations. To the extent Concessionaire wishes to change the Schedule of Parking Fees, Concessionaire must submit such changes to the Parking Advisory Committee for its approval.
- B. Section 7.2: Changes to Permits or Parking Spaces.
  - 1. The University has designated certain Classes of Permits. Prior to the beginning of the Permit Year, the University may change the Classes of Permits. The University may not limit the number of a Class of Permit sold provided that the University can limit the number of a Permit Sub Class based on the availability of Parking Spaces, provided that any limitation by the University on the number of Permits sold shall be a Compensation Event.
  - 2. The University has the right to designate, temporarily close or remove Parking Spaces, provided that any such temporary closures shall be a Compensation Event if not done in response to the Concessionaire's acts or omissions and if it results in a reduction of Parking Revenue of \$100,000 during a 360-day period Adjusted for Inflation.
  - 3. The University has the right to designate new Street Metered Parking Spaces, and the University shall pay any Concession Compensation associated with the installation of Parking Meters associated with those Street Metered Parking Spaces.

4. A Parking Space is deemed to be "permanently removed" by the University upon a written designation by the University or a continuous one year closure by the University.
  5. To the extent Concessionaire wishes to change the designation of Parking Spaces or Permit Classes, Concessionaire must submit such changes to the Parking Advisory Committee for its approval, provided that the Concessionaire may temporarily designate Permit spaces as "transient" or Metered Parking Spaces without the University's consent, as long as such action does not result in the non-availability of Parking Spaces for Permit users entitled to use such Parking Facility. The University may also change the designation of Parking Spaces or Permits Classes provided that any change shall be a Compensation Event.
- C. Section 7.3: Notice. If the University wishes to remove any space, it must provide written notice thereof to the Concessionaire.
- D. Section 7.4: Payments for Permanent Removal. The University may remove up to 2,200 Parking Spaces used for Permit parking during the Term, as described in Schedule 20, without having to pay Concession Compensation. The Permanent Removal of Parking Spaces beyond 2,200 shall result in a Compensation Event, provided that any Concession Compensation shall take into account Additional Parking Spaces added during the Term. If a Permanent Removal results in less than the sum of 27,000 Parking Spaces in the Parking System and 75% of the Parking Spaces added during the Term, the Concessionaire may decide to treat that as (i) an Adverse Action which results in a termination of the Agreement and the obligation of the University to pay the Concessionaire the fair market value of the remaining Term or (ii) a continued Compensation Event.
- E. Section 7.5: Special Events and Global Events.
- F. 1. *Special Events.* The University may temporarily close, take over the use of, or reduce or prohibit Parking Fees to be charged with respect to, all or any portion of the Parking System for Special Events. Permitted Special Events will be listed on Schedule 10, and the University shall have the right to modify Schedule 10 prior to each Permit Year. To the extent that the University does not have knowledge of a Special Event prior to the applicable Permit Year, the University must provide notice to the Concessionaire in advance of the Special Event promptly after the University becomes aware of such Special Event. Any portions of the Parking System affected by the Special Event shall be operated by the Concessionaire, and the University shall reimburse the Concessionaire for its out-of-pocket cost associated with the Special Event beyond those operating expenses that the Concessionaire would have been required to provide absent the Special Event. If there is a Special Event at the Schottenstein Center, the Concessionaire shall continue to operate the affected portion of the Parking System, and the University shall be entitled to the revenue derived therefrom;

provided that the University shall reimburse the Concessionaire for its out-of-pocket cost plus 10% associated with the Special Event.

- G. 2. Global Events. The University may designate up to 20 Global Events in each Permit Year during which the University may temporarily close, take over the use of, or reduce or prohibit Parking Fees to be charged with respect to all or any portion of the Parking System. The University shall notify the Concessionaire of Global Events of which it has knowledge prior to each Permit Year. To the extent that the University does not have knowledge of a Global Event prior to the applicable Permit Year, the University shall provide notice to the Concessionaire in advance of the Global Event promptly after the University becomes aware of such Global Event. The closure of Parking Spaces during the Global Event shall not constitute a Compensation Event. Any portions of the Parking System affected by a Global Event shall continue to be operated by the Concessionaire during such Global Event, and the University shall reimburse the Concessionaire for the direct out-of-pocket cost associated with the Global Event, provided that the University shall retain any revenue therefrom, including fees associated with the Parking System. The University may designate certain Parking Facilities as not being used during a particular Global Event, in which case the Concessionaire shall operate those Parking Facilities, provided any revenue received by Concessionaire shall be set off against any amount owed to Concessionaire by University under this Concession Agreement.
- H. Section 7.6: Additional Parking Spaces. The University may designate additional Parking Spaces as a University Directive and such spaces shall become part of the Parking System.
- I. Section 7.7: Changes in Parking Rules, Regulations and Adjudication. Any material change to the Enforcement Policies and Procedures not approved by the Concessionaire, shall result in a Compensation Event.
- J. Section 7.8: Increases in Parking Fees. The University and Concessionaire shall negotiate in good faith the allocation of any increase in Parking Revenue resulting from increases in fees other than provided for in Schedule 5.
- K. Section 7.9: Right to Challenge. Any disagreement by the Parties with respect to this Article 7 shall be subject to dispute resolution.
- L. Section 7.10: Mitigation of Temporary Closure. Concessionaire shall provide the University 30 days' notice prior to any temporary closure of any Parking Facility, and both parties will negotiate in good faith to mitigate the effects of such temporary closure.

**Article VIII. Reporting; Audits; Inspections.**

- A. Section 8.1: Reports. Concessionaire shall provide notice to the University of all emergencies, including environmental incidents, within 12 hours. Concessionaire also must provide notice to the University of all claims in excess of \$25,000

Adjusted for Inflation made by or against the Concessionaire. Concessionaire shall deliver to university audited financial reports within 120 days of the end of each Year.

- B. Section 8.2: Information. At the request of the University, and at the Concessionaire's cost and expense, the Concessionaire shall make available all Information relating to the Parking System but not more frequently than once a quarter, and the University shall keep confidential any such Information that constitutes trade secrets or commercial or financial Information.
- C. Section 8.3: Inspection, Audit and Review Rights of the University. The University, upon ten business days' notice, may carry out an Audit and Review of the Information required to be maintained by Concessionaire under this Agreement. The University shall also have access to the Parking System for inspection and testing.
- D. Section 8.4: Audits, Assistance, Inspections and Approvals. Any reference to University providing assistance to the Concessionaire performing an Audit shall not relieve the Concessionaire from any liability under this Agreement.

**Article IX. Representations and Warranties.**

- A. Section 9.1: Representations and Warranties of the University. The Agreement contains representations and warranties typical for the nature of this transaction, which include the following: (i) organization; (ii) power and authority; (iii) enforceability; (iv) title; (v) no conflicts; (vi) consents; (vii) compliance with law; (viii) litigation; (ix) environmental matters; (x) financial information; (xi) Parking System Contracts; (xii) absence of changes; (xiii) brokers; (xiv) accuracy of information; (xv) Permits; (xvi) Excluded Lease Property; and (xvii) University Leased Property.
- B. Section 9.2: Representations and Warranties of the Concessionaire. The Agreement contains representations and warranties typical for the nature of this transaction and include the following: (i) organization; (ii) power and authority; (iii) enforceability; (iv) no conflicts; (v) consents; (vi) compliance with law; (vii) litigation; (viii) accuracy of information; (ix) representations regarding the Operator; and (x) brokers.
- C. Section 9.3: Non-Waiver. No investigations made by or on behalf of any Party shall have the effect of waiving any representation or warranty made by the other Party.
- D. Section 9.4: Survival. Representations and warranties survive for 24 months except for those listed in this Summary in 9.1(i) – (ix) and 9.2(i) – (ix) which shall last indefinitely.

**Article X. Finance Obligations.**

- A. Section 10.1: Concessionaire's Obligations. Concessionaire shall be responsible for obtaining any financing for the performance of its obligations under the Agreement.
- B. Section 10.2: University's Obligations. The University shall, at the sole cost and expense of the Concessionaire, cooperate with the Concessionaire with respect to documentation reasonably necessary to obtain financing.
- C. Section 10.3: Concessionaire's Obligation for Estoppel Certificates. Concessionaire shall, upon the request of the University, execute and deliver standard consents and estoppel certificates with respect to the Agreement which may be qualified to the best of the knowledge and belief of a designated Representative of the Concessionaire.
- D. Section 10.4: Prohibited Tax Shelter Transactions. Concessionaire agrees that it will not enter into any lease or any other arrangement / transaction that would cause the University to become a party to a "prohibited tax shelter transaction" within the meaning of Section 4965 of the Internal Revenue Code of 1986.

**Article XI. Compliance.**

- A. Section 11.1: Compliance with Laws. Concessionaire must observe and comply with all applicable Laws and must notify the University within seven days after receiving notice from a Governmental Authority that the Concessionaire may have violated any Laws.
- B. Section 11.2: Non-Discrimination. The Concessionaire shall comply with all applicable federal, state and local Laws regarding non-discrimination and shall cause all Contractors to do the same.
- C. Section 11.3: Compliance with Wage and Hour Laws. The Concessionaire shall comply with all applicable Laws governing employment and/or employee wages and hours.
- D. Section 11.4: Non-Collusion. Concessionaire swears that it is the contracting party, and that it has not entered into any combination, collusion or agreement to receive or pay any money for the execution of the Agreement other than that called for by the Agreement.
- E. Section 11.5: Conflict of Interest. Concessionaire certifies that neither it nor any of its representatives has or will have any conflict of interest, direct or indirect, with the University during the performance of the Agreement.
- F. Section 11.6: Drug-Free Workplace Certification. Concessionaire agrees to make a good faith effort to provide and maintain a drug-free workplace. Concessionaire shall notify the University within 10 days after receiving actual notice that

Concessionaire or its employees have been convicted of a criminal drug violation in the Concessionaire's workplace.

- G. Section 11.7: Minority-Owned and Women-Owned Business Enterprises. Concessionaire is required to use good faith efforts to obtain the participation of M.B.E./W.B.E. in its Parking System Operations.
- H. Section 11.8: Financial and Audit Standards. Concessionaire shall observe and comply, in all material respects, with GAAP.

**Article XII. Payment Obligations.**

- A. Section 12.1: Certain Payment Obligations of the Concessionaire. Concessionaire has a payment obligation to the University and its Representatives for losses related to various items including (i) breach of representations and covenants, (ii) Assumed Liabilities, (iii) Taxes attributable to the Transfer, and (iv) brokerage fees.
- B. Section 12.2: Certain Payment Obligations of the University. Without limiting any other remedy available under this Agreement, University has a payment obligation to the Concessionaire and its Representatives for losses related to various items including (i) breach of representations and covenants, (ii) Excluded Liabilities, and (iii) brokerage fees.
- C. Section 12.3: Agency for Representatives. University and Concessionaire accept such payment obligation in favor of each of its Representatives as agent for such Representatives, which, in the case of Concessionaire, includes Leasehold Mortgagee.
- D. Section 12.4: Third Party Claims. Sets forth the procedure for Third Party Claims.
- E. Section 12.5: Direct Claims. Sets forth the procedure for Direct Claims.
- F. Section 12.6: Failure to Give Timely Notice. Failure to provide notice properly may relieve the Obligor from paying certain losses.
- G. Section 12.7: Reductions and Subrogation. If, after receiving a payment, a Loss is reduced by insurance or otherwise, the Obligees shall reimburse the Obligor.
- H. Section 12.8: Payment and Interest. All amounts owed under this Article 12 shall bear interest.
- I. Section 12.9: Limitation on Certain Claims. The maximum liability of the University, without limiting any other remedy under the Agreement, shall not exceed 50% of the Closing Consideration, but such limits shall not apply to breaches of certain fundamental representations and warranties or to claims for fraud, intentional misrepresentation or intentional breach. The maximum liability

of the Concessionaire, without limiting any other remedy under the Agreement, shall not exceed 50% of the Closing Consideration, but such limits shall not apply to breaches of certain fundamental representations and warranties or to claims for fraud, intentional misrepresentation or intentional breach

- J. Section 12.10: Other Matters. With respect to claims by Concessionaire's employees, the Concessionaire waives its immunity to which it would be entitled under worker's compensation law. Any Losses for which Obligor may be liable shall be net of amounts recovered under insurance policies.
- K. Section 12.11: Offset Rights; Limitations on Certain Damages. Each Party's payment obligations shall be subject to its defense and offset rights. No party is liable for indirect or consequential damages.
- L. Section 12.12: Governmental Immunity. The University shall not waive its rights and privileges pursuant to its governmental immunity.
- M. Section 12.13: Survival. The indemnity provisions survive the termination of the Agreement.

**Article XIII. Insurance.**

- A. Section 13.1: Insurance Coverage Required. Concessionaire is required to provide and maintain insurance coverages typical for this nature of transaction, including (i) workers' compensation and employer's liability; (ii) commercial general liability; (iii) automobile liability; (iv) garage liability; (v) builder's risk; (vi) professional liability; (vii) property; (viii) and railroad protective liability.
- B. Section 13.2: Additional Requirements. Concessionaire must provide original Certificates of Insurance evidencing the Required Coverages within 5 business days following renewal and must provide 60 days' notice in the event coverage is canceled. Certain other additional insurance requirements are set forth that are typical for this nature of transaction, including the provision that if any of the Required Coverages are not available on a commercially reasonable basis, the Concessionaire may obtain insurance that best approximates the Required Coverages, subject to the University's approval.
- C. Section 13.3: Damage and Destruction. If part of any of the Parking System is destroyed or damaged by tornado or other casualty of any kind, the Concessionaire shall (i) give the University notice; (ii) proceed diligently to repair the same; and (iii) deposit all insurance proceeds received with a Depositary for approved distributions to the Concessionaire (only if the Restoration costs exceed \$1 million). Prior to any Restoration work, the Concessionaire must submit such plans to the University for approval.

**Article XIV. Adverse Actions.** An Adverse Action is an action taken by the University that significantly diminishes the value of the Concession to the Concessionaire and is action that is (i) principally borne by Concessionaire and (ii) has a material

adverse effect on the fair market value of the Concessionaire Interest, but the following are NOT Adverse Actions (A) development of a new parking facility by the University, (B) new State or Federal Taxes, or (C) subject to Article 7, the addition or removal of Parking Spaces. In the event an Adverse Action occurs, the Concessionaire may, at its election, either (i) receive Concession Compensation (the value of the loss); or (ii) terminate the Agreement and receive the fair market value of the Concession for the remainder of the Term. If the University wishes to remedy the Adverse Action, it shall provide notice within 30 days and remedy the Adverse Action within 120 days.

**Article XV. Delay Events and Concession Compensation.**

- A. Section 15.1: Delay Events. A Delay Event is an event such as Force Majeure and other limited events beyond the Concessionaire's reasonable control that cause a delay to by the Concessionaire in performing its obligations. In the event that Concessionaire is affected by a Delay Event it must provide notice to the University and the Concessionaire receives an extension of time to perform the obligation for which it was delayed. If the Delay Event exceeds 120 continuous days (or 120 days in total during a 360 day period) and it results in a Material Adverse Effect, then the Concessionaire shall have the right to extend the Term for a period of time sufficient to compensate the Concessionaire and to restore it to the same economic position as it would have been in had such Delay Event not occurred, provided that the Term shall not be extended to the extent it would subject either Party to a leasehold tax or conveyance fee.
- B. Section 15.2: Relationship to Compensation Event. The Concessionaire may also receive Concession Compensation for a Delay Event if the Concession Agreement separately provides for Concession Compensation to be paid.
- C. Section 15.3: Notice of Compensation Events: If a Compensation Event occurs, Concessionaire shall give the University notice within 30 days, provided that such failure to give notice shall not limit the remedies unless such delay materially prejudices the University.
- D. Section 15.4: Incremental Payments of Concession Compensation: Sets forth the procedure for determination and payment of Settlement Compensation during the Permit Year when the Concession Compensation Balance exceeds \$1 million.
- E. Section 15.4: Settlement Compensation: Sets forth the procedure for determination and payment of Settlement Compensation at the end of the Permit Year, including the procedure related to the Negative Concession Compensation Balance whereby if the University has paid more Concession Compensation than required, the University can either use that negative balance as a credit against future Concession Compensation or demand payment from Concessionaire under certain circumstances.

**Article XVI. Defaults; Letters of Credit.**

- A. Section 16.1: Default by the Concessionaire. This section sets forth (i) the events that constitute a "Concessionaire Default" under the Agreement. Such events are typical for this nature of transaction and include, among other things, (A) failing to comply with covenants, (B) transferring its interest, (C) failing to comply with requirements of a final award resulting from dispute resolution, and (D) admitting that it is unable to pay its debts or otherwise files bankruptcy; and (ii) the remedies of the University upon a Concessionaire Default.
- B. Section 16.2: Default by the University. This section sets forth (i) the events that constitute a "University Default" under the Agreement. Such events are typical for this nature of transaction and include, among other things, (A) failing to comply with covenants, (B) failing to comply with requirements of a final award resulting from dispute resolution, and (C) admitting that it is unable to pay its debts or otherwise files bankruptcy; and (ii) the remedies of the University upon a Concessionaire Default. A University Default shall not include any failure to perform obligations as a result of Force Majeure.
- C. Section 16.3: Letters of Credit. Concessionaire shall deliver five years prior to the final Concession Year, a Letter of Credit or cash deposit in the amount that the University determines is appropriate to cover all costs of Capital Improvements for the remainder of the Term. Such Letter of Credit shall be replaced on every anniversary of such Concession Year until the date that is at least two years after the expiration of the Term.
- D. Section 16.4: Consequences of Termination or Reversion. This section sets forth the procedure to be followed upon the termination or expiration of the Agreement, including Concessionaire's surrendering of the Parking System.
- E. Section 16.5: Termination other than pursuant to Agreement. If the Agreement is terminated by the University other than because of a Concessionaire Default, the University shall pay to the Concessionaire the fair market value of the Concessionaire Interest as of the date of such termination plus the reasonable out-of-pocket expenses incurred by the Concessionaire as a direct result of such termination.

**Article XVII. Restrictions on Transfers.**

- A. Section 17.1: Transfers by Concessionaire. Subject to the rights of the Leasehold Mortgagee, Concessionaire may not Transfer any portion of its interest that would result in the Concessionaire directly owning 50 percent or less of the Concessionaire Interest as of the date of entering into the Agreement unless (i) the University has approved, and (ii) the proposed Transferee assumes the obligations of Concessionaire. The University may withhold its consent in various instances, and the University can take into account financial strength, experience with parking facilities, reputation and Operator.

- B. Section 17.2: Assignment by the University. The University may Transfer any or all of its interest but must remain jointly and severally liable.

**Article XVIII. Dispute Resolution.**

- A. Section 18.1: Scope. Any dispute arising out of the Agreement is to be resolved in accordance with this Article 18.
- B. Section 18.2: Informal Dispute Resolution Procedures. If the Parties are unable to resolve any dispute within 15 Business Days, the dispute shall be referred to the Designated Senior Person of each Party. The Designated Senior Persons shall negotiate in good faith to resolve the dispute.
- C. Section 18.3: Mediation. If Designated Senior Persons do not resolve the dispute in 15 Business Days, the Parties shall attempt to resolve the dispute through mediation administered by the AAA.
- D. Section 18.4: Litigation. If mediation does not resolve the dispute within 30 Business Days, then the Parties shall present the dispute to a court of competent jurisdiction.
- E. Section 18.5: Provisional Remedies. No Party shall be precluded from initiating a proceeding in a court of competent jurisdiction for the purpose of obtaining any emergency or provisional remedy.
- F. Section 18.6: Tolling. If a Party receiving a notice of default under the Agreement contests the propriety of such notice, any cure period that applies to such default shall be tolled for the time period between such application and the issuance of a final award or determination.

**Article XIX. Lenders.**

- A. Section 19.1: Leasehold Mortgages. The Concessionaire may grant Leasehold Mortgages subject to various restrictions such as the Concessionaire not being in default, the mortgage may only be in favor of an Institutional Lender, the mortgage may not extend to the fee simple interest of the property, the University shall have no liability, etc. While any Leasehold Mortgage is outstanding, the University shall not amend the Agreement in a way that shall have a material adverse effect on the Leasehold Mortgagee without its consent.
- B. Section 19.2: Notices and Payments to Leasehold Mortgagees: All required notices to be made by the University to the Concessionaire must also be made to the Leasehold Mortgagee. All payments by the University to the Concessionaire shall be made to the Leasehold Mortgagee.
- C. Section 19.3: Leasehold Mortgagee's Right to Cure: The Leasehold Mortgagee shall have 60 days after a Concessionaire Default to cure the default. If the

Leasehold Mortgagee is working to cure the default, the University may not terminate the Concession Agreement.

- D. Section 19.4: Rights of the Leasehold Mortgagee: The Leasehold Mortgagee may enforce its rights in any lawful way, including taking possession of the Parking System. Upon taking possession, Leasehold Mortgagee may transfer the Parking System subject to Section 17.1, except it shall not be subject to the requirement that all Concessionaire Defaults must be cured upon a Transfer. Prior to taking possession of the Parking System, Leasehold Mortgagee is not liable for any of the Concessionaire's obligations.
- E. Section 19.5: Termination of this Agreement; New Agreement: If the University terminates the Concession Agreement, the University agrees to enter into a New Agreement for the Parking System with the Leasehold Mortgagee, provided the Leasehold Mortgagee cures any Concessionaire Default.
- F. Section 19.6: Recognition of Leasehold Mortgagee: The Leasehold Mortgagee whose notice was earliest received by the University shall be the only one who shall have the rights as a Leasehold Mortgagee under the Concession Agreement.
- G. Section 19.7: University's Right to Purchase Leasehold Mortgages: In the event of a default and if the Leasehold Mortgagee wishes to foreclose on the Mortgage, the University may purchase the Mortgage.
- H. Section 19.8: Assignment and Assumption Agreement: If (i) the University has determined that a New Agreement between the University and Leasehold Mortgagee would violate law or (ii) the University and the Leasehold Mortgagee mutually agree, then Leasehold Mortgagee and the University shall enter into an Assignment and Assumption Agreement whereby the Leasehold Mortgagee assumes the Concession Agreement in the event of a Concessionaire Default, provided Leasehold Mortgagee cures such Concession Default.
- I. Section 19.9: Right to Dispute Resolution: In the event of default, the Leasehold Mortgagee shall have the right to participate in the dispute resolution process set forth in Article 18.

**Article XX. Miscellaneous.** Article 20 contains the miscellaneous provisions standard for an agreement of this nature, including, among other items, (i) notice requirements, (ii) amendment procedure, (iii) governing law (Ohio), and (iv) waiver of jury trial.

(APPENDIX XLV)

**THE OHIO STATE UNIVERSITY**  
 The Ohio State University Foundation  
 FY 2012 New Fundraising Activity Report  
**New Fundraising Activity Progress**  
 7/1/2011 through 4/30/2012

	Activity	Goal	% Achieved	7/1/2010 through 4/30/2011	% Change
<b>Outright Gifts and Pledges</b>					
Cash and Securities	\$90,576,227			\$75,939,077	6.02%
Real Estate	\$2,850,000			\$297,000	859.60%
Gifts-in-Kind	\$4,000,964			\$3,564,484	12.25%
Pledges	\$49,472,576			\$141,221,658	-64.87%
Matching Gift	\$1,237,021			\$1,184,237	4.46%
Recurring	\$2,406,303			\$2,268,085	6.05%
<b>Total Outright Gifts and Pledges</b>	<b>\$140,543,091</b>	<b>\$210,141,880</b>	<b>66.88%</b>	<b>\$224,636,641</b>	<b>-37.41%</b>
<b>Planned Gifts</b>					
Irrevocable Planned Gifts	\$6,313,487			\$4,674,948	35.05%
Revocable Planned Gifts	\$25,373,443			\$34,365,855	-26.17%
<b>Total Planned Gifts</b>	<b>\$31,686,940</b>	<b>\$62,542,644</b>	<b>60.31%</b>	<b>\$39,040,804</b>	
<b>Private Grants (OSP)</b>	<b>\$62,693,300</b>	<b>\$93,021,262</b>	<b>88.90%</b>	<b>\$78,012,707</b>	<b>6.00%</b>
<b>Total Fundraising Activity</b>	<b>\$254,923,330</b>	<b>\$365,705,676</b>	<b>71.67%</b>	<b>\$341,689,052</b>	<b>-25.37%</b>
				<b>Time Elapsed</b>	<b>83.29%</b>



The Ohio State University Foundation  
 FY 2012 New Fundraising Activity Report  
**New Fundraising Activity Progress - Unit**  
 7/1/2011 through 4/30/2012

Unit	Outright Gifts and Pledges	Planned Gifts	OSU Foundation Activity	Private Grants (OSP)	Total Fundraising Activity	Goal	% Achieved
Arts and Sciences (Colleges of the)	\$17,557,510	\$2,950,174	\$19,907,684	\$3,712,056	\$23,619,740	\$25,506,419	116.13%
Advisors	\$27,826,309	\$1,461,915	\$29,288,214	\$0	\$29,288,214	\$35,000,000	83.85%
Business (Fisher College of)	\$4,933,208	\$1,222,060	\$6,055,340	\$6,331,600	\$12,386,940	\$14,225,000	87.08%
Cancer	\$28,694,049	\$7,069,179	\$36,762,228	\$7,759,150	\$44,521,378	\$45,700,000	97.50%
Identity (College of)	\$1,994,001	\$1,046,981	\$3,031,681	\$277,206	\$3,308,887	\$3,600,000	91.90%
Education and Human Ecology (College of)	\$1,141,393	\$2,549,419	\$4,048,376	\$6,599,189	\$10,647,565	\$12,525,000	84.98%
Engineering (College of)	\$7,751,700	\$6,225,235	\$8,376,935	\$19,446,160	\$27,823,095	\$46,319,206	57.58%
Food, Agricultural and Enviro Sciences (College of)	\$4,570,853	\$1,584,028	\$6,155,479	\$5,837,978	\$12,993,457	\$17,400,000	75.45%
Heart	\$2,090,340	\$15,000	\$2,075,140	\$2,486,330	\$4,561,470	\$11,900,000	38.33%
John Glenn School of Public Affairs, The	\$271,390	\$25,000	\$296,390	\$369,905	\$666,295	\$0	
Kirwan Institute for the Study of Race & Ethnicity	\$906,787	\$29,000	\$1,236,787	\$0	\$1,236,787	\$1,500,000	82.45%
Law (Michael E. Moritz College of)	\$2,490,376	\$1,530,000	\$5,110,376	\$0	\$5,110,376	\$5,095,500	100.27%
Medical Center	\$5,049,667	\$263,369	\$5,313,037	\$3,110,377	\$13,443,414	\$19,893,000	67.58%
Medicine (College of)	\$3,981,610	\$1,267,571	\$5,249,182	\$5,080,367	\$11,329,549	\$12,418,000	91.48%
Neurosciences	\$1,135,403	\$1,000,000	\$2,135,403	\$4,711,281	\$6,846,684	\$11,067,000	61.8%
Nursing (College of)	\$348,379	\$0	\$348,379	\$172,201	\$520,580	\$2,151,000	24.20%
Office of Academic Affairs	\$3,495,245	\$2,270,123	\$5,765,367	\$400,682	\$6,236,059	\$7,015,000	88.90%
Office of Student Life	\$1,890,468	\$33,918	\$1,924,386	\$2,500	\$1,926,886	\$1,614,000	119.34%
Ohio State University Alumni Association	\$1,080,628	\$133,689	\$1,214,317	\$0	\$1,214,317	\$5,250,000	23.13%
Optometry (College of)	\$329,902	\$25,000	\$404,102	\$280,251	\$684,353	\$2,173,000	31.47%
OSU Lima	\$10,000	\$0	\$10,000	\$0	\$10,000	\$865,000	1.17%
OSU Mansfield	\$130,657	\$90,000	\$229,657	\$135,263	\$364,920	\$1,120,000	32.47%
OSU Marion	\$760,535	\$50,000	\$810,535	\$8,505	\$819,040	\$1,265,750	64.58%
OSU Newark	\$1,626,218	\$27,222	\$1,703,440	\$166,375	\$1,869,815	\$3,529,500	52.98%
Pharmacy (College of)	\$702,967	\$11,385	\$714,352	\$596,844	\$1,311,196	\$5,900,000	22.22%
Public Health (College of)	\$269,295	\$0	\$269,295	\$930,377	\$1,200,000	\$916,000	130.90%
Social Work (College of)	\$154,923	\$95,000	\$249,923	\$44,520	\$294,443	\$400,000	73.61%
University Libraries	\$1,614,438	\$174,977	\$1,789,416	\$20,293	\$1,809,709	\$2,600,000	69.40%
University-wide Fundraising	\$3,518,273	\$3,629,106	\$7,340,469	\$3,184,893	\$10,525,362	\$10,000,000	105.2%
Veterinary Medicine (College of)	\$7,257,065	\$1,690,558	\$8,946,363	\$1,308,716	\$10,255,079	\$30,095,000	26.81%
Wexner Center for the Arts	\$3,234,068	\$0	\$3,234,068	\$5,000	\$3,239,068	\$7,785,000	41.61%
WOSU Public Stations	\$3,322,627	\$210,502	\$3,533,129	\$0	\$3,533,129	\$5,950,000	59.37%
<b>Total</b>	<b>\$140,643,091</b>	<b>\$31,886,940</b>	<b>\$172,230,030</b>	<b>\$82,693,300</b>	<b>\$264,923,330</b>	<b>\$365,706,676</b>	<b>71.67%</b>

Time Elapsed 63:29%



The Ohio State University Foundation  
 FY 2012 Philanthropic Receipts Report  
**Philanthropic Receipts**  
 7/1/2011 through 4/30/2012

	7/1/2011 through 4/30/2012	7/1/2010 through 4/30/2011	% Change
<b>Outright Gift Receipts</b>			
Cash and Securities	\$86,747,841	\$79,472,482	9.15%
Gifts-in-Kind	\$4,001,064	\$3,564,484	12.25%
Real Estate	\$2,850,000	\$297,000	859.60%
<b>Outright Gift Receipts</b>	<b>\$93,598,905</b>	<b>\$83,333,966</b>	<b>12.32%</b>
<b>Pledge Receipts</b>	<b>\$60,375,151</b>	<b>\$35,617,366</b>	<b>69.51%</b>
<b>Planned Gift Receipts</b>			
Revocable Planned Gifts	\$8,223,680	\$10,636,363	-22.68%
Irrevocable Planned Gifts	\$6,313,497	\$4,674,948	35.05%
<b>Planned Gift Receipts</b>	<b>\$14,537,177</b>	<b>\$15,311,312</b>	<b>-5.06%</b>
<b>Private Grant (OSP) Receipts</b>	<b>\$82,693,300</b>	<b>\$78,012,707</b>	<b>6.00%</b>
<b>Philanthropic Receipts Total</b>	<b>\$251,204,534</b>	<b>\$212,275,351</b>	<b>18.34%</b>

**AMENDMENTS TO THE RULES OF THE UNIVERSITY FACULTY**

**3335-3-30.1 Dean for undergraduate studies for arts and sciences. RESCIND**

**3335-3-30.1 Dean for undergraduate education. NEW**

- (A) There shall be a dean of undergraduate education who shall be a member of the faculty charged with overseeing and implementing policies related to undergraduate academic programming. The major responsibility of the dean for undergraduate education shall be that of providing active leadership in the promotion, direction and support of undergraduate educational activities of the university, and in the encouragement of the spirit of learning among the students. The dean for undergraduate education shall be appointed and reappointed by the board of trustees upon nomination by the executive vice president and provost in consultation with the president.
- (B) The dean of undergraduate education shall serve as a member of the council of deans, and in general, be responsible for the progress of the educational policies and the well being of undergraduate programs at the university. The dean shall report to the executive vice president and provost upon the condition and progress of the undergraduate education whenever called upon to do so.
- (C) The dean of undergraduate education shall work with colleges to propose and implement policies of the faculty with respect to the development of programming for challenging academic experiences for undergraduate students; the curricula and requirements for baccalaureate programs and the development of new and useful undergraduate programs; general education requirements, including the retention and ongoing development of curricula assigned specifically for the general education of all undergraduate students; a general university honors program; and other academic programs that are necessary and supportive of undergraduate studies.
- (D) The dean of undergraduate education shall be responsible for the coordination of university advising and curricular counseling. Specifically, the dean of undergraduate education shall keep colleges informed of all changes in curricular requirements and other matters pertaining to academic advising, and in this manner assist in achieving consistency of advising across the university.
- (E) The dean of undergraduate education shall be consulted by the deans of the colleges on matters relating to university-wide aspects in undergraduate instruction.
- (F) With the approval of the faculty, or its designated representative body and the deans of the colleges, the dean of undergraduate education may appoint committees from the faculty to work with him or her in the implementation of those policy areas as outlined in paragraph (C) and (D) of this rule.
- (G) The dean is hereby granted all authority necessary to carry out the responsibilities of the dean of undergraduate education.
- (H) The dean of undergraduate education shall also be responsible for such other matters pertinent to undergraduate education that may be designated by the executive vice president and provost.

3335-3-34 Schools, departments, divisions, and sections; defined and located.

- (A) – (B) No change.
- (C) Schools and departments shall have a minimum of ten faculty positions spread through at least the three academic ranks of assistant to professor, meet the following quantitative requirements unless persuasive academic reasons demonstrate the need for exceptions:

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(1) ~~A minimum of ten faculty positions spread through at least the three academic ranks of assistant professor to professor.~~

~~(2) Student registration for at least one thousand credit hours per quarter.~~

(D) – (H) No change

3335-5-07 Definition of regular faculty duties and responsibilities.

Regular faculty members who are on duty are accountable for meeting the formal and informal obligations associated with research, service, and/or teaching or clinical practice. Duties and responsibilities are assigned annually in accordance with the workload policy laid out in the pattern of administration of each faculty member's tenure-initiating unit and, as appropriate, regional campus.

Regular full-time faculty members are expected to be on duty for an average of nineteen working days a month, with working days defined as weekdays that are not designated as university holidays. Faculty members on nine-month appointments are commonly on duty for nineteen working days a month averaged over a nine-month period. ~~The most common pattern for a nine-month on-duty period under quarters includes the autumn, winter and spring quarters. The most common pattern for a nine-month on-duty period under semesters includes the autumn and spring semesters and the May session.~~

Breaks within a given semester, summer term, or session, as well as any days between the end of the exam period and the beginning of the next quarter, semester or session, will be considered off-duty days. Faculty on twelve-month appointments are on duty on all working days except for the days they accrue and designate as vacation days. ~~Terms of duty for full-time auxiliary faculty for nine- or twelve-month faculty unless otherwise specified in their annual letter of appointment; terms for shorter-term auxiliary faculty are specified in their annual letter of appointment. Terms of duty for full-time auxiliary faculty on nine- or twelve-month appointments should parallel the terms for regular nine- and twelve-month faculty unless otherwise specified in their annual letter of appointment; terms for shorter-term auxiliary faculty are specified in their annual letters of appointment.~~

3335-5-48.9 Committee on academic freedom and responsibility.

(A) Membership.

The committee on academic freedom and responsibility shall consist of ~~eight~~seven members during autumn, ~~winter~~, and spring ~~quarters~~semesters and ~~ten~~nine members from ~~June~~May to the beginning of autumn ~~quarters~~semester.

(1) Six regular ~~tenure-track~~tenured faculty (eight during the summer period), at least three of whom are members of the senate or members-elect at the time of their selection by the faculty council. The term of service begins in the summer ~~quarter~~term following election and extends through the summer ~~quarter~~term following the third year of service.

(2) ~~Two~~One graduate teaching, research, or administrative associates.

(B) No change.

(C) Organization.

(1) A quorum consists of ~~five~~ four members.

(2) As a standing committee of the senate, this committee is also governed by

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the provisions of rules 3335-5-46 and 3335-5-48 of the Administrative Code.

(3) Graduate student member is recused in cases pertaining to promotion and tenure of faculty members.

3335-5-48.11 Fiscal committee.

(A) No Change.

(B) Duties and responsibilities.

The committee shall have full access to all fiscal documentation necessary to perform the following functions:

- (1) Review, on a continuing basis, the fiscal policies and resources of the university;
- (2) Advise the president on the alternatives and strategies for the long-term and short-term allocation of university resources consistent with maintaining the missions of the university;
- (3) Analyze resources and budgets from an overall university-wide perspective, ~~rather than making a detailed analysis of the budgets and expenditures of individual units within the university;~~
- (4) Analyze resources and budgets in detail for centrally supported vice presidential units.
- ~~(4)(5)~~ Advise the president, in the event of an imminent financial crisis, whether a determination of financial exigency is warranted; and
- ~~(5)(6)~~ Report annually to the faculty council and the senate on the budgetary and fiscal condition of the university.

Remainder unchanged.

3335-7-03 Appointment cap.

Unless an exception is approved by the university senate and the board of trustees, regular clinical track faculty may comprise no more than forty percent of the total regular tenure-track faculty (as defined in rule 3335-5-19 of the Administrative Code) in each of the departments, schools, and colleges of the health sciences and no more than twenty percent of the total regular tenure-track faculty in other departments, schools, and all other colleges. In all tenure-initiating units not in health sciences, the number of clinical track faculty members must be fewer than the number of regular tenure-track faculty members in each unit. (B/T 7/12/202, B/T, 6/4/2004, B/T 6/7/2005)

~~3335-8-06 Curricular requirements.~~ **RESCIND**

~~Every undergraduate curriculum must provide for a minimum of fifteen hours of free electives. (B/T 1/10/75, B/T 3/2/79)~~

3335-8-22 Report of marks.

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Upon completion of the course requirements, marks for every student shall be reported to the office of the university registrar in accord with published deadlines, ~~listed in the quarterly master schedule of classes.~~

3335-8-23 Alteration of marks.

(A) A mark filed in the office of the university registrar is a part of the official records of the university. It is subject to change only when a procedural error has been discovered in evaluation or recording of a grade. Action to change a grade must be initiated before the end of the second succeeding ~~quarter, semester or summer term.~~ In no case will a grade be revised in accordance with criteria other than those applied to all students in the class. If the instructor agrees that an error in the mark was made, the mark will be changed upon written authorization of:

- (1) The instructor of the course, and
- (2) The instructional unit's dean, director, or college secretary.

If a student believes that a procedural error in grading was made, the student should meet with the instructor. If the instructor does not agree that a procedural error was made, the student may meet with the department chair to discuss the grade grievance. The chair shall respond to the student no later than thirty days after the student has requested a review by the chair. Upon receipt of the chair's response, if the issue is not resolved to the satisfaction of the student, the student may within two weeks request in writing by duplicate submission to the dean or director of the instruction unit and the department chair the procedures in paragraph (B) of this rule. Unresolved cases of grade grievance due to grading procedures are subject to paragraph (B) of this rule; unresolved cases of grade grievance due to other causes are not subject to paragraph (B) of this rule.

(B) – (D) No changes.

3335-8-23.1 Retention or disposal of materials submitted to meet course requirements.

(A) Materials submitted by a student to satisfy course requirements shall either be returned to the student or made available for the student's inspection, after they have been marked or otherwise evaluated, before the end of the ~~quarter, semester, session, or term~~ summer term, or session in which the work is performed or, in the case of final projects and final examinations, no later than the fourteenth day of instruction of the following ~~quarter, semester, session, or term~~ summer term, or session.

(B) No change.

3335-8-24 Credit hours.

(A) No change.

(B) In determining the hours per week required by the course or work, the council on academic affairs may, in appropriate cases, consider the average weekly hours spent during a ~~quarter, semester, or session~~ semester, summer term, or session on the course or work. It should be remembered that the above are guides only and may be deviated from for good cause.

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- (C) When comparing or combining semester credit hours with quarter credit hours, one semester credit hour shall be the equivalent of one and one-half quarter credit hours.

3335-8-26 Point-hour ratio.

(A) No change.

(B) When determining the point-hour ratio of a student:

- (1) For a ~~quarter, semester, summer~~ term or session, the "applicable number of credit hours" shall be the student's scheduled credit hours in that ~~quarter, semester, summer~~ term, or session.

(2) – (4) No change.

(C) No change.

3335-8-26.1 Recalculation of cumulative point-hour ratio.

(A) – (B) No change.

(C) Under the provisions of this rule a student, before graduation, must be re-enrolled for a minimum of:

(1) ~~Forty-five quarter~~ Thirty credit hours and

(2) ~~Three academic quarters.~~ Two academic semesters or one semester and one summer term.

(D) – (E) No change.

3335-8-27.1 Freshman forgiveness rule.

(A) If a course in which an undergraduate student receives a grade of "D+," "D," "E," or "EN," taken during the freshman year (the period during which the first ~~forty-four~~ twenty-nine credit hours are accumulated on the student's official permanent record) is repeated before the end of that student's sophomore year (when the student will have accumulated a total of ~~eighty~~ fifty-nine credit hours), the original course credit and grade will be automatically excluded from the calculation of the student's cumulative point-hour ratio and deficiency points, but will remain on the student's official permanent record. This action will be subject to the following conditions:

(1) If the grade in the original course was a "D+" or "D," a student may repeat the course for credit only upon the recommendation of the authorized representative of the dean, or director of the student's enrollment unit. Such recommendation must be obtained before noon of the ~~third Saturday~~ second Friday of the ~~quarter~~ semester or summer term in which the repeated course is taken.

(2) The same course may be repeated only once under this rule.

(3) This rule may be applied for a maximum of fifteen credit hours.

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- (B) The graduate school and graduate professional colleges may formulate appropriate modifications of paragraph (A) of this rule, subject to the approval of the council on academic affairs, and publish the rule in their bulletins. (B/T 7/21/78, B/T 6/7/85, B/T 6/7/2005)

3335-8-32 Withdrawal from courses or from the university.

- (A) Withdrawal from the university during a ~~quarter~~, semester, summer term, or session, constitutes withdrawal from all courses in which a student is enrolled during that ~~quarter~~, semester, summer term, or session. Upon official notification of the student's withdrawal from the university, the university registrar is authorized to enter the dated notation "withdrew" on the student's official permanent record.
- (B) To withdraw from any or all courses, a student must file the appropriate form with the authorized representative of the dean or director of the student's enrollment unit.
- (C) Until five p.m. of the ~~third~~fourth Friday of a ~~quarter~~, semester, or ~~session~~summer term, or the second Friday of a ~~session during autumn or spring semesters~~, the second Friday of a summer term, ~~or the first Friday of May session~~, a student may withdraw from any or all courses which began in the same ~~quarter~~, semester, ~~session~~, or ~~term~~summer term, or session, and no record for the course(s) will be entered on the student's official permanent record.
- (D) After five p.m. of the ~~third~~fourth Friday of a ~~quarter~~, semester, or ~~session~~summer term, the second Friday of a session during autumn or spring semesters, the second Friday of a summer term, ~~or the first Friday of May session~~ and until five p.m. of the ~~seventh~~ Friday of a ~~quarter~~, semester, or ~~session~~, if a student withdraws from any or all courses which began in the same ~~quarter~~, semester, ~~session~~, or ~~term~~summer term, or session, the university registrar is authorized to enter the mark "W" on the student's official permanent record for the courses withdrawn.
- (E) After five p.m. of the ~~seventh~~tenth Friday of the ~~quarter~~, semester, or ~~session~~summer term, ~~or the second Friday of a summer term~~ or the fifth Friday of a session during autumn or spring semesters, the fifth Friday of summer session, or the third Friday of May session, a student who because of circumstances beyond his or her control finds it necessary to withdraw from any or all courses, must file the appropriate petition with the authorized representative of the dean or director of the enrollment unit. Reasons not acceptable include (but are not limited to) the student's performance in the course(s), lack of preparation for the course(s), or dissatisfaction with the subject matter offered in the course(s). If the petition is approved, a copy will be filed with the university registrar who is then authorized to enter the mark "W" on the student's official permanent record and the instructor(s) of the course(s) will be so notified. If the petition is not approved, the student continues to be enrolled in the course(s) and a final mark must be submitted by the instructor(s). Withdrawal from any and all courses shall not be permitted after the last day of regularly scheduled classes except when the student experiences a genuine emergency after the regularly scheduled classes end and prior to sitting for the final examination in a given course or courses.
- (F) - (I) No change.

3335-8-33 Conditions and procedures for disenrollment from a course.

- (A) The instructor (or in the case of a graduate teaching associate, the supervising faculty member), the chair of the instructor's department (with the agreement of the

instructor), or other appropriate administrative official may disenroll a student from a course if:

- (1) After the ~~third instructional day of the quarter, semester, session, or term; semester, summer term, or session,~~ the first Friday of the ~~quarter, semester, summer term, or session,~~ or the student's second scheduled class ~~session~~meeting of the course, whichever occurs first, the student fails to attend the scheduled course without giving prior notification to the instructor. Under this paragraph, no student may be disenrolled from a course until after the first course meeting following the student's registration. When the department elects to use this procedure, the instructor, the chair, or other appropriate administrative official shall notify the student's enrollment unit. The enrollment unit will notify the student and take appropriate action to remove the student from the course.

Since not all departments exercise the option to disenroll students in all courses, this rule does not relieve the student of the responsibility for dropping a course the student is not attending.

- (2) The student enrolls to audit a course without the instructor's approval, or fails to meet the prerequisites of the course. Disenrollment procedures shall be the same as in paragraph (A)(1) of this rule.
- (3) Before the ~~third~~fourth Friday of a ~~quarter, semester, or session~~summer term, or the second Friday of a summer term session during autumn or spring semesters, the second Friday of summer session, or the first Friday of May session, and following completion of a placement examination, or another appropriate measure of preparation or ability, the student is judged to be registered in an inappropriate course. The department or school offering the course may then instruct the secretary of the college or school in which the student is enrolled to change the student's registration either to a more elementary or more advanced course.

(B) – (C) No change.

- (D) If a student who has enrolled to audit a course fails to complete the requirements for audit specified by the instructor and also fails to withdraw from the course, the instructor shall so inform the office of the university registrar when marks are reported for the ~~quarter, semester, term, or session~~ semester, summer term, or session. That office will then disenroll the student from the course, removing the course from the student's permanent record, and will notify the student and the student's college of the action taken.

(E) No change.

- (F) For disenrollment, exclusive of audit, under paragraphs (A) and (E) of this rule, the university registrar shall enter on the student's official permanent record:

- (1) ~~No mark, if the disenrollment occurs before five p.m. of the third Friday of a quarter, semester, or session course, or the second Friday of a summer term course; or~~ No mark, if the disenrollment occurs before five p.m. of the fourth Friday of a semester or summer term, or the second Friday of a session during autumn or spring semester, or the second Friday of a summer session, or the first Friday of a May session course; or
- (2) The mark, "W," if the disenrollment occurs after five p.m. of the third Friday of a ~~quarter, semester, or session course, or the second Friday of a summer term course.~~ The mark, "W," if the disenrollment occurs after five p.m. of the fourth Friday of a semester or summer term, or the second Friday of a session during

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autumn or spring semester, the second Friday of a summer session, or the first Friday of a May session course.

3335-8-35 ~~Quarters, semesters, sessions, and terms.~~ **RESCIND**

3335-8-35 University year **NEW**

- (A) The university year shall include an autumn and spring semester, each of approximately sixteen weeks, a summer term of approximately thirteen weeks which runs concurrently with a May session of approximately four weeks, followed by a summer session of approximately eight weeks. Semesters, summer term, and sessions are inclusive of instructional days, scheduled reading and exam days, and intra-semester breaks. Autumn and spring semesters may be divided into two sessions of approximately seven weeks each. The university year will begin in the autumn semester.
- (B) The academic calendar, including the dates of the beginning and ending of each semester, and session, and finals schedule, and breaks shall be published in the appropriate university formats/media.

3335-9-02 Time of admission.

- (A) Admission as an undergraduate student. Undergraduate students ~~who are residents of the state of Ohio and who meet all admission requirements shall~~may be admitted to any ~~one of the four quarters, semester or summer term.~~
- (B) Admission as a graduate student. Graduate students ~~who meeting all admission requirements may be admitted into any one of the four quarters, semester or summer term.~~
- (C) Admission as a professional student. Professional students ~~who meeting all admission requirements shall be admitted at such time or times as determined by the council on enrollment and student progress with due regard to the curriculum of the professional college involved, may be admitted to any semester or summer term.~~
- (D) Admission as a transient student or auditor. Transient students and auditors ~~who meeting all admission requirements shall~~may be admitted ~~at such time or times as determined by the council on enrollment and student progress, to any semester or summer term.~~

3335-9-05 Admission of an undergraduate special student to regular standing.

An undergraduate special student who has completed two full years of college work and who desires to become a candidate for a degree may be transferred by the director of undergraduate admissions to the standing of a regular student by one of the following methods:

- (A) No change.
- (B) By assuming an addition of ~~forty-five hours and ninety points~~ ~~thirty semester hours and sixty points~~ to the requirements of his or her curriculum.
- (C) No change.

3335-9-06 Admission to advanced standing.

- (A) – (B) No change.

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- (C) An undergraduate applicant having fewer than thirty transferable semester or forty-five transferable quarter credit hours at the time of first enrollment shall be subject to the provisions of paragraph (A) of rule 3335-9-04 of the Administrative Code and paragraph (B) of rule 3335-9-25 of the Administrative Code.

3335-9-14 Time of registration and payment of fees; penalties.

- (A) Payment of fees is required of all students each ~~quarter, semester, or session~~semester, summer term, or session, by the close of business on the date established by the executive vice president and provost in cooperation with the appropriate offices, and published by the office of the university registrar. This fee payment deadline will apply to the postmark date for fees paid by mail and to the date of receipt for fees paid in person. Failure to meet this requirement will result in a penalty assessment, unless excused by the university registrar or designee.

- (B) - (C) No change.

3335-9-17.1 Additions to approved schedules.

- (A) Until the official closing time on the first Friday of a ~~quarter~~semester, summer term, a session of autumn or spring semesters, or summer session, additions to approved schedules in undergraduate colleges require the approval of the student's enrollment unit.

- (B) After the first Friday of a ~~quarter~~semester, summer term, a session of autumn or spring semesters, or summer session, and until the official closing time of the second Friday, additions to approved schedules require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department) and the approval of the student's enrollment unit.

- (C) After the second Friday of a ~~quarter~~, semester, summer term, a session of autumn or spring semesters, or summer session, additions to approved schedules will not be permitted. Exceptions will be granted only by petition. Petitions must be filed with the authorized representative of the dean or director of the student's enrollment unit. Petitions will be approved only on the basis of clearly documented clerical error or unusual and extenuating circumstances beyond the student's control. ~~Additions to approved schedules~~also require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department), the permission of the chair of the instructor's department or the director of the school (or of the designated representative of the chair or the director), ~~and the approval of the student's enrollment unit.~~

- ~~(D) After the third Friday of the quarter, additions to approved schedules will not be permitted. Exceptions will be granted only by petition. Petitions must be filed with the authorized representative of the dean or director of the enrollment unit. Petitions will be approved only on the basis of clearly documented clerical error or unusual and extenuating circumstances beyond the student's control.~~

- ~~(E)~~ (ED) Because of the accelerated nature of ~~summer-term~~May session courses, deadlines for adding these courses are as follows: ~~from~~after the first day of classes until the official closing time on the first Friday of each ~~summer term~~May session, a student may add a course only with the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department) and the approval of the student's enrollment unit. After this date a student wishing to add a ~~summer-term~~May session course to the approved schedule must have, ~~in addition, the permission of the instructor's department chair or the director of the school (or of the designated representative of the chair or the director).~~ petition the authorized

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representative of the dean or director of the student's enrollment unit. Petitions will be approved only on the basis of clearly documented clerical error or unusual and extenuating circumstances beyond the student's control. Additions also require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department), the permission of the chair of the instructor's department or the director of the school (or of the designated representative of the chair or the director).

- (FE) For courses of shorter duration deadlines and approval procedures will be established by the instructional unit in which the course is offered after consultation with the office of the university registrar.
- (GF) The graduate school and graduate professional colleges shall formulate rules to govern additions to approved schedules, subject to approval of the council on academic affairs and publish them in their respective bulletins.

3335-9-24 Academic warning.

- (A) No change.
- (B) If, at the end of any quartersemester, summer term, or session, a student subject to the provisions of rule 3335-9-23 of the Administrative Code has accumulated fewer than fifteen deficiency points, he or she shall receive a warning from the dean of his or her college or director of his or her school, except as provided in rule 3335-9-27 of the Administrative Code.

3335-9-25 Academic probation.

- (A) No change.
- (B) Probation by special action. If at any time the preparation, progress, or success of a student in an academic program is determined to be unsatisfactory, the college or school in which the student is registered shall be empowered to place the student on academic probation. An undergraduate student admitted with conditions and who has not satisfied the conditions after earning thirty quartersemester credit hours through regular course enrollment at this university shall be placed on academic probation.
- (C) No change.

3335-9-30 Requirements for an undergraduate baccalaureate degree.

To obtain an undergraduate baccalaureate degree from this university, an undergraduate student must:

- (A) Have earned a minimum of ~~forty-five~~thirty quartersemester credit hours ~~credit~~ through regular course enrollment at this university.
- (B) Have been enrolled in the college, the federation of the colleges of the arts and sciences, or the school recommending that degree during the last quartersemester, summer term, or session necessary to complete degree requirements. The executive committee of the college, the federation of the colleges of the arts and sciences, or the school recommending the degree may, on petition by the student, waive this requirement.
- (C) – (G) No change.

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3335-9-32.1 Requirements for certificate of study.

A certificate of study may be awarded concurrent with or following the student's receipt of a baccalaureate degree. Award of such certificates shall attest to demonstrated competence in a coherent academic curriculum, program, or area of study.

- (A) To obtain a certificate a student must:
- (1) Have been or be enrolled in the university during the last ~~quarter~~semester, summer term, or session of work necessary to complete the certificate requirement. In addition, the student must meet any residency requirement established by the college, the federation of the colleges of the arts and sciences, or the school recommending the certificate.
  - (2) Have earned through regular course enrollment a minimum of ~~forty-five quarter hours credit~~ thirty semester credit hours in an approved certificate program. No certificate program shall require enrollment in and credit for more than ~~ninety quarter hours~~ sixty semester credit hours. At least one-third of all ~~quarter hours credit~~ semester credit hours earned in a certificate program shall be at the ~~500~~4000-level or above. No more than five credit hours in the certificate program may be counted toward the student's undergraduate major or minor. Credit hours used to fulfill the requirements for one certificate may not be counted toward any other certificate.
  - (3) – (6) No change.
- (B) No change.
- (C) The colleges of dentistry, law, medicine, optometry, pharmacy, and veterinary medicine, and the graduate school may establish requirements and conditions, rather than those above, for certificates of study. Such requirements must be approved by the council on academic affairs.
- (D) No change.

~~3335-11-09 The Ohio union council.~~ **RESCIND**

3335-11-09 The Ohio union council. **NEW**

- (A) The Ohio union council shall consist of eighteen voting members, with service beginning summer term, chosen as follows:
- (1) Ten students.
    - (a) Two graduate students selected by the council of graduate students. Term of service shall be alternating two year terms.
    - (b) Two professional students selected by the inter-professional council. Term of service shall be alternating two year terms.
    - (c) Four undergraduate students selected by the undergraduate student government. One student must come from a registered student organization without an office in the Ohio union. Term of service shall be alternating two year terms.
    - (d) One undergraduate student employees of the Ohio union appointed by the undergraduate student government in consultation with the director(s) of the Ohio union. Term of service shall be one year.

- (e) One graduate assistant from the Ohio union, appointed by the council of graduate students in consultation with the director(s) of the Ohio union. Term of service shall be one year.

(2) Two regular faculty.

Two regular faculty members, as defined in Faculty Rule 335-5-19, selected by the chair of the faculty council in consultation with the chair of the council on student affairs. Term of service shall be alternating two year terms.

(3) One staff member.

One staff member shall be appointed by the university staff advisory committee. Term of service shall be two years.

(4) One alumni member.

One alumni members shall be appointed by the Ohio state alumni association in consultation with the council. Term of service shall be one year.

(5) Four at-large.

Four at-large members shall be selected under procedures established and documented by the council. Term of service shall be one year.

(6) Ex-officio non-voting members.

- (a) The president of the Ohio union activities board ex-officio non-voting, or designee.
- (b) The chair of the council on student affairs, ex-officio non-voting, or designee.
- (c) All director(s) of the Ohio union shall be an ex-officio, non-voting member(s) of the council.
- (d) A representative of the business and finance office for the Ohio union shall be an ex-officio, non-voting member of the council.
- (e) One non-voting student life staff member to act as the secretary for the council appointed by the director of the Ohio union. Term of service is one year.

(7) Reappointment.

All voting members with one year terms are eligible for reappointment three times. All voting members with two year terms are eligible for reappointment once. No individuals holding a voting position shall serve for more than four consecutive years.

(8) Alternates.

Members of the Ohio union council may have an alternate. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member's absence. Ohio union council shall establish rules governing the selection of alternates.

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(B) Duties and responsibilities.

- (1) Establish general policy on such matters as, but not limited to, financial planning, facility use, student development, public and campus relations. These policies shall guide the administration of the program of the union by the director of the union, but the council shall not serve in an administrative capacity.
- (2) Advise the director(s) of the Ohio union regarding the programs, services, and activities of the Ohio union.
- (3) Establish committees as needed to explore issues affecting the Ohio union.
- (4) Perform duties as assigned by the council on student affairs.
- (5) Report monthly to the council on student affairs.
- (6) Establish, amend, and maintain operating procedures to conduct, in an orderly fashion, the functions of the council.

(C) Organization.

The chair shall be elected from among the incoming and continuing student members of the council during the last regularly scheduled meeting of spring term. For purposes of this election, all incoming and continuing members shall be eligible to vote; incoming and continuing members may choose alternates if necessary. (B/T 9/7/59, B/T 2/9/67, B/T 11/9/67, B/T 12/3/71, B/T 7/11/75, B/T 7/20/79, B/T 2/7/86, B/T 11/2/90, B/T 7/12/91, B/T 4/2/96, B/T 4/3/98, B/T 6/29/2001, B/T 3/3/2006, B/T 6/5/2009)

~~3335-11-10 University recreational sports committee. RESCIND~~

3335-11-10 University recreational sports committee. NEW

(A) The university recreational sports committee shall consist of nineteen voting members, with service beginning summer term, chosen as follows:

- (1) Eleven students.
  - (a) Two graduate students selected by the council of graduate students. Term of service shall be alternating two year terms.
  - (b) Two professional students selected by the inter-professional council. Term of service shall be alternating two year terms.
  - (c) Four undergraduate students selected by the undergraduate student government. One student must participate in a department recognized club sport at the time of appointment. Term of service shall be alternating two year terms.
  - (d) One undergraduate student employee of the department of recreational sports appointed by the undergraduate student government in consultation with the director of recreational sports. Term of service shall be one year.

- (e) One graduate assistant from the department of recreational sports, appointed by the council of graduate students in consultation with the director of recreational sports. Term of service shall be one year.
  - (f) One undergraduate student selected by the director of the sport and wellness scholars program. Term of service shall be one year.
- (2) Two regular faculty.
- (a) Two regular faculty members, as defined in Faculty Rule 335-5-19, selected by the chair of the faculty council in consultation with the chair of the council on student affairs. Term of service shall be alternating two year terms.
- (3) One staff member.
- (a) One staff member shall be appointed by the university staff advisory committee. Term of service shall be two years.
- (4) One alumni member.
- (a) One alumni member shall be appointed by the Ohio state alumni association in consultation with the committee. Term of service shall be one year.
- (5) Four at-large.
- (a) Four at-large members shall be selected under procedures established and documented by the committee. Term of service shall be one year.
- (6) Ex-officio non-voting members
- (a) The director of recreational sports shall be an ex-officio, non-voting member of the committee.
  - (b) A representative of the business and finance office for recreational sports shall be an ex-officio, non-voting member of the committee.
  - (c) One non-voting student life staff member to act as the secretary for the committee appointed by the director of recreational sports. Term of service is one year.
  - (d) The associate vice president for the department of facilities operations and development, or designee, shall be an ex-officio, non-voting member of the committee.
  - (e) The director of the department of athletics, or designee, shall be an ex-officio, non-voting member of the committee.
  - (f) The director of the school of physical activity and educational services, or designee, shall be an ex-officio, non-voting member of the committee.
  - (g) The director of the student wellness center, or designee, shall be an ex-officio, non-voting member of the committee.
  - (h) The chair of the council on student affairs, ex-officio non-voting, or designee.

(7) Reappointment.

All voting members with one year terms are eligible for reappointment three times. All voting members with two year terms are eligible for reappointment once. No individuals holding a voting position shall serve for more than four consecutive years.

(8) Alternates.

Members of the University recreational sports committee may have an alternate. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member's absence. University recreational sports committee shall establish rules governing the selection of alternates.

(B) Duties and responsibilities.

(1) Initiate recommendations and review proposals with regard to policies that may affect the recreational sports facilities and programs.

(2) Make recommendations to the director of recreational sports regarding the usage priority for recreational sports facilities, co-operative recreational sports ventures, and renovation of existing or construction of new recreational sports facilities.

(3) Collect feedback on recreational sports issues in order to evaluate the quality of recreational sports facilities maintenance, daily operations, and programs, recommending changes as appropriate.

(4) Annually review and make recommendations regarding the long-term maintenance plan for recreational sports facilities.

(5) Review all budgets and expenditures of the department of recreational sports and the appropriate portions of budgets and expenditures of all general funds, student life funds, college of education and human ecology funds, and department of athletics funds that contribute to recreational facilities operations and programs.

(6) Deciding the future of the Larkins hall construction debt service portion of the student recreation fee once the debt service has been retired. Review and make recommendations regarding the annual budget of the department of recreational sports, approve other ancillary student recreational fees, and make recommendations to the vice president of student life annually regarding the student recreational sports fee.

(8) Make recommendations for non-recreational sports use of space, including but not limited to space rental fees.

(9) Serve as a channel of communication for information regarding recreational sports among the office of business and finance, the department of physical facilities, the college of education and human ecology, the school of physical activity and educational services, the department of athletics, the council on student affairs, the athletic council, the undergraduate student government, the council of graduate students, the inter-professional council, faculty council, and the university staff advisory committee.

(10) Report monthly to the council on student affairs.

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(11) Establish, amend, and maintain operating procedures to conduct, in an orderly fashion, the functions of the committee.

(C) Organization.

The chair shall be elected from among the incoming and continuing student members of the committee during the last regularly scheduled meeting of spring term. For purposes of this election, all incoming and continuing members shall be eligible to vote; incoming and continuing members may choose alternates if necessary.

(D) Oversight.

Decisions made by the University recreational sports committee are subject to review and approval of the council on student affairs. (B/T 7/11/2003, B/T 12/5/2003, B/T 7/7/2006, 5/14/2010)

3335-17-03 Administration and supervision of elections.

The primary responsibility for administering and supervising senate elections shall reside with the faculty council, for the election of faculty members of the senate; council of graduate students, for the election of graduate student members; inter-professional council, for the election of professional student members; and undergraduate student government, for the election of undergraduate student members. Each group shall:

(A) No change.

(B) Report the results of elections in its constituencies to the senate secretary for certification of senate members. Faculty elections will begin the second week of January and results are to be submitted by the ~~tenth of April~~ first of March; other constituencies by the fifteenth of May.

(C) No change.

3335-19-02 Meetings.

(A) Regular meetings of the senate shall be held during the autumn, ~~winter~~, and spring ~~quarters~~ semesters. In the spring ~~quarters~~ semester each year the steering committee shall recommend and the senate shall adopt and publish the schedule of regular meetings for the following academic year. This schedule shall include at least seven meetings spread over the academic year. Scheduled meetings may be cancelled by the steering committee when deemed appropriate.

(B) – (F) No change.

(APPENDIX XLVII)

**Physician and Non-Physician Clinical Provider  
Criteria for Employment in the FGP**

The current practice requires faculty physicians with M.D. or D.O. designations to be employed in the Faculty Group Practice (FGP). Further discussions have expanded the recommendation to support anyone with a current OSU Physicians (OSUP) employment contract to now qualify and be required employment in the FGP. In addition if a potential new hire would have been provided an OSUP employment contract prior to integration then they too would be required to have employment in the FGP.

As for other non-physician clinical providers, at the department chairs direction, providers who meet the criteria discussed below would be eligible for employment in the FGP but are not required to have employment in the FGP. It is important to note that should the chair take the position that a certain position (ex Physician Assistant) be employed in the FGP then all individuals in that position would be subject to the criteria discussed below, and only those eligible would be employed in the FGP. Employment in the FGP would not be an individual's decision.

Below is a summary of eligibility criteria for employment in the Faculty Group Practice.

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Required Employment Criteria:

1. The individual holds an M.D. or D.O. designation, or
2. Like individuals have a current physician employment contract with OSUP, or
3. Based on an individual's role, if prior to integration the individual would have been issued an employment contract with OSUP then employment in the FGP is required.

If the "required employment criteria" has not been satisfied, then the satisfaction of **all** criteria listed below would permit employment in the FGP:

1. The Department Chair must designate his/her desire to have individuals in his/her specific department in a particular title classification employed in the FGP.
2. Individuals must be in a paid, faculty title in the College of Medicine (not other colleges such as College of Nursing, College of Pharmacy, etc.).
3. Individuals' professional effort must exclusively be for the interest of the University and not for clinical services other than for the University and individuals must be employed for such clinical services.
4. Individuals must be licensed, certified, or otherwise educated in accordance with the standards of their profession/discipline. Individuals must also be credentialed to work within the OSU Wexner Medical Center.
5. Individuals must be eligible to participate in the University Self Insurance Program.

## **The Ohio State University Wexner Medical Center Compact**

### **OSU Wexner Medical Center COMMITMENT**

#### **EXCELLENCE**

- Nurture a work place that reflects our values: Excellence, Collaboration as One University, Integrity, Trust, Personal Accountability, Diversity, Innovation, Operational Simplicity, Empathy, Compassion & Leadership
- Provide the facilities, equipment, staffing and resources needed to deliver the highest value and safest care
- Manage the rapid changes in healthcare to allow staff to innovate, thrive and succeed in a financially secure environment
- Provide fair and competitive compensation
- Recruit and retain outstanding team members

#### **INTEGRITY**

- Maintain organizational integrity and accountability to patients and staff
- Follow through and ensure actions and decisions are consistent with words and commitments
- Treat each team member and patient with respect and dignity

#### **TEAMWORK**

- Actively and objectively listen
- Be accessible and approachable to patients and staff
- Model, encourage, and reward cooperation and teamwork
- Recognize individual and team excellence
- Seek physician collaboration in decisions

#### **LEADERSHIP**

- A commitment to genuine shared governance of the Medical Center with physicians and transparency in decision making
- Proactively communicate information regarding organizational priorities, business decisions, and strategic plans
- Provide opportunities for constructive engagement and feedback, and timely response to issues raised during dialogue

#### **INNOVATION**

- Provide leadership in the development of new programs and technology
- Provide an atmosphere in which innovative ideas are welcome and nurtured

### **OSU FACULTY GROUP PRACTICE COMMITMENT**

#### **EXCELLENCE**

- Strive to provide the highest quality coordinated care that is safe, patient centric, evidence based, easily accessible and clearly communicated
- Strive to deliver care in the most cost effective manner while preserving high quality and exceptional service
- Actively support and work to achieve OSUWMC's Mission, Vision and Strategic Goals

#### **INTEGRITY**

- Encourage and display integrity and professionalism in all endeavors and interactions
- Follow through and ensure actions and decisions are consistent with words and commitments
- Treat each team member and patient with respect and dignity

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#### TEAMWORK

- Foster multidisciplinary patient care, education and research
- Communicate in a clear, respectful and timely manner with patients, colleagues and staff
- Respect collaborative leadership decisions
- Attend medical staff meetings

#### LEADERSHIP

- A commitment to contributing to medical center leadership with fiduciary responsibility
- Make patient centered access and service both personal and departmental priorities
- Encourage patient understanding and involvement in treatment decisions
- Actively work to promote the health of our University, colleagues, staff and community

#### INNOVATION

- Embrace research and innovation to continuously improve patient care, service and efficiency
- Provide leadership to drive improved clinical quality, safety service, patient access and value

(APPENDIX XLVIII)

Project Data Sheet for Board of Trustees Approval

**Stadium – Waterproofing and Concrete Repair**

OSU-120322

Project Location: Ohio Stadium

812,422 GSF

• <b>approval requested and amount</b>	
design/construction	\$4.3M
• <b>project budget</b>	
construction w/contingency	\$3.8M
other costs (fees, equip, etc.)	\$0.5M
<b>total project budget</b>	<b>\$4.3M</b>



- **funding sources**
  - auxiliary funds
- **project schedule**

design/bidding	07/12 – 11/12
construction	12/12 – 08/13
- **project scope**
  - remove and replace the existing waterproofing membrane
  - remove and replace the expansion joint seals and sealants and perform concrete repairs
  - this project will begin following the 2012 football season and complete before the 2013 football season
  - this project will use the CM at Risk delivery method to meet the compressed project schedule
- **approval requested**
  - approval is requested to enter into design and construction contracts

• <b>project team</b>	
University project manager:	Changir Celis
AE/design architect:	tbd
CM at Risk:	tbd

**Project Data Sheet for Board of Trustees Approval**

**Schottenstein Center – Basketball Practice Facility**

OSU-080363

Project Location: Schottenstein Center

40,000 GSF

<b>approval requested and amount</b>			
	<u>Original</u>	<u>Increase</u>	<u>Rev. Total</u>
construction	\$10.9M	\$3.0M	\$13.9M

<b>project budget</b>	
construction w/confingency	\$13.9M
<u>other costs (fees, equip, etc.)</u>	<u>\$3.6M</u>
total project budget	\$17.5M

- **funding sources**  
auxiliary funds (\$2.0M); development funds (\$15.5M)

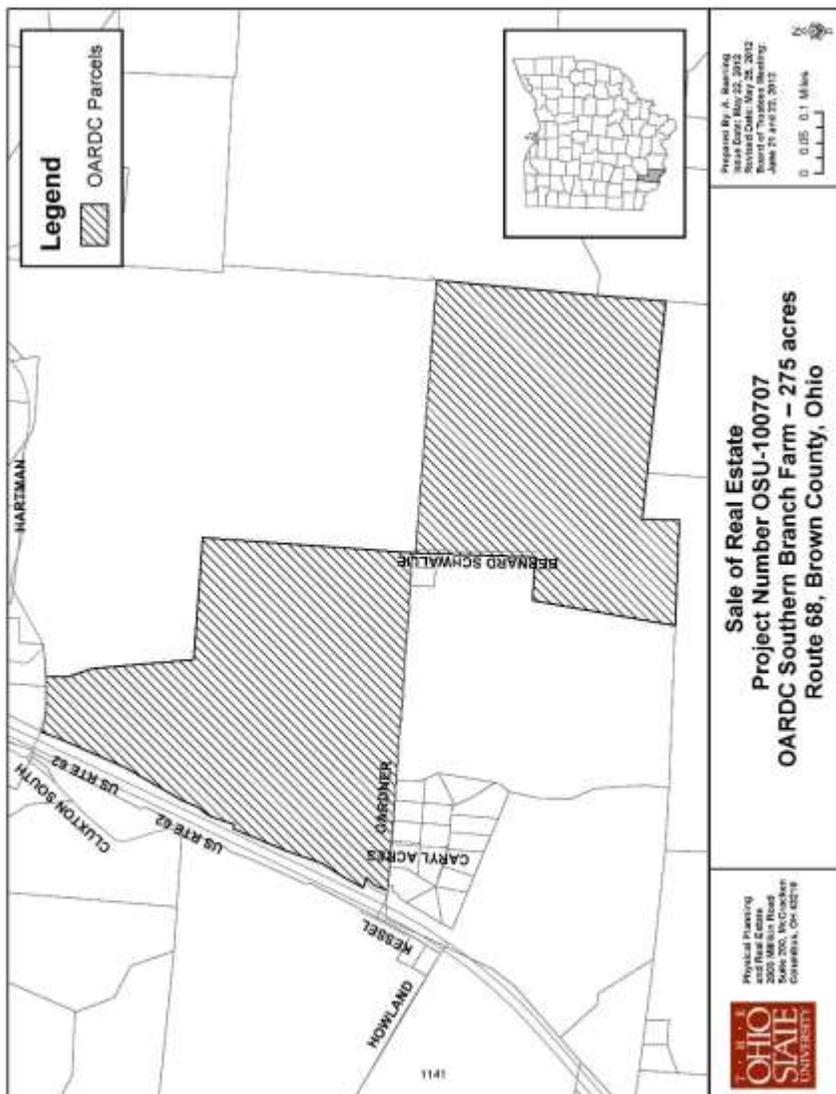
<b>project schedule</b>	
design/bidding	12/11 – 03/12
construction – part 1	06/12 – 10/12
construction – part 2	08/12 – 10/13

- **project scope**
  - construct an addition to the Schottenstein Center for a basketball practice facility, strength and training facilities, and coach's offices
  - renovate the men's and ladies basketball locker rooms and training room
  - addition will be constructed on the west side of the Schottenstein Center
  - the first phase of construction, the renovation of existing facilities will begin 6/2012 using a single prime contractor; construction of the addition will use CM at Risk

- **approval requested**
  - approval for professional services was received 12/2007; design was completed through construction documents and the project placed on hold to finalize scope and funding requirements
  - approval is requested to increase construction contracts
  - construction approval was initially requested in February 2012 in the amount of \$10.9M; this request corrects the previous request by including project costs that have been identified since the February 2012 request
  - these costs generally include actual bid amounts for phase I and reconciled professional services fees and updated cost estimating



<b>project team</b>	
University project manager:	Gary Collier
AE/design architect:	Moody Nolan
CM at Risk:	tbd



(APPENDIX XLIX)

**PROPOSED LAND EXCHANGE (9.009 ACRES) BETWEEN STATE OF OHIO AND  
THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES  
UNIVERSITY AIRPORT AT DON SCOTT FIELD  
COLUMBUS, OHIO**

**Background**

**Description of Proposed Project**

In 2009, the Federal Aviation Administration (FAA) made a final determination regarding the ownership of parcels surrounding the University Airport with the intention to align the northern boundary of the airport. On June 15, 2011 a letter was sent to the FAA requesting approval to exchange the impacted parcels.

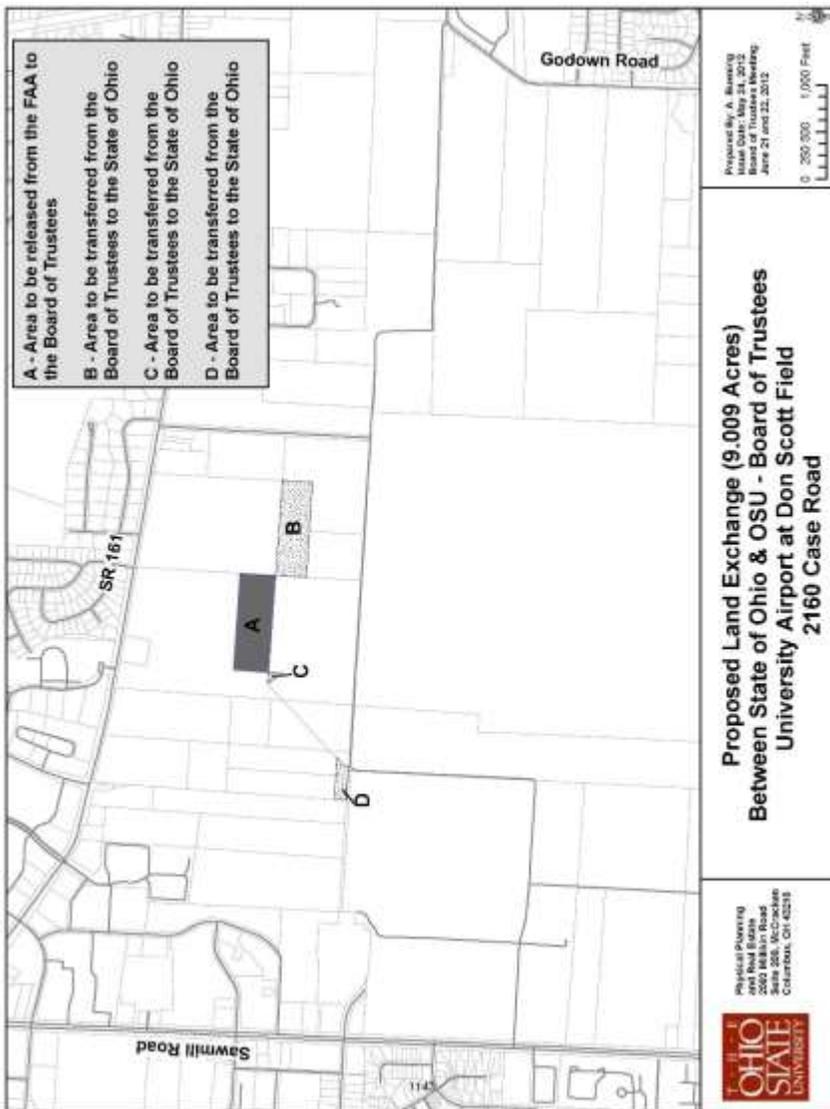
This proposed action is a release and transfer of a 9.009 acre tract of land (parcel A on the map) that is titled to the State of Ohio, for the use and benefit of The Ohio State University, to The Ohio State University Board of Trustees. In exchange, 3 separate parcels of land (parcels B, C & D on the map), totaling 9.009 acres and titled to The Ohio State University Board of Trustees, will be released and transferred to The State of Ohio, for the use and benefit of The Ohio State University.

The result of this land exchange is to clarify and straighten the northern boundary of the airport property. This exchange has been approved by the FAA, in a letter date February 22, 2012

**Terms of Exchange**

The proposed use of the parcels involved in this exchange is aligned with the Airport's Master Plan which will provide for future development opportunities on the northern side of the Airport.

The fair market values of the parcels in this exchange were based on an appraisal completed by the Robert Weiler Company in May 2011. The appraised value of the land being released and transferred from the State of Ohio to The Ohio State University Board of Trustees is \$ 900,000. The appraised value of the 3 parcels being released and transferred from the Ohio State University Board of Trustees to the State of Ohio is \$ 900,000. There will be no net gain of revenue to either party as a result of this transfer.



(APPENDIX L)

**SALE OF REAL ESTATE  
OARDC SOUTHERN BRANCH FARM, 275 +/- ACRES  
US ROUTE 62/68, UNION TOWNSHIP, BROWN COUNTY, OHIO**

In 1956, OARDC acquired agricultural property containing approximately 275 acres in Brown County, near Ripley, Ohio. There are several improvements on the property including a small residence, barns, and storage buildings. The property has been used by OARDC as an agriculture research farm including studies relating to white burley tobacco, beef cattle, fruit trees, and other agricultural topics relevant to the southern Ohio area. The various research projects conducted by OARDC were discontinued in 2005 and the property has been rented for farming on approximately 186 acres of tillable land. Land uses and development in the immediate area consists of similar land used for farming, rolling woodlands, and some rural single family residences.

The property is no longer required to provide for its intended uses and no longer serves the academic mission of OARDC. It has been determined that there are no desired alternative uses for the property by OSU. The buildings that are on the property are in poor condition and in need of repair. Appropriate University offices have determined that the site represents a disposable land asset and it's in the University's best interest to sell the property.

An appraisal of the property was completed late last year, indicating a market value of \$752,000. Approximately 67% of the property is in cropland use, 25% is woodlands, and the balance is used for roadways, improvements and a pond. The highest and best use of the property, as stated in the appraisal, is for continued use as agricultural cropland and possible use for livestock operations.

Appropriate legislation (Senate Bill 275) has been introduced to authorize the governor to execute a deed to convey the property from the State of Ohio to a buyer.

Authorization is requested to market the property for sale, to identify a qualified purchaser, to enter into a purchase agreement with terms and conditions acceptable to the University and a sale price no less than 90% of the appraised value, and to complete a sale of the property in the best interests of the University. The proceeds from the sale of the property will be used by OARDC's Outlying Ag Research Stations Endowment Fund to support operating expenses and infrastructure improvements at OARDC's research stations.

(APPENDIX LI)

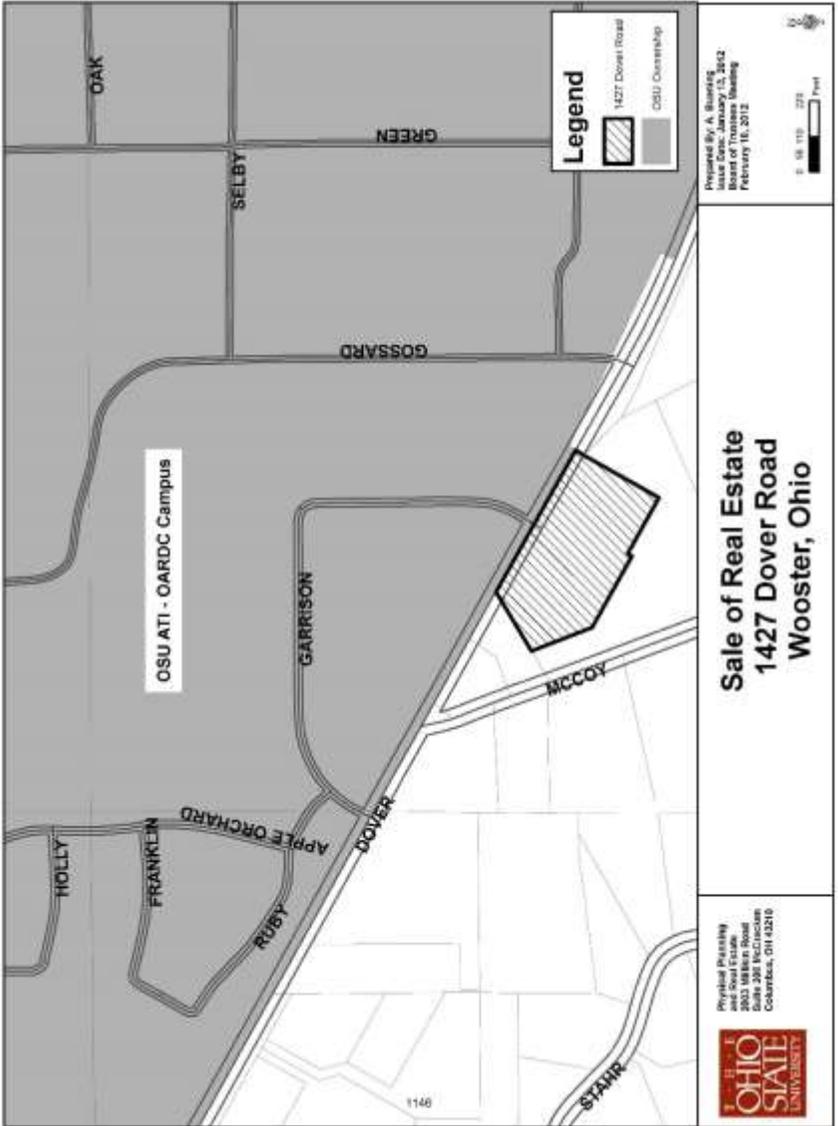
**SALE OF REAL ESTATE  
SALE OF FORMER ATI RESIDENCE HALL  
1427 DOVER ROAD, WOOSTER, OHIO**

In 1983, the University acquired a 94-unit, 3-story apartment building, located on approximately 3.8 acres at 1427 Dover Road, Wooster, Ohio across from the OSU/ Agricultural Technical Institute. The building was constructed in 1974 by a developer to satisfy a need for student housing. Since the purchase the property was used for ATI undergraduate housing until modern housing was constructed and made available on the ATI campus. A study completed by the University indicated that repair costs to remedy roof issues, HVAC problems, ADA compliance requirements and to remodel this property to University housing standards exceeds any potential income benefits that could be derived. Current ATI on-campus student housing is located at the Applewood Village Apartments and the capacity is adequate for current and projected enrollment. The 3.8 acre site is excess to any land requirements of OARDC and ATI. If the land were considered for alternate university uses, the demolition costs have been estimated to be \$800,000. For the abovementioned reasons appropriate University offices have determined that the property represents a disposable asset and it's in the University's best interest to sell the property.

An appraisal of the property was recently completed indicating a current market value of \$1,000,000. The appraisal further indicated that there is demand for apartment properties in the Wooster market area. The appraisal indicated that the highest and best use for the improved property is the continued use as an apartment building.

Appropriate legislation (Senate Bill 275) has been introduced to authorize the Governor to execute a deed from State of Ohio to the buyer.

Authorization is requested to negotiate with prospective buyers of the property to enter into a purchase agreement with terms and conditions acceptable to the University, and to complete a sale at a purchase price no less than 90 % of the appraised value of the property. Other terms and conditions of a purchase agreement will be negotiated in the best interest of the University. The proceeds from the sale of the property will be deposited in the general operating funds of Student Life.



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(APPENDIX LII)

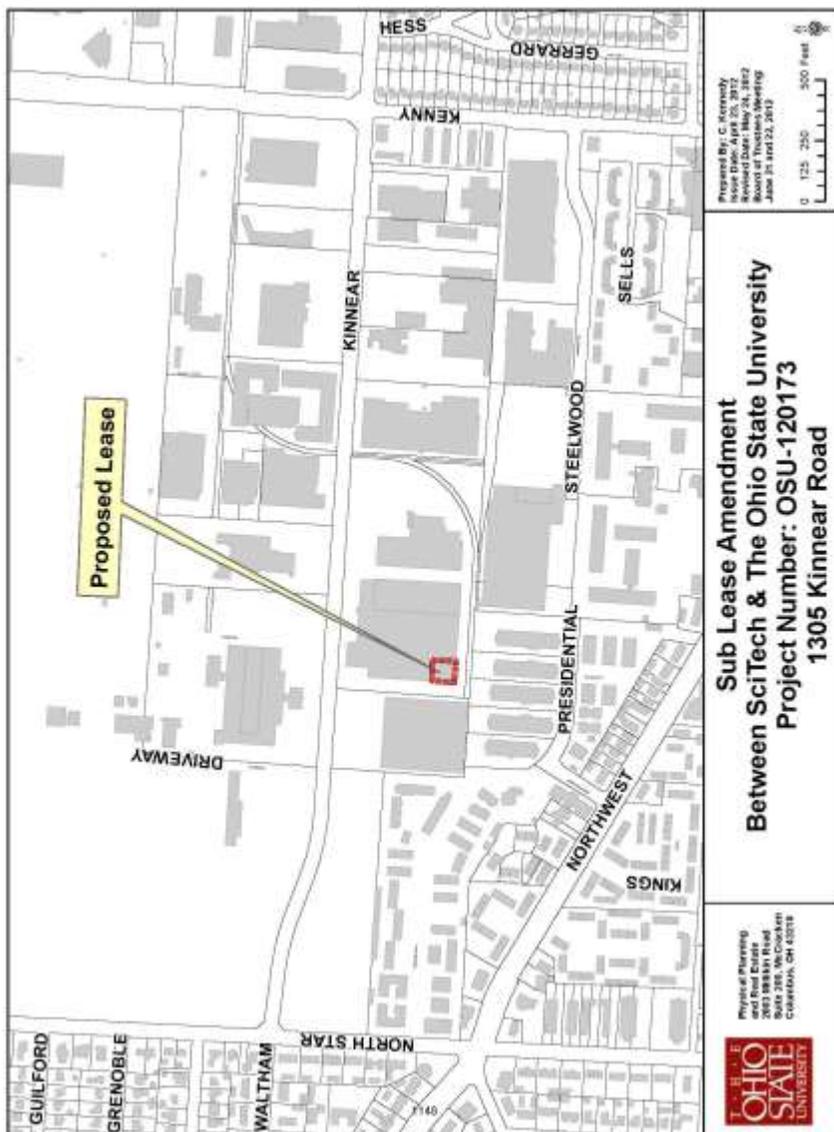
**SUBLEASE AMENDMENT  
BETWEEN SCITECH AND THE OHIO STATE UNIVERSITY  
VEHICLE SIMULATION PROJECT  
COLUMBUS, OHIO**

**Description of Proposed Project**

The Ohio State University—Office of Research has executed a Facilities Use Agreement with Honda, R & D Americas, Inc. to perform collaborative vehicle simulation research. To support this research, SciTech, a not-for-profit corporation, has offered to sublease approximately 5,800 square feet of vacant warehouse space to be built-out as laboratory space and offices at 1305 Kinnear Road, Columbus, Ohio.

**Terms of Lease Renewal**

Approximately 5,800 square feet has been leased for a term of 5 years in support of a Facilities Use Agreement between The Ohio State University and Honda R & D Americas, Inc. The Ohio State University-Office of Research is requesting approval of two (2) successive five (5) year renewal options to continue vehicle research subsequent to the termination of the Facilities Use Agreement with Honda. The Tenant Improvements will be approximately \$350,000 and the purchase of the vehicle simulator is estimated to be \$600,000. These expenditures will be paid with funds already deposited with the University by Honda, R & D Americas, Inc. The Ohio State University-Office of Research will fund the Rent and Operating Expenses estimated to be \$ 1.35M over the term of the lease.



(APPENDIX LIII)

**LEASE  
BETWEEN SCITECH AND THE OHIO STATE UNIVERSITY-  
THE MOLECULAR IMAGING PHARMACEUTICAL RESEARCH CENTER  
OF THE WRIGHT CENTER OF INNOVATION IN BIOMEDICAL IMAGING  
1212-1218 KINNEAR ROAD  
COLUMBUS, OHIO**

**Description of Proposed Project**

The focus of ***The Molecular Imaging Pharmaceutical Research Center*** is to serve as an enabling platform and environment to partner *The Wright Center of Innovation in Biomedical Structural, Functional and Molecular Imaging* (WCI-BMI) and *Ohio Imaging Research and Innovation Network* (OIRAIN) with Ohio's premier commercialization and technology partner in molecular imaging pharmaceuticals, Cardinal Health.

The OIRAIN grant provides a unique opportunity to accelerate this vision within an academia-industry effort focused on sustainability, commercialization and innovation opportunities, advances in patient care and growth of educational and training capabilities.

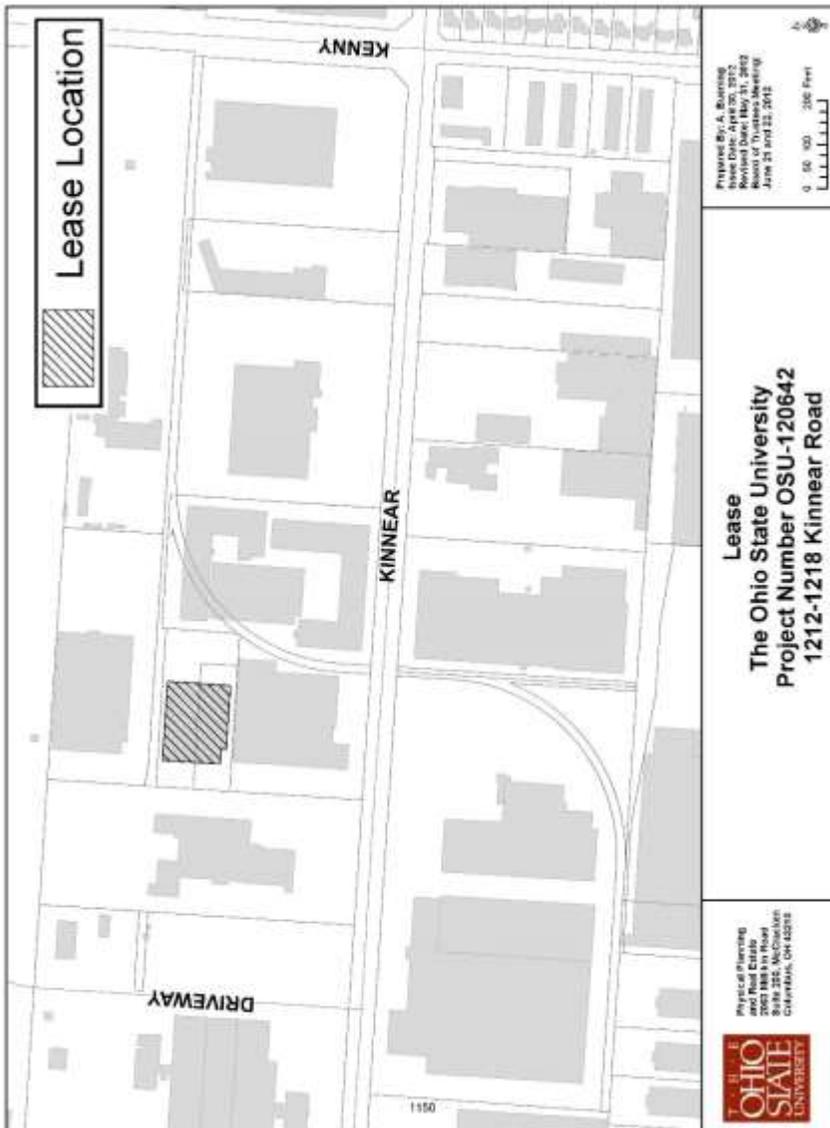
In association with the externally reviewed (National Academy of Science) OIRAIN grant award, Cardinal Health has proposed to consolidate its Columbus-based facilities for nuclear pharmacy and positron imaging agent production (both GMP) into this integrated partnership environment and announced in 2009 to locate its Molecular Imaging Agents Technology Center within our partnership facility. As part of this effort, Cardinal will relocate its pharmacy and its cyclotron to this Center. The Center will be a substantially larger overall facility adding a second cyclotron, a GMP research and development environment, a (non-GMP) basic and clinical research laboratory, additional educational and work space as well as reserved shelled commercialization / start-up / spin off space for future expansion of the WCI-BMI within the next 10 year time frame.

A formal master collaboration agreement was executed in March 2012 that defines the overall scope, anticipated agreements and available funding, signed by John Rademacher (Cardinal Health), Caroline Whitacre (Vice President for Research, OSU), Legal Counsel for SciTech and Michael Knopp (PI and PD of the grant).

The Center is envisioned to serve as a magnet for small business and startup commercialization efforts as has already been demonstrated in several recent Ohio Third Frontier proposals and will be an invaluable resource for many national funding pursuits (NIH, NSF, DOD) as well as commercial research collaborations efforts with Battelle Health and Life Science.

**Terms of the Lease:**

The lease terms have been completely negotiated between the parties. The lease is for 11,565 square feet to be leased for a term of 30 years from March 1, 2012 through November 30, 2042 with two five (5) year renewal options. The rent is \$1.00/year and expenses are estimated at \$230,000 in year one or approximately \$15M over the term. The Tenant Improvements are estimated at \$3.7 M. The rent, operating expenses and Tenant Improvements will be funded by the OIRAIN grant.



June 22, 2012 meeting, Board of Trustees