THE OHIO STATE UNIVERSITY

OFFICIAL PROCEEDINGS OF THE

ONE THOUSAND FOUR HUNDRED AND FIFTIETH

MEETING OF THE BOARD OF TRUSTEES

Columbus, Ohio, February 4 and 5, 2010

The Board of Trustees met Thursday, February 4 and Friday, February 5, 2010, at Longaberger Alumni House, Columbus, Ohio, pursuant to adjournment.

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Minutes of the last meeting were approved.

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February 4 and 5, 2010 meeting, Board of Trustees

The Chairman, Mr. Wexner, called the meeting of the Board of Trustees to order on Thursday, February 4, 2010, at 9:00 am. He requested the Secretary to call the roll.

Present: Leslie H. Wexner, Chairman, Jo Ann Davidson, John D. Ong, Douglas G. Borror, Walden W. O'Dell, Alex Shumate, Brian K. Hicks, John C. Fisher, Robert H. Schottenstein, Alan W. Brass, Ronald A. Ratner, Algenon L. Marbley, Linda S. Kass, William G. Jurgensen, Janet B. Reid, G. Gilbert Cloyd, Jason W. Marion, and Alexis L. Swain.

Mr. Wexner:

> Good morning. Before we take the roll call vote to go into Executive Session, I want to announce that the full Board will reconvene tomorrow morning at 8:30 am.
>
> I hereby move that the Board recess into Executive Session for consultation with University Legal Counsel and to discuss matters required to be kept confidential by State Statute.

Upon motion of Mr. Wexner, seconded by Mr. Schottenstein, the Board of Trustees adopted the foregoing motion by unanimous roll call vote, cast by Trustees Leslie H. Wexner, Chairman, Jo Ann Davidson, John D. Ong, Douglas G. Borror, Walden W. O'Dell, Alex Shumate, Brian K. Hicks, John C. Fisher, Robert H. Schottenstein, Alan W. Brass, Ronald A. Ratner, Algenon L. Marbley, Linda S. Kass, William G. Jurgensen,and Janet B. Reid.

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The Chairman, Mr. Wexner, reconvened the meeting of the Board of Trustees to order on Friday, February 5, 2010, at 8:30 am. He requested the Secretary to call the roll.

Present: Leslie H. Wexner, Chairman, Jo Ann Davidson, John D. Ong, Douglas G. Borror, Walden W. O'Dell, Alex Shumate, Brian K. Hicks, Robert H. Schottenstein, Alan W. Brass, Algenon L. Marbley, Linda S. Kass, William G. Jurgensen, Janet B. Reid, Gilbert G. Cloyd, Jason W. Marion, and Alexis L. Swain.

Me. Wexner:

> Good morning. I would like to reconvene the meeting of the Board of Trustees. Before we go into Executive Session, I want to announce that the full Board will reconvene this afternoon at 12:30 pm.
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> I hereby move that the Board recess into Executive Session to consider personnel matters regarding employment and compensation, for consultation with University legal counsel, and matters required to be kept confidential by State Statute.

Upon motion of Mr. Wexner, seconded by Mr. Shumate, the Board of Trustees adopted the foregoing motion by unanimous roll call vote, cast by Trustees Leslie H. Wexner, Chairman, Jo Ann Davidson, John

D. Ong, Douglas G. Borror, Walden W. O'Dell, Alex Shumate, Brian K. Hicks, Robert H. Schottenstein, Alan W. Brass, Algenon L. Marbley, Linda S. Kass, William G. Jurgensen, and Janet B. Reid.

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The Chairman, Mr. Wexner, reconvened the meeting of the Board of Trustees to order on Friday, February 5, 2010, at 12:40 pm. He requested the Secretary to call the roll.

Present: Leslie H. Wexner, Chairman, Jo Ann Davidson, Douglas G. Borror, Walden W. O'Dell, Alex Shumate, Brian K. Hicks, Robert H. Schottenstein, Algenon L. Marbley, Linda S. Kass, William G. Jurgensen, Janet B. Reid, G. Gilbert Cloyd, Jason W. Marion, and Alexis L. Swain.

[ROSE BOWL VIDEO PRESENTATION]

Mr. Wexner:

Not that what we do revolves around football, but it is a part of our life and I thought it would be fun just to reminisce for a few seconds and watch the football team, think about the Big Ten Championship, the Rose Bowl, and of course our good fortune of having the best football teacher in America, Jim Tressel. Jim, thank you for joining us.

Mr. Tressel:

I got a call from Mr. Wexner in the middle of December and he told me to put this time and date on my calendar and he said if you win the Rose Bowl it will be one thing, and if you lose it, it might be a different thing. So I have had this date for some time and I am excited to say we won, and it makes it nicer. I just mentioned to Dr. Gee that there is about 1,800 high school coaches over at the Hilton at Easton that we have been having a chance to interact with this weekend and I had a chance to address them this morning and talk about our young people and our University. We have a banquet tonight, so it is a fun weekend for us. We just finished a good recruiting year and now we are anxious to be home for a little bit, back on campus. I can tell you this, as we travel all over the country, everyone knows what Ohio State is all about, and it is very easy to walk into any high school and talk to any family in any living room because they know what is going on here and they know it is getting better and better. They know it is world renowned in many, many things, and it is just an honor to represent Ohio State, and I am happy to be here and happy to make this short because you are going to get stuck in the snow if you stay too long. Thank you so much, it is an honor to be here.

Dr. Gee:

Let me just say a couple things. First of all, congratulations on the Rose Bowl, congratulations on a great season and congratulations on a continuing great season. When I take a look at our faculty colleagues over here, I think the thing that Jim Tressel is admired the most for within this University is the fact that he is as consummate of a University citizen as I have ever seen in my life. He loves the University. Ellen and Jim were instrumental in helping to build the William Oxley Thompson Library through their leadership, but Jim is a consummate teacher, and Jim has always said that in the end, what it is all about is teaching. He loves the University, loves every value that we have and represents it so well. I do not care if you could not coach at all, Jim, we love you so much for the values that you have. Fortunately you can also coach and so that makes it very special, anyway we are very proud. Will you tell Ellen how proud we are of her also, I would appreciate it.

Mr. Tressel:

Can I tell them the story about the development dinner? Some of you were at the development dinner before the Rose Bowl and I gave my passionate speech about how proud I was, that of the ten BCS teams, we had the highest academic progress rate (APR), and thought that was extra special and so forth. Our president took the podium and said that is really wonderful that you have the highest APR, but you better win that damn game. True story.

Mr. Wexner:

I am certainly happy that everybody has their priorities right. Will the Secretary please take the attendance.

Dr. Frantz:

A quorum is present Mr. Chairman.

Mr. Wexner:

I ask everybody to mute their cell phones or other communication devices so that we can go through the meeting without interruption.

In addition to the Rose Bowl, of course in January we had another celebration - February 2, was Dr. Gee's birthday - a national holiday. Well it should be, come on President's day in Ohio. Proceeding on with more serious things, Alex, could I ask you to help us with the Student Recognition Awards, please.

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STUDENT RECOGNITION AWARDS

Ms. Swain:

Thank you Mr. Wexner. I would like to call Pat and Rachel forward, and I am going to tell you a little about them.

Patrick Burns is a fourth year student pursuing a Bachelor of Science in Geological Sciences from the College of Mathematical and Physical Sciences. He is from Dayton, Ohio and is a graduate of Chaminade-Julienne Catholic High School.

Since December 2008, Pat has been a student researcher at the Byrd Polar Research Center where he is attempting to match changes in stream geochemistry to variations in land use and land type in a high elevation watershed in Peru. He won First Place in the Math and Physical Sciences category at the 2009 Denman Undergraduate Research Forum for his poster entitled "*Calculating Volume and Area Change in the Tropical Qori Kalis Glacier, Peru.*" The research presented will serve as the basis for his honors thesis and along with his field work that he conducted in Peru in the summer of 2009.

Patrick is a member of Sigma Gamma Epsilon Earth Sciences Honorary Society and Phi Kappa Phi. He has also served as an intern at the Ohio Department of Natural Resources Geological Survey and has volunteered with Habitat for Humanity. Pat will graduate with honors and distinction in the spring and is applying for graduate programs related to earth sciences and hydrology and is also submitting an application to Teach for America.

Rachel O'Connor is a fourth year student, pursuing a Bachelor of Arts in Psychology and Criminology from the College of Social and Behavioral Sciences with a minor in sexuality studies. Rachel is from Painesville, Ohio and is a graduate of Riverside High School.

During her junior year, Rachel completed her honors thesis titled "*Motivational Effects of Need to Belong on Intergroup Memory in Minimal Groups*." She was awarded 2nd place at the 2009 Denman Research Forum and was recognized with the best undergraduate research poster at the Ohio Psychological Association's annual convention this fall. She was also able to present her research at the annual meeting of the Society of Personality and Social Psychology in Las Vegas in January.

Rachel has applied her passion for social issue to her extracurricular activities, volunteering for Girls Circle and the Social Issues Immersion Project. She has also worked as an intern for the Community Shelter Board and the Kirwan Institute for the Study of Race and Ethnicity. She is also a member of the Psi Chi National Honorary in Psychology. She will graduate in March with honors and distinction and is planning to attend graduate school to pursue a PhD in social psychology focusing on stereotyping, prejudice, and intergroup relations.

I will present them with a certificate and a medallion and let's give them a round of applause.

Ms. Rachel O'Connor:

I want to start by thanking the Board of Trustees for this tremendous honor. When I came to Ohio State my only goal was to work hard and take advantage of all the opportunities Ohio State had to offer, of which there have been many. Never did I expect to be recognized for these efforts, but it is truly appreciated.

A special thank you to Dean Weary for nominating me. I also need to thank the many people who have helped me along the way. First and foremost are my parents, Matthew and Teresa O'Connor who, have always managed to find a balance between unconditional love and support, and encouraging me to work harder and be a better version or myself.

I would also like to thank my research advisors and mentors, Dr. William Cunningham and Dr. Jay Van Bavel. I owe many of my accomplishments to the guidance, advice and support they have given me. With them I have been able to explore the cognitive underpinnings of prejudice and an effort to combat harmful biases and make the world a more harmonious place. They have motivated me to further pursue this line of work in graduate school, and I thank them for exposing me to the topic I have become so passionate about.

I would also like to thank my friend and advisor Vicki Pitt-Stick. She has shown me the meaning of truly living in service. I admire her dedication to helping others and she has inspired me to incorporate volunteering and service as an essential part of my life.

One of the reasons I chose Ohio State was the school spirit that was obvious the moment you set foot on campus. After four years here, I fully understand why. From football games to intellectually stimulating classes and the wide range of cultural activities available, it is easy to be proud of this school. I am grateful to have been part of such an exciting and supportive community. Thank you.

Mr. Patrick Burns:

Good afternoon ladies and gentlemen of the Board. First of all I would like to say that I am truly honored to receive this award and be in your company today. I would also like to thank you for hosting my parents and myself.

There are a few people who I need to single out and thank for helping me to be where I am today. I need to thank my parents, Brian and Sharon, sitting right back there, for their love and guidance and support throughout my entire life. Next I would like to thank Dr. Anne Carey, professor from the School of Earth Sciences, and Dr. W. Berry Lyons, director of the School of Earth Sciences. Dr. Carey is my academic advisor and she is the one who first nominated me for this award, and Dr. Platz, the dean of the College of Mathematical and Physical Sciences further nominated me. Dr. Lyons is one of my research advisors.

While I have a tremendous amount of respect for these people and the research they do, I have even more respect for their character. Whether it is writing a letter of recommendation, answering a question about geochemistry or just talking about my future, Dr.

Lyons and Dr. Carey are two people who are always willing to help, regardless of how busy they are. So I thank them for their support and encouragement to do research that I have a passion for.

The person who I need to thank the most is my research advisor, Dr. Bryan Mark, a professor of geography. Dr. Mark does fascinating interdisciplinary research concerning climate change and the resulting impact on glaciers and water resources. He studies the connection between melting glaciers and water supplies in Peru and other South American countries. I have a great deal of admiration for what he does because his research has environmental implications which connect directly to the well-being of people in these water-poor countries. I thank Dr. Mark for helping me take my education out of the classroom. I have worked with him at the Byrd Polar Research Center and I have had invaluable experiences with him in the western U.S. and in the Andes of Peru. My field and research experiences have taught me information which cannot always be learned in classrooms or books.

I am honored and honestly still somewhat surprised to be the recipient of the Student Recognition Award. I say surprised not because I am questioning my accomplishments, but because I feel I know so many students who are doing extraordinary things in the classrooms and community of Ohio State. I think this really speaks to the character of the University and I commend all of you for helping to create an environment where students get a great education in the classroom, get involved in the community and have the chance to do research. I want to thank the Board of Trustees for making The Ohio State University a place of opportunity. Coming in as an undecided freshman, I knew I would have the opportunity to study just about any scientific discipline I could think of. I do not think I realized even a small portion of all the other opportunities that I might have both in and out of the classroom. A few of my favorite opportunities include being part of the tremendous Buckeye fan base at each home football game, going to Costa Rica to study ecology, taking the Big Lots Big Shot at a men's basketball game at halftime and narrowly missing, learning in Utah for my field geology summer courses, teaching elementary school students about science and math, playing intramural sports with my fellow students and friends, and researching glacier and hydrologic change in Peru.

So once again, I thank you for making the University the place where one student can have such a wide variety of opportunities to learn, discover and succeed.

Mr. Wexner:

Thank you very much. Now, Dr. Gee would you like to inform us.

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February 4 and 5, 2010 meeting, Board of Trustees

PRESIDENT'S REPORT

Dr. Gee:

Thank you very much, welcome and congratulations to our two students. I think it is wonderful that we have an opportunity, our 63,000 students, all of whom are worthy of recognition, but the fact that we have such marvelous representatives of this student body, I really do want to congratulate you. I am going to be very fast today, it is snowing. One of the reasons we turned the snow on was so no one would be here to protest our ticket price rise, just kidding you.

Several official things to accomplish leaves a little time to get myself in trouble, I already just did. I do want to note two significant student events this week. First of all this past Monday, we had a benefit dinner for Haiti relief. A wonderful effort organized by our student body officers, Ben Anthony and Jordan Davis, 1,800 students participated. They raised $23,000 for Red Cross services, but it was just fun, it was an Ohio State moment. Today's conference, Alleviating Poverty through Entrepreneurship is sponsored by the Fisher College of Business, and our Fisher College students are reaching out, reaching up and reaching beyond the boundaries. We are very grateful for that.

These are both strong signals to the world that our students combine their head and their heart. They embrace in so many ways the land-grant ideals of this great University and are exceptionally well prepared to lead into the future.

Today also we have the pleasure of awarding a Medical Center Board Emeritus designation. The chairman and I would like to call forward George Harding. George we see you right there, would you please come forward and sit right here for a second, or just stand. Dr. Harding is legendary, as we all know, for his passion and effective advocacy for mental health care. He founded the Franklin County Mental Health Board, which is the first in Ohio. A decade ago, he oversaw the merger of Harding Hospital and our Medical Center, resulting in a better integration and enhanced services and obviously in this case a great hospital for which we are most appreciative. Along with his wife Joan, who is here, George has carried forward the remarkable family legacy of helping others in need. Please accept the congratulations and gratitude of this University for your years and years of service. Mr. Wexner and I will come forward and present you with a plaque, George.

Dr. George Harding:

I certainly appreciate this great honor. It was 105 years ago that George T. Harding Sr. was appointed to the faculty of The Ohio State University College of Medicine. For 105 years there has been a George T. Harding on the faculty of the department of psychiatry. So it is a great honor to be here today with President Gee and Chairman Wexner. I certainly appreciate very much this honor.

Growing up my father taught regularly and going out to dinner was going to the Faculty Club. When my father and his friends gathered together they talked about teaching and the future and the growth. I remember when Charles Doan was appointed dean, and what a distinguished addition that was to the faculty along with Richard Meiling and so many others who have given leadership. So through the years my father always said, I think we can operate the Harding Hospital in the most effective way. If the time ever comes that we cannot do that, then we should look to find the next best group to operate the Harding Hospital. When the time came, we were very appreciative when Manuel Tzagournis and Reed Fraley came and talked with us about joining forces to make the strongest mental health facility that we could have in this University. We have been very proud of the work done by Dr. Gabbe and the rest of the faculty. We really look forward to even stronger things in the future. So thank you very much.

Dr. Gee:

I will now continue my report. It is one of those days, isn't it. We are so grateful to have so many friends of the University here with us. This is probably one of the most pleasant responsibilities/opportunities I have had since I have been President of this University either in my first or second term, to announce the strategic realignment for the long-term benefit of the University. After years of conversations and then after a year of study, the University and the Alumni Association have agreed to align themselves, to strengthen their partnership in a very formal way. Under this agreement, Archie, I know I only said Archie but there is only one Archie in the world, will become a member of my leadership team. He will become the senior vice president for Alumni Relations as well as remain as president of our Alumni Association.

Now the purpose of this new alignment is to better serve our students and our alumni and better spread the gospel of Ohio State. The alumni tell us that they want to be even more involved in the life of the University, so this new centrally different strategy and alignment will facilitate that engagement. The move, by the way, was undertaken on recommendations of a joint task force led by Tami Longaberger and Bill Lhota. I want to acknowledge the members of that alignment task force for their great work. This alignment was recently approved, unanimously I might note, for which I am grateful, by the Alumni Association Board of Directors.

So I now turn to Trustee Alex Shumate who served as a representative of the University on the task force board for a resolution.

Mr. Shumate:

Thank you President Gee. Again let me echo your sentiments that this is truly a coming of age moment for the University and our vast network of alumni and friends. We are very fortunate to have an outstanding alumni association and by working at an even closer partnership, we are taking another step to the path towards eminence. It is in that spirit that I would offer the resolution which would authorize the implementation of measures to strengthen and align the relationship and partnership between the University and the OSU Alumni Association, and this will be added to our consent agenda.

Dr. Gee:

Thank you very much Mr. Shumate. Archie, will you come up here, and sit right there for a second. This is your place, so you can do whatever you damn well please, but I just want to say this about Archie. We are glad to have his leadership, we are glad to have his clear voice and now I am glad to have the opportunity to serve with you on behalf of this University. As you know Archie is iconic, he is a much beloved figure. There are some people that are iconic and much beloved who do not deserve that, in this instance Archie is iconic and much beloved because he works very hard to deserve that recognition everyday from the people from Ohio and Ohio State. He is uncommonly effective in his work. He leads through example, he leads with honor and certainly his dignity is hard work and his love for the University is unparallel. Archie, welcome to this new capacity and most importantly we are grateful for your leadership which allowed all of this, and facilitated all this to take place. If you would not mind, say a few words.

Mr. Griffin:

Thanks Dr. Gee, Chairman Wexner, members of the Board of Trustees, and all guests here today. I want you all to know that the Alumni Association staff and our Board of Directors welcome this new alignment. A couple years ago Dr. Gee, when you came to the University for your second tour of duty, you talked about One University. You talked about helping the Alumni Association double their membership. Because of that, this is one of the reasons that we are doing this, because I think it will allow us to achieve those goals. It certainly will allow us to achieve those goals that our Alumni Association really embraced the ideas whole-heartedly. This new alignment will help us obtain our goals and at the same time maximize the alumni engagement for the benefit of the entire University and our Alumni as well.

Being here as long as I have been here, I know the value of teamwork. I have seen it played out at this University time and time again. Working together as one Ohio State, we will reach out to nearly half a million alumni across the globe. We see this as an absolutely wonderful opportunity to keep our alumni, friends and fans linked to our great University in some very, very special ways. So in the spirit of one Ohio State, we really want you to know that we look forward to an even brighter future connecting our alumni to our University and to each other. Thank you all very much for the hard work that you put in to make this happen. I certainly want to thank the task force because a lot of hard work really went into making it happen, and I can tell you right now, we are going to do everything we can to make sure that this thing just takes off. Thank you all so very, very much.

Dr. Gee:

Archie, I look forward to working with you, and thank you for assuming this leadership role, which we really appreciate. It is going to be a wonderful time. Archie and I are going together; we are flying the flag together in California. Someone had to do it Archie.

Mr. Griffin:

It would not be bad if we were doing it today.

Dr. Gee:

Now I would also like to express my gratitude to Governor Strickland, Speaker Budish, Senate President Harris and to bipartisan support from our state elected officials, for their ongoing support for higher education. The budget compromise which was reached in December, further distinguishes Ohio as home of well reasoned leaders on both sides of the isle. Particularly thankful for the construction reform authority granted to the Board of Regents which promises to substantially pave the way for better results in terms of our construction in this state and certainly with our major project, ProjectONE.

The Third Frontier agreement that was just reached this week, will be on the ballot in May, is $700 million in funding over four years, and I believe that is one of the surest investments in the future of this state. It will represent an economic opportunity and great job growth. The advancement of healthcare and science, so it is literally a no-lose proposition. I want to particularly acknowledge two of the Board's members who worked tirelessly on this: Jo Ann Davidson and Brian Hicks. They made an enormous effort and made a real difference, and Brian I am grateful. Jo Ann sits next to me and has to put up with me, but Jo Ann now will take a leadership role in leading us forward in terms of this effort. So later on in our agenda, the Board will consider a statement of support for the Third Frontier ballot issue.

This is also a pointed meeting for me because this is the last Board meeting for Bill Shkurti in his official capacity as senior vice president and chief financial officer. I do not know quite what to say because I appointed Bill in 1991. He has been everything that any university president would want. He has been a statesman in every way. He has superb wisdom, he has extraordinary judgment, but Bill is so fiscally prudent, we are holding a retirement party after he is off the payroll, otherwise he would not let us have one or we would have to serve canned soup and crackers or something like that. Bill, you know we are going to have a chance to celebrate you in so many different ways, but I just want you to know from a very personal level that it has been an honor to work with you. Bill is the ultimate good guy because he picks up after me all the time, which is something that very few people should have to do, so Bill we congratulate you and I know that the Board will do that also, but we are going to have other opportunities for all of us to celebrate Bill.

Finally, it is my great opportunity today to introduce the University's new chief financial officer (CFO). Geoffrey Chatas joins us from JP Morgan, where he was a senior officer and was the managing director of the Infrastructure Investment Fund. He has served as CFO for both Progress Energy and American Electric Power. He is a graduate of Georgetown University, obtained a masters degree in history from Oxford and an MBA from INSEAD. He has a great spirit and a great vitality for teaching. He has consistently been involved in the academic enterprise both teaching at the Fisher College of Business and at the UNC Kenan-Flagler Business School at the University of North Carolina. We believe that in these tumultuous times with the challenging agenda we have in front of us that he is exactly the right person to lead the University's financial operation. So Geoff, this is your first official welcome to the University so please stand and be recognized.

So, go over there immediately and get the printing press geared up, would you please. He will join us on February 15, and in the best of the world of transition will benefit from Bill's continued council through this transition period.

We have had a lot to announce, we have a lot of good news to celebrate. The University is in an extremely strong position and the opportunities for us to move forward could not be greater.

Mr. Chairman, that is my report.

Mr. Wexner:

Are there any questions? Thank you.

Joe Alutto, Bill Shkurti, Jeff Kaplan, I think you are going to come together and make a presentation on Capital Recommendations.

Dr. Alutto:

We decided this should be Bill's last presentation.

Mr. Wexner:

Bill, they just gave you the short end of the stick.

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CAPITAL PLAN PPT PRESENTATION [POWERPOINT]

Mr. Shkurti:

Mr. Chairman, as it may be obvious, I am neither Joe Alutto, nor Jeff Kaplan, and that is probably something for which Carol Alutto and Darcy Kaplan are extremely thankful. What my distinguished colleagues decided is that given the weather and everything, it would be important to move expeditiously and it would be easier for one person to do this rather than three. So they volunteered me to do this, which I am happy to do. I think some of you who know me, know my ability to skim over important things very quickly, and that is sometimes helpful. This in fact is a very important issue - the University's capital recommendations for the next six years. What I will do is go through those and highlight the important points, and we will leave time for questions, and I am sure should I get stuck my two distinguished colleagues will help me as well.

So we are going to look at three different things. First of all the strategic goals of the University and how the capital recommendations support those, the physical planning context in which a lot of work has been done this year, and then the funding strategy of how we pay for it, then I will summarize at the end.

The strategic goals are based on the six outcomes that President Gee has articulated in the two years he has been here. I will highlight each one and how they tie into the capital recommendations. The first one of course is "One University," and so this is a comprehensive capital plan that includes all campuses, affiliated entities and all projects regardless of funding source. That is an important point as the University diversifies its revenue sources and increases its relationships across the community and have a central overall strategy that all ties together.

"Students First" is the first substantive initiative and the program we have highlighted here is the modernization and upgrade of student living spaces, especially on south campus as a high priority. We think that will go a long way into making the campus even more attractive to our students, and for them to receive a lot of benefits as a result. We also want to make sure we attract and retain the best faculty and staff talent where state of the art classrooms and research space is important to that. Here we have highlighted the north academic core, which includes the chemical engineering and chemistry building and of course the medical center and ProjectONE in a way that they will assist in the improvement and retention of best talent.

Research prominence is part of what makes us different and in these capital recommendations you will see a major investment in facility modernization and expansion, particularly in interdisciplinary work which would allow the new research frontiers. Particularly in chemical engineering and health sciences are two of the sets of the facilities that further this goal.

Outreach and collaboration is an important part of what we do. Although ProjectONE will do a lot for research and a lot for teaching, it also will expand the high level of quality medical care that is available in our medical center and nowhere else for the region, in fact internationally and will provide a strong economic benefit as well to the central Ohio community and to the state of Ohio.

Finally, financial soundness is a principle and so the funding sources as you will see in a minute are identified for all the projects. The buildings are designed to make efficient use of space, and I might also add efficient use of energy.

I will turn now to the planning context, and that is another term for the way we link the academic, strategic, physical and financial planning goals under one framework, and Jeff has led that effort, and we have had a lot of discussions about that. Again you see the importance of the one University concept. The sustainable living learning communities and looking at our campus as a 24/7 experience, the stewardship of existing facilities and of open space, the investments and civic structure and creating a framework that will last for the next 50 to 100 years, and partnerships with the surrounding community. Those are all reflected in the recommendations that you will see.

In addition, we have incorporated the changes in state law regarding construction reform that President Gee referred to. That is the specific language there. The specific project that in fact Jeff and I just signed the letter yesterday requesting that the Board of Regents designate ProjectONE as the pilot project, or a pilot project under the construction reform provisions. We think there are a number of tremendous advantages that come from this. More timely completion of needed facilities, potential cost savings and also a greater participation by small businesses and minority contractors, and there is a special management team already working under the leadership of Senior Vice Presidents Gabbe and Kaplan to oversee the project. One of the points that all of us want to make here in the public session, because the references that ProjectONE is a $1 billion project, which it is, but part of the project has already been completed, therefore construction reform would not benefit it, but of the amounts of the project that are still to be done are quite significant and amount to about $825 million worth of construction. We know how important this project is, and there will be progress reports presented to the Board on a quarterly basis to follow this up.

I guess the way I would summarize the capital recommendations, and they include both this year because there are a lot of different things going on through 2015, is that it supports the strategic goals as I just outlined, it is consistent with the emerging framework principles, that is the one framework recommendations, and those are going to be finalized this spring, but we have a pretty good idea where that is going, and it is aligned with our financial planning efforts, which I will talk about in a minute. I am not going to go through all that because it is pretty small print there, but what that does is list the recommended capital projects by total project cost. As you will see there is some previous commitments in there just to keep track of things, but you will also see what the major priorities are, which is the north academic core, which is ProjectONE and which is the student housing projects, renovation projects, and also the associated infrastructure, and that is consistent with what we presented to the Board at the October 28 meeting. The total for all that adds up to $1.958 billion.

Included in that are some projects that are of high priority but that we also need to prepare to be either scaled back or stretched out, if necessary, to align with the availability of funding. These add up to about $100 million out of that total that you saw. These are things that all need to be done, so it will just be a question of timing. It includes business continuity, access and way finding, routine repairs and renovations, transportation and parking, improving communications of our public safety efforts, the regional campuses and also the river corridor and pedestrian priority. These will all get done at some point; the speed by which they get done will depend in part on when financial resources are available.

Which then takes me to the issue of funding strategies; our goals here are to continue to advance academically but to exhibit financial prudence and also transparency in what we do. What you have here is simply a summary of what was agreed at the October 28, Fiscal Affairs meeting just for review, and again the confirmation of the capital priorities that I just mentioned. Those were identified on October 28, then some of the other activities, circuit breakers, and I will talk about those in a minute, the next bond sale, and I will point out that says approximately $400 million. What we are recommending specifically this time is $450 million, which to me is in the range, and we think that is a result of a couple things that I mentioned earlier, that will allow us to do that. We have also continued a modified freeze on all the projects through 2010 until we get this nailed down and are comfortable, and we can move ahead. We will be requesting your approval through a vote at the end of this meeting.

What this next chart shows is where the money is coming from for all the projects, so if you go down to the total, the total there adds up to the total of the projects. You will see the new debt includes $1.6 billion, which includes $190 million in previous commitments, you may wonder what those are. That would include the Ohio Union, which had already been approved by the Board, and also, what used to be the Holiday Inn, which is now student housing. In many cases we sell the bonds after we actually complete construction. You also see we are counting on state funds, it is a modest amount, but we think it is important, on what the units kick in, and also on development efforts for ProjectONE. We also have some ProjectONE portions that were previously bonded, and again that adds up to the total that is recommended.

As I mentioned earlier, we have a total of $1.6 billion in bonds. There is a preliminary schedule before you. The $450 million recommendation we are comfortable making because there are a number of steps we have taken that have improved the University's balance sheets since we met in October, primarily in terms of refinancing our existing debt, and I will get back to that in a minute. What I want to make clear is that this schedule is preliminary, particularly when you get out to 2012 and 2014 to give my successor Geoff Chatas a chance to go through this and make sure he is comfortable with what he is going to be committed to, make sure it gets funded on his watch.

There were a number of steps we have taken that mitigate any financial risk, because we recognize we are still in somewhat of an uncertain financial time. The Board does have a requirement that all projects over $4 million require a separate vote when it comes time to go to both design and construction. We have circuit breakers for the key large projects, including ProjectONE. We just refinanced some debt as I mentioned earlier, which is reducing our interest cost and our exposure to variable rate debt, so that reduces risk considerably, and I want to compliment Tom Johnson and his staff in the office of financial services for their work on that. We are continuing the modified freeze as I mentioned. We expect due to the current economic climate some bid favorability and we are requiring all that to be recaptured centrally instead of just going where individual projects want, and then making a strategic University decision on where that bid favorability goes.

The University's financial pictures reported yesterday remain stable and that is a good thing, and we are continuing plans to strengthen the University's balance sheet even further. I mentioned some things that will assist in maintaining a strong balance sheet. The president mentioned the passage of the state budget corrective bill, which will help a lot, some of you may have read in the paper today that income tax revenues appear to be down about $100 million for the month of January. It is important we not react to one month as a trend. Usually when something like that happens it can often times turn out to be just a statistical aberration. We always look for collateral information that tells us, does this relate with everything else we are seeing. Remember we had a fairly, compared to what expectations were, decent Christmas sale season, and although the economy is not great, it is stable. So we are thinking and hoping that the one month drop is just a blip, and that is what the governor talked about this morning. I think it underlines the necessity of continuing to remain vigilant and careful, and we are going to have to monitor state finances over the next couple of months and take corrective action if necessary.

I talked about ProjectONE as a construction reform pilot project, which will substantially reduce our risk in terms of how that project is managed. I talked about the refinancing of the debt and the converting of the variable rate debt and there are also some proposed changes in debt policy I talked about with the Fiscal Affairs Committee yesterday, which will give the University greater flexibility to manage its cash flow and will also allow the University to manage its risk in a better way as well.

So in conclusion I would say the recommendations we are making are: we approve the preceding with recommended projects, that any state or bond funds gained from favorable bidding climate revert back to the center to the University for redistribution, the Board will receive quarterly updates, you will approve individually projects of $4 million and over, and we will continue the hold on other projects through June 30, until Geoff Chatas can have a chance to reevaluate where we are for the long run.

So the next step would be the approval of the attached resolution which should be in your Board books, and then when individual projects come forward, and there are actually some already approved at this meeting, as needed, we will ask for that approval. In the interim we will submit a capital request to the Ohio Board of Regents in mid-February that is consistent with these recommendations and then Geoff Chatas will give you a mid-year update on where we are on all these at the June Board Meeting. Mr. Chairman that completes my presentation, my colleagues and I will be glad to answer any questions you or the Board may have.

(See Appendix XXIII for background information, page 445.)

Mr. Wexner:

Bill, thank you very much. Are there any questions to Bill and his colleagues?

Then thank you very much.

Mr. Shkurti:

You are welcome Mr. Chairman.

Mr. Wexner:

The resolution has been distributed to everyone and I would like to postpone that vote till later in the agenda. Now we can move to committee reports, and let's begin with Trusteeship with Alex Shumate.

COMMITTEE REPORTS

Mr. Shumate:

Thank you Mr. Chairman. During our meeting yesterday we had a very excellent and very thoughtful discussion on our committee structure, and we will be reviewing our committees, in particular to reflect the new partnership and alignment with the Alumni Association, and as you have directed, Mr. Chairman, to make sure there is alignment between our strategies and our priorities in our committee structure.

We also heard an excellent report from Student Trustee Jason Marion about the process for selection of the next Student Trustee, and that process is moving forward and will be finalized shortly.

Third, Mr. Chairman as you know, the Committee on Trusteeship has been meeting with our Academic Affairs Committee to select a faculty member to serve a two year term on the Academic Affairs and Student Life Committee of the Board. I just want to take a moment to personally thank Dr. Gerber and your colleagues for forwarding to us five truly outstanding names of individuals to review for this very important committee assignment. A subcommittee comprised of Ambassador Ong, Brian Hicks as well as Linda Kass met for almost a day with the five faculty members. Very excellent conversation and it reminded all of us of the dedicated, engaged faculty that we have at this University that are so central to the success that we enjoy. If I might take a moment, Mr. Chairman, just to review the criteria that we are utilizing as we consider the five candidates. They include, first, a faculty member with broad knowledge of the University including an appreciation for transinstitutional interdisciplinary work, secondly a faculty member with experience in University governance and/or administrative positions, whether that is chair of a major University committee or chair of a department, third a faculty member who can represent the broadest academic thinking and not see his or her role as one of simply representation of a single group. As Ambassador Ong described we are looking for a colleague to join us in our important deliberations on academic strategy. Also a faculty member with awareness of the place of the University within the state of Ohio and within the context of higher education both nationally and internationally, and a faculty member with strong interpersonal skills, and we will be bringing to the Board at our May meeting, a selection to join us in our Academic Affairs Committees deliberations.

ELECTION OF OFFICERS

Resolution No. 2010-43

Mr. Chairman, on behalf of the Board and the Trusteeship Committee, I would like to place a nomination of the officers for the upcoming academic year. Unanimously we are recommending

Leslie H. Wexner, Chair
Douglas G. Borror, Vice Chair
David O. Frantz, Secretary

I should ask, are there any other nominations from the floor? If not I move to close the nominations.

All those in favor of this slate of officers nominated to serve through the April 2011 Board Meeting, please raise your hands. All opposed.

Upon motion of Mr. Shumate, the Board of Trustees adopted the foregoing motion by a unanimous show of hands.

Thank you, and congratulations to our new officers.

Mr. Wexner:

Bob Schottenstein, Audit and Compliance please.

Mr. Schottenstein:

Thank you Mr. Chairman. Since our last Board meeting the Audit and Compliance Committee has met twice. The first of those meetings was on January 15, and at that meeting we basically considered two items. The first of which was the 2009 Financial Review, which was a detailed review of the operations of the University for the fiscal year ending June 30, 2009. The good news is as you heard Bill Shkurti allude to just a few minutes ago, the University's overall financial health remains relatively sound. It should be noted that the total net assets, which is another way of referring to our income, did show a loss of $340 million, which is by no means insignificant but the fact is that $436 million of that was due to a decline in our net investment fund. As you will hear in a few minutes, I believe from the Investment Committee report is through the first half of this year, through the good work of Jonathan Hook and his people, we have had somewhat of a recovery. I think the long-term pool is at about $1.9 billion now, so as I said, the condition was sound last year, and has improved since then.

We also had at the January 15, meeting, a very comprehensive review from our external auditor, Deloitte & Touche concerning the University's affairs for the year ending June 30, 2009. The University received a clean audit. Deloitte was very complimentary that in their report, there were several, what they would qualify as significant deficiencies. I will talk about those in a few minutes because we dealt with those at the meeting that we had yesterday. So that is what we did at the January 15 meeting.

We met yesterday and considered a number of items, the first of which was a mid-year report. This being the middle of the 2010 fiscal year, and overall as I said a few minutes ago, the University's finances are stable, but given macroeconomic conditions that we are all well aware of, the environment looking ahead continues to be uncertain. But as you look at the primary metrics, those being enrollment, the operation of the Medical Center, state support, the investment returns, the terms of the green/yellow scorecard that we use, everything shows up green right now. We also heard from Mr. Shkurti yesterday concerning responses to the Deloitte audit, particularly the items that were noted to be significant deficiencies. Progress and or correction have been made with respect to each. None of those were considered major at this time.

We also had a compliance report from the Medical Center. It was a very good report given the volume of Medical Center patient encounters, which is quite staggering: approximately 80,000 in-patient and 800,000 out-patient encounters annually. Needless to say there is a wide variety of issues, very important ones, related to federal healthcare compliance. We have a very robust and a very effective compliance program, and since the compliance office's last report, I am very pleased to share with all of you that there have been no significant issues that would merit any kind of voluntary disclosure at this time.

In addition we received a report from the University's internal auditor setting forth his annual scorecard, which also is based on a green/yellow/red scoring system for all of the internal audits performed during the last year.

Finally we had a fairly extensive discussion, it is just a discussion at this point, the matter will continue to be reviewed by both the Audit Committee, and also the Medical Affairs Committee, concerning the need for a separate stand alone audit for the Medical Center. Just to provide some context for this, I think it is important for everyone to know that the Medical Center has for many, many years been audited as part of the University's total audit. The issue here is not whether the Medical Center should be audited, because it currently is, it is whether the Medical Center should receive a separate audit. We had a very good discussion concerning the pros and cons. That discussion will continue, and I will have more to report on that later. That concludes my report.

Mr. Wexner:

Thank you. All the committees have, I think, been working very hard and thoughtfully, not just on the work of the work, but in terms of externally benchmarking and making sure that we are doing the best that we can, based on best and good practices. I know particularly in Audit, Bob and the Audit Committee have been looking at best practices, in form by Sarbanes-Oxley, SEC Practices, and have spent some time just looking at audit practices and procedures for institutions like ours. I think that is a very good thing to do, so we are inward and outward focused. I just know this is happening. I know the same thing is happening in Medical Affairs and Development and Investment. Because of the weather we have two committee chairs who are trying to get home safely, and Judge Marbley is going to report both for Medical Affairs and Academic Affairs and Student Life, so Monte, it is yours.

Judge Marbley:

Thank you Mr. Chairman. First with respect to Medical Affairs. We had a good meeting yesterday and I am happy to report that the Medical Center, Mr. Chairman and Mr. President, is in fine shape. We use a scorecard which indicates that our overall performance is green, and I would like to take a moment to digress from the script that was prepared in part by Mr. Brass and thank Dr. Gabbe for his outstanding work in making sure that even in these troubled times we are showing green. I am not going to go through the entire scorecard, but with respect to the more significant metrics by which we measure our performance, I will give all of those assembled a highlight of what we have done against our budget. Our operating margin is 5.4 verses 4.5 budgeted. Our day's cash on hand is 60 as opposed to the 56 for which we budgeted. Our outpatient visits are up 510,000 versus a budgeted number of 492,000. So overall we are in the green, we are only in the red by a couple of points on total occupancy, but we would like to attribute that to our efficiency as opposed to anything else.

ProjectONE, the construction arm of our new hospital. If possible I would like to bring up the rendering of what the new addition would look like. While we get to that I will tell you that we heard a report from Lynn Readey on our plans to request approval from the Board of Regents to use the construction manager at risk delivery system on this project. We are hoping that we will get that approval and are preparing accordingly. I will also note that Paul Sherwood has been brought in as co-director of construction. He will be working with Jay Kasey and Dan Beardsley has been brought in as business manager, he was brought in from the William Beaumont Hospital in Detroit.

Unrelated to ProjectONE I would like to announce that we have seven new board members on our various hospital systems. On the University Hospital Board we have Kevin Reeves of AEP, he is manager and director at AEP, and Shirley Rogers Reece as an executive at McDonalds. On the James Cancer Board we have the Honorable R. Guy Cole, Jr., who is a Judge on the United States Court of Appeals for the Sixth Circuit, Sander A. Flaum, and Jordan Miller Jr., as most of you know are with Fifth Third here in Columbus. On University Hospital East Board we have Superintendent Gene T. Harris and Miss Sue E. Zazon.

One additional matter that we have Mr. Chairman is an amendment to the long-term lease, I believe that is going to be on the consent agenda, and that is an authorization to amend the long-term lease agreement with Gowdy Partners to provide for the construction of a building addition containing approximately 11,400 square feet of medical office space to provide for a radiation oncology center to be located at 739 West Third Avenue in Columbus.

I am going to ask Dr. Gabbe to walk us through what you are seeing in terms of the rendering of the tower once it comes up.

Dr. Gabbe:

What you will see is that the upper part of the tower has been changed to break up the face of the building into four, what we are calling individual neighborhoods. In doing that we are going to be able to create much better functional units for patient care. Each of the neighborhoods has 12 beds, and there you are, so that the biggest change is the recess and core placement of the towers. The North side, this is the south side looking from Tenth Avenue, the North side will be the opposite, but what you have here is, each of these four units, as I said is now a functional neighborhood. These three are twelve bedded patient units with a nursing station centrally, six beds on each side so that the nurse and the physicians centrally can see all the patients at the same time. In designing this, this is one of the emphases we heard from our providers, they want to be able to see all the patients all the time. By creating these smaller functional units we get away from what we find in a lot of other hospitals, a long corridor and patient rooms coming off the corridors, here by dividing these units and creating centralization of key patient needs so that each neighborhood will care for different types of patients, we think we will really be able to focus on personalized healthcare for our cancer patients in the upper floors of the new tower. The other advantages are that by placing these towers forward, there is glass on each side that will allow more light to enter the building and this second tower from the left is a tower where we will have space for education and clinical and translational research. We call this ProjectONE not only because it is one University and one Medical Center, but because it combines not only patient care but education and research. The podium remains, and you know that is where we will have our ambulatory cancer space, our operating rooms, our laboratories and diagnostics and then our critical care units above, and at the top of the critical care units will be rooftop gardens that will be available to the patients and their families so that they can access that green space which we know encourages healing and a more rapid recovery. So we are very excited about this design. Going forward we will develop the plans to build the building, but we wanted to share this with you, and I thank Judge Marbley for allowing me the opportunity to present this to you.

Judge Marbley:

Thank you very much Dr. Gabbe. Mr. Chairman that concludes the Medical Affairs report.

Mr. Wexner:

Thank you, any questions?

Monte, do you want to proceed with the Academic report?

Judge Marbley:

Mr. Chairman at our meeting yesterday, the Academic Affairs and Student Life Committee discussed University responses to the Ohio Board of Regents draft report on the condition of higher education in Ohio. We then heard presentations on faculty leadership development, Ohio State's China Gateway project and emeritus status for holders of endowed chairs, followed by amendments to the classified civil service rules.

First Dr. Alutto led a discussion of the Regents draft report entitled "Meeting the State's Future Needs through a Student-Centered University System of Ohio." That report examines the state's potential for educating increasing numbers of students by focusing on program management, affordability, college and career readiness, and academic and administrative efficiency. The committee discussed a draft of the university's response, which was generally supportive of the report's findings, though it also made a number of suggestions for the report's final iteration. These covered such areas as state support to students, the impact of beyond-the-classroom experiences, reform in construction practices, and the importance of preparing students for success in a global economy.

The Vice Provost for Academic Policy and Faculty Resources. Susan Williams, then briefed the committee on the programs available to faculty who wish to develop their leadership skills consistent with what our President has emphasized upon his return. These programs address two fundamental needs: one, developing a pipeline of future leaders and enhancing the leadership skills and institutional knowledge of current leaders. Ohio State has a number of its own faculty leadership initiatives, and it encourages participation in external programs. Vice Provost Williams pointed out that succession planning and recruitment of department chairs can be especially taxing. Accordingly, the university is placing a strategic emphasis on skills development for chairs. She concluded by discussing what we are doing to coordinate better our various leadership training efforts.

Provost Alutto then turned the committee's attention to the OSU China Gateway, on which the committee had been briefed previously by Vice Provost for Global Strategies and International Affairs, William Brustein. Provost Alutto explained that we will proceed with the China Gateway in two phases. Phase one, which is an exploratory phase, calls for setting up a Foreign Representative Office in Beijing to serve as a base for developing long-term revenue-generating programs. Pending assessment from phase one, phase two calls for establishing the fully operational gateway as a Wholly Foreign Owned Enterprise. For technical legal reasons, we have established a holding company in Ohio to serve as the parent company of both the Foreign Representative Office and the Wholly Foreign Owned Enterprise.

Original plans called for establishing the Wholly Foreign Owned Enterprise from the start. Moving ahead in two phases, Mr. Chairman, will allow the University to invest a more modest sum at the outset, while assessing future developments.

Provost Alutto next discussed a proposed policy that will allow those holding endowed chairs and professorships to continue to use the endowed position name upon their retirement. Among the key provisions of the new policy are: the requirement that the emeritus designation precede the name and the requirement that the emeritus designation be awarded only to those retiring from the university who concurrently hold the endowed chair or professorship.

We next heard from Vice President for Human Resources Larry Lewellen who discussed revisions to the university's classified civil service rules. I will not bore you will all the details of that very thorough report, but the key changes include: requiring coaching and feedback during the probationary period; requiring a written performance review; requiring annual performance reviews; and requiring supervisors to manage deficient performance using the university performance improvement process.

The committee was asked to endorse a resolution to adopt these amendments.

Next we heard resolutions for the following, Mr. Chairman: the re-naming of the Veterinary Teaching Hospital as the Veterinary Medical Center; the changing of the name of the Department of Radiation Medicine to the Department of Radiation Oncology; the transfer of academic programs in welding engineering from the Department of Integrated Systems Engineering to the Department of Materials Science and Engineering; the reorganization of the Department of Entomology; the naming of the lobby in the new Student Academic Services Building to reflect our beloved Martha Garland which we all endorse with great enthusiasm; the naming of the dairy parlor at the Agricultural Technical Institute; and the naming of internal spaces in the Ohio Union.

Mr. Chairman, this was a compelling meeting, I want you to know that, and finally we concluded with the committee's endorsement of a number of routine personnel items.

Thank you very much, Mr. Chairman.

Mr. Wexner:

I appreciate the emotional content. Thank you Monte. Any questions?

Dr. Cloyd:

Chairman Wexner. I wonder if we could have the opportunity to have Dr. Garland stand so we really can recognize her for the naming today, but more importantly the outstanding service she has provided.

Dr. Gee:

I might just note that Martha now has assumed, she was retired for exactly ten days and then because of the fact that Dr. J has had an illness, she was asked to come back in and help in that role, so she is back. Martha I must say that you know you have been doing this for a long time, you got something named after you, the only thing that has ever been named after me was a trailer park at Brown. Good work.

Mr. Wexner:

Investment.

Mr. O'Dell:

Thank you Mr. Chairman. The Development and Investment Committee met yesterday afternoon. First Mr. Peter Weiler reported on fiscal year 2010 fundraising outcomes. Funding through December 31 is $133 million, which is only 44% of the goal, with 50% time elapsed. Typically we would be at 50-55% of goal at this point. This reflects the difficult fundraising environment we face. Peter shared that the national economy is a significant factor right now. A chronicle of philanthropy poll of charities last month found that year end giving is lagging behind in all causes except religion. Through December 31, $46.5 million has been raised for the Students First, Student Now initiative, 46% of the goal, with 40% time elapse. This effort is going extremely well.

Major campaign planning continues to progress. Over the next five months development will work with colleges and units on campaign plans and recruitment of key volunteers. Also the Foundation Board's audit committee received a clean audit report. Peter and his team have welcomed Mr. Floyd Akins who started this week as the University's new Senior Associate Vice President for Development and Vice President of the Foundation. Peter also shared the sad news that since our last meeting three members of the Foundation

Board has passed away. John Sandefur, Frank Wobst and Joe Engle.

Finally the Committee approved the establishment of 31 new funds, and nine revisions, totaling $2.6 million.

Following Mr. Weiler's report, Mr. Hook was called on to give his report on the university's investment portfolio. I am happy to say that calendar 2009 finished with an investment return of 20.1% which beat the portfolio benchmark for the same period of 18.9%. The first half of fiscal 2010 also showed strong investment returns of 14.8%, which compared to the first half benchmark at 13.2%. Returns have been good while the portfolio has been managed to hold extra liquidity for safety. Given the returns, the long-term investment pool has risen back to a total of $1.86 billion. The total for the long-term investment pool is approximately 67% endowment, that is both University and Foundation, and 33% from long-term operating funds. The committee reviewed the asset allocation, its composition and the returns for its component parts. The effort to realign the manager roster of the portfolio are slowing down, and the investment team is seeing the hopeful results from their work. The portfolio continues to hold ample liquidity which has provided safety but also has allowed the office to be opportunistic. Opportunities from several asset classes have arisen as a result of last year's capital market collapse. The office is being very judicious with locking up that liquidity for long term investments and will only do so if the right situation presents itself.

Lastly the committee engaged in a discussion to talk about potential ways certain risk management tools might be used on the portfolio. The ability to hedge against certain issues like a major or rapid rise in interest rates are against the precipitous fall in equity markets is being studied. Mr. Hook asked for feedback and received feedback from the committee as the investment office studies what options might be applicable for portfolio protection. Mr. Chairman, that concludes my report.

Mr. Wexner:

Thank you, are there any questions?

Ms. Davidson:

Yesterday at the Fiscal Affairs Committee meeting we had a number of our financial reports that are a part of our accountability, and being sure we are tracking what is happening on campus, the mid-year financial report has already been mentioned by Mr. Schottenstein in his report, stable condition, good enrollment, good results knowing the state has resolved its budget problems certainly for the short term, and the fact that we were able with refinancing our debt, actually to save ourselves almost $5 million. We also go back and look at the budget for 2009 versus the actual expenditures just to be sure that we are in line with our budgeting expectations, and we probably had the best of all worlds in the fact that our resources came in above our estimates for our budget because of increase in private grants, and our expenditures came in below our estimates based upon the kind of steps that have been taken to control expenditures in these uncertain economic times.

We had the first reading on the revision of the debt policy. Again we deferred doing anything with that hoping to give our new CFO an opportunity to review it, but it would be something that would be very advantageous to the University and certainly to our various colleges when they need to come in for a line of credit and knowing exactly what their obligation is going to be.

Capital recommendations, we mentioned briefly, but knowing that that was going to come to the committee of a whole today, we did not go into that in any depth in finance.

Facilities Operations and Development annual report would be for calendar year 2009. I just want to mention a couple of statistics because it gives you an idea of what is going on in this campus. During the year there were 1,186 construction projects going on, on campus, and at the close of the year there were 520 of those projects that were still active. The total budget for those projects was just a little bit over two billion dollars. A significant amount of those, 62% come in at the $50,000 or less, another 25% come in to that gap between $50,000 and one million dollars, so a lot of these projects are small, they do not take care of a huge amount of the funding available, but they do take time and resources and actually tracking them to be sure we are getting the value for the dollar.

The on time and on budget report of our projects, shows only one project to not be on budget. Just a caution looking ahead at the renovations of the Jones Graduate Tower, that it might be a little more difficult than anticipated and because of some change orders, may go a little bit over budget, everything else is on time and on budget.

There was a report of two interim approvals that were asked of me during the interim from our last meeting. Just to make sure that you are aware of it, as you know you gave the chair of the Fiscal Affairs Committee the ability to make some interim decisions when we were not in session with consultation with other members of the Committee, we moved on two of those. One was to be sure that we would move ahead with the Woody Hayes practice fields and be sure that they will be in order for our team to be using. We had a very generous contribution to cover the cost of that. The other one was really dealing with the establishment and construction of our third electrical substation on campus which we needed to move ahead with because we have growing demand for power with expansion on campus.

We have eight resolutions that we are recommending on the consent agenda today. The first is the necessary updating of our authorization to issue commercial paper in lieu of when we are ready to sell bonds. That is simply a requirement that we must go through from I believe the IRS, to increase our professional service contracts for the east regional chilled water plant, and for the renovation of Hopkins and Hayes Halls, and also for construction authority for the College of Medicine renovation. For the renovations of Hopkins and Hayes Halls, for Kennedy Commons, which is being renovated to expand it to be able to provide additional food service for the students as we move into our south high-rise renovation and addition, and to complete the work on Woodruff and Tuttle which was part of the construction that some of you have seen coming down through campus. So we have a little finite piece of that work to do. Extend a three year lease that we currently have on space that will be occupied by our IT staff of about 200, extend that to five years to give us an opportunity to then bring them back on campus and locate space that will work out for them. The JamesCare Women's Ambulatory Oncology Center addition, which I think also is mentioned in the report of the Medical Affairs Committee, so I will not go into that. The amendment and restatement of our University Alternative Retirement Plan, and a restatement of our Harding Hospital retirement plan which again is just meeting IRS regulations that we must do a restatement of both of those plans. Approval of a Paid Disaster Leave Benefit Program that we discussed real briefly; we gave the president the authority to take some action until we could have a plan that we brought back to the Board, so the plan actually that Larry Lewellen presented to us would provide guidelines in case there is a disaster that we need to be sure that we can properly and appropriately and legally take care of our staff in that time. Then the Athletic Department recommendations on increases in the football and basketball ticket price and also for golf club membership. I would like, with the concurrence of the Board, to add that resolution to the consent agenda as number 25 because although you received a copy of that in your supplemental board material, it is not on the consent agenda.

Finally I want to speak to the issue of tuition. We are meeting today and we generally do our tuition increase considerations, if we are going to do that, at our April meeting. Since the Board will not be coming back together until May, and since we have a strong policy at the University to let our students know as soon as possible if there is going to be any change in tuition, the committee is recommending that you give the chair of the Fiscal Affairs Committee, the chair of the Academic and Student Life Committee, and the chair of the Board, the ability upon consultation with the administration when their recommendations are finalized, then to set the tuition for summer and fall quarters and then have you confirm that action at our May meeting. Mr. Chairman, I would ask for a motion to give that authority on the tuition issue.

Mr. Wexner:

All in favor. Any opposed?

Motion carries.

Ms. Davidson:

Mr. Chairman, that concludes my report.

Mr. Wexner:

Jo Ann, thank you very much. President Gee, would you recite the consent agenda?

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CONSENT AGENDA

Dr. Gee:

I will, thank you Mr. Chairman. We have a total of 24 resolutions on the consent agenda. I would like to add to the consent agenda the athletic ticket prices and fees brought forward by Jo Ann Davidson, therefore we are seeking approval for the following.

AMENDMENTS TO THE *RULES OF THE UNIVERSITY FACULTY*

Resolution No. 2010-44

Synopsis: Approval of the following amendments to the *Rules of the University Faculty* is recommended.

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* were approved by the University Senate on November 19, 2009:

NOW THEREFORE

BE IT RESOLVED, That the attached amendments to the *Rules of the University Faculty* be adopted as recommended by the University Senate.

(See Appendix XXIV for background information, page 457.)

***

REGIONAL CAMPUS BOARD APPOINTMENT

Resolution No. 2010-45

Synopsis: Approval of appointment to The Ohio State University Newark Regional Campus Board is proposed.

WHEREAS the Board of Trustees in 1994 approved the establishment of The Ohio State University Regional Campus Boards; and

WHEREAS it has been previously stipulated that “the board shall be composed of ten members appointed by The Ohio State University Board of Trustees in consultation with the president of the university;” nine members shall be private citizens; and one member shall be a student; and

WHEREAS the following named person has been nominated and selected for appointment to the OSU Newark Regional Campus Board for the term specified:

Newark Regional Campus Board Appointment

Marcus A. Yoder (student) – effective 7/1/2009 through 6/30/2010

NOW THEREFORE

BE IT RESOLVED, That the foregoing nominee be approved as a member of the OSU Newark Regional Campus Board.

***

RATIFICATION OF APPOINTMENTS TO MEDICAL CENTER BOARDS

Resolution No. 2010-46

Synopsis: Ratification of appointments to Medical Center boards is proposed.

WHEREAS in June 2009, the Board of Trustees authorized the President of the University to take actions necessary and appropriate to appoint members to the Medical Center Board, the University Hospital Board, the University Hospital East Board, the OSU Harding Hospital Board, the James Cancer Hospital Board, and the Ross Heart Hospital Board; and

WHEREAS all members of these boards shall be appointed in accordance with Board of Trustees Bylaws 3335-93-01 and 3335-104-01, and in consultation with the President of the University:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby ratifies the following appointments, as designated by board and terms of appointment, made by the president pursuant to the resolution adopted by this Board in June 2009:

University Hospital Board
Kevin R. Reeves – effective July 1, 2009, through June 30, 2010
Shirley Rogers-Reece – effective July 1, 2009, through June 30, 2010

James Cancer Hospital Board
R. Guy Cole, Jr. – effective July 1, 2009, through June 30, 2010
Sander A. Flaum – effective July 1, 2009, through June 30, 2010
Jordan A. Miller, Jr. – effective July 1, 2009, through June 30, 2012

University Hospital East Board
Gene T. Harris – effective July 1, 2009 through June 30, 2010
Sue E. Zazon – effective July 1, 2009 through June 30, 2010

***

AMENDMENTS TO THE *CLASSIFIED CIVIL SERVICE RULES*

Resolution No. 2010-47

SYNOPSIS: Amendments to Chapters 3335-49, 3335-67, 3335-75, and 3335-89 of the Ohio Administrative Code governing the University's Classified Civil Service related to probationary periods, performance management, removals, suspensions, and demotions are proposed.

WHEREAS in accordance with Section 124.14(F) of the Ohio Revised Code, the Board of Trustees shall carry out all matters of governance involving the officers and employees of the University, including employees in the Classified Civil Service; and

WHEREAS Resolution 2008-47, adopted by the Board of Trustees in November 2007 authorizes the Office of Human Resources, which is the University's Appointing Authority, in consultation with the Office of Legal Affairs, to make periodic recommendations to the Board regarding the enactment and revision of Classified Civil Service Rules; and

WHEREAS the most recent revision of the University's Classified Civil Service Rules was in October 2009, and the Office of Human Resources now has recommended a number of needed changes in these Rules with respect to probationary periods, performance management, removals, suspensions, and demotions of Classified Civil Service staff; and

WHEREAS these revisions in the Classified Civil Service Rules, as shown on the attached documents, will enable the University to streamline processes, enhance our efficiency and effectiveness, and provide more effective performance management of and corrective action with Classified Civil Service employees; and

WHEREAS the University has complied with Ohio Revised Code Section 111.15 in promulgating these amendments to the Classified Civil Service Rules, and the University additionally has provided reasonable notice to all affected University employees and interested groups and a period of time during which such employees or interested groups could submit comments about the proposed Classified Civil Service Rules:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby adopts the attached amendments to the Classified Civil Service Rules, effective April 1, 2010.

(See Appendix XXV for background information, page 461.)

***

DEPARTMENT NAME CHANGE FROM DEPARTMENT OF RADIATION MEDICINE TO DEPARTMENT OF RADIATION ONCOLOGY

Resolution No. 2010-48

WHEREAS the name radiation oncology is used nationally and all departments in the Top 10 cancer centers use that name; and

WHEREAS there is no board-certified field called radiation medicine and the American Board of Radiology only offers board certification in radiation oncology; and

WHEREAS the term radiation oncology better delineates the patients who are served, and reflects the Department's integration with The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute; and

WHEREAS the proposal has the support of the Department's faculty, the College of Medicine's Council of Chairs, and Faculty Council; and

WHEREAS the proposal was approved by the Council on Academic Affairs, and the University Senate at its meeting on November 19, 2009:

NOW THEREFORE

BE IT RESOLVED, That the name of the Department of Radiation Medicine be changed to the Department of Radiation Oncology, effective immediately.

***

TRANSFER OF ACADEMIC PROGRAMS

Resolution No. 2010-49

Synopsis: Transfer of academic programs in welding engineering from the department of Integrated Systems Engineering to the department of Materials Science and Engineering.

WHEREAS the welding engineering program aligns more closely with the program in Materials Science Engineering than with the program in Integrated Systems Engineering and thus students and faculty will be better served; and

WHEREAS no changes to degree programs in either of the units is being proposed at this time, and any changes that might occur will need to adhere to a separate proposal and approval process; and

WHEREAS a detailed Memorandum of Understanding (MOU) between the College of Engineering and the Department of Materials Science and Engineering to address resource issues has been produced; and

WHEREAS the proposal was reviewed and has the support of the faculty of all affected programs, was endorsed by the College

Committee on Academic Affairs , and has the support of the College of Engineering; and

WHEREAS the proposal was approved by the Council on Academic Affairs, and the University Senate at its meeting on November 19, 2009:

NOW THEREFORE

BE IT RESOLVED, That the transfer of academic programs in welding engineering from the department of Integrated Systems Engineering to the department of Materials Science and Engineering, be effective immediately.

***

REORGANIZATION OF THE DEPARTMENT OF ENTOMOLOGY

Resolution No. 2010-50

WHEREAS for the past 40 years the Department of Entomology has reported to two colleges: Food, Agricultural, and Environmental Sciences, and Biological Sciences. In recent years this alignment has become increasingly problematic, notably since the current institutional budget model was adopted; and

WHEREAS today the mission of the Department of Entomology is seen to be better served by a location fully within the College of Food, Agricultural, and Environmental Sciences, in alignment with that College's mission; and

WHEREAS all faculty have been satisfactorily accommodated and will have as their tenure initiating unit, either the Department of Entomology (within FAES) and/or the Department of Evolution, Ecology, and Organismal Biology (within the College of Biological Sciences); and

WHEREAS a detailed Memorandum of Understanding (MOU), addressing all major personnel, academic program, and resource issues, has been developed between the Colleges of Biological Sciences; and the College of Food, Agricultural, and Environmental Sciences; and the two departments involved, with substantial input and support from the Office of Academic Affairs; and

WHEREAS the proposal has the support of the faculty in the Department of Entomology, and of both colleges; and

WHEREAS the proposal was approved by the Council on Academic Affairs, and University Senate at its meeting on November 19, 2009:

NOW THEREFORE

BE IT RESOLVED, That the reorganization of the Department of Entomology between the College of Food, Agricultural, and Environmental Sciences, and the College of Biological Sciences, be effective immediately.

***

DEGREES AND CERTIFICATES
WINTER QUARTER COMMENCEMENT

Resolution No. 2010-51

Synopsis: Approval of Degrees and Certificates for winter quarter 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 March 21, 2010, 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.

***

DISTINGUISHED SERVICE AWARDS

Resolution No. 2010-52

Synopsis: Approval of the University's Distinguished Service Awards is proposed.

WHEREAS the President's Cabinet, upon the recommendation of the Committee on Distinguished Service Awards, nominated and recommended the following list of names for approval by the Board of Trustees to receive the Distinguished Service Award at a time convenient to the University and the recipient:

- John J. “Jack” Chester, Sr.
- John E. “Jack” Lucks, Jr.
- John O. Riedl
- Chris Spielman
- Stefanie B. Spielman (posthumously)
- Ellen J. Tressel
- William D. Wells
- Virginia I. Zirkle (posthumously)

WHEREAS these awards are given in recognition of distinguished service to The Ohio State University and the awards are in accordance with action taken by the Board of Trustees in 1952:

NOW THEREFORE

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

***

RENAMING OF THE VETERINARY TEACHING HOSPITAL

Resolution No. 2010-53

Synopsis: The renaming of the Veterinary Teaching Hospital as the Veterinary Medical Center is proposed. It is further proposed that within the Veterinary Medical Center there be the Hospital for Companion Animals, the Hospital for Farm Animals, and the Galbreath Equine Center.

WHEREAS veterinary teaching hospitals face an ever-expanding and increasing competition from private specialty practices; and

WHEREAS veterinary teaching hospitals face a constant public relations challenge regarding the public's perception as a place where students practice on client-owned animals and where experiments or other research is performed on such animals; and

WHEREAS it is essential that veterinary teaching hospitals maintain a robust and diverse caseload to ensure appropriate clinical student teaching, resident training, clinical discovery, and advancement of veterinary medicine; and

WHEREAS these vitally important missions will be more effectively discharged if the public understands the scope of services and the comprehensive approach to animal care provided by The Ohio State University's veterinary specialists; and

WHEREAS the use of the term "medical center" will better communicate the dynamic, leading-edge nature of veterinary care available at The Ohio State University:

NOW THEREFORE

BE IT RESOLVED, That the Veterinary Teaching Hospital be renamed the Veterinary Medical Center comprised of three subcomponents: the Hospital for Companion Animals, the Hospital for Farm Animals, and the Galbreath Equine Center, effective immediately.

***

NAMING OF THE LOBBY IN THE STUDENT ACADEMIC SERVICES BUILDING

Resolution No. 2010-54

Synopsis: The naming of the lobby of the new Student Academic Services Building is proposed.

WHEREAS: the Student Academic Services Building will offer students a variety of academic support services at one accessible location on campus; and

WHEREAS Martha M. Garland retired December 31, 2009, from The Ohio State University after a 38-year career dedicated to, and strongly involved in, improving academic programs and academic support functions for the University's students – particularly undergraduate students; and

WHEREAS she worked diligently on the steady advancement of the academic profile of the undergraduate student body; and

WHEREAS Dr. Garland has been actively involved with the development of, and provided support for, a variety of University initiatives, including academic advising, direct enrollment, the First Year Experience Program, honors programs, the campus-wide service learning collaborative, the Office of Undergraduate Research, regional campus activities, and the new student information system; and

WHEREAS on and off campus, she assisted individual students and their families, celebrated student achievements, and participated on numerous committees and task forces related to the undergraduate experience, showing total commitment to "putting students first"; and

WHEREAS: Dr. Garland was also actively involved in the planning of the Student Academic Services Building;

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 lobby of the Student Academic Services Building be named The Martha M. Garland Student Services Lobby, effective immediately.

***

NAMING OF THE DAIRY PARLOR AT THE AGRICULTURAL TECHNICAL INSTITUTE

Resolution No. 2010-55

Synopsis: The naming of the dairy parlor at The Ohio State University Agricultural Technical Institute, located at the Grace L. Drake Agricultural Research, Educational, and Extension Laboratory, also known as the Apple Creek Farm, Apple Creek, Ohio is proposed.

WHEREAS Dairymaster USA Inc. is one of the world's leading dairy farm equipment manufacturers and has world-wide success in their commitment to ongoing research and development, superior product quality and excellent customer service and support; and

WHEREAS Dairymaster USA Inc. has provided the gift-in-kind including consulting, dairy equipment design, layout and specification for new equipment for the dairy parlor, and installation of parlor ($260,452) that is located at 2653 South Apple Creek Road, Apple Creek, Ohio 44606; and

WHEREAS the gift from Dairymaster USA Inc. will deem the dairy parlor at the Grace L. Drake Agricultural Research, Educational, and

Extension Laboratory, also known as the Apple Creek Farm, one of the area's state of the art facilities:

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 dairy parlor at the Agricultural Technical Institute in Wooster, Ohio be named the Dairymaster USA Inc. Dairy Parlor, effective immediately.

***

NAMING OF INTERNAL SPACES IN THE OHIO UNION

Resolution No. 2010-56

Synopsis: The naming of spaces in the Ohio Union, located at 1739 North High Street, on the Columbus campus of The Ohio State University. The Ohio Union, built in 1909, has a long history at the University. The original building, Enarson Hall, was the country's first student union built at a public university.

WHEREAS this historical campus building has been reconstructed to meet the modern-day needs of campus and community; and

WHEREAS the Ohio Union serves as a central gathering place for students of all majors and all backgrounds, fostering a sense of community and a lifelong connection to the institution; and

WHEREAS the reconstructed Ohio Union will strengthen Ohio State's outreach and engagement efforts, enhance the university's ability to develop future leaders and responsible citizens, and help attract top quality faculty and students; and

WHEREAS the donors listed below have provided significant contributions to the reconstruction of the Ohio Union:

- Rosa M. Ailabouni
- Alumni of The Ohio State University Fraternity & Sorority Community
- Alumni and active members of Ohio Staters, Inc.
- Alumni and active members of Student-Alumni Council
- Hays Cape
- Bruce A. & Cynthia A. Cassidy
- John R. & Margrite Davis Foundation
- Gregg & Lori Gottsegen
- Hobart Corporation
- Kenneth D. & Lisa M. Roth
- Ohio Gamma Foundation of Sigma Phi Epsilon Fraternity
- Tanya R. Rutner
- Sara Lee Foodservice
- Suzanne M. Scharer
- Robert H. Schmahl
- Tried Links of the Sphinx Senior Honorary

- U.S. Bank National Association

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 following spaces be named:

- 3148 Rosa M. Ailabouni Room
- 3156 Barbie Tootle Room
- 2120 Ohio Staters, Inc. Traditions Room
- 2144 Ohio Staters, Inc. Founders Room
- 2154 Student-Alumni Council Room
- 3152 Hays Cape Room
- 2131/2133 Archie M. Griffin Grand Ballroom
- 3020C Davis Foundation Interfaith Prayer and Reflection Room
- 3030 Stanley D. Gottsegen Lounge
- 0165 Hobart Corporation Student Station in the Instructional Kitchen
- 1130 Ben and Arlene Roth Lounge
- 3000 Sigma Phi Epsilon Lounge
- 3150 Tanya R. Rutner Room
- 0165 Sara Lee Foodservice Student Station in the Instructional Kitchen
- 3146 Suzanne M. Scharer Room
- 1044 Joe-Ann Schmahl Memorial Suite
- 2150 (including balcony) Sphinx Centennial Leadership Suite
- 1070 U.S. Bank Conference Theater

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PERSONNEL ACTIONS

Resolution No. 2010-57

BE IT RESOLVED, That the personnel actions as recorded in the Personnel Budget Records of the University since the October 29, 2009, meeting of the Board, including the following Appointments, Reappointments, Appointments/Reappointments of Chairpersons/Director, Professional Improvement Leaves, Professional Improvement Leaves – Cancellations, Professional Improvement Leaves - Change in Dates, Emeritus Titles, and Promotion and Reappointment, be approved.

<u>Appointments</u>

Name: FLOYD AKINS
Title: Associate Vice President
Office: Development
Effective: February 1, 2010

Name: MARTHA M. GARLAND

Title:	Acting Vice President
Office:	Student Life
Term:	January 18, 2010 – for up to a total of 6 months from appointment date

Name:	KATHY R. MATNEY
Title:	Associate Vice President and Executive Director, Medical Center
Effective:	November 1, 2009

Name:	HAZEL A. MORROW-JONES
Title:	Associate Provost
Office:	Academic Affairs
Title:	Director
Office:	The Women's Place
Effective:	January 1, 2010

Name:	BETH A. NECAMP
Title:	Associate Vice President and Chief Communications Officer, Medical Center
Effective:	November 1, 2009

Name:	RANDY J. NELSON
Title:	Professor (The Doctor John D. and E. Olive Brumbaugh Chair in Brain Research and Teaching)
College:	Medicine
Term:	September 1, 2009, through August 31, 2013

Name:	TATIANA M. OBERYSZYN
Title:	Associate Professor (The Jack C. Geer M.D. Professorship in Pathology)
College:	Medicine
Term:	October 1, 2009, through September 30, 2014

Name:	MATTHEW J. O'ROURKE
Title:	Associate Vice President of Strategic Planning
Office:	Academic Affairs
Effective:	January 4, 2010

Name:	CHRISTINE POON
Title:	Professor (The John W. Berry, Sr. Chair in Business
College:	Fisher College of Business
Effective:	April 1, 2009

Reappointments

Name:	UMIT A. OZGUNER
Title:	Professor (The Transportation Research Center, Inc. Chair in Intelligent Transportation Systems)
College:	Engineering
Term:	July 1, 2009, through June 30, 2011

Name:	EVELYN B. FREEMAN

February 4 and 5, 2010 meeting, Board of Trustees

Title: Executive Dean, Regional Campuses
Effective: July 1, 2009, through June 30, 2012

Appointments/Reappointments of Chairpersons/Director

SUSAN W. FISHER*, Chair, Department of Entomology, effective October 1, 2009, through September 30, 2013.

JULIA L. HIGLE*, Chair, Department of Integrated Systems Engineering, effective July 1, 2010, through June 30, 2011.

RUSTIN M. MOORE, Interim Director, Veterinary Teaching Hospital, effective September 1, 2009, through August 31, 2010.

W. JERRY MYSIW, Interim Chair, Department of Physical Medicine and Rehabilitation, effective January 1, 2010, through June 30, 2010.

MICHAEL J. OGLESBEE, Interim Chair, Department of Veterinary Biosciences, effective February 1, 2010, through January 31, 2011.

INGRID M. WERNER, Chair, Department of Finance, effective January 1, 2010, through June 30, 2014.

WALTER ZINN, Chair, Department of Marketing and Logistics, effective January 1, 2010, through June 30, 2014.

*reappointment

Professional Improvement Leaves

J. CRAIG JENKINS, Professor, Department of Sociology, effective Winter Quarter and Spring Quarter 2011.

ROBERT M. DE JONG, Professor, Department of Economics, effective Autumn Quarter 2010 and Winter Quarter 2011.

ZHENCHAO QIAN, Professor, Department of Sociology, effective Winter Quarter and Spring Quarter 2011.

VINCENT J. ROSCIGNO, Professor, Department of Sociology, effective Winter Quarter and Spring Quarter 2011.

JAMES T. TODD, Professor, Department of Psychology, effective Autumn Quarter 2010 and Winter Quarter 2011.

CRAIG M. VOLDEN, Professor, Department of Political Sciences, effective Winter Quarter and Spring Quarter 2011.

JASON E. BOX, Associate Professor, Department of Geography, effective Winter Quarter and Spring Quarter 2011.

SARAH M. BROOKS, Associate Professor, Department of Political Science, effective Autumn Quarter 2010 and Winter Quarter 2011.
MARCUS J. KURTZ, Associate Professor, Department of Political Science, effective Autumn Quarter 2010 and Winter Quarter 2011.

KENDRA MCSWEENEY, Associate Professor, Department of Geography, effective Winter Quarter and Spring Quarter 2011.

THOMAS E. NELSON, Associate Professor, Department of Political Science, effective Winter Quarter and Spring Quarter 2011.

LIXIN YE, Associate Professor, Department of Economics, effective Winter Quarter and Spring Quarter 2011.

TREVON D. LOGAN, Assistant Professor, Department of Economics, effective Autumn Quarter 2010, Winter Quarter and Spring Quarter 2011.

Professional Improvement Leaves – Cancellations

LEONARD J. BRILLSON, Professor, Department of Electrical and Computer Engineering, effective Winter Quarter and Spring Quarter 2010.

WILLIAM A. T. CLARK, Professor, Department of Materials Science and Engineering, effective Winter Quarter 2010.

W. S. WINSTON HO, Professor, Department of Chemical and Biomolecular Engineering, effective Winter Quarter and Spring Quarter 2010.

ANDREA SERRANI, Associate Professor, Department of Electrical and Computer Engineering, effective Winter Quarter and Spring Quarter 2010.

Professional Improvement Leaves – Change in dates

NORMAND R. ST. PIERRE, Professor, Department of Animal Sciences, change effective dates from August 1, 2009, through July 31, 2010 to August 1, 2009, through December 31, 2009 and March 1, 2010, through September 30, 2010.

Emeritus Titles

JAMES E. BEUERLEIN, Department of Horticulture and Crop Science with the title Professor Emeritus, effective February 1, 2010.

JERRY M. BIGHAM, School of Environment and Natural Resources with the title Professor Emeritus, effective February 1, 2010.

FRANK G. CALHOUN, School of Environment and Natural Resources with the title Professor Emeritus, effective March 1, 2010.

DAVID L. COPLIN, Department of Plant Pathology, with the title Professor Emeritus, effective February 1, 2010.

DONALD J. ECKERT, School of Environment and Natural Resources with the title Professor Emeritus, effective February 1, 2010.

GERALD A. EDGAR, Department of Mathematics with the title Professor Emeritus, effective July 1, 2010.

CHARLES E. GRIBBLE, Department of Slavic and East European Languages and Literatures with the title Professor Emeritus, effective July 1, 2010.

RICHARD G. LEMBACH, Department of Ophthalmology with the title Professor Emeritus, effective February 1, 2010.

MICHAEL J. MORAN, Department of Mechanical Engineering with the title Professor Emeritus, effective January 1, 2010.

KOTTIL W. RAMMOHAN, Department of Neurology with the title Professor Emeritus, effective February 1, 2010.

ALLAN J. SAMANSKY, Michael E. Moritz College of Law with the title Professor Emeritus, effective January 1, 2010.

DEBORAH L. ANGELL, Ohio State University Extension with the title Associate Professor Emeritus, effective February 1, 2010.

ROGER L. BAUR, Agricultural and Technical Institute with the title Associate Professor Emeritus, effective July 1, 2010.

DONALD R. LARSON, Department of Spanish and Portuguese with the title Associate Professor Emeritus, effective July 1, 2010.

TIMOTHY J. LONG, Department of Computer Science and Engineering with the title Associate Professor Emeritus, effective January 1, 2010.

LANDON H. RHODES, Department of Plant Pathology with the title Associate Professor Emeritus, effective February 1, 2010.

SALLY A. ROGERS, University Libraries with the title Assistant Professor Emeritus, effective
March 1, 2010.

STEPHEN J. HUDKINS, Ohio State University Extension with the title Assistant Professor Emeritus, effective January 1, 2010.

SARAH J. LINDSEY, Ohio State University Extension with the title Assistant Professor Emeritus, effective February 1, 2010.

CYNTHIA S. OLIVERI, Ohio State University Extension with the title Assistant Professor Emeritus, effective February 1, 2010.

STEPHEN W. ROGERS, University Libraries with the title Assistant Professor Emeritus, effective February 1, 2010.

CAROLYN C. WILSON, Ohio State University Extension with the title Assistant Professor Emeritus, effective February 1, 2010.

Promotion, and Reappointment

COLLEGE OF OPTOMETRY-CORRECTION

PROMOTION TO RESEARCH ASSOCIATE PROFESSOR AND REAPPOINTMENT
Jones, Lisa Ann, effective October 1, 2009 and October 1, 2010

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RESOLUTIONS IN MEMORIAM

Resolution No. 2010-58

Ivan Boh

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on September 11, 2009, of Ivan Boh, Professor Emeritus in the Department of Philosophy.

Professor Boh held a bachelor degree from Ohio University in Athens, Ohio; an M.A. degree in philosophy from Fordham University; and a Ph.D. degree in philosophy from the University of Ottawa. He was born in Dolenji Lazi, Solvenia, and taught in a number of universities before coming to Ohio State in 1969. His first position was at Clarke College in 1957; from there he held positions at the University of Iowa (1962-63), Clarke College (1964-66), Michigan State University (1966-69), finally coming to Ohio State as a full professor, where he taught from 1969-95. His teaching and research interests focused on medieval logic, although he taught a variety of courses, including existentialism, history of philosophy, and history of logic.

Professor Boh received many prestigious grants and awards throughout his career. These included a Fulbright Research Fellowship to study at the University of Munich (1964-65), a sabbatical research year at the University of Barcelona (1972-73), a Fulbright Research Fellowship to study at the University of Ljubljana in Slovenia (1986-87), and an IREX and Fulbright Fellowship to do research at the University of Halle-Wittenberg, Halle, and Jagiellonian University in Krakow, Poland (1986-87). In addition, he was a MUCIA Exchange Professor at Moscow State University (1979-80).

Among his many publications, his major volume *Epistemic Logic in the Later Middle Ages* (1993) provided the first comprehensive study of epistemic logic in the Middle Ages, a field that was neglected for many centuries and rediscovered in the twentieth century. In this work, Boh explored the contrast between epistemic and alethic conceptions of consequence, the general epistemic rules of consequence, the search for conditions of knowing contingent propositions, and a comparison between medieval endeavors and the epistemic logic of our times. Other noteworthy recent publications include: “Four Phases of Medieval Epistemic Logic,” *Theoria* (2000); “Walter Burley” in *Individuation in Scholasticism* (1994); “Propositional Attitudes in the Logic of Walter Burley and William Ockham,” *Franciscan Studies* (1984); and “Epistemic and Alethic Iteration in Later Medieval Logic,” *Philosophia Naturalis* (1984).

Professor Boh served his profession at the highest level. He was a member of the American Philosophical Association, the American Catholic Philosophical Association, the Society for Medieval and Renaissance Philosophy, and the International Society for the Study of Medieval Philosophy. He regularly attended national and international meetings, and shared his research on a continual basis; he was considered one of the world's leading authorities in medieval logic, and was esteemed by his colleagues in these many associations.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Emeritus Ivan Boh its deepest sympathy and sense of understanding of their loss. It was 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.

Alan K. Brown

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on September 17, 2009, of Alan K. Brown, Associate Professor Emeritus in the Department of English.

Professor Brown received his Ph.D. degree from Stanford University in 1969 with a concentration in Old English language and literature. After teaching briefly at the University of Arizona, he joined the faculty at Ohio State in 1970 to teach classes in Old English, Middle English, medieval literature, and the history of the English language.

In his years at Ohio State, Professor Brown always had a circle of devoted students who were attracted not only by his deep philological expertise but also by the inimitable joy with which he expressed it. During his career he taught Old English to hundreds of students, making the subject come alive by his ability to perform the ancient poetry in the classroom. In his annual appearances at the Ohio State Medieval and Renaissance Fair, he brought *Beowulf* to life; dressed in robes and with lyre in hand, he performed the poem from memory to audiences entranced both by the music and by the costumed figure giving it voice.

Professor Brown's scholarship was characterized by great philological learning as well as an appreciation for medieval material culture. He published numerous essays on Old English language, literature, and culture. He was also an expert on the Latin-Old English glossaries of the Pre-Conquest period. With a mastery of Latin, Old French, Old Spanish, Old and Middle High German, the medieval Scandinavian languages, the Celtic tongues, and the medieval English vernaculars, Professor Brown's linguistic acumen informed all of his scholarly work.

He was also a world-renowned contributor to the field of California history. His studies of California place-names, his publications on the aboriginal peoples of the American West, and his award-winning translation of the journals of Juan Crespi and Pedro Font (two early Franciscan missionaries in California) gained him an international reputation among historians of Spanish-American relations.

Professor Brown was an active member of the University community, serving on numerous departmental, college, and University committees. He was especially active in helping the Department of English integrate emerging technologies into its research and instruction.

On behalf of the University community, the Board of Trustees expresses to the family of Associate Professor Emeritus Alan K. Brown its deepest sympathy and sense of understanding of their loss. It was 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.

Seifrid P. Bruny

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on December 22, 2009, of Seifrid P. "Fred" Bruny, Professor Emeritus in the Ohio State University Extension.

Professor Bruny was born in 1926 in Martins Ferry, Ohio, and was a World War II Army veteran with overseas duty in Okinawa. He received his Bachelor of Science in Agriculture degree in 1950, his Master of Arts degree in agricultural education in 1957, and his Ph.D. in education in 1970, all from The Ohio State University.

Fred began his Extension career in Ohio in April of 1952 as the associate county extension agent in Coshocton County, teaching vocational agriculture. In March of 1953, he became the county agricultural agent in Jackson County. In January of the next year, he became an assistant state leader in 4-H and held this appointment until his retirement in 1982.

During his Extension career he gave leadership to 4-H volunteer programs, the State 4-H Leadership Camp, and 4-H Animal Science Programs. He was recognized throughout the state for these outstanding contributions and for making 4-H a better program for boys and girls all over the state. Dr. Bruny received the Distinguished Service Award from the National Association of Extension 4-H Agents. He also served and gave leadership on many state committees.

Professor Bruny loved the outdoors and was an avid hunter and fisherman.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Emeritus Seifrid P. "Fred" Bruny its deepest sympathy and sense of understanding of their loss. It was 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.

Leonard K. Ebel

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on October 8, 2009, of Leonard K. Ebel, Clinical Associate Professor Emeritus in the College of Dentistry, Section of Periodontology.

Dr. Ebel was born in 1940 and grew up in Lorain, Ohio. He received his Bachelor of Science in Education degree from The Ohio State University in 1963, with a major in comprehensive sciences. He then attended the OSU College of Dentistry, receiving his D.D.S. degree in 1967. Following graduation from dental school, he served for two years as a captain in the United States Army at Fort Hamilton in Brooklyn, New York. He began the Advanced Education Program in Periodontics at OSU in 1971, completing the Certificate Program and a masters degree in 1973. Upon completion of his specialty training, Dr. Ebel began full-time teaching with the rank of clinical assistant professor in the Section of Periodontology, where he quickly rose to the rank of clinical associate professor. He served as the chair of the Section of Periodontology from 1977-80.

Dr. Ebel had strong interpersonal and organizational skills. One of his first actions was to appoint a program director for the Advanced Education Program. He dramatically restructured the didactic and clinical pre-doctoral periodontal program. Dr. Ebel was very supportive of his faculty and endeavored to bring together a diverse group of individuals. He established excellent relationships with the chairs of other College Sections. His leadership and initiative was the start of a new era of periodontics at Ohio State. While on faculty, Dr. Ebel directed several continuing education programs, was actively involved in dental research, and was the author of several chapters and publications in refereed journals. He was an active member of the Ohio Academy of Periodontists and the American Academy of Periodontology.

In 1980, Dr. Ebel began his private practice and, after leaving full-time teaching, continued as a part-time faculty in the Section of Periodontology. In 1999, Dr. Ebel retired from private practice. After retirement he focused intensely on his love of cultural activities including opera, topiaries, and English gardens.

On behalf of the University community, the Board of Trustees expresses to the family of Clinical Associate Professor Leonard K. Ebel 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.

Walter J. Frajola

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on September 17, 2009, of Walter J. Frajola, Professor Emeritus in the Department of Molecular and Cellular Biochemistry.

He was born in 1916 and was among the few who graduated from college before World War II, served in the army during the war, and benefited from the G.I. Bill for his graduate education after the war ended. He had a rich and varied career that was centered in the College of Medicine at The Ohio State University.

Walter was raised in Gilbert, Minnesota, graduating from Gilbert High School in 1933 and from Virginia Junior College in 1935. He graduated cum laude from Hamline University with a double major in chemistry and education in 1938. Professor Frajola taught biology and chemistry at Elk Point, South Dakota, but was recruited to the Chicago Ordinance District's Twin Cities Division, then sent to Officer's Candidate School and assigned to ammunition and bomb disposal in Manila. He returned to America and took a Ph.D. degree in chemistry and biochemistry at the University of Illinois in 1950.

He was recruited to Ohio State to explore the then new concept of one-gene-one-enzyme and to explore the role of genes in cellular structure through the new tool of electron microscopy.

Walter Frajola was a scholar curious about biology and its application to clinical medicine. He became the director of the Herman A. Hoster Research Laboratory related to Hodgkin's Disease. He studied nutritional aspects of this disease, examined cells in the electron microscope, and searched for a possible virus by ultracentrifugation of DNA preparations. He had very broad interests that were excited by his curiosity.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Emeritus Walter J. Frajola its deepest sympathy and sense of understanding of their loss. It was 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.

Pauline H. Hetz

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on November 29, 2009, of Pauline H. Hetz, Instructor Emeritus in the Ohio State University Extension.

Mrs. Hetz was born in 1924 in Marietta, Ohio. She received her Bachelor of Education degree in home economics from Ohio University in 1946.

Pauline began her Extension career in Ohio in July of 1949 as the home demonstration agent in Lawrence County. In July of 1956, she became the county home economics agent in Paulding County. In 1958 she transferred to Wyandot County as the home economics agent and then moved to Defiance County as the county extension agent - home economics in 1960. She retired with emeritus status from this position in 1982.

Pauline's contributions in providing Extension educational programs included teaching to low income homemakers, head-start cooks, and senior citizens as well as conducting "Decisions for Living" classes with young adults. She established homemaker groups for young women. Pauline also conducted weekly radio programs, and prepared timely news releases and program announcements for the Extension clientele.

She received the Distinguished Service Award from the National Association of Extension Home Economists. She served on many committees and boards professionally as well as with local community organizations during her career.

On behalf of the University community, the Board of Trustees expresses to the family of Instructor Emeritus Pauline H. Hetz its deepest sympathy and sense of understanding of their loss. It was 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.

Lloyd E. Lutz

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on December 12, 2009, of Lloyd E. Lutz, Instructor Emeritus in the Ohio State University Extension Service.

Mr. Lutz was born on a farm in 1917 in Crawford County, Ohio. After attending Ashland College, he received his Bachelor of Science degree in Agriculture from The Ohio State University in 1941. He then enlisted in the U.S. Marine Corps and served as a drill instructor at Parris Island, South Carolina, during World War II. After serving his country, he taught vocational agriculture at the high school level.

Lloyd began his Extension career in Ohio in November of 1946, as the associate county extension agent in Marion County. In March of 1952, he became the county agricultural agent in Shelby County, a position that he held until he retired with emeritus status in 1979.

Mr. Lutz's contributions in providing Extension educational programs included a primary focus on dairy and agronomy programs to the citizens in Shelby County. He also conducted educational programs for the farmers of swine and sheep. In addition, he provided educational programs on insect and disease control for crops as well as on the changes in storage and marketing of crops.

He received the Distinguished Service Award from the National Association of County Agriculture Agents. He served on many committees and boards professionally, as well as with local community organizations during his career.

On behalf of the University community, the Board of Trustees expresses to the family of Instructor Emeritus Lloyd E. Lutz its deepest sympathy and sense of understanding of their loss. It was 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.

William A. McWorter

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on October 22, 2009, of William A. McWorter, Associate Professor Emeritus in the Department of Mathematics.

Professor McWorter received both his Bachelor of Science degree and Doctor of Philosophy degree in mathematics from The Ohio State University. He taught at the University of British Columbia, Canada, for two years before returning to The Ohio State University in 1966. His interest in mathematics was mainly focused in group theory and combinatorics.

Willie loved mathematics and he also devoted a lot of his time in improving mathematics education. He was a very creative, enthusiastic, and demanding educator, and he was always trying to find novel ways of presenting abstract mathematical concepts to a broad undergraduate audience.

Willie McWorter was an active member of the Department and played a major role in preparing the examination problems for the Rasor-Bareis Competition, which is an endowed mathematical competition for the best mathematics undergraduates in the University.

Due to his kind and friendly personality, he was a great mentor to new faculty and he devoted his time and energy in seeing that they succeeded.

On behalf of the University community, the Board of Trustees expresses to the family of Associate Professor Emeritus William A. McWorter its deepest sympathy and sense of understanding of their loss. It was 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.

Keith E. Mixter

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on October 23, 2009, of Keith E. Mixter, Professor Emeritus in the School of Music.

Professor Mixter held a Bachelor of Music degree from Michigan State University, a Master of Arts degree in music from the University of Chicago, and a Doctor of Philosophy degree in music from the University of North Carolina, Chapel Hill. He also took graduate work in musicology at the University of Basel, Switzerland. While completing his doctorate, he served as music librarian at the University of North Carolina. He came to The Ohio State University in 1961 and served as a professor of music history in the School of Music for 30 years, retiring in 1991. He taught at all levels and directed many theses and dissertations.

Professor Mixter's *General Bibliography for Music Research*, published in 1962, enjoyed a third edition in 1996. His critical edition of the complete works of the fifteenth-century composer Johannes Brassart was published in the prestigious series Corpus Mensurabilis Musicae. He published numerous journal and encyclopedia articles on topics such as lute tablature, isorhythmic motets, early music manuscripts, and European music libraries. Particularly important to the University was his discovery of music manuscript leaves used in the binding of a fifteenth-century book in the University Libraries ("A Newly Discovered Medieval Polyphonic Sequence," *Musica disciplina*, vol. 44, 1990).

Professor Mixter was active in several professional societies, holding committee, board, and council memberships in the American Musicological Society, the International Association of Music Libraries, and the Music Library Association. At the University he worked closely with the founders of the Center for Medieval and Renaissance Studies, helping to shape that Center's interdisciplinary programs. He chaired the School of Music Library Committee for many years, and he served as chair of Graduate Studies for the School of Music. He had a profound influence on the development and cataloguing of the University's Music and Dance Library collection, both as a librarian and as a specialist in medieval manuscripts.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Emeritus Keith E. Mixter its deepest sympathy and sense of understanding of their loss. It was 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.

Fairfax E. Watkins

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on June 25, 2009, of Fairfax E. Watkins, Professor Emeritus in the Department of Civil and Environmental Engineering and Geodetic Science.

In 1930 Fairfax Watkins rode his horse some 200 miles westward to the mountain town of Blacksburg, Virginia, where he began his studies of mechanical engineering at Virginia Polytechnic Institute. After graduating with a M.S. degree in mechanical engineering in 1937, he received an offer from Professor Thomas French for a faculty position at The Ohio State University. Professor Watkins taught at Ohio State from 1937-42.

In 1942 Professor Watkins took leave from OSU to serve in the United States Army during World War II. While serving in the military, he managed engineering operations of the barrage balloon protection of the Panama Canal, for which he was decorated with the Legion of Merit Medal of Honor.

Professor Watkins was transferred to the Massachusetts Institute of Technology in 1943, where he served as a professor of military science. A year later, while still in the U.S. Army, he served his country by investigating the background of scientists working on the Manhattan Project.

When WW II ended, Professor Watkins took a civilian job with the Pennsylvania Department of Transportation where he designed traffic interchanges for the Pennsylvania Turnpike. These interchanges, then called clover leafs, were among the first to be built in the world.

Professor Watkins returned to Ohio State in 1946, joining the former Department of Engineering Graphics where he taught courses in engineering graphics and engineering mechanics. He retired from OSU in 1974.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Emeritus Fairfax E. Watkins its deepest sympathy and sense of understanding of their loss. It was 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.

Benjamin H. Williams

The Board of Trustees of the Ohio State University expresses its sorrow upon the death on August 27, 2009, of Benjamin H. Williams, Professor Emeritus in the College of Dentistry, Section of Orthodontics.

Dr. Williams received his dental degree (1946) and a Master of Science degree (1949) from The Ohio State University. He also held a masters degree in anatomy and a Master of Science degree in orthodontics from the University of Illinois (1951). He was the chair of the Section of Orthodontics at Ohio State from 1960-78, and was co-chair from 1981–84.

He retired from the College as Professor Emeritus in 1985 after 35 years of association with OSU Orthodontics, during which time he supervised over 100 graduate theses (many of which were published in various professional journals). He also developed the Graduate Residency Program in Orthodontics at OSU. In conjunction with being a faculty member at Ohio State, he was also on staff at Columbus Children's Hospital and Dayton's V.A. Hospital. He maintained a private orthodontic practice in Worthington, Ohio.

Dr. Williams was very well-known for his dedication to teaching residents and students. In 2008, an endowed chair fund was named for the Vig/Williams Endowed Chair in Orthodontics. Dr. Williams was also a life member and past president of the OSU Orthodontics Alumni Association, which he helped establish.

He was a WWII Veteran, having served as a captain in the Army Dental Corps. Dr. Williams was also a member of many professional societies and associations, such as the International Association of Dental Research, the American Association of Orthodontists, the Great Lakes Association of Orthodontics, European Orthodontic Society, and the World Federation of Orthodontists serving in various capacities. His hobbies were photography and world travel.

On behalf of the University community, the Board of Trustees expresses to the family of Professor Emeritus Benjamin H. Williams its deepest sympathy and sense of understanding of their loss. It was 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.

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UNIVERSITY DEVELOPMENT REPORT

Resolution No. 2010-59

Synopsis: The University Development Report as of December 31, 2009, 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 revision of The Hubert Schmidt Chair in Landscape Architecture, the establishment of thirty-one (31) new named endowed funds, and the revision of eight (8) named endowed funds.

NOW THEREFORE

BE IT RESOLVED, That the acceptance of the report from The Ohio State University Development Fund and The Ohio State University Foundation for September 2009 be approved.

(See Appendix XXVI for background information, page 471.)

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND

	Total <u>Gifts</u>
<u>Establishment of Named Endowed Funds</u>	
The OARDC Outlying Agricultural Research Stations Endowment Fund (Established with funds from the sale of property at the OARDC Pomerene Forest Laboratory and with additional funds from OARDC; used for operating expenses, infrastructure, equipment, and personnel at OARDC's Outlying Agricultural Research Stations)	$50,841.00
The Sphinx Centennial Leadership Suite Endowment Fund [Established with gifts from Tried Links (alumni) and friends of Sphinx Senior Honorary; used for the maintenance of the Sphinx Centennial Leadership Suite in the Ohio Union]	$50,000.00
The Dental Class of 1971 Memorial Scholarship Fund	$28,125.00

(Established with gifts from the Dental Class of 1971; used to provide need-based scholarships to students enrolled in the College of Dentistry with preference for students who are married and have children) (grandfathered)

The Ohio State University Alumni Club – Hawaii Scholarship Fund (Established with gifts from the OSU Alumni Club of Hawaii; used to provide scholarships for incoming undergraduate students from the state of Hawaii) (grandfathered)	$27,650.00
Gordon E. Gatherum Memorial Fund (Established with gifts from Dr. John Vimmerstedt, and other friends and relatives of the late Gordon E. Gatherum; used for undergraduate forest biology research at OARDC) (grandfathered)	$25,223.73

Change in Description of Named Endowed Fund

The Nicholas D. and Evangeline Jonson Memorial Scholarship Fund

Change in Name and Description of Named Endowed Funds

From: The Marcy and Richard Horvitz Veterinary Scholarship Fund
To: The Richard Horvitz Veterinary Scholarship Fund

From: The Donald Schuerman Scholarship Fund
To: The Don Schuerman Family Memorial Scholarship Fund

THE OHIO STATE UNIVERSITY FOUNDATION

Change in Description of Named Endowed Chair

The Hubert Schmidt Chair in Landscape Architecture

	Total Gifts
Establishment of Named Endowed Funds	
Schoenbaum Scholars Program Fund in The Max M. Fisher College of Business (Established with funds transferred from the Schoenbaum Scholars Program Fund which was established with gifts from Alex and Betty Schoenbaum; used to provide scholarship support for students enrolled in or intending to enroll in the Fisher College of Business)	$500,962.50
Chester J. Rockey Endowment Fund (Established with gifts from the estate of Anna Rebecca Rockey Katz in memory of her grandfather;	$377,087.80

used to provide scholarship support for students in the College of Dentistry)

The Anne and Ray Groves Rare Book Fund (Established with a gift from Anne and Ray Groves; used for the purchase, restoration, and/or preservation of items in the Rare Books and Manuscripts division in the University Libraries)	$162,000.00
The Critical Difference for Women Endowed Scholarship Fund (Established with gifts from the estate of Rachel Elizabeth Richards and friends and supporters of Critical Difference for Women; used to provide scholarships for students who have interrupted their education but are now re-entering the University to complete their degrees)	$114,588.70
The Bill and Gwen Buschman Athletic Scholarship Fund (Established with gifts from the estate of William and Gwen Buschman; used to supplement the grant-in-aid scholarship costs for intercollegiate student-athletes who are members of Olympic sport teams)	$112,500.00
The Edgar J. Grand Horticulture Scholarship Fund (Established with a gift from Judi and Tom Phares in memory of her father; used to provide scholarships for undergraduate students majoring in horticulture in the College of Food, Agricultural, and Environmental Sciences)	$100,000.00
Ross Family Scholars Fund (Established with gifts from Carolyn and Elliot Ross; used to equally support three Ross Family Scholars in the Engineering Honors and Scholars Program majoring in welding engineering)	$100,000.00
The Alva L. Jones and Hester Murray Jones Scholarship Fund (Established with gifts from Hester Murray Jones; used to equally support The Alva L. Jones and Hester Murray Jones CDW Re-Entry Scholarship for women and The Alva L. Jones and Hester Murray Jones Scholarship for undergraduate students)	$77,239.94
The Gary L. Sharpe Scholarship Fund in Geography (Established with gifts from Gary L. Sharpe; used to provide scholarship support to undergraduate students majoring in geography)	$75,000.00
Large Binocular Telescope Operating Endowment Fund (Established with gifts from alumni and friends of the Department of Astronomy; used to promote student use of the Large Binocular Telescope or similar use of a future successor world-class astronomical facility to which Ohio State has guaranteed access)	$72,702.92

Major Ray Mendoza Endowed Scholarship Fund (Established with gifts from friends, family, and colleagues in memory of Major Ray Mendoza; used to provide scholarship support for a student enrolled in or planning to enroll in the master's program at the John Glenn School of Public Affairs)	$71,240.00
The Wilbur V. and Frances L. Moore Memorial Scholarship Fund (Established with gifts from the estate of Wilbur V. Moore; used to provide support for undergraduate students in the College of Food, Agricultural, and Environmental Sciences who are majoring in Food Science and Technology)	$66,000.00
The Kenneth E. and Lynette O. Hoehn Endowed Scholarship Fund (Established with gifts from Jacquelyn Meshelemiah and James Stahler in recognition of Dr. Meshelemiah's high school teachers; used to provide scholarships within the College of Social Work)	$60,515.00
Keith and Jane Smith Engineering Excellence Fund (Established with gifts from Dr. Keith and Jane Smith; used for developing student excellence through the Engineering Education Innovation Center as determined by the dean of the College)	$60,000.00
The Roy Wallace Memorial Fund for Beef Center Student Herdsmen (Established with gifts from family and friends of Roy Wallace; used to support the wages of undergraduate students employed as student herdsmen at the OSU Beef Center in the Department of Animal Sciences)	$53,365.00
The Margaret and Charles Evers Endowed Scholarship Fund for Education and Human Ecology (Established with gifts in memory of Margaret and Charles from their children Brian Evers, Bruce Evers, and Judith Flinn; used to provide scholarships within the College of Education and Human Ecology)	$51,000.00
The Robert W. Adams Memorial Scholarship Fund in Chemical and Biomolecular Engineering (Established with gifts from his son and daughter-in-law, Jeffrey D. and Lori Adams; used to provide scholarships to students majoring in Chemical and Biomolecular Engineering)	$50,178.64
The Dr. George D. Boston Endowed Diversity Scholarship Fund in Dentistry (Established with gifts from the George D. Boston Trust and Dr. Boston's grandchildren: Tamaul	$50,000.00

Boston, Johanna Boston, and Tia B. Boston; used to provide scholarships in the College of Dentistry)

Major Ray Mendoza Endowed Scholarship Fund III (Established with gifts from Alex Porter in memory of Major Ray Mendoza; used to provide scholarship support for a student enrolled in or planning to enroll in the master's program at the John Glenn School of Public Affairs)	$50,000.00
Robert and Stephany Ruffolo Endowed Scholarship Fund (Established with a gift from Robert and Stephany Ruffolo; used to provide scholarships in the Doctor of Pharmacy program)	$50,000.00
Bruce and Jane Walsh Endowed Fund (Established with gifts from Bruce and Jane Walsh; used to purchase library volumes focusing on issues in higher education for the American Association of University Professors library in the Thompson Libraries) (grandfathered)	$37,000.00
The Judith Fountain Critical Difference for Women Scholarship Fund (Established with gifts from friends and colleagues of Judith Fountain; used to provide scholarships for students who have interrupted their education but are now re-entering the University to complete their degrees) (grandfathered)	$33,493.00
The Pat R. and Melena S. Whittington Undergraduate Teacher Education Scholarship Fund (Established with gifts from Dr. Pat R. and Dr. Melena S. Whittington; used for scholarships for undergraduate students majoring in the Teacher Education preparation option in Agricultural and Extension Education in the College of Food, Agricultural, and Environmental Sciences) (grandfathered)	$28,026.28
Cindy Coykendale Fund (Established with gifts from Cindy Coykendale and her family, friends, and colleagues; used at the discretion of the dean of the Fisher College of Business to support faculty, student, and staff activities in accordance with the College's strategic plans) (unrestricted)	$27,076.94
The Ream Family Endowed Scholarship Fund (Established with gifts from Greg and Patricia Ream and Lou Ream; used to provide scholarships for students enrolled in the College of Pharmacy) (grandfathered)	$26,000.00

Shelby County 4-H Endowment Fund (Established with gifts from friends of Shelby County 4-H; used to provide program funding for the 4-H youth and volunteers of the Shelby County 4-H Youth Development Program) (grandfathered)	$25,541.22

Change in Name of Named Endowed Fund

From: The Dr. James R. Karpac Family Athletic Scholarship Fund
To: The Dr. James R. Karpac Athletic Scholarship Fund

Change in Description of Named Endowed Funds

The Ague/Haushalter Scholarship Fund

The Service – Jerome Scholarship Fund

Change in Name and Description of Named Endowed Funds

From: Hrusovsky Family Excellence Award Fund
To: Hrusovsky Family / GroundWork Group Internship Fund

From: Schoenbaum Scholars Program Fund
To: Schoenbaum Scholars Program Fund in the College of Education and Human Ecology

Total	$2,613,357.67

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND

Establishment of Named Endowed Funds

The OARDC Outlying Agricultural Research Stations Endowment Fund

The OARDC Outlying Agricultural Research Stations Endowment Fund was established February 5, 2010, by the Board of Trustees of The Ohio State University with funds from the sale of property at the OARDC Pomerene Forest Laboratory and with additional funds from OARDC.

The annual distribution from this fund shall provide support for operating expenses, infrastructure, equipment, and personnel at OARDC's Outlying Agricultural Research Stations. The fund may also be used to provide seed monies to support specific research or outreach projects to address agricultural production issues of concern to farmers and stakeholders. Expenditures from this fund shall be recommended by the director of the OARDC and the Outlying Research Stations department head and approved by the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences.

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 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 is intended to 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 vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences in consultation with the director of the OARDC.

Amount Establishing Endowment: $50,841.00

The Sphinx Centennial Leadership Suite Endowment Fund

The Sphinx Centennial Leadership Suite Endowment Fund was established February 5, 2010, by the Board of Trustees of The Ohio State University with gifts from Tried Links (alumni) and friends of Sphinx Senior Honorary.

Sphinx Senior Honorary is the oldest class honorary at The Ohio State University. As part of the celebration of its 100th anniversary in May 2007, Sphinx Senior Honorary named and furnished the Sphinx Centennial Leadership Suite at the Ohio Union, with an adjoining outdoor balcony/terrace. The Sphinx Centennial Leadership Suite is intended to honor and perpetuate Sphinx Senior Honorary's long and special relationship with the Ohio Union, as well as advance the ideals of student service and leadership.

The annual distribution from this fund shall be used for the maintenance of the Sphinx Centennial Leadership Suite in the Ohio Union. Expenditures may include, but are not limited to, replacement or repair of Sphinx Centennial Leadership Suite furnishings, and equipment and/or supplies directly related to the maintenance and upkeep of the Suite. All expenditures from this fund shall be jointly approved in advance by the director of the Ohio Union and by the affirmative vote of a majority of the members of the Sphinx Alumni Council. The Sphinx Alumni Council was established as a result of the creation of The Sphinx Endowment Fund (606868) on November 5, 1982, in connection with the 75th anniversary of Sphinx Senior Honorary. While Sphinx's involvement in the decisions regarding the décor of the Sphinx Centennial Leadership Suite is encouraged and welcomed, the final determination regarding the décor in the suite rests with The Ohio State University and the director of the Ohio Union.

In any given year that the endowment distribution is not fully used for its intended purpose, the unused portion shall be reinvested in the endowment principal or it may be held in a distribution account to be used in subsequent years and only for the purposes of the endowment at the discretion of the Sphinx Alumni Council and the director of the Ohio Union.

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 Sphinx Alumni Council and from the director of the Ohio Union.

Amount Establishing Endowment: $50,000.00

The Dental Class of 1971 Memorial Scholarship Fund

The Dental Class of 1971 Memorial Scholarship Fund was established February 5, 2010, by the Board of Trustees of The Ohio State University with gifts from the Dental Class of 1971.

The annual distribution from this fund shall provide need-based scholarship support to students enrolled in the College of Dentistry with preference for students who are married and have children. Scholarship recipients shall be selected by the dean of the College of Dentistry 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 dean of the College of Dentistry.

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 dean of the College of Dentistry.

Amount Establishing Endowment: $28,125.00 (grandfathered)

The Ohio State University Alumni Club - Hawaii Scholarship Fund

The Ohio State University Alumni Club - Hawaii Scholarship Fund was established February 5, 2010, by the Board of Trustees of The Ohio State University, with gifts from the OSU Alumni Club of Hawaii.

The annual distribution from this fund shall provide scholarships for incoming undergraduate students from the state of Hawaii who are in the top 50% of their high school class. Scholarship recipients will be selected by the Office of Student Financial Aid in consultation with the OSU Alumni Club of Hawaii.

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 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 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, should one be available, and from the director of the Office of Student Financial Aid.

Amount Establishing Endowment: $27,650.00 (grandfathered)

Gordon E. Gatherum Memorial Fund

The Gordon E. Gatherum Memorial Fund was established February 5, 2010, by the Board of Trustees of The Ohio State University with gifts from Dr. John Vimmerstedt of Wooster, Ohio, and other friends and relatives of the late Gordon E. Gatherum. Dr. Gatherum was an emeritus professor and director in the University's School of Environment and Natural Resources.

The annual distribution from this fund shall provide support for undergraduate forest biology research at the Ohio Agricultural Research and Development Center (OARDC). Recipients shall be selected by a committee of OARDC faculty and research expenditures shall be approved by the director of OARDC and the director of the School of Environment and Natural Resources (SENR) in accordance with guidelines approved by the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences.

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 director of the OARDC and the director of the SENR.

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 is intended to 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 contributions 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 vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences in consultation with the director of the OARDC and the director of the SENR.

Amount Establishing Endowment: $25,223.73 (grandfathered)

<u>Change in Description of Named Endowed Fund</u>

The Nicholas D. and Evangeline Jonson Memorial Scholarship Fund

The Nicholas D. and Evangeline Jonson Memorial Scholarship Fund was established June 7, 1985, by the Board of Trustees of The Ohio State University with memorial gifts from friends and family at the death of Evangeline Jonson and with a major gift from their son George N. Jonson (B.A. 1997) of Hamilton, Ohio. The description was revised October 2, 1987, and September 18, 2009, and was revised again February 5, 2010.

The annual distribution from this fund shall provide renewable scholarships for incoming full-time students enrolled at or planning to enroll at The Ohio State University. Qualified candidates must have graduated from Hamilton High School in Hamilton, Ohio, with a minimum 3.0 grade point average and must have demonstrated good citizenship and leadership abilities while attending high school.

Consideration may be given to activities engaged in while attending high school; however, consideration shall not be given to financial need. First preference will be given to candidates who are humanities majors. If there are no candidates who are humanities majors, the scholarship may be awarded to candidates majoring in any arts and sciences major. If no candidates meet either of these preferences, the scholarship may be awarded to candidates in any major.

Scholarship recipients shall be recommended by a committee appointed by the guidance counselor of Hamilton High School; George N. Jonson or his designee shall be given the opportunity to participate on this committee. In the event Mr. Jonson has not selected a designee to serve on the committee on his behalf and is unable to participate himself, his wife (Sophia) or daughters (Lynne Schutter, Marjorie Schaeffer) shall be given the opportunity to serve in his place. The assistant dean of Undergraduate Studies in the College of Humanities shall be responsible for selecting scholarship recipients and coordinating these scholarships with the University's Office of Student Financial Aid. Scholarships are renewable as long as the recipients maintain a minimum 3.0 grade point average and continue to demonstrate good citizenship and leadership abilities.

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 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 George N. Jonson or his wife (Sophia) or daughters (Lynne Schutter, Marjorie Schaeffer) or a named designee, should they be alive, and from the dean of the College of Humanities.

<u>Change in Name and Description of Named Endowed Fund</u>

The Richard Horvitz Veterinary Scholarship Fund

The Morgan Horvitz Fund in Veterinary Medicine was established February 7, 1992, by the Board of Trustees of The Ohio State University with a gift from Marcy and Richard Horvitz of Cleveland, Ohio. The name of the fund was revised to The Marcy and Richard Horvitz Veterinary Scholarship Fund on February 2, 2001. The name and description were revised February 5, 2010.

The annual distribution from this fund shall be used to provide scholarship funds to a student who, having completed at least one academic quarter or semester in the College of Veterinary Medicine and having indicated a likelihood of practicing canine veterinary medicine, demonstrates (1) true compassion toward and love of animals, and (2) a high level of scholarship and academic proficiency as determined by the College of Veterinary Medicine Scholarship Committee or a successor faculty committee with similar function. Scholarship recipients shall be selected by the College of Veterinary Medicine Scholarship Committee, or its successor, in consultation with the University's Office of Student Financial Aid. In the event that the Scholarship Committee determines that there are two or more equally deserving candidates, the Scholarship Committee may consider the financial need of the candidates. The scholarship is renewable provided the recipient continues to meet the criteria set forth above.

The University may modify anyselection 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 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 University's Board of Trustees. In making this alternate designation, the Board shall seek advice from the donors, should they be alive, and from the dean of the College of Veterinary Medicine.

The Don Schuerman Family Memorial Scholarship Fund

The Donald Schuerman Scholarship Fund was established September 18, 2009, by the Board of Trustees of The Ohio State University with gifts from Donna L. Schuerman of Pemberville, Ohio. The name and description were revised February 5, 2010.

The annual distribution from this endowed fund shall be used to support one or more scholarships to be awarded annually to undergraduate students in the College of Food, Agricultural, and Environmental Sciences. First preference shall be given to students from Wood County, Ohio, who are majoring in Agricultural Economics, Animal Sciences, or Crop Science who have outstanding achievements and who continue to lead and serve in the University community. If there are no eligible students from Wood County, then second preference is for students from the contiguous counties in northwest Ohio whose majors and leadership are consistent with the first preference standards. Scholarship recipients will be selected by the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences or his designee in consultation with the Office of Student Financial Aid.

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 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, should she be alive, and from the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences.

THE OHIO STATE UNIVERSITY FOUNDATION

Change in Description of Named Endowed Chair

The Hubert Schmidt Chair in Landscape Architecture

The Hubert Schmidt Chair in Landscape Architecture was established September 18, 2009, 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 estate of Mrs. Virginia Grama Schmidt (B.A. *with Distinction in French* 1936, M.A. 1937, B.S.Ed. 1938) in memory of her husband Mr. Hubert Conrad Schmidt (B.Land.Arch. 1938). The description was revised February 5, 2010.

Hubert made substantial contributions to the study of Pacific flora, the design of the Golden Gate Park, as well as serving as a tireless volunteer for the San Francisco Botanical Garden at the Strybing Arboretum.

The annual distribution from this fund shall support a chair position in the Landscape Architecture program. Qualified candidates must be internationally acclaimed. Candidates will be recommended by the dean of the College of Engineering in consultation with the director of the Knowlton School of Architecture and approved by the University's 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 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 dean of the College of Engineering in consultation with the director of the Knowlton School of Architecture.

Establishment of Named Endowed Funds

Schoenbaum Scholars Program Fund in The Max M. Fisher
College of Business

The Schoenbaum Scholars Program Fund in The Max M. Fisher College of Business was established February 5, 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 one half of the principal balance from the Schoenbaum Scholars Program Fund which was established with gifts from Alex (B.S.Bus.Adm. 1939) and Betty (Attended 1939, Honorary Doctor of Business 2001) Schoenbaum.

The annual distribution designated to The Max M. Fisher College of Business shall support students entering or intending to enter, or enrolled in the College. The following criteria shall be in effect for Schoenbaum Scholars in The Max M. Fisher College of Business:

1. Students should show a demonstrated financial need
2. The scholarship will provide tuition, room and books
3. One scholar at the freshman, sophomore, junior, and senior levels will be supported
4. Recipients will be selected through a formula based on test scores and/or high school rank

5. Selected students entering as freshmen will be eligible for renewal of the scholarships provided they maintain a grade point average of 3.0 or with appeal to the financial aid committee
6. Selected students should show a potential for success as measured by academic record, extracurricular activities, work experience and other experiences
7. Selection of the recipients will be made by the Fisher College of Business in consultation with 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 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, should they be alive, and from the dean of the Fisher College of Business.

Amount Establishing Endowment: $500,962.50

Chester J. Rockey Endowment Fund

The Chester J. Rockey Endowment Fund was established February 5, 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 from the estate of Anna Rebecca Rockey Katz (M.A. 1979) in memory of her grandfather, Chester J. Rockey (D.D.S. 1911).

The annual distribution from this fund shall provide scholarship support for students in the College of Dentistry. The specific terms of the scholarship shall be at the discretion of the College's dean to allow flexibility to meet the needs of the day. Scholarships shall be awarded in consultation with the Office of Student Financial Aid.

Should the program no longer be in existence at any point in time, the scholarship shall be awarded to students in a program which is as closely aligned with the donor's original intent as practicable.

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 Dentistry.

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 dean of the College of Dentistry and the Office of Student Financial Aid.

Amount Establishing Endowment: $377,087.80

The Anne and Ray Groves Rare Book Fund

The Anne and Ray Groves Rare Book Fund was established February 5, 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 a gift from Anne and Ray (B.S.Bus.Adm. 1957) Groves.

The annual distribution from this fund shall be used for the purchase, restoration, and/or preservation of items in the Rare Books and Manuscripts division in the University Library as recommended by the division's director and approved by the director of University Libraries.

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 University Libraries.
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, should they be alive, and from the director of University Libraries.

Amount Establishing Endowment: $162,000.00

The Critical Difference for Women Endowed Scholarship Fund

The Critical Difference for Women Endowed Scholarship Fund was established February 5, 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 an estate gift from Rachel Elizabeth Richards (B.S.Ed. 1936, M.A. 1937) of Columbus, Ohio, and additional gifts from friends and supporters of Critical Difference for Women.

This fund shall be used to support educational diversity at the University, consistent with the University's mission and admissions policy.

The annual distribution from this fund shall provide scholarships for students who have interrupted their education but are now re-entering the university to complete their undergraduate, graduate, or professional degrees. It is the donors' desire that the scholarships be awarded in furtherance of the diversity mission with particular attention to, but not limited to, female students who have been accepted for admissions at the University. Scholarships may be used for expenses such as the cost of tuition, room and board, books and supplies, and miscellaneous educational expenses. Recipients shall be selected by the Office of Student Financial Aid in consultation with the Critical Difference for Women Scholarship Committee.

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 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 director of the Office of Student Financial Aid.

Amount Establishing Endowment: $114,588.70

The Bill and Gwen Buschman Athletic Scholarship Fund

The Bill and Gwen Buschman Athletic Scholarship Fund was established February 5, 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 from the estate of William (B.S. 1948) and Gwen Buschman of Columbus, Ohio.

The annual distribution from this fund shall be used to supplement the grant-in-aid scholarship costs of one male and one female intercollegiate student-athlete who are members of Olympic sport teams and who are pursuing undergraduate degrees at The Ohio State University. Scholarship recipients shall be selected by the director 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 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 Gwen Buschman, should she be alive, and from the director of Athletics.

Amount Establishing Endowment: $112,500.00

The Edgar J. Grand Horticulture Scholarship Fund

The Edgar J. Grand Horticulture Scholarship Fund was established February 5, 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 a gift from Judi and Tom Phares of Dallas, Texas, in memory of her father.

Edgar James Grand was born May 23, 1905, in Lowell, Massachusetts. He loved flowers and plants from an early age. After World War I, Edgar's family moved to Akron, Ohio, where the Grand family's flowers thrived in the moderate temperatures and moisture from Lake Erie. Edgar became friends with the growers at local nurseries and greenhouses and met Elizabeth Hartwick, whose father owned Hartwick Nursery. Edgar and Elizabeth were married for 70 years and had four children, Jim, Gene, JoAnn, and Judi. Edgar's success as a salesman made it possible to further his interest in botany and horticulture. He decided to follow his muse and took on the gardener's job at a large estate in South Akron. He continued to learn and educate and was a permanent member of the American Rose Society. Edgar encouraged his children to pursue a college education even though he could not afford to pay for them to attend. He also passed his "giving spirit" on to his children as he gave freely of himself, of the little money he had, and of his plants and flowers.

The annual distribution from this fund shall be used to support one scholarship for an undergraduate student majoring in horticulture in the College of Food, Agricultural, and Environmental Sciences. Eligible students must be enrolled at the University, in good academic standing, progressing toward their degrees, and have demonstrated financial need. The scholarship may be awarded to the same student in successive years, not to exceed two years, provided the recipient continues to meet the scholarship's criteria. Recipients shall be selected by the Horticulture and Crop Science scholarship selection committee in accordance with guidelines established by the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences, or his/her designee, 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 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 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 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 Board shall seek advice from donors, should they be alive, and from the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences.

Amount Establishing Endowment: $100,000.00

Ross Family Scholars Fund

The Ross Family Scholars Fund was established February 5, 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 from Carolyn and Elliot Ross.

The annual distribution from this endowed fund shall be used to equally support three Ross Family Scholars; each scholarship shall be at least $3,333. To qualify students must be Ohio residents enrolled full-time, be admitted in the Engineering Honors and Scholars Program majoring in Welding Engineering; and demonstrate strong growth potential, leadership skills, and evidence of breadth of capabilities beyond the classroom.

Scholarships will be awarded to one (1) incoming sophomore, one (1) incoming junior, and one (1) incoming senior student each fall quarter/fall semester students. If there are no qualified candidates majoring in Welding Engineering, the scholarship(s) may be awarded to candidates majoring in other programs who meet the remaining selection criteria. Recipients shall be selected by the dean of the College of Engineering 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 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, should they be alive, and from the dean of the College of Engineering.

Amount Establishing Endowment:	$100,000.00
Total Commitment:	$250,000.00

The Alva L. Jones and Hester Murray Jones Scholarship Fund

The Alva L. Jones and Hester Murray Jones Scholarship Fund was established February 5, 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 from Hester Murray Jones (B.A. 1939, B.S.Ed. 1939, M.A. 1941) of Clearwater, Florida.

The annual distribution from this fund shall support two named scholarships. Fifty percent of the annual distribution shall be used to support The Alva L. Jones and Hester Murray Jones CDW Re-Entry Scholarship for women at the undergraduate, graduate, or professional level who have interrupted their education to meet other responsibilities and are in need of financial support to re-enter the educational process. The remaining fifty percent of the annual distribution shall be used to support The Alva L. Jones and Hester Murray Jones Scholarship for undergraduate students with financial need.

The Office of Student Financial Aid will administer this scholarship fund in consultation with the Critical Difference for Women Scholarship committee.

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 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, should she be alive, and from the director of the Office of Student Financial Aid.

Amount Establishing Endowment: $77,239.94

The Gary L. Sharpe Scholarship Fund in Geography

The Gary L. Sharpe Scholarship Fund in Geography was established February 5, 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 from Gary L. Sharpe (B.A. 1970).

The annual distribution from this fund shall provide need-based scholarship support to undergraduate students majoring in geography with preference given to students from the state of Ohio. Scholarship recipients shall be selected by the dean of the College of Social and Behavioral Sciences in consultation with the chairperson of the Department of Geography and 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 dean of the College of Social and Behavioral Sciences in consultation with the chairperson of the Department of Geography.

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 he be alive, and from the dean of the College of Social and Behavioral Sciences in consultation with the chairperson of the Department of Geography.

Amount Establishing Endowment: $75,000.00

Large Binocular Telescope Operating Endowment Fund

The Large Binocular Telescope Operating Endowment Fund was established February 5, 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 from alumni and friends of the Department of Astronomy.

The annual distribution from this fund shall be used to promote student use of the Large Binocular Telescope or similar use of any future successor world-class astronomical facility to which Ohio State has guaranteed access. Expenses may include, but are not limited to, travel to and from the facility, cost of specialized equipment (e.g., filters and gratings), computer/communication services related to student observing projects, publication charges, and telescope operating expenses. Expenditures shall be approved by the chairperson of the Department of Astronomy.

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 chairperson of the Department of Astronomy.

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 chairperson of the Department of Astronomy.

Amount Establishing Endowment: $72,702.92

Major Ray Mendoza Endowed Scholarship Fund

The Major Ray Mendoza Endowed Scholarship Fund was established February 5, 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 from friends, family, and colleagues in memory of Major Ray Mendoza (B.A. 1995), a former 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 for a student enrolled in or planning to enroll in the master's program at the John Glenn School of Public Affairs who has demonstrated leadership skills and abilities. Scholarship recipients shall be selected by the school's director 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 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 director of the Glenn School of Public Affairs.

Amount Establishing Endowment: $71,240.00

The Wilbur V. and Frances L. Moore Memorial Scholarship Fund

The Wilbur V. and Frances L. Moore Memorial Scholarship Fund was established February 5, 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 from the estate of Wilbur V. Moore (B.S.Dairy Tech. 1950).

The annual distribution from this fund shall be used to provide support for undergraduate students in the College of Food, Agricultural, and Environmental Sciences who are majoring in Food Sciences and Technology. Undergraduate students who are selected to receive support from this fund must be in good academic standing and progressing toward their degrees. Recipients shall be selected by the Department of Food Science and Technology's scholarship selection committee in accordance with guidelines established by the vice president for Agricultural Administration and executive dean for 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 shall be reinvested into 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 vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences in consultation with the chairperson of the Department of Food Science and Technology.

Amount Establishing Endowment: $66,000.00

The Kenneth E. and Lynette O. Hoehn Endowed Scholarship Fund

The Kenneth E. and Lynette O. Hoehn Endowed Scholarship Fund in the College of Social Work was established February 5, 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 from Jacquelyn Meshelemiah and James Stahler in recognition of teachers from Dr. Meshelemiah's high school who made a profound impact on her and her sister by believing in them and guiding them through adolescence while providing them with love and support.

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. 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, African Americans or other underrepresented groups, who have been accepted for admissions at The Ohio State University College of Social Work. Scholarship recipients will be selected by the dean of the College of Social Work in consultation with the program directors for the B.S.S.W. and M.S.W. Programs and 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 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 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, should they be alive, and from the dean of the College of Social Work.

Amount Establishing Endowment: $60,515.00

Keith and Jane Smith Engineering Excellence Fund

The Keith and Jane Smith Engineering Excellence Fund was established February 5, 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 from Dr. Keith (B.S.Phys. 1960, M.B.A. 1961) and Jane Smith of West Lafayette, Indiana.

The annual distribution from this fund shall be used for developing student excellence through the Engineering Education Innovation Center. The dean of the College of Engineering will determine the best use of the distribution each year. Initiatives may include, but are not limited to:

1) cross-discipline activities within the Innovation Center;
2) support for external experts who will lecture on "breaking" technologies, "real world" experiences, etc.;
3) laboratory support for special entrepreneur projects; and
4) support of student interaction with corporations on commercial venture projects.

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.

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, should they be alive, and from the dean of the College of Engineering.

Amount Establishing Endowment: $60,000.00

The Roy Wallace Memorial Fund for Beef Center Student Herdsmen

The Roy Wallace Memorial Fund for Beef Center Student Herdsmen was established February 5, 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 from family and friends of Roy Wallace.

The annual distribution from this fund shall be used to support the wages of an undergraduate student employed as the student herdsman at the OSU Beef Center in the Department of Animal Sciences at the College of Food, Agricultural, and Environmental Sciences. To qualify for appointment to the Roy Wallace Student Herdsman position, students must have demonstrated leadership either as a previous student employee at the OSU Beef Center and/or in other facets of the beef cattle industry. The Roy Wallace Student Herdsman will be expected to reside at the OSU Beef Center and serve in a leadership role with other student employees. The appointment may be awarded to the same student in successive years, not to exceed two years, provided the student remains in good employment and academic standing and progressing toward his/her degree. Appointment shall be made by the faculty supervisor and managers of the OSU Beef and Sheep Center in accordance with all appropriate University employment guidelines and laws that govern employment in the state of Ohio.

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 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 total University 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 for Food, Agricultural, and Environmental Sciences.

Amount Establishing Endowment: $53,365.00

The Margaret and Charles Evers Endowed Scholarship Fund
for Education and Human Ecology

The Margaret and Charles Evers Endowed Scholarship Fund for Education and Human Ecology was established February 5, 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 in memory of Margaret and Charles from their children Brian Evers (B.A. 1969), Bruce Evers (B.S. 1968 - *Kent State University*), and Judith Flinn.

Margaret Evers (1917-2009) was born in Fairfield County near Carroll, Ohio. She was reared on the farm until she attended The Ohio State University. After receiving her degree, she spent her working life as a junior high school teacher.

Charles Evers (1909-1998) was born in Cleveland, Ohio. Because of the Depression, he was unable to attend college but strongly supported higher education all of his life. He was a self-taught electrical engineer and designed steel mills. He was also a self-taught zoologist, botanist, geologist, and biologist.

The intent of this fund is to support educational diversity at the University, consistent with the University's mission and admissions policy. The annual distribution from this fund shall provide scholarship support for students admitted into the College of Education and Human Ecology. As Margaret was the first woman in her family to be permitted to attend college, and was a strong supporter of the farming lifestyle, preference for this scholarship will be given to but not limited to female candidates who have been accepted for admissions at the University and whose family actively farms in Fairfield County Ohio. Further, preference will be given to students with a ranking of sophomore or higher. Scholarship recipients will be selected by the dean of the College of Education and Human Ecology in consultation with the Office of Student Financial Aid. The College will inform the donors of the selection process.

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 Education and Human Ecology.

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 Board shall seek advice from the donors, should they be alive, and from the dean of the College of Education and Human Ecology.

Amount Establishing Endowment: $51,000.000

The Robert W. Adams Memorial Scholarship Fund
in Chemical and Biomolecular Engineering

The Robert W. Adams Memorial Scholarship Fund in Chemical and Biomolecular Engineering was established February 5, 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 a gift from his son Jeffrey D. Adams (B.S.Ch.E. 1987) and daughter-in-law, Lori Adams, both of San Mateo, California.

The annual distribution from this fund shall provide one or more need-based scholarships to students majoring in Chemical and Biomolecular Engineering who have completed their first year in the major. First consideration will be given to candidates who are employed or are involved in extracurricular activities. Additional consideration will be given to candidates who are graduates from high schools in Ohio's Hamilton County and to those from high schools in Kentucky. Scholarship recipients will be selected by the chairperson of the Lowrie Department of Chemical and Biomolecular Engineering with assistance from the College of Engineering Scholarship Committee and in consultation with the Office of Student Financial Aid. The chairperson will confer with the donors after each year's selections are made.

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 chairperson of the Lowrie Department of Chemical and Biomolecular Engineering in consultation with 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 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, should they be alive, and from the chairperson of the Lowrie Department of Chemical and Biomolecular Engineering in consultation with the dean of the College of Engineering.

Amount Establishing Endowment: $50,178.64

The Dr. George D. Boston Endowed Diversity Scholarship
Fund in Dentistry

The Dr. George D. Boston Endowed Diversity Scholarship Fund in Dentistry was established February 5, 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 from the George D. Boston Trust and Dr. Boston's (B.A. 1949, D.D.S. 1952) grandchildren: Tamaul Boston, Johanna Boston, and Tia B. Boston.

The annual distribution from this fund shall be used to support educational diversity at the College of Dentistry, consistent with the University's mission and admissions policy. It is the donors' desire that the scholarships be awarded in furtherance of the diversity mission with particular attention to, but not limited to, African Americans or other underrepresented students, who have been accepted for admissions at the University. Scholarship recipients shall be selected by the dean of the College of Dentistry 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 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, should they be alive, and from the dean of the College of Dentistry.

Amount Establishing Endowment: $50,000.00

Major Ray Mendoza Endowed Scholarship Fund III

The Major Ray Mendoza Endowed Scholarship Fund III be established February 5, 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 from Alex Porter in memory of Major Ray Mendoza (B.A. 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 for a student enrolled in or planning to enroll in the master's program at the John Glenn School of Public Affairs who has demonstrated leadership skills and abilities. Scholarship recipients shall be selected by the school's director 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 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, should he be alive, and from the director of the Glenn School of Public Affairs.

Amount Establishing Endowment: $50,000.00

Robert and Stephany Ruffolo Endowed Scholarship Fund

The Robert and Stephany Ruffolo Endowed Scholarship Fund was established February 5, 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 a gift from Robert (B.S.Phar. 1973, Ph.D. 1976) and Stephany Ruffolo of Spring City, Pennsylvania.

The annual distribution from this fund shall be used to support a scholarship for a student in the College of Pharmacy Doctor of Pharmacy program. Recipients shall be selected by the dean of the College of Pharmacy 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 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, should they be alive, and from the dean of the College of Pharmacy.

Amount Establishing Endowment: $50,000.00

Bruce and Jane Walsh Endowed Fund

The Bruce and Jane Walsh Endowed Fund was established February 5, 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 from Bruce and Jane Walsh.

The annual distribution from this fund shall be used to purchase library volumes focusing on issues in higher education for the American Association of University Professors library in the Thompson Libraries. Expenditures shall be approved by the director of the University Libraries.

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 University Libraries.

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, should they be alive, and from the director of the University Libraries.

Amount Establishing Endowment: $37,000.00 (grandfathered)

The Judith Fountain Critical Difference for Women Scholarship Fund

The Judith Fountain Critical Difference for Women Scholarship Fund was established February 5, 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 from friends and colleagues of Judith Fountain (B.S.H.E. 1964, M.S. 1974).

This fund shall be used to support educational diversity at the University, consistent with the University's mission and admissions policy.

The annual distribution from this fund shall provide scholarships for students who have interrupted their education and are re-entering the

University to complete their undergraduate, graduate or professional degrees. It is the donors' desire that the scholarships be awarded in furtherance of the diversity mission with particular attention to, but not limited to, female students who have been accepted for admissions at the University. Scholarships may be used for expenses such as the cost of tuition, room and board, books and supplies, and miscellaneous educational expenses. Recipients shall be selected by the Office of Student Financial Aid in consultation with the Critical Difference for Women Scholarship Committee.

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 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 shall reinvested in the endowment principal.

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 Director of the Office of Student Financial Aid.

Amount Establishing Endowment: $33,493.00 (grandfathered)

The Pat R. and Melena S. Whittington Undergraduate Teacher Education Scholarship Fund

The Pat R. and Melena S. Whittington Undergraduate Teacher Education Scholarship Fund was established February 5, 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 from Dr. Pat R. (B.S.Agr. 1982) and Dr. Melena S. (B.S.Agr. 1982, M.S. 1988, Ph.D. 1991) Whittington of Delaware, Ohio.

The annual distribution from this fund shall be used to support at least one scholarship for an undergraduate student majoring in the Teacher Education preparation option in Agricultural and Extension Education in the College of Food, Agricultural, and Environmental Sciences. The non-renewable scholarship will be awarded to the student(s) for the term that the selected recipient(s) will be participating in their student teaching experience. The scholarship may be used for, but not limited to, transportation, books, fees, and tuition. Scholarship recipient(s) will be selected by the teacher preparation faculty in Agricultural and Extension Education. The scholarship shall be awarded in accordance with guidelines and procedures established 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 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 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 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, should they be alive, and the vice president for Agricultural Administration and executive dean for Food, Agricultural, and Environmental Sciences.

Amount Establishing Endowment: $28,026.28 (grandfathered)

Cindy Coykendale Fund

The Cindy Coykendale Fund was established February 5, 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 from Cindy Coykendale (B.S. 1979, M.L.H.R. 1989) and her family, friends, and colleagues.

The annual distribution from this fund shall be used at the discretion of the dean of The Max M. Fisher College of Business to support faculty, student, and staff activities in accordance with the College's strategic plans.

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 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 Cindy Coykendale, should she be alive, and from the dean of the Fisher College of Business.

Amount Establishing Endowment: $27,076.94 (unrestricted)

The Ream Family Endowed Scholarship Fund

The Ream Family Endowed Scholarship Fund in the College of Pharmacy was established February 5, 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 from Greg and Patricia Ream and Lou Ream.

The annual distribution from this fund shall be used to support a scholarship for a student enrolled in the College of Pharmacy with preference given to students from Licking County, Ohio. If no candidates are identified from Licking County, then the scholarship may be awarded to any deserving student enrolled in the College of Pharmacy. Scholarship recipients will be selected by the College's dean 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 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, should they be alive, and from the dean of the College of Pharmacy.

Amount Establishing Endowment: $26,000.00 (grandfathered)

Shelby County 4-H Endowment Fund

The Shelby County 4-H Endowment Fund was established February 5, 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 from friends of Shelby County 4-H.

The annual distribution from this fund shall be used to provide program funding for the 4-H youth and volunteers of the Shelby County 4-H Youth Development Program. The OSU Extension professional in charge of the Shelby County 4-H Program, in consultation with the Shelby County 4-H Advisory Committee, shall approve all expenditures from this fund.

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 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 for Food, Agricultural, and Environmental Sciences in consultation with the assistant director of OSU Extension- 4-H Youth Development.

Amount Establishing Endowment: $25,541.22 (grandfathered)

Change in Name of Named Endowed Fund

The Dr. James R. Karpac Athletic Scholarship Fund

The Dr. James R. Karpac Family Athletic Scholarship Fund was established September 18, 2009, by the Board of Trustees of The Ohio State University in accordance with guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from James R. Karpac (B.A. 1978, D.D.S. 1981, M.A. 1989, M.S. 1989), from Dublin, Ohio. The name was revised February 5, 2010.

The annual distribution from this fund shall be used to supplement the grant-in-aid scholarship costs of an intercollegiate student-athlete who is a member of a varsity team. The recipient shall be selected by the director 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 expended, the unused portion should be reinvested in the endowment principal.

The investment and management of and expenditures from all endowed 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 cost 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 he be alive, and from the director of Athletics.

Change in Description of Named Endowed Funds

The Ague/Haushalter Scholarship Fund

The Ague/Haushalter Scholarship Fund was established May 4, 2001, 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 Charles W. "Bill" Ague, (B.S.Phar. 1950) and Elma Haushalter Ague (B.A. 1949) of Girard, Ohio. The description was revised February 5, 2010.

In memory of William Hunter Ague (B.S.Ed. 1981, M.A. 1989) who died an untimely death in 1997, his dedication to mathematics education as a teacher in the public schools, and his deep commitment to young people in difficult urban settings; a portion of this fund is directed to the College of Education and Human Ecology.

The annual distribution from this fund shall provide two need-based scholarships. One scholarship shall support a pharmacy student from an under-represented group who demonstrates good character; recipients shall be selected by the dean of the College of Pharmacy in consultation with the Office of Student Financial Aid. The second scholarship shall support an education student who is preparing to be a mathematics or science teacher with preference given to candidates who are graduates of urban public schools; recipients shall be selected by the dean of the College of Education and Human Ecology 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 dean of the College of Pharmacy and the dean of the College of Education and Human Ecology.

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, should they be alive, from the dean of the College of Pharmacy, and from the dean of the College of Education and Human Ecology.

The Service – Jerome Scholarship Fund

The Service-Jerome Scholarship Fund was established February 3, 1995, 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 Harry W. and Ruth Mary (B.S.Ed. 1952) Service of Andover, Ohio. The description was revised February 5, 2010.

The annual distribution from this fund shall be used provide one or more scholarships to undergraduate or graduate students from Ashtabula County with preference given to students from Southern

Ashtabula County. To qualify candidates must be enrolled in one of the following colleges/programs in the following order of preference: the College of Food, Agricultural, and Environmental Science, the Agricultural Technical Institute (ATI), the College of Veterinary Medicine (or undergraduates who have expressed an interest in veterinary medicine), the College of Education and Human Ecology. Scholarship recipients shall be selected by the Ashtabula County Agricultural Scholarship Committee in consultation with the University's Office of Student Financial Aid. If the Ashtabula County Office of The Ohio State University Extension ceases to exist, the state office of the Ohio State University Extension shall act on behalf of the county.

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.

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, should they be alive, and from the director of the Office of Student Financial Aid.

Hrusovsky Family / GroundWork Group Internship Fund

The Hrusovsky Family Excellence Award Fund at The Max M. Fisher College of Business was established October 29, 2009, 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 John J. Hrusovsky II (B.S.Bus.Adm. 1986). The name and description were revised February 5, 2010.

The annual distribution from this fund will support interns working with the GroundWork Group, its member organizations, or other non-profit organizations based in and serving central Ohio. Recipients will be determined based on the mutual interest of the host organizations and student applicants. Placements will be coordinated through the Center for Entrepreneurship, approved by the College's dean and coordinated 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 dean of the 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 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 he be alive, and from the dean of the Fisher College of Business.

Schoenbaum Scholars Program Fund
in the College of Education and Human Ecology

The Schoenbaum Scholars Program Fund was established April 7, 1989, 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 Alex (B.S.Bus.Adm. 1939) and Betty (Attended 1939, Honorary Doctor of Business 2001) Schoenbaum. The description was revised July 12, 1996, and September 18, 2009. The fund equally supported The Max M. Fisher College of Business and the College of Education and Human Ecology. At the request of the colleges and with donor approval, one half of the fund's principal was moved and used to create The Schoenbaum Scholars Program Fund in The Max M. Fisher College of Business. The Schoenbaum Scholars Program Fund description and name were revised February 5, 2010.

The annual distribution designated to the College of Education and Human Ecology shall used to fund one scholarship and four internships. The intent is to serve undergraduate students with the greatest financial need and the Weinland Park community by providing support to students who demonstrate a determination to succeed but lack economic resources.

To qualify for the scholarship, candidates must be a junior or senior undergraduate student majoring in early childhood or elementary education with preference given to students who graduated from Columbus City Schools and/or transfers from Columbus State

Community College. The scholarship, in an amount up to the cost of in-state tuition annually, may be awarded for a two-year period and may be used toward tuition, room, books and supplies, and educational expenses. The Scholarship Committee in the College of Education and Human Ecology and the College's dean shall be responsible for selecting scholarship recipients and coordinating these scholarships with the University's Office of Student Financial Aid.

To qualify for an internship position candidates must work at the Schoenbaum Family Center; preference shall be given to students who graduated from Columbus City Schools and/or transfers from Columbus State Community College. The interns will serve as assistant teachers in classrooms while maintaining progress toward their degree and will engage with children more closely in the teaching and learning environment at Schoenbaum Family Center. Awardees will be selected by the director of the Schoenbaum Family Center in consultation with the Office of Student Financial Aid and may be awarded an amount up to half the cost of in-state tuition annually.

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, should they be alive, and from the dean of the College of Education and Human Ecology.

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AUTHORIZATION, ISSUANCE AND SALE OF GENERAL RECEIPTS COMMERCIAL PAPER NOTES SERIES J OF THE OHIO STATE UNIVERSITY

Resolution No. 2010-60

Synopsis: Providing for the authorization, issuance and sale of General Receipts Commercial Paper Notes, Series J (the "Series J Notes"), in a principal amount determined as provided herein, for the purpose of (i) financing the Series J Project, as defined herein, (ii) refunding the University's General Receipts Notes Series 2010 B, and (iii) paying costs and expenses associated with the issuance of the Series J Notes, authorizing a Series J Supplement to Amended and Restated Trust Indenture to secure the payment of Debt Service Charges on the Series J Notes.

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 capital "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 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, by resolution adopted by the Board on December 5, 1997, and by a Trust Indenture dated as of November 15, 1985 (the "Original Indenture") as amended by the Seventh Supplement to Trust Indenture, dated as of December 1, 1997, each between the University and The Huntington National Bank, as Trustee (the "Trustee"), authorized the issuance of its $79,540,000 The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1997; and

WHEREAS the University, pursuant to the terms of a resolution adopted by the Board on October 1, 1999 (the "General Bond Resolution"), amended and restated the Original Indenture, as supplemented, in accordance with the terms thereof, by entering into the Amended and Restated Trust Indenture dated as of December 1, 1999 (the "Restated Trust Indenture") with the Trustee; and

WHEREAS the 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 in the Restated Trust Indenture with respect to such issue (the Restated Trust Indenture and all Supplemental Indentures thereto being collectively referred to herein as the "Indenture"); and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the resolution adopted by the Board on November 5, 1999, the Restated Trust Indenture and the First Supplement to Amended and Restated Trust Indenture, dated as of December 1, 1999 between the University and the Trustee, $83,585,000 The Ohio State University General Receipts Bonds, Series 1999 A; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the resolution adopted by the Board on November 5, 1999, Amended and Restated Trust Indenture, dated as of December 1, 1999 between the University and the Trustee, $108,000,000 The Ohio State

University Variable Rate Demand General Receipts Bonds, Series 1999 B; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on November 2, 2001, the Indenture and the Series 2001 Supplement to Amended and Restated Trust Indenture, dated as of November 1, 2001 between the University and the Trustee, $76,950,000 The Ohio State University Variable Rate Demand General Receipts Bonds, Series 2001; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on November 2, 2001, the Indenture and the Series 2002 A Supplement to Amended and Restated Trust Indenture, dated as of January 1, 2002 between the University and the Trustee, $150,515,000 The Ohio State University General Receipts Bonds, Series 2002 A; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on July 11, 2003, the Indenture and the Series 2003 B Supplement to Amended and Restated Trust Indenture dated as of September 1, 2003, between the University and the Trustee, $233,780,000 The Ohio State University General Receipts Bonds, Series 2003 B; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on July 11, 2003, the Indenture and the Series 2003 C Supplement to Amended and Restated Trust Indenture dated as of September 1, 2003 between the University and the Trustee, $121,295,000 The Ohio State University Variable Rate General Receipts Bonds, Series 2003 C; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on July 8, 2005, the Indenture and the Series 2005 A Supplement to Amended and Restated Trust Indenture dated as of August 1, 2005 between the University and the Trustee, $279,050,000 The Ohio State University General Receipts Bonds, Series 2005; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on July 8, 2005, the Indenture and the Series 2005 B Supplement to Amended and Restated Trust Indenture dated as of August 1, 2005 between the University and the Trustee, $129,990,000 The Ohio State University Variable Rate General Receipts Bonds, Series 2005; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on July 11, 2008, the Indenture and the Series 2008 A Supplement to Amended and Restated Trust Indenture dated as of January 1, 2009 between the University and the Trustee, $217,595,000 The Ohio State University General Receipts Bonds, Series 2008 A; and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on July 11, 2008, the Indenture and the Series 2008 B Supplement to Amended and

Restated Trust Indenture dated as of September 1, 2008 between the University and the Trustee, $127,770,000 The Ohio State University Variable Rate General

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on July 11, 2008, the Indenture and the Series I Supplement to Amended and Restated Trust Indenture, dated as of December 1, 2008 (the "Series I Supplement") between the University and the Trustee, of up to $227,000,000 in principal amount of The Ohio State University General Receipts Commercial Paper Notes, Series I (the "Series I Notes"); and

WHEREAS the University has authorized the issuance pursuant to the General Bond Resolution, the Resolution adopted by the Board on October 29, 2009, the Indenture and the Series 2010 A and B Supplement to Amended and Restated Trust Indenture dated as of January 1, 2010 (the "Series 2010 A and B Supplement") between the University and the Trustee, $241,170,000 The Ohio State University General Receipts Bonds, Series 2010 A which refunded certain prior Obligations and $121,000,000 The Ohio State University General Receipts Notes, Series 2010 B (the "Series 2010 B Notes") which refunded the Series I Notes; 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 Commercial Paper Notes, Series J (the "Series J Notes") in the principal amount not to exceed $227,000,000 for the purposes of currently refunding all of the Series 2010 B Notes, paying or reimbursing a portion of the costs of the Series J Project, and paying costs and expenses associated with the issuance of the Series J Notes; and

WHEREAS the University desires to make provisions for the issuance of the Series J Notes and for the payment of the Debt Service Charges thereon and the securing thereof by this Resolution and a Series J Supplement to Amended and Restated Trust Indenture (the "Series J Supplement") herein authorized;

NOW THEREFORE

BE IT RESOLVED

Section 1. Definitions and .Interpretations. All words and terms defined in the Indenture and all interpretations therein provided shall have in this Resolution the same definitions and interpretations as therein provided or used, unless the context or use clearly indicates another or different meaning or intent. Terms not appearing in the Indenture but used herein and not previously defined herein are defined as follows:
"Authorized Officer" means the Senior Vice President for Business and Finance of the University, the Secretary of the Board or the Treasurer, or any one or more of them, in each case in such person's official capacity.

"Book Entry System" means a system under which (i) a physical Series J Note certificate in fully registered form is issued for each maturity of

Series J Notes only to a Depository or its nominee as registered owner, with the Series J Notes held by and immobilized in the custody of the Depository; and (ii) a book entry record maintained by and the responsibility of the Depository and not maintained by or the responsibility of the University or the Trustee, is the record that identifies, and records the transfer of the interests of, the owners of book entry interests in such Series J Notes.

"Costs of Issuance Account" means the Costs of Issuance Account in the Note Program Fund created pursuant to Section 5 hereof.

"Dealer" or "Dealers" means Merrill Lynch, Pierce, Fenner & Smith Incorporated, any affiliate thereof or any successor or assigns permitted under the Dealer Agreement, and any other dealer or dealers for the Series J Notes which is appointed by the University and has entered into a Dealer Agreement.

"Dealer Agreement" or "Dealer Agreements" means respectively, the Dealer Agreement, by and between the University and Merrill Lynch, Pierce, Fenner & Smith Incorporated or any affiliate thereof, and any and all modifications, alterations, amendments and supplements thereto, and such agreement and any other Dealer Agreement entered into by the University and a Dealer or Dealers with respect to the Series J Notes.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a Book Entry System to record ownership of book entry interests in obligations, and includes and means initially as to the Series J Notes, The Depository Trust Company (a limited purpose trust company), New York, New York.

"Note Proceedings" means the General Bond Resolution, the Restated Trust Indenture, any applicable Series Resolution, any applicable Supplemental Indenture and any other resolutions and agreements and amendments of and supplements to the foregoing, or any combination thereof, authorizing or providing for the terms and conditions applicable to, or providing for the security or sale of Notes, and the terms contained in such Notes.

"Note Program Fund" means the Note Program Fund held by the University and created in Section 5 hereof to be funded with the proceeds of the Series J Notes.

"Offering Memorandum" means, as to the Series J Notes, the Offering Memorandum relating to the original issuance of the Series J Notes, authorized pursuant to Section 3 hereof.

"Project Account" means the Project Account in the Note Program Fund created pursuant to Section 5 hereof.

"Series J Commercial Paper Resolution" or "this Resolution" as used herein means this Resolution, as the same may be amended from time to time.

"Series J Project" means the Series J Project as described on Attachment I to the Series J Supplement and on Exhibit A attached hereto, which attachment and exhibit are incorporated by reference herein with the same force and effect as if fully set forth herein.

"Treasurer" means the Assistant Vice President of Financial Services of the University and any person duly authorized by the Board to exercise the powers and duties of such officer.

"Trustee" means The Huntington National Bank, and any successor Trustee as determined or designated under or pursuant to the Indenture.

Any reference herein to the University, the Board, or to any members or officers thereof or to other public boards, commissions, departments, institutions, agencies, bodies, entities or officers, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions. Any reference to a section or provision of the Ohio Revised Code or to the laws of Ohio shall include such section or provision and such laws as from time to time amended, modified, revised, supplemented, or superseded, provided that no such amendment, modification, revision, supplementation, or supersession shall alter the obligation to pay the Debt Service Charges in the amount and manner, at the times, and from the sources provided in the General Bond Resolution, this Resolution, the Restated Trust Indenture and the Series J Supplement, except as otherwise herein permitted.
Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "herein," "hereby," "hereto," "hereunder," and similar terms, mean this Resolution.

Section 2. Authorization; Terms; Pledge; and Covenant.

(a) Authorization. The Bonds, to be designated and known as The Ohio State University General Receipts Commercial Paper Notes, Series J, shall be issued pursuant to and as authorized by the Act, Section 2i of Article VIII of the Ohio Constitution, the General Bond Resolution, this Resolution, the Restated Trust Indenture and the Series J Supplement for the purposes of refunding the Series 2010 B Notes, financing a portion of the costs of the University Facilities comprising the Series J Project, and paying expenses incidental to the issuance of the Series J Notes (the "Series J Note Purpose"). The Series J Notes shall be issued from time to time as provided in the Series J Supplement to finance and refinance the Series J Note Purpose. Proceeds of the Series J Notes may also be used to pay maturing Series J Notes.

(b) Form and Numbering. The Series J Notes shall be issued only as fully registered Bonds. The Series J Notes shall be numbered as determined by the Trustee.

(c) Denominations and Dates. The Notes shall be dated the date of their respective authentication and issuance; shall be issued in registered form, registered to bearer (subject to Section 2.06 of the Series J Supplement) unless otherwise designated by a Dealer; and shall be issued in denominations of $100,000 and in integral multiples of $1,000 in excess thereof.

(d) Principal Amount. The Series J Notes shall be issued in the principal amount specified in the Series J Supplement, which amount shall not exceed $227,000,000.

(e) Delivery and Execution. The Treasurer is hereby authorized to make the necessary arrangements with the Dealer to establish the date, location, procedures and conditions for the delivery of the Series J Notes to the Dealer and to take all steps as necessary to effect due execution, authentication and delivery of the Series J Notes to the Dealer or to the persons whom the Dealer directs under the terms of this Resolution. The Series J Notes shall be signed by an Authorized Officer in his official capacity (provided that such signature may be a facsimile) and may bear the corporate seal of the University or a facsimile thereof.

(f) Interest. The Series J Notes shall bear interest from their respective dates, payable at maturity, at a rate not to exceed 12% per annum (calculated on the basis of a year consisting of 365 or 366 days, as applicable, and the actual number of days elapsed).

(g) Maturities. The Series J Notes (i) shall mature not more than 270 days after their respective dates, but in no event later than July 29, 2011, and (ii) shall mature on a Business Day. The stated interest rate, maturity date and other terms of each Note, as long as not inconsistent with the terms of the Series J Supplement, shall be as set forth in the Instructions delivered to the Trustee pursuant to Section 2.07 of the Series J Supplement.

(h) Redemption. The Series J Notes shall not be subject to redemption prior to their stated maturities.

(i) Appointment of Dealer. The Board hereby appoints Merrill Lynch, Pierce, Fenner & Smith Incorporated, or an affiliate thereof, as the initial Dealer for the Series J Notes.

(j) Security. As provided in the Indenture, there is hereby pledged to the security of the Series J Notes, (i) the gross amount of General Receipts of the University (subject to the provisions for the partial release of a pledge of General Receipts contained in Section 4.10 of the Restated Trust Indenture) and (ii) the moneys contained in the Special Funds. Anything else to the contrary in the Indenture, the General Bond Resolution, the Series J Supplement or this Resolution notwithstanding, the Series J Notes shall not have access to, any claim upon or be secured by, the Bond Reserve Fund or the Note Program Fund. This pledge of General Receipts shall be on parity with expenses, claims and payments relating to other Parity Obligations (as defined in the Indenture) and in priority to all other expenses, claims and payments of the University. In accordance with the Act, all the General Receipts or portions thereof are immediately subject to the lien of the pledge upon receipt thereof by the University; provided, however, the lien of such pledge shall not attach to any Series J Notes the proceeds of which are to be used to provide the Series J Project until the Board of Regents of the State shall have approved such pledge.

For the further security of the Series J Notes, and any Obligations, the University hereby covenants with the Holders, including the Noteholders, and the Trustee that so long as any Series J Notes or other Obligations are outstanding, the University shall fix, make, adjust and collect fees, rates, rentals, charges, and other items of General Receipts, as will produce at all times General Receipts sufficient (i) to pay Debt Service Charges when due, (ii) together with other moneys lawfully available therefor, to pay all costs and expenses required to be paid under the Note Proceedings, and (iii) together with other moneys lawfully available therefor, to pay all other costs and expenses necessary for the proper maintenance and successful and continuous operation of the University.

(k) Payment, Places of Payment, and Paying Agents. The principal of and interest on the Series J Notes shall be paid in federal or other immediately available funds in such coin or currency of the United States of America as, at the respective times of payment, is legal tender for the payment of public and private debts. The principal of and interest on the Series J Notes shall be payable at the designated office of the Trustee on or before the close of business on any Business Day upon which such Series J Notes have become due and payable, provided that such Series J Notes are presented and surrendered on a timely basis. Upon presentation of such a Series J Note to the Trustee no later than 3:00 p.m. (Columbus, Ohio time) on a Business Day, payment for such Series J Note shall be made by the Trustee in immediately available funds on such Business Day. If a Series J Note is presented for payment after 3:00 p.m. (Columbus, Ohio time) on a Business Day, payment therefore shall be made by the Trustee on the next succeeding Business Day, without the accrual of additional interest thereon.

(1) Book Entry. Subject to the provisions of the immediately following paragraph, the Series J Notes shall be issued only to a Depository for holding in a Book Entry System in accordance with the provisions of Section 2.06 of the Series J Supplement. Those Series J Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; and shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the University. Each maturity of the Series J Notes shall be evidenced by a single certificate in the aggregate principal amount of the Series J Notes maturing on such maturity date.

If any Depository determines not to continue to act as a Depository for the Series J Notes for holding in a Book Entry System, the University may attempt to have established a securities depository and Book Entry System relationship with another qualified Depository. If the University does not or is unable to do so, the University, after making provision for notification of the owners of book entry interests by appropriate notice to the then Depository and any other arrangements it deems necessary, shall permit the withdrawal of the Series J Notes from the Depository, and authenticate and deliver the Series J Note certificates, in fully registered form to the assigns of the Depository or its nominee (if such Series J Note was held by a nominee), all at the cost and expense (including costs of printing or otherwise preparing and delivering replacement Series J Notes) of the Noteholders.

Section 3. Offering Memorandum. It is determined hereby that the manner of sale and the terms of the Series J Notes, as provided in this Resolution and the Series J Supplement, are consistent with all legal requirements and will carry out the public purposes of the Act.

The use and distribution of the Offering Memorandum relating to the Series J Notes is hereby approved and authorized. Such Offering Memorandum shall be in substantially the form of the offering memorandum for the Series I Notes, the form of which is hereby approved. The Board has not confirmed, and assumes no responsibility for, the accuracy, sufficiency or fairness of any statements in the Offering Memorandum contained in the Appendices thereto.

Section 4. Allocation of Proceeds. The proceeds from the sale of the Series J Notes, including any accrued interest, shall be allocated, deposited and applied as follows:

To the Bond Fund, accrued interest, if any, received on the sale of the Series J Notes;

To the Bond Fund, such amount as is necessary to retire or redeem the Series 2010 B Notes in accordance with their terms; and

To the Note Program Fund, created pursuant to Section 5 of this Resolution, the entire remaining amount of the proceeds of the Series J Notes, to be applied to the purposes of that Fund, including transfers from that Fund authorized by the Act and to pay costs and expenses associated with the issuance of the Series J Notes.

Section 5. Note Program Fund. There is hereby created a fund to be maintained in the custody of the Treasurer and designated the "Note Program Fund." The Note Program Fund shall be funded from the proceeds of the sale of the Series J Notes. Such proceeds shall be used for the payment or reimbursement of a portion of the costs and expenses relating to the Series J Project and costs and expenses associated with the issuance of the Series J Notes. The Note Program Fund shall not constitute a Special Fund and shall not be pledged to the payment of Debt Service Charges.

Moneys held in the Note Program Fund, including all investment earnings thereon, pending disbursement from the Note Program Fund shall be invested in Authorized Investments specified in Section V of the Operating and Agency Funds Investments Policy of the University, as the same may be amended from time to time. The University may establish such accounts in the Note Program Fund as are necessary or desirable to carry out the requirements of the Series J Supplement.

The Treasurer shall maintain such books and records with respect to disbursements from the Note Program Fund so as to enable the Treasurer to determine the name of any payee of any such disbursement, the date on which such disbursement occurred, the amount of such disbursement and the purpose for which such disbursement was made. Investment earnings on the funds on deposit in the Note Program Fund may, at the discretion of the University, be paid to the Trustee for deposit in the Bond Service Account in the Bond Fund to be used to pay Debt Service Charges on the Series J Notes.
There shall be established in the Note Program Fund the following accounts:

(i) The Costs of Issuance Account, from which shall be paid the costs of issuance of the Series J Notes; and

(ii) The Project Account, from which shall be disbursed such portion of the proceeds of the Series J Notes necessary to pay costs of the Series J Project and paying costs and expenses associated with the issuance of the Series J Notes to the extent not paid form the Costs of Issuance Account. The Treasurer shall designate in writing, either in the Series J Supplement or otherwise, the allocation of the proceeds of the Series J Notes to each of the foregoing accounts.

Upon the determination by the Treasurer that the costs incurred in connection with any item listed on Exhibit A hereto within the description of the Series J Project (each a "Component") to be paid from the Note Program Fund have been paid in full or provision for such payment has been made, the University may use any remaining moneys on deposit in the Note Program Fund -with respect to such Component to fund the costs of other Components or to fund the costs of additional projects constituting University Facilities (each, an "Additional Project"). Moneys remaining on deposit in the Note Program Fund after the completion of the Series J Project and any Additional Projects shall be used by the University in any manner which, in the opinion of Bond Counsel, shall be permissible under the Act and the Code.

Section 6. Tax Matters. The University covenants that the use of the proceeds of the Series J Notes will be restricted in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time of delivery of and payment for the Series J Notes, so that the Series J Notes will not constitute "arbitrage bonds" under Sections 103(c) and 148 of the Code. The Treasurer, or any other officer having responsibility with respect to the issuance of the Series J Notes, alone or in conjunction with any other officer or employee of or consultant to the University, will give an appropriate certificate of the University for inclusion in the transcript of proceedings for the Series J Notes setting forth the reasonable expectations of the University regarding the amount and use of those proceeds and the facts and estimates on which they are based, all as of the date of original delivery of and payment for the Series J Notes.

The University further covenants that it will take all actions required to maintain the exclusion from gross income for purposes of federal income taxation of interest on the Series J Notes and will not take or permit to be taken, any actions which would adversely affect such exclusion under the provisions of the Code that apply to the Series J Notes; and an Authorized Officer and other appropriate officers are hereby authorized to take such actions and give such certifications as may be appropriate to assure such exclusion from gross income of interest on the Series J Notes.

Section 7. Series J Supplement and Other Documents. In order to better secure the payment of the Debt Service Charges as the same shall become due and payable, each Authorized Officer, or any one or more of them, are authorized and directed to execute, acknowledge and deliver to the Trustee and the Dealer, in the name and on behalf of the University and pursuant to the Indenture, the Series J Supplement and the Dealer Agreement, respectively, each in substantially the form of the Series I Supplement and the Dealer Agreement related thereto, or to such officers on behalf of this Board and the University, and such documents are hereby approved, with such changes therein as are not substantially adverse to the University and as may be permitted by the Act and approved by the officers executing the same on behalf of the University. The Series J Supplement shall also include the form of the Series J Notes (the "Form of Note"), attached thereto as Exhibit A. The execution of such documents by any of the officers shall conclusively evidence that the officers and the Board approve such changes and that such changes are not substantially adverse to the University.
Each of such officers is further authorized to execute and deliver on behalf of the University such other certificates, documents and instruments as are necessary in connection with the acts authorized by this Resolution.

Section 8. Call for Redemption of Series 2010 B Notes. The University hereby determines that the Series 2010 B Notes shall be called for optional redemption at the earliest date on which each of them may be redeemed pursuant to the Original Indenture or the Indenture, as applicable, and that the execution and delivery by the University of the Series J Supplement shall constitute the irrevocable direction to the Trustee to send such notices as are required by such indenture to effect such call for redemption. The execution of the Series J Supplement and the acceptance of the estate conveyed thereby by the Trustee shall constitute the receipt by the Trustee of such direction and the agreement by the Trustee to give the aforementioned notices.

Section 9. Authorization of Bond Insurance, Bond Ratings, Credit Support Instruments and Rate Management Agreements; Prior Actions Approved. The Treasurer is authorized to submit applications to recognized providers of municipal bond insurance or any other Credit Support Instruments requesting the issuance of municipal bond insurance policies or other Credit Support Instruments, as the case may be, to insure the University's obligation to make payments of principal of and interest on the Series J Notes. The Treasurer is hereby authorized to accept one or more commitments for insurance or other Credit Support Instrument from such providers if, in his reasonable judgment, it is in the best interests of the University to do so and the Treasurer is authorized to executed and deliver, and the University is authorized to perform, any documents, certificates or instruments reasonably necessary to obtain the benefits of such policy of bond insurance or other Credit Support Instrument. There is hereby authorized to be paid from the moneys deposited in the Project Account such amount as is required to pay the premium and expenses for such insurance policies.

The Treasurer is hereby authorized to apply for a rating from one or more national rating services with respect to the Series J Notes. The payment of the fees and expenses relating to any such ratings from the proceeds of the Series J Notes is hereby authorized.

All actions hereto taken by officers and employees of the Board and the University in connection with the approval, authorization, sale, execution, delivery and issuance of the Obligations or the security therefor, or any Credit Support Instrument or bond rating related thereto, or the Series J Notes, are hereby approved, ratified and confirmed.

Section 10. Open Meeting Determination. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the 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.

Section 11. Effective Date. This Resolution shall take effect and be in force immediately upon its adoption.

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AUTHORIZATION TO ENTER INTO/INCREASE PROFESSIONAL SERVICES CONTRACTS AND CONSTRUCTION CONTRACTS

Resolution No. 2010-61

APPROVAL TO ENTER INTO/INCREASE PROFESSIONAL SERVICES CONTRACTS

EAST REGIONAL CHILLED WATER PLANT
HOPKINS AND HAYES HALLS RENOVATIONS

APPROVAL TO ENTER INTO CONSTRUCTION CONTRACTS

COLLEGE OF MEDICINE RENOVATION/ADDITION
HOPKINS AND HAYES HALLS RENOVATIONS
KENNEDY COMMONS RENOVATION
SOUTH HIGH RISES RENOVATION AND ADDITION
WOODRUFF AND TUTTLE PARK PLACE REBUILDS

Synopsis: Authorization to enter into/increase professional services contracts and enter into 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/increase professional services contracts for the following projects:

	Prof Svc Amount	Total Project	
East Regional Chilled Water Plant	$10.0M	$41.1M	University Bond Proceeds
Hopkins and Hayes Halls Renovations	$1.0M	$7.3M	State Appropriations

WHEREAS in accordance with the attached materials, the University desires to undertake and enter into construction contracts for the following projects:

	Constr Amount	Total Project	
College of Medicine Renovation/Addition	$11.5M	$13.0M	State Appropriations General Funds
Hopkins and Hayes Halls Renovations	$6.3M	$7.3M	State Appropriations
Kennedy Commons Renovation	$9.7M	$12.5M	University Bond Proceeds
South High Rises Renovation and Addition	$152.7M	$171.6M	University Bond proceeds
Woodruff and Tuttle Park Place Rebuilds	$9.5M	$11.5M	University Bond Proceeds

NOW THEREFORE

BE IT RESOLVED that the President and/or Senior Vice President for Administration and Planning and Special Assistant to the President be authorized to enter into/increase professional services contracts and enter into 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 XXVII for background information, page 477.)

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AMENDMENT TO LEASE

Resolution No. 2010-62

THE OHIO STATE UNIVERSITY--OFFICE OF INFORMATION TECHNOLOGY
OFFICE RELOCATION
2740 AIRPORT DRIVE
COLUMBUS, OHIO 43219

Synopsis: Authorization is requested for extending a three-year lease of approximately 25,000 square feet of office space located on the first and second floors of a three-story office building located at 2740 Airport Drive, Columbus, Ohio, 43219 to be occupied by The Ohio State University, Office of Information Technology to a five-year term.

WHEREAS the Board of Trustees of The Ohio State University and the State of Ohio is presented with the opportunity to extend a three-year lease to a five-year lease of improved real property at 2740 Airport Drive owned by The Forty-One Corporation; and

WHEREAS this extension of the lease of this property will satisfy the office relocation requirements of the Office of Information Technology, and it has been determined that the lease extension is in the best interest of the University; and

WHEREAS the funds for the lease extension will be provided by the Office of Information Technology:

NOW THEREFORE

BE IT RESOLVED, That the President and/or the Senior Vice President for Administration and Planning and Special Assistant to the President be authorized to take any action required to effect the execution of an amendment to extend the three-year lease to a five-year lease of 25,000 square feet in the improved real property at 2740 Airport Drive for use by The Ohio State University, Office of Information Technology. The lease amendment will be negotiated to contain rental terms and lease conditions determined to be in the best interest of the State of Ohio and the University.

(See Appendix XXVIII for background information and map, page 485.)

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AMENDMENT TO LONG-TERM LEASE

Resolution No. 2010-63

JAMESCARE WOMEN’S AMBULATORY ONCOLOGY CENTER
739 WEST THIRD AVENUE
COLUMBUS, OHIO 43212

Synopsis: Authorization to amend the long-term lease agreement with Gowdy Partners III LLC to provide for the construction of a building addition, containing approximately 11,400 square feet of medical office space, to provide for a Radiation Oncology Center to be located at 739 West Third Avenue in Columbus, Ohio, is requested.

WHEREAS the Board of Trustees of The Ohio State University previously authorized the University to enter into a 20-year lease of a 103,500 square feet medical office building to be constructed at 739 West Third Avenue, Columbus, Ohio, and is presented with the opportunity to amend the lease to provide for the construction of approximately 11,400 square feet of additional leasable square feet for equipment to be installed for the treatment of cancer patients; and

WHEREAS the building addition to provide for patient treatment is important in meeting the objectives and requirements of the James Cancer Hospital's Strategic Plan, and it has been determined by the appropriate University offices that the addition of this space is in the best interest of the University; and

WHEREAS the funds for the increased lease expenses will be provided by the James Cancer Hospital and Fiscal Year 2010 approved funds are being reallocated and carried forward to 2011 to purchase (or lease, using available University lease/financing mechanisms) the equipment:

NOW THEREFORE

BE IT RESOLVED, That the President and/or the Senior Vice President for Administration and Planning be authorized to take any action required to effect the execution of an amendment of the 20-year lease agreement with Gowdy Partners III LLC, to provide for approximately 11, 400 square feet of additional medical office space to be constructed as an addition to the leased medical office building at 739 West Third Avenue for use by the James Cancer Hospital, on such terms and conditions as are deemed to be in the best interests of the University.

(See Appendix XXIX for background information and map, page 487.)

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APPROVAL TO AMEND AND RESTATE THE OHIO STATE UNIVERSITY ALTERNATIVE RETIREMENT PLAN

Resolution No. 2010-64

Synopsis: Authorization to amend and restate The Ohio State University Alternative Retirement Plan ("Plan") to conform to the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA"), and other applicable laws, regulations, and administrative authority is proposed.

WHEREAS the Board of Trustees originally adopted the Plan, effective February 5, 1999; and

WHEREAS the University has the ability to amend and restate the Plan from time to time; and

WHEREAS the University desires to amend and restate the Plan to comply with the Code, EGTRRA and other applicable laws, regulations, and administrative authority; and

WHEREAS the University desires to submit the amended and restated Plan to the Internal Revenue Service (the "IRS") for a favorable determination letter that the Plan continues to meet the qualification requirements of Section 401 et seq. of the Code:

NOW THEREFORE

BE IT RESOLVED, That an amendment and restatement of the Plan, in substantially the form attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted effective as of January 1, 2002; and

BE IT FURTHER RESOLVED, That the Vice President for Human Resources, or any successor officer, in consultation with the Office of Legal Affairs, is authorized to perform such acts as deemed necessary or advisable to effectuate or carry out the purpose and intent of this resolution and to submit the Plan to the IRS; and

BE IT FURTHER RESOLVED, That the Senior Vice President for Business and Finance is hereby authorized to execute the amended and restated Plan and any other instruments, documents or conveyances necessary to effectuate the amendment and restatement and to submit the Plan to the IRS.

(See Appendix XXX for background information, page 489.)

***

RATIFICATION AND APPROVAL OF AMENDMENT AND RESTATEMENT OF THE HARDING HOSPITAL EMPLOYEES' RETIREMENT PLAN AGREEMENT

Resolution No. 2010-65

Synopsis: Ratification and approval of amendment and restatement of the Harding Hospital Employees' Retirement Plan Agreement ("Plan") is proposed.

WHEREAS on July 23, 2007, the Internal Revenue Service issued final regulations under Section 403(b) of the Internal Revenue Code of 1986, as amended ("Code"), affecting tax-sheltered annuity plans subject to Section 403(b) of the Code; and

WHEREAS these regulations generally became effective January 1, 2009, and provide for detailed requirements that must be included in each plan by December 31, 2009; and

WHEREAS the University maintains the Plan, which is a tax-sheltered annuity plan subject to Section 403(b) of the Code; and

WHEREAS the Board of Trustees has reviewed and considered the actions of the Office of Legal Affairs, the Office of Human Resources and the Senior Vice President for Business and Finance to fully amend and restate the Plan, effective as of January 1, 2009, in the form attached as Exhibit A and incorporated herein by reference; and

WHEREAS the Board of Trustees has determined that the actions of the Office of Legal Affairs, the Office of Human Resources and the Senior Vice President for Business and Finance to amend and restate and execute the Plan on behalf of the University prior to the date of this resolution were proper and in the best interests of the University:

NOW THEREFORE

BE IT RESOLVED, That the amended and restated Plan, in the form attached as Exhibit A be, and hereby is, approved, ratified and adopted effective as of January 1, 2009; and

BE IT FURTHER RESOLVED, That the adoption and implementation of the Plan and any actions relating thereto by the Office of Legal Affairs, the Office of Human Resources and the Senior Vice President for Business and Finance that have been taken or made prior to the date of this resolution are hereby ratified, affirmed and approved.

(See Appendix XXXI for background information, page 537.)

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IMPLEMENTATION OF PAID DISASTER LEAVE BENEFIT

Resolution No. 2010-66

Synopsis: Authorization to Implement a Paid Disaster Leave Benefit.

WHEREAS pursuant to Section 3335.09 of the Revised Code, the Board of Trustees of The Ohio State University is vested with authority to fix the compensation for employees of The Ohio State University; and

WHEREAS pursuant to House Bill 187 amending Chapter 124 of the Revised Code, the Board of Trustees is vested with authority to adopt rules and regulations governing employment of University employees; and

WHEREAS at their October 29, 2009 meeting, the Board of Trustees authorized the President of the University to implement, on an interim basis, a Paid Disaster Leave Benefit;

WHEREAS the University's Office of Human Resources will soon promulgate a policy to institute paid disaster leave for the University, which will provide for a short-term paid leave benefit for those faculty, staff, and graduate associates who are prevented from any and all assignable work due to a declared University disaster; and

WHEREAS the Office of Human Resources will secure approval by all appropriate management committees of the University prior to implementation of the Paid Disaster Leave Policy:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby adopts this Paid Disaster Leave Benefit, as described in the Supplemental Information, effective immediately, and will be more fully described in the Paid Disaster Leave Policy.

(See Appendix XXXII for background information, page 547.)

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ACCEPTANCE OF THE REPORT OF AUDIT FOR 2008-2009

Resolution No. 2010-67

Synopsis: The report of the audit of the financial statements for The Ohio State University for 2008-2009 conducted by Deloitte & Touche is recommended for acceptance.

WHEREAS with the approval of the Auditor of State, The Ohio State University entered into a five-year agreement with Deloitte & Touche in 2006 for an annual audit of the University for fiscal years 2005-2006 through 2009-10; and

WHEREAS the Deloitte & Touche audit of the University for 2008-2009, meeting the requirements of the Auditor of State, has been received and the accounts, records, files, and reports of the University have been found to be in satisfactory condition, and certain constructive service comments have been discussed with the Audit Committee; and appropriate procedures and responses are being developed as a result of these comments:

NOW THEREFORE

BE IT RESOLVED, That the report of the Deloitte & Touche audit for The Ohio State University for 2008-2009, including the report on the audit of the University's financial statements and the summary of constructive service comments to management, be accepted.

***

AUTHORIZATION TO APPROVE ATHLETIC TICKET PRICES AND FEES

Resolution No. 2010-68

Synopsis: Approval of Athletic ticket prices for Fiscal Year 2011 and golf course membership fees for Calendar Year 2010 at the recommended levels is requested.

WHEREAS each year the Athletic Council reviews projections for the coming year's budget and recommends ticket prices and golf course membership fees; and

WHEREAS the Athletic Council has approved increases for football and men's basketball tickets, and for golf course membership fees shown on the attached tables; and

WHEREAS the Athletic Council's recommendations have been reviewed and are recommended by the appropriate University administration:

NOW THEREFORE

BE IT RESOLVED, That the recommended increases for football and men's basketball tickets for Fiscal Year 2011, and for golf course membership dues and fees for Calendar Year 2010, be approved.

(See Appendix XXXIII for background information, page 549.)

Upon motion of Judge Marbley, seconded by Mr. Hicks, the Board of Trustees adopted the foregoing resolutions by unanimous roll call vote, cast by Trustees Wexner, Davidson, Borror, O'Dell, Shumate, Hicks, Schottenstein, Marbley, Kass, Jurgensen and Reid.

***

Mr. Wexner:

There were also three other resolutions that were mentioned earlier as follows.

SUPPORT OF STATE ISSUE 1

Resolution No. 2010-69

WHEREAS The Third Frontier initiative was created to promote job creation, enhance educational opportunities, and improve the quality of life and general well-being of people and businesses throughout Ohio by expanding Ohio's research capabilities to promote product innovation, development and commercialization; and

WHEREAS The Third Frontier program has laid the foundation for the retention, creation and growth of technology-based jobs and businesses, increased early stage capital investments, improved the environment for technology entrepreneurs, increased collaboration in research and development, and enhanced our economic competitiveness and diversity; and

WHEREAS The most up-to-date figures estimate the program's job creation results at greater than 48,000, and more is expected of this program in the next few years as the research translates into market solutions, companies and additional jobs; and

WHEREAS The State of Ohio's Third Frontier initiative has delivered measurable results by investing $681 million since 2002 which has yielded $6.6 billion in economic activity; and

WHEREAS The Ohio State University, as a result of its participation in the Third Frontier program, has teamed statewide with more than 200 business and industry partners and a number of Ohio universities to undertake 60 separate projects, and has helped launch or attract 26 companies and secure or file 125 patents; and

WHEREAS The Ohio State University has generated more than $325 million in additional federal and industry funding from the Third Frontier program, which has been a contributing factor in the university's rise to being in the top ten nationally in terms of research expenditures made by universities; and

WHEREAS The proposed state constitutional amendment will authorize the State of Ohio to issue up to $700 million in bonds for the Third Frontier initiative in order to provide financial assistance for research, product innovation, and commercialization in support of Ohio industries and businesses in such areas as advanced materials, agbiosciences, alternative energy and fuel development, biomedical imaging, and improved diagnostics, treatments and cures for cancer, heart and other diseases; and

WHEREAS Issue 1 will continue to foster job creation through the advancement of new products and services based on science and technology research and development, thus ensuring Ohio's ability to create and compete for jobs, today and in the future; and

WHEREAS The Ohio State University, a top ten public research university, is an integral partner in the effort to advance scientific knowledge and to develop new products and applications that will enhance our state's economy; and

WHEREAS The Ohio General Assembly deserves much appreciation for its strong bipartisan support of the Third Frontier program and its placement of the constitutional amendment on the ballot.

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees of The Ohio State University hereby expresses its strong support and endorsement of the passage of State Issue 1 to improve the lives of all Ohioans and directs that a copy of this resolution be tendered to the Governor, the Ohio General Assembly and other interested constituencies.

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THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES
PARTNERSHIP WITH THE OHIO STATE UNIVERSITY ALUMNI ASSOCIATION

Resolution No. 2010-70

SYNOPSIS: Authorization to implement measures to strengthen the alignment and partnership of the University and the OSU Alumni Association is proposed.

WHEREAS The Ohio State University Alumni Association, established in 1879, is now one of the largest alumni associations in the world, and its purpose is to support The Ohio State University and its alumni by fostering a spirit of loyalty toward the University and to achieve a unity of purpose and action in promoting the best interests of the University; and

WHEREAS over the last 130 years, the Alumni Association has been a steadfast friend of the University, and the Board of Trustees and the Board of Directors of the Alumni Association each desires to create a framework under which the University and the Association can be more closely aligned to better fulfill the goal of One University and strengthen their relationship to the benefit of the entire University family; and

WHEREAS toward that purpose, the University and the Alumni Association established a joint task force co-chaired by Tami Longaberger, former Chair of this Board, and William Lhota, former Chair of the Alumni Association Board, to study best practices in university alumni engagement and recommend an advancement model to achieve closer coordination of efforts in support of mutual goals to align alumni relations, engage alumni, and promote the University; and

WHEREAS based on the recommendations of this task force, the University and the Alumni Association have developed a memorandum of understanding to guide and enhance their future collaboration:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees gratefully acknowledges and expresses its appreciation for the dedication, hard work, and thoughtful conclusions and recommendations of the task force; and

BE IT FURTHER RESOLVED, That this Board hereby approves and endorses the principles and actions identified in the memorandum of understanding; and

BE IT FURTHER RESOLVED, That to ensure the continuing alignment and close collaboration of the University and the Alumni Association, this Board hereby charges the Committee on Trusteeship to move forward as expeditiously as possible to recommend to this Board appropriate changes in the Board's committee structure to fully support this enhanced partnership; and

BE IT FURTHER RESOLVED, That the Board of Trustees hereby authorizes and directs the President to take all actions necessary and proper to implement the memorandum of understanding with the Alumni Association and to periodically report to this Board on those efforts.

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FY 2010 - FY 2015 CAPITAL PLAN
INCLUDING FY 11 – FY 12 STATE CAPITAL REQUEST

Resolution No. 2010-71

Synopsis: Authorization and acceptance of the FY2010 – FY2015 Capital Plan, including FY2011 – FY 2012 State Capital Request is proposed.

WHEREAS the University has presented the recommended capital plan for FY 2010 through FY 2015 and the recommendations regarding the capital project funding request for State and non-State funds for the FY 2011 and FY 2012 biennium; and

WHEREAS these recommendations have been reviewed through the University's governance structure; and

WHEREAS the University needs to maintain continuity in long term planning while addressing a transition in leadership; and

WHEREAS only those projects outlined in these recommendations will be eligible for funding for the FY 2010 - FY 2015:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby adopts the proposed FY 2010 – FY 2015 capital plan, subject to further modifications in the coming years and adopts the proposed recommendations for State funds for FY 2011 – FY 2012, and directs that the State capital funding requests be submitted to the Ohio Board of Regents; and

BE IT FURTHER RESOLVED, That the Board of Trustees adopts the non-State capital funds recommendations for FY 2010 through FY 2015 and approve the cap of no more than $450 million in additional debt in FY 2011; and

BE IT FURTHER RESOLVED, That any request for authorization to proceed with any project contained in these recommendations or for University funds for any such project must be submitted individually by the University for approval by the Board of Trustees as provided for by Board policy.

Upon motion of Mr. O'Dell, seconded by Mr. Borror, the Board of Trustees adopted the foregoing resolutions by unanimous roll call vote, cast by Trustees Wexner, Davidson, Borror, O'Dell, Shumate, Hicks, Schottenstein, Marbley, Kass, Jurgensen and Reid.

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Mr. Wexner:

Jo Ann could I ask you to help us with something now?

Ms. Davidson:

Thank you very much Mr. Chairman. I would like to offer a resolution in expression of appreciation to Bill Shkurti. They made Bill do a solo here this afternoon on his report sort of as an acknowledgement that they are going to get the last little bit of work out him.

Seriously, when Gordon brought Bill into the position in the Office of Finance in 1990, I think, 1991, he was supervising 200 employees, we had a budget of just a little bit over $1 billion, and now as he prepares to retire, in his current role as Senior Vice President of Business and Finance, he has 1,700 employees, he supervises and manages, and our budget is now as you know about $4.4 billion. So there has been a lot of growth in those years. As was mentioned, I believe Gordon in his remarks, in his President's Report, the great respect that Bill Shkurti has at the state level, is one of the longest serving and best of budget directors in the state of Ohio, so I have had an opportunity through the years to work with Bill, with many of his various hats on, and in the years in which I have been on this Board, and had a chance to chair the Fiscal Affairs Committee. We have been able to work very closely together. I think I can honestly say he is one of the unsung heroes of Ohio State University. We have talked about what a diverse University we are, Gordon talks about what a huge responsibility it is, and quietly behind the scenes through the years, in tough economic times, with an awful lot of challenges, he has managed to get us through them in a very stable condition. Sometimes we take for granted that in the economic problems we have been experiencing, but some how or other we have managed to come through this without a lot of bumps on the road. We have, but a lot of that is the credit to Bill and how he has managed through the years, and how we have carefully handled our resources in making sure we take everything into consideration. So Bill, on behalf of the Board of Trustees and on behalf of myself personally, I just want to say thank you. We are going to miss you, and I am glad to know that you are going to be around and in some position in advising this University for hopefully some time to come. So thanks for everything.

EXPRESSION OF APPRECIATION

WHEREAS Bill Shkurti took leadership of the Office of Finance in 1990 when the office had about 200 employees and the University had a an overall budget of about $1 billion; and

WHEREAS the University's budget has grown to more than $4.4 billion today and has stayed on solid footing despite challenges stemming from a weakened economy; and

WHEREAS Bill's personnel and financial oversight responsibilities increased tremendously in 1998 when he became Senior Vice President for Business Operations, and today as Senior Vice President for Business and Finance, he has oversight of more than 1,700 employees; and

WHEREAS he is serving a three-year term as Chair of the State of Ohio Audit Committee to assist the Governor and Director of the Office of Budget and Management in fulfilling their oversight responsibilities; and

WHEREAS Bill developed and still maintains superb relations with faculty, students, and staff and is highly regarded by the entire university community; and

WHEREAS his keen interest in the history of the Vietnam War led him to become an inspired teacher as an adjunct professor in the John Glenn School of Public Policy, teaching for Professor Guilmartin; and

WHEREAS the Board of Trustees is aware that despite that keen awareness of history, he also is passionate about the Cleveland Indians, and since the Board is unable to improve their standings, it has allowed him to display his frustration publicly; and

WHEREAS the Board of Trustees also is aware that Bill is passionate about running, so has tried its best to support this passion by running him between Audit, Medical Affairs and Fiscal Affairs committee meetings for years; and

WHEREAS the frugality that has served him so well in his positions of financial responsibility also allowed him to, without regret, let other departments subscribe to Business First and then borrow their copies every Friday; and

WHEREAS there is bipartisan agreement that Bill is one of the most respected budget directors ever to hold this state title; and
WHEREAS after 21 years guiding The Ohio State University's fiscal and budgetary operations, Bill will retire effective March 31:

NOW THEREFORE

BE IT RESOLVED, The entirety of The Ohio State University is tremendously indebted to Bill Shkurti for his outstanding leadership, prudent fiscal management, steadfast civic service, and indefatigable integrity.

Mr. Shkurti:

> Well I face this moment with mixed feelings. I am looking forward to retirement because I think the time is right, but I have really enjoyed the time I have been with the University. It is a wonderful place. I think many of you know I was a student here many, many years ago, and was captured by the place then and it has stayed the same. I want to thank Gordon who hired me the first time and has been a wonderful inspirational leader in both Gee One and Gee Two, and the Board and for its support through all these years. I was thinking about it the other day, I think in the 20 years I have been here, churned through 33 or 34 Board Members, some of whom are back for a second time. The Board has always held the University in the appropriate way and provided the appropriate governance and has helped as well.
>
> Also to my colleagues, the vice presidents, the faculty, the students, the alumni they were all part of making this a great place. I feel double the honor to be sitting in a chair that was sat in by Archie Griffin. That is an added thing as well. I know there is going to be time for more celebration and speech making later, so I will not go on. Please accept my heartfelt thanks. It has been an honor to serve this great institution. Thank you all very much.

Mr. Wexner:

> Bill, thank you so very much. Having survived some of us on the Board for a couple of rounds, and G-One and G-Two, I am so appreciative of your thoughtful guidance and support. I guess I differ a little bit with Jo Ann because I do not think it is unsung, I think it is really quiet noticed and much appreciated when an institution expands and grows and goes through decades of just its life and is never an extremist financially. That internal judgment of

not only the presidents of the University, that the staff, in particularly the CFO, it just has to be there. This is a difficult group, both faculty, staff and Board, to guide through the financial seas. It is very, very much appreciated.

Before we adjourn, what I would like to do is just go around the room and see if anybody has any comments that they would like to make. We have had a very full two days of meetings, and it is the wrap-up of one year and the beginning of another. So let's start over here with you, Jason.

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Mr. Marion:

Is school open tomorrow, Dr. Gee? I think it was an excellent meeting and I think it has been impressive to see how this Board has been operating with all the planning. All the pieces are coming together to make this University one of the, if not the most, top public research university's in the country. Kudos. Bill, Martha, we cannot sing your praises enough, there is not enough time today.

Dr. Cloyd:

I would just echo that and say that this University is on such a high plane at a very challenging time. The opportunities before us against the mission are just outstanding. I just could not be happier as an individual or feel better as someone associated with this University about where we are headed and how we plan to get there. It is terrific leadership here at the University, we are blessed.

Dr. Reid:

I would just say ditto to the prior comments. I am also particularly happy about the structures that we are putting in place with the planning and all the rest that is happening. Go Bucks.

Judge Marbley:

Mr. Chairman there is an aphorism which goes, "if you are not leading a meaningful life on the edge, you are taking up too much space." I think that the work we have put in over the last year and the trajectory that we are on now is proof positive that we are taking up the appropriate amount of space.

Ms. Swain:

I definitely want to echo how student friendly Bill and Martha have been. Bill explaining some of these financial things I am excited to learn, and it has been great to work with you Bill.

Mr. Jurgensen:

Again to echo some things that have been said. I think everyone in the state of Ohio over the next 24 to 36 months are going to have a firsthand opportunity to realize the importance of Ohio State in terms of the contribution the University is going to make to the economic redevelopment of our state. This really will be the epicenter of that redevelopment in my view, and therefore puts a special emphasis on a lot of the things we are working on in the area of technology transfer and commercialization. Those are really precursor efforts to the rebuilding of a new economy for Ohio. Even though I know we have both national and international aspects of what we do too, what is really going to show up I think, first and foremost is what our efforts mean to our state.

Ms. Kass:

I would like to echo something I think one of our students who were recognized this afternoon talked about, the character of the University. I think this is reflected in its leadership, its staff, its faculty and the Board and the work we are all doing together.

Mr. Schottenstein:

I agree with what everyone said, and I also want to throw in the expression of appreciation again to you Bill for making my brief chairmanship of the Audit Committee look so good. You have been a great partner. I also want to say, I neglected to say this in my comments, the Medical Center, which is I know only one very large part of this University, but it is still only one part of this University, certainly had a lot of things on their plate for the last 12 to 18 months. Both the Audit Committee and the Medical Affairs Committee, and I think this entire Board is extremely impressed with their efforts, not just with respect to ProjectONE but certainly in the area of compliance. One thing I thought was really compelling yesterday during the Medical Affairs Committee was how the patient satisfaction scores have soared. I know we are not where we want to be, but I do not think we will ever be where we really want to be because that is just the spirit of this place, but our patient satisfaction scores have soared in the face of what might otherwise be a time when we might be distracted. But we have not been distracted from really what is at the heart of what we do, which is taking care of patients. I just wanted to say that, I neglected to say that in my committee report, but it is an honor to serve on this Board and I just thank you all and everyone in this room for what you do for our University.

Mr. Hicks:

I think it was very fitting to have Coach Tressel here because so far 2010 has stepped off pretty strongly for this University, and he led it obviously on January 1 at the Rose Bowl and I think the momentum has continued. I would agree with Jerry and echo what Jerry said. There is a great deal of responsibility that we have as Trustees and this University has to really help our citizens and state nationally and internationally. I think one of the values that we have showed consistently is that we accept that responsibility and we are trying to make this place a better place. I do think that we are off to a very, very strong start in 2010, so congratulations on the leadership being shown.

Mr. O'Dell:

I would just like to say it is a great honor to serve this University. It is a thrill and Bill, good luck to you. I really appreciate all you've done.

Ms. Davidson:

Mr. Chairman I think this meeting sort of culminates the year of achievement, a year of leadership and thank you for your willingness to accepting another year of that responsibility. It is not an easy thing to do. I think we have celebrated together, we have had a very productive meeting and I thank you for that.

Dr. Gee:

Well, first of all I want to thank the Board for its leadership, I really do; and Les for your leadership and continuing leadership. I think that the issue of continuity is extremely important, particularly because of the fact that we are moving at a very fast level and a high plane. So congratulations to you. Bill, you know I have already said it but you can tell the affection and respect you have from everyone. So I think that we should all acknowledge that you have made an enormous difference. In good times and bad, Bill is like a steady rock, so we do acknowledge that. I just want to say this, you know you take a look around the room, and we are blessed with an extraordinary cadre of leaders at this institution who are working very, very hard and very ably on behalf of the institution. Good work on the Board, good work with the University, we have a great partnership, so we now have a wonderful 2010 to look forward to Mr. Chairman.

Mr. Wexner:

I am with Brian, as we reflect on the year, and I think about the way the world looked about a year ago on a whole bunch of fronts, and I never would have anticipated that a year later things could be in such a positive plane for the University. Bill's leadership and guidance financially, the deans, the president, the trustees, we faced a very difficult year and a year when we had to be very careful, very cautious for the obvious reasons. I think it is a good thing Coach Tressel was here. I find myself particularly in the last year, in my family and other places quoting him. Win or lose he always says the same things, well we have got to get better, we just got to get better. You think if Ohio State loses, so how was the game, he says we did not do very well, we got to get better. For the Rose Bowl the first thing out of his mouth, we were laughing as we were watching, I said he is going to say we have got to get better. That is a bit of really good teaching from him for all of us. I think last year we clearly got better and for obvious reasons this year we have our work cut out, we have got to continue to get better.

Everybody has to drive safely and carefully today to get home. If there is no other business, we can stand adjourned.

-0-

Thereupon the Board adjourned to meet Friday, May 14, 2010, at The Ohio State University, Longaberger Alumni House, Columbus, OH.

Attest:

Leslie H. Wexner	David O. Frantz
Chairman	Secretary

The Ohio State University Board of Trustees
February 5, 2010

Capital Recommendations – FY 2011 and Beyond

I. Strategic Goals

II. Physical Planning Context

III. Funding Strategy

IV. Conclusions

Joe Alutto, Executive Vice President and Provost
Jeff Kaplan, Senior Vice President for Administration and Planning
Bill Shkurti, Senior Vice President for Business and Finance

I. Strategic Goals

One University

Student First

Faculty and Staff Talent

Research Prominence

Outreach and Collaboration

Financial Soundness

I. Strategic Goals

One University

Comprehensive plan. Includes all campuses, affiliated entities and all projects, regardless of funding source

I. Strategic Goals

Students First

Modernization and upgrade of student living spaces, especially on South Campus, is a high priority

Concepts for South High Rises Renovation and Addition

I. Strategic Goals

Faculty and Staff Talent

State of the art classroom and research space in North Academic Core (Chemical Engineering and Chemistry) and the OSU Medical Center will assist in recruitment and retention of best talent

ProjectONE Cancer and Critical Care Tower

I. Strategic Goals

Research Prominence

Major investment in facility modernization and expansion in interdisciplinary work in Chemical Engineering and Health Sciences

Prior Health Sciences Library Renovation for simulation and clinical skills labs

I. Strategic Goals

Outreach and Collaboration

Project One will expand tertiary medical care availability to the surrounding area and beyond to provide a strong economic benefit

I. Strategic Goals

Financial Soundness

Funding sources are identified. Buildings are designed to make efficient use of space.


South High Rises Renovation and Addition

II. Planning Context

Link academic/strategic, physical, and financial planning

One Framework

- “One University” projects that meet multiple goals
- Sustainable living-learning communities and 24/7 campus experiences
- Stewardship of existing facilities and open space
- Civic structure investments to create framework for next 50+ years
- Partnerships with surrounding community

II. Planning Context

Construction Reform

The Ohio Board of Regents *“…shall designate one construction project at each of three different state institutions of higher education as a Construction Reform Demonstration Project…”*

II. Planning Context

Project One and Construction Reform

The University will request Project One be a pilot project under the Construction Reform provisions of HB 318. This will allow the following:

- More timely completion
- Potential cost savings
- Greater participation by small businesses and minority contractors

A special management team under the leadership of Sr. VPs Steve Gabbe and Jeff Kaplan has been established to oversee this project.

Since a portion of this project has already been completed, the construction reform portions will apply to about $825M worth of construction.

Progress reports will be presented to the Board on a quarterly basis.

II. Planning Context

Capital recommendations for FY2010 – FY2015…

✓ support strategic goals
✓ are consistent with emerging Framework principles*
✓ are aligned with financial planning

*Formal One Framework recommendations in Spring 2010

II. Planning Context

Prioritized List of Recommended Capital Projects FY 2010 – FY 2015	
Previous Commitments	$190M
North Academic Core	
Chemical & Biomolecular Eng. & Chemistry	$138M
Sullivant, Smith, Cunz Renovation	$ 34M
Sub Total	$172M
Project One	
Hospital Tower/Associated Projects	$1,000M
Student Housing	
South Campus High Rise Renovation	$172M
Hall Complex & Enabling	$ 62M
Sub Total	$234M
Associated Infrastructure & Enabling Projects	
Project One & South Campus High Rise	$173M
Academic Core North Support	$ 70M
Sub Total	$243M
Additional	$119M
Grand Total	$1,958M

II. Planning Context

Additional Projects (FY 2010 – FY 2015)

NOTE: These projects are high priority but could be scaled back or stretched out if necessary to align with availability of funding.

- Business Continuity and Infrastructure
- Access and Way Finding
- Student Life Repair and Renovations
- Transportation and Parking
- Public Safety Communications
- Regional Campuses
- Emerging future projects include River Corridor and Pedestrian Priority plans from One Framework

III. Funding Strategy

Continue to Advance Academically

Exhibit Financial Prudence

Transparency

III. Funding Strategy

Summary of October 28 Fiscal Affairs Committee

Confirmation of the following capital priorities:

- North Academic Core
- Project One
- Student Housing
- Supporting Infrastructure

III. Funding Strategy

Summary of October 28 Fiscal Affairs Committee

- Circuit breakers have been identified
- Cap the next bond sale (CY 2010) at approximately $400M
- Place a modified freeze on all other projects through FY 2010
- Proceed with plan to add $0.15 per ASF to POM charges for preventative and planned maintenance needs every year for five years beginning in 2011
- Need to continue to strengthen the balance sheet
- Request formal Board of Trustees approval on February 5, 2010

III. Funding Strategy

Project Funding Sources

(FY 2010 – FY 2015)

Source	Amount
New Debt *	$1,616M
State Funds	$144M
Unit Funds	$28M
Project One Development	$75M
Project One Previously Bonded	$95M
Total	$1,958M

* Includes $190M in previous commitments

III. Funding Strategy

Bond issuance schedule is in alignment with what has been previously shared with the rating agencies

Total New debt required:		$1,616M
Preliminary bond schedule:	CY 2010 up to	$450M
	CY 2012 up to	$700M
	CY 2014 up to	$450M
		$1,600M

NOTE: This schedule is preliminary and will be revisited in six months

III. Funding Strategy

Financial Risk Mitigated

- All projects over $4M will require a separate vote
- Circuit breakers have been established for key large projects, including Project One
- December 2009 debt refinancing reduced interest costs and exposure to variable rate debt
- Modified freeze on additional projects remains in effect through 6/30/10
- Bid favorability will be recaptured centrally
- University's financial picture for FY 2010 remains stable
- Plans are underway to strengthen the University's balance sheet even further

III. Funding Strategy

Recent Developments That Will Assist In Maintaining Strong Balance Sheet

- Passage of state budget corrective bill.
- Project One as a construction reform pilot project.
- Refinancing $84 M of fixed rate debt ($4.6M interest rate savings over 11 years).
- Converting $173M variable rate debt to fixed at 2.6% (limits upside risk).
- Proposed changes in debt policies will give the university greater flexibility to manage cash flow.

IV. Conclusions

Recommendations

- Approve preceeding with recommended projects
- Any state or bond funds gained from favorable bidding climate revert to the center for redistribution
- Provide quarterly updates
- Projects $4M and over will require additional approval
- Continue the hold on other projects through 6/30/10

IV. Conclusions

Next Steps

1. Recommend approval of attached resolution.
2. Board approval of individual projects over $4M – as needed
3. Submission of capital request to the Ohio Board of Regents – Mid February 2010
4. Mid-Year Update – June 17-18, 2010

IV. Conclusions

Summary

Recommendations presented:

- Align with strategic priorities
- Reflect the One University framework
- Are financially prudent

AMENDMENTS TO THE *RULES OF THE UNIVERSITY FACULTY*

3335-5-48.6 Council on enrollment and student progress.

(A) Membership.

The council on enrollment and student progress shall consist of ~~sixteen~~ seventeen members.

(1) Nine regular tenure-track faculty.

(a) Three regular tenure-track faculty appointed by the president. Appointed members are eligible for reappointment.

(b) Six regular tenure-track faculty selected by the faculty council.

(2) Six students.

(a) Two graduate students.

(b) Two professional students.

(c) Two undergraduate students.

(3) ~~One administrator~~ Two administrators. Non-voting, appointed by the ~~The~~ executive vice president and provost, ~~or designee~~, non-voting, to serve as administrative liaison for the council.

Balance unchanged.

3335-5-48.18 Graduate associate compensation and benefits committee.

(A) Membership.

The graduate associate compensation and benefits committee shall consist of eleven voting members.

(1) Six funded graduate students, ~~at least~~ one of whom ~~must~~ preferably will be a member of the ~~council on research and graduate studies~~ graduate council and one of whom must be a member of the university senate. ~~Two shall have a term of service of two years, staggered so that one term expires at the end of each year.~~ ~~The remaining four~~ Each shall have a term of service of one year with reappointment to consecutive terms encouraged.

(a) There shall be at least one current or former graduate teaching associate.

(b) There shall be at least one current or former graduate research associate.

(c) There shall be at least one current or former graduate administrative associate.

(d) There shall be at least one current or former fellowship recipient.

(2) Two faculty.

(a) One faculty member from~~,~~ and selected by, the ~~council on research and graduate studies~~ graduate council.

(b) One faculty member, who is also a senator, selected by the executive committee of faculty council.

(3) Three administrators.

(a) The dean of the graduate school, or designee.

(b) The ~~associate~~ vice president for human resources, or designee.

(c) The ~~senior~~ vice president for research, or designee.

(4) One department, school, center or college-level staff member with extensive fiscal and budgetary experience and expertise, selected by the executive deans in consultation with the senior fiscal officers, non-voting.

(5) Additional non-voting members and consultants from the university, serving at the discretion of the voting members of the committee.

(B) Duties and responsibilities.

(1) Study the adequacy and other attributes of the university's policies and provisions including stipends, outside professional services, and supplemental compensation.

(2) Conduct research and provide advice on economic support of graduate associates, professional development, quality and design of benefit programs, and appointment terms.

(3) Make recommendations to the university senate, the ~~council on research and graduate studies~~ graduate council, the graduate school, and the office of academic affairs as appropriate.

3335-6-01 General considerations.

(A) Peer review provides the foundation for decisions regarding faculty appointment, reappointment, and promotion and tenure (except when the provisions of paragraph (H) of rule 3335-6-03 of the Administrative Code are invoked.) Peers are those faculty who can be expected to be most knowledgeable regarding an individual's qualifications and performance--normally tenure initiating unit colleagues. Because of the centrality of peer review to these review processes, faculty vested with responsibility for providing peer review have an obligation to participate fully and knowledgeably in review processes, to exercise the standards established in faculty rule 3335-6-02 of the Administrative Code and other standards specific to the academic unit and discipline, and to make negative recommendations when these are warranted to maintain and improve the quality of the faculty. Recommendations by the faculty vested with the responsibility for providing peer review will be accepted unless they are not supported by the evidence presented regarding how the candidate meets the standards established in faculty rule 3335-6-02 of the Administrative Code and other standards specific to the academic unit and discipline. When, for the reasons just stated, a decision regarding faculty appointment, reappointment, or promotion and tenure differs from the recommendation of the faculty, the administrator or body making that decision will communicate in writing to the faculty body that made the recommendation the reasons that the recommendation was judged not to be supported by the evidence.

(B) In accordance with a policy of equality of opportunity, decisions concerning appointment, reappointment, and promotion and tenure shall be free of discrimination as to ~~race, creed, religion, national origin, age, sex, disability, veteran status, or sexual orientation~~ age, ancestry, color, disability, gender identity or expression, genetic information, military status, national origin, race, religion, sex, sexual orientation, or veteran status, and other categories covered in the university nondiscrimination policy.

(C) Organization.

(1) The committee shall annually elect a chair from its regular student membership.

(2) As a standing committee of the senate, this committee is also governed by the provisions of rules 3335-5-46 and 3335-5-48 of the Administrative Code. (B/T 5/6/2005, B/T 4/6/2007)

The Ohio State University
Office of Human Resources

<u>Summary of Proposed Revisions of</u>
<u>The Classified Civil Service Rules</u>

The Ohio State University Office of Human Resources has prepared proposed amendments, deletions, and additions to the rules that govern classified civil service (CCS) employment at the university. The CCS rules were last revised in total in 2001; with recruitment, selection, and appointment related rules revised in June 2009; and reduction in work force rules revised in October 2009. Since 2001, various statutory changes have occurred that necessitate further revision of these rules.

<u>Revisions</u>

The language and content throughout the rules have been revised in the following manner:

- The language is clarified and made grammatically correct;
- The rules are updated to be consistent with university policies and practices;
- The rules are updated to streamline processes, enhance our efficiency and effectiveness, and provide more effective performance management of and corrective action with Classified Civil Service employees.

Key changes include:

- During the probationary period, coaching and feedback will be required; a written performance review will also be required unless the employee has been terminated prior to the end of the probationary period.
- Annual performance reviews will be required.
- Supervisors are required to manage deficient performance using the university performance improvement process.

Following is a summary that provides a brief explanation of all changes made to the rules, chapter by chapter.

<u>Summary of Proposed Revisions of</u>
<u>The Classified Civil Service Rules</u>
<u>Chapters 49, 67, 75, and 89</u>

Chapter 49: Procedure for adoption, amendment or rescission of rules affecting persons in the classified civil service at the Ohio State university and opting out of provisions of the Ohio Revised Code.

Revised

3335-49-03 The Ohio state university opts out of the following provisions of the Ohio Revised Code:

Key revisions: 3335-49-03 The Ohio state university opts out of the following provisions of the Ohio Revised Code:

- Opted out of Section 124.27 of the Revised Code, appointments from eligibility list – probation.

Chapter 67: Probationary Periods

Revised

3335-67-01 Nature of the probationary period.
3335-67-02 Length of the probationary period.

Key revisions: 3335-67-01 Nature of the probationary period.

- Coaching and feedback are required during the probationary period.
- Performance reviews are required during the probationary period unless the employee is terminated before the end of the period.
- References to eligible lists are removed.

Key revisions: 3335-67-02 Length of the probationary period.

- The probationary period is changed from 180 to 179 calendar days.

Chapter 75: Performance Management, Removals, Suspensions, or Demotions

Rescinded (and revised)

- 3335-75-01 Performance management and review.

Revised

- 3335-75-02 General procedure for terminations, suspensions, or demotions *renamed to* General procedure for addressing deficient performance and terminations.

Key revisions: 3335-75-01 Performance management and review.

- Performance management includes setting expectations and goals, coaching, feedback, training and development, and performance review.
- Employees must be given a written performance review once a year.
- Performance reviews are required during the probationary period unless the employee is terminated before the end of the period.
- The performance review may serve as a step in the performance improvement (corrective action) process.

Key revisions: 3335-75-02 General procedure for terminations, suspensions, or demotions.
Renamed *General procedure for addressing deficient performance and terminations.*

- Supervisors are required to manage deficient performance using the performance improvement process defined by the Office of Human Resources.
- Steps may be skipped in the performance improvement process and the university can move directly to termination in cases that warrant immediate termination.
- Suspensions will no longer be used in the performance improvement process.
- Fines will no longer be used in the performance improvement process.
- Employees must be notified in writing at each step of the performance improvement process of their level in the process, the nature of their deficient performance, expectations, consequences of continued deficient performance, and effective date of the action.
- Employees who are absent from duty habitually or for 3 or more successive days, without leave and without notice to the employing unit of the reasons for such absence, may be subject to removal for neglect of duty.

Chapter 89: Definitions of Terms

- Definitions are re-lettered due to additions and deletions.
- The following definition is added: notice level.

- The following definitions are revised: displace or displacement, for cause, jurisdiction, leave of absence, major corrective action, medical center.
- The following definitions are deleted: suspension, working suspension.

Classified Civil Service (CCS)
And the Rules Changes Process
The Ohio State University

Classified Civil Service Staff at Ohio State

According to OHR's Employee Statistical Summary for autumn 2009, Ohio State had 40,744 employees; 5,455 were in the classified civil service. All CCS positions are listed on the Office of Human Resources Job Classifications web site at http://hr.osu.edu/statistics/titledck/index.aspx.

CCS employees who are certified in their positions (successfully completed probationary period) are entitled to certain job-related property rights. These property rights require that appropriate due process measures are in place, with an adequate appeals process, before an employee can be demoted, subjected to job abolishment or layoff, placed on leave for disciplinary purposes, suspended for a number of days, or discharged for appropriate cause.

Classified Civil Service Rules

CCS Rules provide the framework for classified civil service employment at Ohio State; further detail is provided through Office of Human Resources policies. Rules are subject to adoption by the Board of Trustees and become a part of the Ohio Administrative Code (section 3335).
CCS Rules can be found at http://hr.osu.edu/Policy/CCS/index.aspx
Human Resources Policies can be found at http://hr.osu.edu/policy/

CCS Rules Amendment Process

In December 2006, the Ohio General Assembly passed Substitute House Bill 187, an effort to reform Ohio's laws governing civil service employment. This Act gives our Board of Trustees the authority to amend provisions of CCS rules governing Ohio State employees. All CCS Rules are promulgated in accordance with section 111.15 of the Ohio Revised Code.

The Office of Human Resources (OHR) has a strong commitment to an inclusive and transparent rules change process. The amendment process for CCS rule changes takes at least 90 days to develop and refine; after the rules are finalized, university policies and practice documents must be updated to reflect the changes in the rules. The process OHR is following for these rules amendments is as follows:

1. Solicit input and advice from CCS staff through the CCS Modernization Advisory Group, and from all CCS staff through e-mail updates.
2. Solicit input and advice from the Human Resource Policy Committee, campus senior HR professionals, and content experts in the Office of Human Resources.
3. Draft rules with input and process goals in mind.
4. Solicit feedback and advice from CCS Modernization Advisory Group, Human Resource Policy Committee, and senior HR professionals.
5. Refine rules and review with Office of Legal Affairs.
6. Share rules with Communications Workers of America (required by contract 75 days in advance of public comment period).
7. Publish rules on OHR website for 30 days, soliciting feedback from CCS staff, managers of CCS staff, campus HR professionals, and the general campus community. Conduct four open forums during the 30 day period to review key changes and listen to feedback.

8. Refine the proposed rules as appropriate, based on input received during the public comment period. Solicit additional feedback and advice from various populations as needed.
9. Review final rules with the Office of Legal Affairs.
10. Submit to the Board of Trustees for approval; after approval, the Board Office submits to the Legislative Services Commission of Ohio.
11. Update policies and practices as appropriate.
12. Implement rules, policies, and practice changes on the effective date.
13. Provide training and education on new rules, policies, and practices.

Goals in CCS Rules Amendment Process

Our goals in the CCS Rules Amendment Process are to:

- Support Ohio State's move to a **high performance culture,**
- Support Ohio State's **six strategic goals**, with special attention to goal of streamlining and efficiency,
- Ensure consistency with our **institutional values**, and
- **Streamline** CCS processes.

Planned Sequence in CCS Rules Amendment Process

FY09 – Recruitment, Selection and Appointments (effective date July 10, 2009)
FY10 – Layoff and Reduction in Force Processes (effective date January 1, 2010)
FY10 – Performance, Discipline and Disciplinary Processes (effective date April 1, 2010)
FY10/11 – Classification and Compensation Plans (target effective date to be determined)
FY11/12 – Leaves (target effective date to be determined)
Definitions and opt out provisions will be updated with each set of rules

3335-49-03 The Ohio state university opts out of the following provisions of the Ohio Revised Code:

(A) Section 124.22 of the Revised Code, educational and citizenship requirements for civil service examinations.

(B) Section 124.231 of the Revised Code, special examinations for legally blind or legally deaf persons.

(C) Section 124.25 of the Revised Code, formal application for examination.

(D) Section 124.26 of the Revised Code, eligibility lists – veteran's preference – provisional employees.

(E) Section 124.27 of the revised Code, appointments from eligibility list – probation.

~~(E)~~(F) Section 124.271 of the Revised Code, provisional employees.

~~(F)~~(G) Section 124.31 of the Revised Code, promotions.

~~(G)~~(H) Section 124.33 of the Revised Code, transfers – appeal – reimbursement of expenses.

3335-67-01 Nature of the probationary period.

(A) Employees serve a probationary period following:

(1) An original classified appointment ~~(either by appointment from an eligible list, or provisionally)~~;

(2) A promotion; or

(3) A lateral change from one classification to another outside of the classification series.

(B) Employees whose titles are changed through the reclassification process do not serve a new probationary period.

(C) An employee shall be provided with coaching and feedback during the probationary period.

(D) An employee shall be provided with a performance review prior to the end of the probationary period, unless terminated before the end of the period.

~~(C)~~(E) If an employee's job performance does not meet the expectations of the position following an original appointment, lateral change outside of the employee's classification series, or promotion, then:

(1) Following an original appointment, an employee may be terminated at any time during the probationary period; or

(2) Following a promotion or a lateral change outside of the employee's classification series, an employee may be returned to the former classification at any time during the probationary period.

~~(D)~~(F) When an employee is terminated or returned to the former classification during the ~~probation~~ probationary period, the university shall send a written notice to the employee. This termination or return to the former classification is not subject to appeal.

~~(E)~~(G) Any employee terminated from employment during a probationary period, except when terminated for cause, may be ~~restored to the eligible list~~ eligible for rehire at the discretion of the office of human resources.

~~(F)~~(H) An employee terminated from employment during a probationary period, except when terminated for cause, is not eligible to reapply for the same or higher classification for a period of one year from the termination date unless ~~restored to the eligible list~~ an exception is granted at the discretion of the office of human resources.

~~(G)~~(I) Any employee terminated for cause from university employment is permanently ineligible for re-employment with the university.

3335-67-02 Length of the probationary period.

The probationary period for ~~regularly and provisionally appointed~~ full time and part time classified civil service employees is one hundred ~~eighty~~ seventy nine calendar days. Longer probationary periods, not to exceed one year, may be specified by the university. Time spent on ~~unpaid~~ leaves of absence or layoff are not credited as part of the probationary period.

3335-75-01 ~~Performance management and review.~~ (RESCIND)

~~Performance management is an ongoing process where the supervisor and employee discuss the performance expectations of the position and how the employee is fulfilling those expectations. Classified civil service employees should have their performance reviewed once during the probationary period and annually thereafter. This performance review is a tool of performance management for the purposes of evaluating appropriate job duties, training, and corrective measures.~~

3335-75-01 Performance management and review.

(A) Performance management is an ongoing process between the employee and supervisor that includes setting expectations and goals, coaching, feedback, training and development, and performance review.

(B) Employees shall have a written performance review on an annual basis. An employee shall be provided with a performance review prior to the end of the probationary period, unless terminated before the end of the period. The performance review is a summary of the employee's performance for the review period, and may serve as a step in the performance improvement process.

3335-75-02 General procedure for ~~terminations, suspensions, or demotions~~ addressing deficient performance and terminations.

(A) Supervisors shall manage deficient performance through the process defined by the office of human resources. The university at its discretion may move directly to termination in cases that warrant immediate termination.

~~(A)~~(B) The ~~termination, suspension, or demotion of a classified civil service employee, except as otherwise provided in these rules, shall be made~~ performance improvement process may be initiated for, but not limited to the following reasons: incompetency, inefficiency, dishonesty, ~~drunkenness~~ use or being under the influence of alcohol or illegal drugs at work or inappropriate use of prescription drugs, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, a violation of university rules or policy, failure to return from a leave of absence, other failure of good behavior, misfeasance in office, malfeasance in office, nonfeasance in office, other unsatisfactory job performance, conviction of a felony, or by voluntary written agreement by an employee; this is not an exhaustive list.

~~(B)~~ ~~The university may impose working suspensions with pay as part of a corrective action plan. For the purpose of progressive action, working suspensions are equivalent to suspensions which require the interruption of an employee's service and compensation for a fixed period of time.~~

~~(C)~~ ~~The university may impose a fine of not more than five days pay as part of a corrective action plan.~~

~~(D)~~(C) ~~The~~ At each step in the performance improvement process the employee shall be notified in writing of ~~the reasons for the action~~ their level in the process, the nature of their deficient performance, the expectations for performance, the consequences of continued deficient performance, and the effective date of the action. The employee shall be notified in writing when being terminated. This notification shall advise the employee of the right to appeal to the state personnel board of review, if applicable. Any such appeal shall be made in accordance with the rules of the state personnel board of review.

(D) Any employee who is absent for three or more successive days, without approved leave and/or without notice to the employing unit of the reasons for such absence, may be subject to termination for neglect of duty.

(E) The following conditions apply to any employee who is convicted of a felony:

(1) Conviction of a felony is a separate basis for reducing in pay or position, suspending, or terminating an employee, even if the employee has already been reduced in pay or position, suspended, or terminated for the same conduct that is the basis of the felony. An employee may not appeal to the state personnel board of review any disciplinary action taken by an appointing authority as a result of the employee's conviction of a felony.

(2) A person convicted of a felony immediately forfeits the person's status as a classified employee at the university on and after the date of conviction for the felony. The university, upon the person’s request, may investigate the circumstances of the felony and may, at its discretion, allow the person to apply or re-apply for university employment.

(3) Any person terminated for a conviction of a felony is entitled to a cash payment for any accrued but unused vacation leave.

3335-89-01 Definition of terms.

For the purposes of Chapters 3335-49 to 3335-89 of the Administrative Code, the following terms are defined as follows:

(A) “Abolishment” - the elimination of a position due to lack of funds, lack of work, reasons of economy, or a reorganization for efficiency.

(B) “Appointing authority” - the board of trustees for the university has delegated its authority regarding civil service employment matters to the vice president for human resources.

(C) “Appointment” - the administrative process of placing a university employee on the payroll.

(D) “Base rate of pay” - the actual salary or wage an employee receives for services rendered within the pay range of the classification.

(E) “Broadbanding” - one of the university's classification and compensation systems characterized by broader classifications, pay ranges, simplified classification administration, and market based compensation administration.

(F) “Certified status” - a classified civil service status obtained for a specific classification upon satisfactory completion of the applicable probationary period or, when there is no probationary period, upon completion of 180 days in the specific classification with satisfactory performance.

(G) “Classification” - common name for a group of positions sufficiently related with respect to duties, responsibilities, authority and qualifications so that the same descriptive classification title and same pay range may be used for each.

(H) “Classification plan” - a system of classifications or series of jobs, with a specification and pay range assignment for each classification.

(I) “Classified civil service” – all positions with a title under the Ohio state university’s classified civil service title group, found on the office of human resources web site. Any position not included in this group is not classified civil service.

(J) “Day” - unless otherwise specified, “day” means one calendar day.

(K) “Demotion” - placement of an employee in a classification that has a lower pay range than that previously held.

(L) “Displace” or “displacement” - the exercise of the procedures outlined in Chapter 3335-81 of the Administrative Code that results in the substitution of one employee by another employee with higher retention points who can perform the required duties, ~~have~~ has met expectations in the last three annual performance reviews, and ~~are~~ is not on major corrective action.

(M) “Emergency appointment” - an appointment to a position to meet an emergency situation, an exception from civil service rules, not to exceed a maximum of 179 days.

(N) “For cause” – a type of termination from employment for one or more of the following reasons: incompetency, inefficiency, dishonesty, ~~drunkenness~~ use or being under the influence of alcohol or illegal drugs at work or inappropriate use of prescription drugs, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, ~~violation of this chapter or the rules of the director of administrative services or the commission~~ violation of university rules or policies, any other failure of good behavior, any other acts of misfeasance, malfeasance, or nonfeasance in office, or conviction of a felony.

(O) “Full-time employment” - employment where the work schedule is normally forty hours per week.

(P) “Intermittent employment” - an appointment which serves at the discretion of the appointing authority and where the employee works irregular hours or days on an as-needed basis.

(Q) “Jurisdiction” - the limited location in which procedures for layoff, displacement, and reinstatement may be exercised. The Columbus campus, excluding the medical ~~system~~ center; the medical center; each regional campus; and the agricultural technical institute and Ohio agricultural research and development center are each separate and distinct jurisdictions. Units located outside of Columbus in a county where a regional campus is located are part of that jurisdiction, otherwise, the jurisdiction is limited to that county only. Units located outside of Ohio are each their own ~~jurisdictions~~ jurisdiction.

(R) “Lack of funds” – a current or projected deficiency of funding to maintain current, or to sustain projected, levels of staffing and operations. A lack of funds shall be presumed for a position assigned to an employee who works under a grant if it is reduced or withdrawn.

(S) “Lack of work” – current or projected decrease in workload that requires a reduction of current or projected staffing levels in the organization or its structure.

(T) “Leave of absence” - a temporary separation from active pay status with the employee generally retaining employment status and seniority.

(U) “Licensed practitioner” - a physician, psychiatrist, or psychologist who is licensed to perform medical or psychological examinations.

(V) “Major corrective action” – any corrective action at the third level notice or above or in accordance with collective bargaining agreements.

(W) “Medical center” – includes the James cancer hospital and Solove research institute, office of health sciences and college of medicine, OSU Harding hospital, OSU primary care network, OSU rehabilitation services at Dodd hall, Ross heart hospital, shared services, specialty care network, ~~university hospital east,~~ ~~and~~ university hospital and university hospital east.

(X) “Notice level” – a step in the performance improvement process.

~~(X)~~(Y) “Original appointment” - an individual’s first classified civil service appointment with the university.

~~(Y)~~(Z) “Parenthetical sub-title” - a group of positions logically falling within a single classification, but distinguished from other positions within that classification by the performance of specific functions or duties requiring specialized skill, knowledge or training.

~~(Z)~~(AA) “Part-time employment” - employment where the work schedule is normally less than forty hours per week.

~~(AA)~~(BB)“Pay range” - a division of a pay plan to which classifications are assigned.

~~(BB)~~(CC)“Position” - a specific job requiring the performance of certain duties and responsibilities by an employee.

~~(CC)~~(DD)“Pre-employment screening” – process of collecting information about individuals to assess job qualifications or fitness for duty. Specific examples include background checks, drug tests, and declaration of material assistance, among others.

~~(DD)~~(EE)“Probationary period” - a period of time at the beginning of an original appointment, a promotion, or a lateral change from one classification to another that constitutes a trial or testing period for the employee, during which the employee may be terminated or returned to the former classification.

~~(EE)~~(FF)“Promotion” - placement of an employee in a vacant position in a classification that has a higher pay range than that previously held.

~~(FF)~~(GG)“Reassignment” - an involuntary temporary or permanent move of employment within the same or similar classification and/or work location within the same jurisdiction of the university.

~~(GG)~~(HH)“Reclassification” - the act of changing the classification of an existing occupied position.

~~(HH)~~(II) "Reduction in force" - a decrease in the number of positions at the university's initiative due to a lack of funds, lack of work, reasons of economy, or reorganization for efficiency.

~~(II)~~(JJ) "Regular employment" - employment which customarily requires the services of an employee on a regularly scheduled and continuing basis.

~~(JJ)~~(KK)"Reinstatement" - the act of returning a former employee to the same or similar position within the university classified civil service, following a period of not more than one year of separation.

~~(KK)~~(LL)"Reorganization for efficiency" – current or projected decrease in workload that requires a reduction of current or projected staffing levels in an organizational structure; change in the nature of the work or direction or purpose of the unit; or elimination of a unit.

~~(LL)~~(MM)"Seasonal employment" - regular employment where the service reoccurs for a specified period of time during a particular time of the year.

~~(MM)~~(NN)"Specification" - a composite of the duties and requirements of a classification.

~~(NN)~~ ~~"Suspension" - the interruption of an individual's employment and compensation for a fixed period of time for reasons of discipline.~~

(OO) "Target hiring range" – is established prior to posting a position based upon budgeted funds for the position, identified skills and/or experience, salaries paid within the college or vice president unit for similar positions, organizational scope and an assessment of the relevant competitive market. The target hiring range should normally have a spread of $3,000 to $8,000; the range may vary based on the circumstances at the time of posting.

(PP) "Temporary employment" - an appointment that serves at the discretion of the appointing authority and:
(1) Is for a limited duration;
(2) Is for a specific project;
(3) Augments regular staff due to increased work loads or staff shortages; or
(4) Replaces a regular employee during an absence due to illness, leave of absence or vacation.

(QQ) "Termination" - the involuntary ending of an employee's employment with the university.

(RR) "Transfer" - a voluntary move of employment as a result of an application for a different position.

~~(SS)~~ ~~"Working suspension" - a suspension where the individual's employment and compensation are not interrupted, but for the purposes of progressive corrective action, is equal in weight to a regular suspension.~~

The Ohio State University Foundation
FY 2010 Annual Goal Setting Report

Fundraising Progress - University Development

as of December 31, 2009

	Fundraising Activity	Goal	% Achieved
Outright Gifts and Pledges			
Cash and Securities	$40,372,666		
Real Estate	$0		
Gifts-in-Kind	$3,269,207		
Pledges	$21,836,027		
Total Outright Gifts and Pledges	**$65,477,961**	**$164,720,258**	**39.75%**
Planned Gifts			
Revocable Planned Gifts	$26,412,508		
Irrevocable Planned Gifts	$128,479		
Total Planned Gifts	**$26,540,987**	**$59,865,820**	**44.33%**
Private Grants (OSP)	**$40,901,589**	**$75,413,922**	**54.24%**
Total Fundraising Activity	**$132,920,537**	**$300,000,000**	**44.31%**
		Time Elapsed	**50.00%**

The Ohio State University Foundation
FY 2010 Annual Goal Setting Report

Fundraising Progress - Unit

as of December 31, 2009

Unit	Outright Gifts and Pledges	Planned Gifts	OSU Foundation Activity	Private Grants (OSP)	Total Fundraising Activity	Goal	% Achieved
Arts and Sciences (Colleges of the)	$4,304,799	$10,149,433	$14,454,233	$8,056,705	$22,510,938	$28,118,000	80.06%
Athletics	$15,955,993	$345,402	$16,301,395	$0	$16,301,395	$41,094,000	39.67%
Business (Fisher College of)	$3,395,129	$331,443	$3,726,571	$0	$3,726,571	$12,333,833	30.21%
Cancer	$8,422,223	$1,109,574	$9,531,797	$3,820,730	$13,352,527	$28,430,090	46.97%
Dentistry (College of)	$1,374,491	$483,614	$1,858,105	$173,380	$2,031,485	$4,402,315	46.15%
Education and Human Ecology (College of)	$723,659	$497,833	$1,221,492	$139,160	$1,360,652	$8,085,978	16.83%
Engineering (College of)	$5,450,212	$1,132,750	$6,582,962	$11,860,811	$18,443,773	$35,928,213	51.34%
Food, Agriculture and Enviro Sciences (College of)	$3,121,196	$1,623,000	$4,744,196	$2,381,674	$7,125,870	$25,937,471	27.47%
Heart	$451,434	$550,000	$1,001,434	$1,712,309	$2,713,743	$2,430,000	111.68%
John Glenn School of Public Affairs, The	$124,236	$308,000	$432,236	$119,870	$552,106	$775,000	71.24%
Kirwan Institute for the Study of Race & Ethnicity	$366,000	$0	$366,000	$0	$366,000	$3,000,000	12.20%
Law (Michael E. Moritz College of)	$878,336	$1,000	$879,336	$0	$879,336	$8,737,697	10.06%
Medical Center	$2,829,857	$102,300	$2,932,157	$4,277,992	$7,210,149	$31,770,360	22.69%
Medicine (College of)	$583,838	$250,000	$833,838	$2,903,247	$3,737,085	$6,526,080	57.26%
Neurosciences	$1,714,678	$1,500,000	$3,214,678	$1,955,429	$5,170,107	$9,500,000	54.42%
Nursing (College of)	$319,483	$20,000	$339,483	$1,065	$340,548	$2,284,565	14.91%
Office of Academic Affairs	$1,574,671	$1,693,664	$3,268,335	$180,373	$3,448,708	$11,397,171	30.26%
Office of Student Life	$2,867,052	$0	$2,867,052	$0	$2,867,052	$1,884,038	152.18%
Ohio State University Alumni Association	$1,160,542	$81,000	$1,241,542	$0	$1,241,542	$414,000	299.89%
Optometry (College of)	$245,564	$0	$245,564	$569,801	$815,365	$1,141,750	71.41%
OSU Lima	$84,527	$0	$84,527	$0	$84,527	$156,000	54.18%
OSU Mansfield	$38,650	$0	$38,650	$111,598	$150,248	$670,886	22.40%
OSU Marion	$687,095	$0	$687,095	$0	$687,095	$1,084,000	63.39%
OSU Newark	$59,126	$0	$59,126	$0	$59,126	$983,837	6.01%
Pharmacy (College of)	$353,057	$80,000	$433,057	$367,816	$800,873	$2,198,000	36.44%
Public Health (College of)	$52,389	$0	$52,389	$517,188	$569,577	$2,128,545	26.76%
Social Work (College of)	$170,020	$54,015	$224,035	$161,200	$385,235	$675,000	57.07%
University Libraries	$1,293,929	$5,740	$1,299,669	$0	$1,299,669	$2,455,000	52.94%
University-wide Fundraising	$1,269,111	$357,820	$1,626,931	$49,961	$1,676,892	$8,297,079	20.21%
Veterinary Medicine (College of)	$1,079,102	$5,313,200	$6,392,302	$1,541,280	$7,933,582	$9,309,092	85.22%
Wexner Center for the Arts	$3,026,848	$0	$3,026,848	$0	$3,026,848	$3,455,000	87.61%
WOSU Public Stations	$1,500,712	$551,200	$2,051,912	$0	$2,051,912	$4,397,000	46.67%
Total	**$65,477,961**	**$26,540,987**	**$92,018,948**	**$40,901,589**	**$132,920,537**	**$300,000,000**	**44.31%**

Time Elapsed **50.00%**

The Ohio State University Foundation
FY 2010 Cash Flow Report

Philanthropic Receipts - University Development

as of December 31, 2009

	7/1/2009 - 12/31/2009	7/1/2008 - 12/31/2008	% Change
Outright Gift Receipts			
Cash and Securities	$40,372,666	$38,920,342	3.73%
Real Estate	$0	$0	
Gifts-in-Kind	$3,269,207	$4,774,865	-31.53%
Total Outright Gift Receipts	**$43,641,873**	**$43,695,207**	**-0.12%**
Pledge Receipts			
Payments on Current Year Pledges	$5,727,283	$5,640,675	1.54%
Payments on Prior Year Pledges	$13,324,763	$18,031,904	-26.10%
Total Pledge Receipts	**$19,052,047**	**$25,657,831**	**-25.75%**
Planned Gift Receipts			
Payments on Current Year Revocable Gifts	$863,324	$1,482,687	-41.77%
Payments on Prior Year Revocable Gifts	$10,098,543	$3,862,890	161.42%
Irrevocable Gift Receipts	$128,479	$54,000	137.92%
Total Planned Gift Receipts	**$11,090,346**	**$5,399,578**	**105.39%**
Private Grants (OSP)	**$40,901,589**	**$42,192,676**	**-3.06%**
Total Fundraising Receipts	**$114,685,854**	**$116,945,292**	**-1.93%**

The Ohio State University Foundation
Campaign Report

Campaign Activity - Students First, Students Now

1/1/2009 through 12/31/2009

	Fundraising Activity	Goal	% Achieved	vs Time Elapsed
Outright Gifts and Pledges				
Cash and Securities	$29,013,180			
Real Estate	$0			
Gifts-in-Kind	$176,727			
Pledges	$8,878,952			
Total Outright Gifts and Pledges	**$38,068,860**			
Planned Gifts				
Revocable Planned Gifts	$8,368,582			
Irrevocable Planned Gifts	$75,000			
Total Planned Gifts	**$8,443,582**			
Private Grants (OSP)	**$0**			
Total Fundraising Activity	**$46,512,442**	**$100,000,000**	**46.51%**	**6.51%**
		Time Elapsed	**40.00%**	

The Ohio State University
Endowment Reporting Project 2009
Status Report

The first-ever individualized endowment reports were mailed with the OSU Foundation annual report in October 2009 (sample attached)

- 3,426 individual reports were mailed to
- 2,755 households representing
- 2,472 funds

A feedback card was included with the reports to gauge donor response to the new reports.

129 donors responded

- 88% found the reports useful
- 87% found the reports easy to understand.
- 43% would like to receive the information online.
- 6% expressed frustration with economy and investment performance and said we need to tell the good with the bad.

Some donor comments

- “Clear acknowledgement and accountability.”
- “Financial summary indicates that fund is being helpful for causes it was intended. “
- “It is rewarding to see the account balances and the names of the students who received scholarships. It is reassuring to know that the endowment funding is being put to a good use.”

Many donors requested more information be included in the report, such as

- award recipient information (names, majors)
- award amount (current, historic)

Future improvements, dates TBD

- In partnership with college/units, provide more detailed expenditure information
- Eventually provide reports for current-use as well as endowment funds (multi-year plan)
- Provide reports online through a secure website

Acme Honors Fund

Financial Summary July 1, 2008 through June 30, 2009

PRINCIPAL FUND	Principal Value	Market Value
Fund Number: 601307		
Balance July 1, 2008	$119,720.90	$137,240.49
Fund Additions	$2,421.98	
Fund Deductions	$0.00	
Balance June 30, 2009	$122,142.88	$100,400.02

DISTRIBUTION FUND

Distribution	
Unit	100% to Gen Univ/SFA Loans
Balance July 1, 2008	$0.00
Fiscal Year Additions	$6,317.81
Fiscal Year Expenses/Liabilities	($6,317.81)
Balance June 30, 2009	$0.00

2008-09 Scholarship Recipients

CLARK, TABITHA L
KELLEY, SARAH E
LITZENBERG, STEVEN F
MABREY, CARLEE D
MCNAMEE, SARAH C
NOLL, DEBORAH L
VANHOOSE, MITCHELL B

Tabitha Clark received $3,000 to complete a research project. Sarah Kelley, Steven Litzenberg, and Carlee Mabrey received $200 honor awards. Sarah Mcnamee, Deborah Noll, and Mitchell VanHoose received $250 each for honors achievement. The remainder of the distribution was returned to principal.

Thank you for your support of The Ohio State University.

1480 West Lane Avenue • Columbus, Ohio 43221 • (614) 688-3247 or (800) 678-6412

00601307, Ted Acme, Bonnie Acme N1

East Regional Chilled Water Plant

5062-PF07357

Requesting Agency(s): FACILITIES OPERATIONS AND DEVELOPMENT

Location(s): See Project Information **ASF**/0 **GSF** **Age:**

Description/Scope:

This project will develop and construct a regional chilled water plant to connect buildings in the Academic Core North area that are not currently served by the McCracken Chiller Plant. The regional plant will provide reliable year-round chilled water and will conserve energy compared to individual building chillers. The proposed facility will include chillers, pumps, cooling towers, electrical switch gear and transformers. Chilled water will be distributed to various buildings through new and existing tunnels, existing buildings and new trenches.

The East Regional Chilled Water Plant and chilled water distribution system will eventually serve existing and future buildings in the North Academic Core of the Columbus Campus, including existing student housing facilities. This first phase of the project will connect the Chemical and Biomolecular and Chemistry Building (CBEC) and three other buildings. Future phases will connect the remaining buildings in the Academic Core North, reaching a planned total of 28 buildings.

The use of regional chilled water plants has been studied at length, most recently in November 2009 by AEI Engineering, which shows an estimated 40% savings in annual operating costs. With the ongoing growth of the University, coupled with the need to replace aging building cooling systems and the desire to improve energy efficiency and reliability, a central chilled water plant is proposed to be constructed in companion with CBEC to optimize savings. A central plant will allow for redundancy and reliability and will provide for future growth with minimal economic outlay. Additional economic advantages include lower electrical distribution capital costs in a central plant versus individual chillers in multiple buildings and less capital is required for central plant equipment versus individual buildings as there is less equipment to be maintained.

Approval is requested to enter into professional services contracts up to $10,000,000 to continue design and prepare for bidding.

Source of Funds:

Source of Funds	Amount
2008 Bonds - FOD Infrastructure Capital	$4,000,000
2010 Bonds - FOD Infrastructure Capital	$2,000,000
2012 Bonds - FOD Infrastructure Capital	$35,055,000
Total:	$41,055,000

Schedule:

Schedule	BoT Approved Amt.	Projected	Revised	Actual
PLANNING				
Professional Services Approved by BoT	$10,000,000	02/05/2010		
DESIGN				
Arch/Engr Contract		02/22/2010		
CONSTRUCTION				
Construction Start		04/04/2011		
Completion		04/26/2013		

Project Team:

Project Manager: Richard Van Deusen

Contracts Administrator: Melissa Griffin

Hopkins and Hayes Halls Renovations

OSU-090523

Requesting Agency(s): FACILITIES OPERATIONS AND DEVELOPMENT

Location(s): Hopkins Hall, James R. 67,526 **ASF**/108,554 **GSF** **Age:** 1959

Description/Scope:

This project will renovate Hopkins and Hayes Halls to accommodate the occupants and functions from Haskett Hall, which will be demolished as part of an enabling project for the Chemical and Biomolecular Engineering and Chemistry Building. Space will be renovated for photography, print-making, graduate studios, computer labs, faculty and staff offices, lighting studios, design studios and pool classrooms.

In addition, the project will install new exterior windows and glazing for the second through fourth floors of Hopkins Hall. A new exterior store front at the ground and first floor levels of Hopkins will be installed, including new door frames and hardware.

A sculpture studio addition will be constructed at the Sherman Studio Arts Center on west campus and ADA accessibility will be addressed at Hopkins Hall.

The consolidation of the functions of Haskett Hall into Hopkins and Hayes Halls will align the Arts and Humanities functions and create adjacencies within the Academic Core North.

Approval is requested to increase the project and professional services contracts, to advertise for construction bids, and enter into construction contracts.

Source of Funds:

	Amount
HB 562 Columbus Basic Renovation	$2,400,000
HB 562 Line Item Appropriations	$4,934,965
Total:	$7,334,965

Schedule:	BoT Approved Amt.	Projected	Revised	Actual
PLANNING				
Professional Services Approved by BoT (increase)	$1,000,000	02/05/2010		
DESIGN				
Arch/Engr Contract		04/20/2009	07/10/2009	07/02/2009
Schematic Design Approval		01/11/2010	02/08/2010	
Design Dev Document Approval		02/08/2010	02/08/2010	
Construction Document Approval		04/16/2010		
BIDDING				
Bidding Approved by BoT	$6,334,965	02/05/2010		
CONSTRUCTION				
Construction Start		01/25/2011		
Completion		07/24/2011		

Project Team:

Project Manager: Bill Holtz

Contracts Administrator: Laura Kembitzky

BRAUN & STEIDL ARCHITECTS - Design

College of Medicine Renovation/Addition

OSU-080338

Requesting Agency(s): MEDICINE AND PUBLIC HEALTH ADMIN

Location(s): Prior Health Sciences Library — 73,555 **ASF**/106,543 **GSF** **Age:** 1973

Description/Scope:

This project will construct a two-story addition to the Prior Health Sciences Library. The addition will be approximately 37,000 GSF and will house simulation and clinical skills labs for the Clinical Skills department in the College of Medicine. One floor of the addition will be finished and the other will be shelled space. In addition, the existing spaces will be renovated to provide fire suppression code compliance.

Approval is requested to advertise for construction bids and enter into construction contracts.

Source of Funds:

	Amount
General Funds-Medicine	$3,000,000
HB 699 Line Item Appropriation	$4,000,000
HB 562 Line Item Appropriations	$6,000,000
Total:	$13,000,000

Schedule:

	BoT Approved Amt.	Projected	Revised	Actual
PLANNING				
Arch/Engr Approved by BoT	$1,500,000	12/07/2007	06/06/2008	06/06/2008
Commissioning Request For Qualifications				08/06/2009
DESIGN				
Arch/Engr Contract		10/31/2008	01/23/2009	01/26/2009
Schematic Design Approval		06/05/2008	06/29/2009	07/01/2009
Design Dev Document Approval		09/04/2008	10/05/2009	10/05/2009
Construction Document Approval		11/20/2008	02/08/2010	
BIDDING				
Bidding Approved by BoT	$11,500,000	02/05/2010		
Bid Opening		03/09/2010		
CONSTRUCTION				
Construction Start		05/17/2010		
Completion		02/28/2012		

Project Team:

Project Manager: John Rapp

Contracts Administrator: Catherine Dalton

DAVIS WINCE LTD - Design

FOUR SEASONS ENVIRONMENTAL INC - Commissioning

Kennedy Commons Renovation

OSU-090219

Requesting Agency(s): STUDENT LIFE FACILITIES

Location(s): Kennedy Commons, June L — 24,034 **ASF**/37,233 **GSF** **Age:** 1939

Description/Scope:

This project will renovate Kennedy Commons to replace infrastructure, reconfigure the food service area to create dining stations, create a new public entrance to the building, improve the kitchen and "back of house" space, and renew interior finishes. Student Life will be pursuing LEED Silver certification for this project.

This project is the first phase of the Food Service Master Plan to renovate traditional dining commons to better accommodate the demands of students. The new program for Kennedy Commons will incorporate the "marketplace" concept with several stations having freshly prepared food-to-order.

Approval is requested to advertise for construction bids and enter into construction contracts.

Source of Funds:

	Amount
2009 (2010) Bond Issue	$2,188,096
2011 (2012) Bond Issue	$7,019,048
2013 (2014) Bond Issue	$3,292,856
Total:	$12,500,000

Schedule:

Schedule:	BoT Approved Amt.	Projected	Revised	Actual
PLANNING				
Arch/Engr Approved by BoT	$2,800,000	09/19/2008	12/15/2008	09/19/2008
Feasibility Study Start (Cost and Phasing Study)		10/20/2008	05/27/2009	05/28/2009
Feasibility Study Completion (Cost and Phasing Study)		12/31/2008	08/25/2009	09/03/2009
DESIGN				
Arch/Engr Contract		04/06/2009	05/11/2009	05/08/2009
Construction Document Approval		02/01/2010		
BIDDING				
Bidding Approved by BoT	$9,700,000	02/05/2010		
Bid Opening		03/03/2010		
CONSTRUCTION				
Construction Start		05/01/2010		
Completion		09/09/2011		

Project Team:

Project Manager: Kristin Poldemann

Contracts Administrator: Michele Miller

CHAMPLIN/HAUPT ARCHITECTS, INC. - Design

South High Rises Renovation and Addition

OSU-109000

Requesting Agency(s): STUDENT LIFE, OFFICE OF

Location(s):	Stradley Hall, Bland L.	60,558 **ASF**/102,251 **GSF**	**Age:** 1959
Location(s):	Siebert Hall, Annie Ware Sabine	46,383 **ASF**/74,647 **GSF**	**Age:** 1957
Location(s):	Park Hall, Joseph A.	59,598 **ASF**/103,676 **GSF**	**Age:** 1959
Location(s):	Smith Hall, Howard Dwight	60,149 **ASF**/102,742 **GSF**	**Age:** 1959
Location(s):	Steeb Hall, Carl E	59,987 **ASF**/102,213 **GSF**	**Age:** 1960

Description/Scope:

This project will renovate five student housing facilities in the south campus area and construct two additions. The project will renovate Park, Smith, Steeb, Siebert and Stradley Halls and construct additions between Stradley and Park and between Smith and Steeb. The project will be developed in three phases.

Renovations include providing air conditioning through new individual building units; conversion of community bathrooms to private bathrooms; public area and student room aesthetic improvements. The building additions will include approximately 360 new beds and allows for the redesign of lobby, public, program, and study space to support program and learning objectives.

These improvements and additions support the University conversion to semesters by increasing the percentage of air-conditioned facilities, increasing bed capacity and making progress toward the initiative for student living space for sophomores. The project will seek LEED Silver certification.

Approval is requested to advertise for construction bids and enter into construction contracts. Phase I work is estimated at $10 million and includes utility relocations, new electric feeder/duct bank, site preparation, asbestos abatement and MEP chiller work. A report will be made to the Board at each phase.

Source of Funds:	**Amount**
Univ. Bond Proceeds	$171,600,000
Total:	$171,600,000

Schedule:	**BoT Approved Amt.**	**Projected**	**Revised**	**Actual**
PLANNING				
Professionals Services Approved by BoT	$9,900,000	09/18/2009		09/18/2009
DESIGN				
Arch/Engr Contract		03/27/2010		
Constr Mgr Contract		03/27/2010		
BIDDING				
Bidding Approved by BoT	$161,700,000	02/05/2010		
CONSTRUCTION				
Construction Start		06/14/2010		
Completion		08/01/2013		

Project Team:

Project Manager: Cihangir Calis

Contracts Administrator: Michele Miller

SCHOOLEY CALDWELL ASSOC INC - Design

THE OHIO STATE UNIVERSITY

Woodruff Avenue and Tuttle Park Place Rebuilds

OSU-081051

Requesting Agency(s): FACILITIES OPERATIONS AND DEVELOPMENT

Location(s): Unidentified Street-Col. **ASF**/0 **GSF** **Age:**

Description/Scope:

This project will provide full depth replacement of deteriorated roadways, curbs, and sidewalks. Construction traffic and buses have adversely impacted the roadways and they now need full structural replacement.

Work on Woodruff/Woody Hayes will be from Tuttle Park Place to High Street. Tuttle Park Place will be replaced from Lane Avenue to 17th.

The streetscapes will be improved as a part of the project. In addition, the sidewalks will be upgraded from asphalt to concrete and will meet ADA requirements at all crossings.

Construction will be completed in two separate phases. The first phase (North Tuttle) will be constructed in the summer of 2010. The North Tuttle phase consists of Tuttle Park Place between Neil Ave and Lane Ave. The remainder of the project is scheduled for construction throughout 2011.

Source of Funds:

	Amount
2008 Bonds - FOD Infrastructure Capital	$1,757,610
2010 Bonds - FOD Infrastructure Capital	$9,500,000
Total:	$11,257,610

Schedule:

Schedule:	BoT Approved Amt.	Projected	Revised	Actual
PLANNING				
Arch/Engr Approved by BoT	$2,000,000	02/06/2009		02/06/2009
DESIGN				
Arch/Engr Contract		04/29/2009	11/30/2009	11/24/2009
BIDDING				
Bidding Approved by BoT	$9,500,000	02/05/2010		
CONSTRUCTION				
Construction Start		06/16/2010		
Completion		11/21/2011		

Project Team:

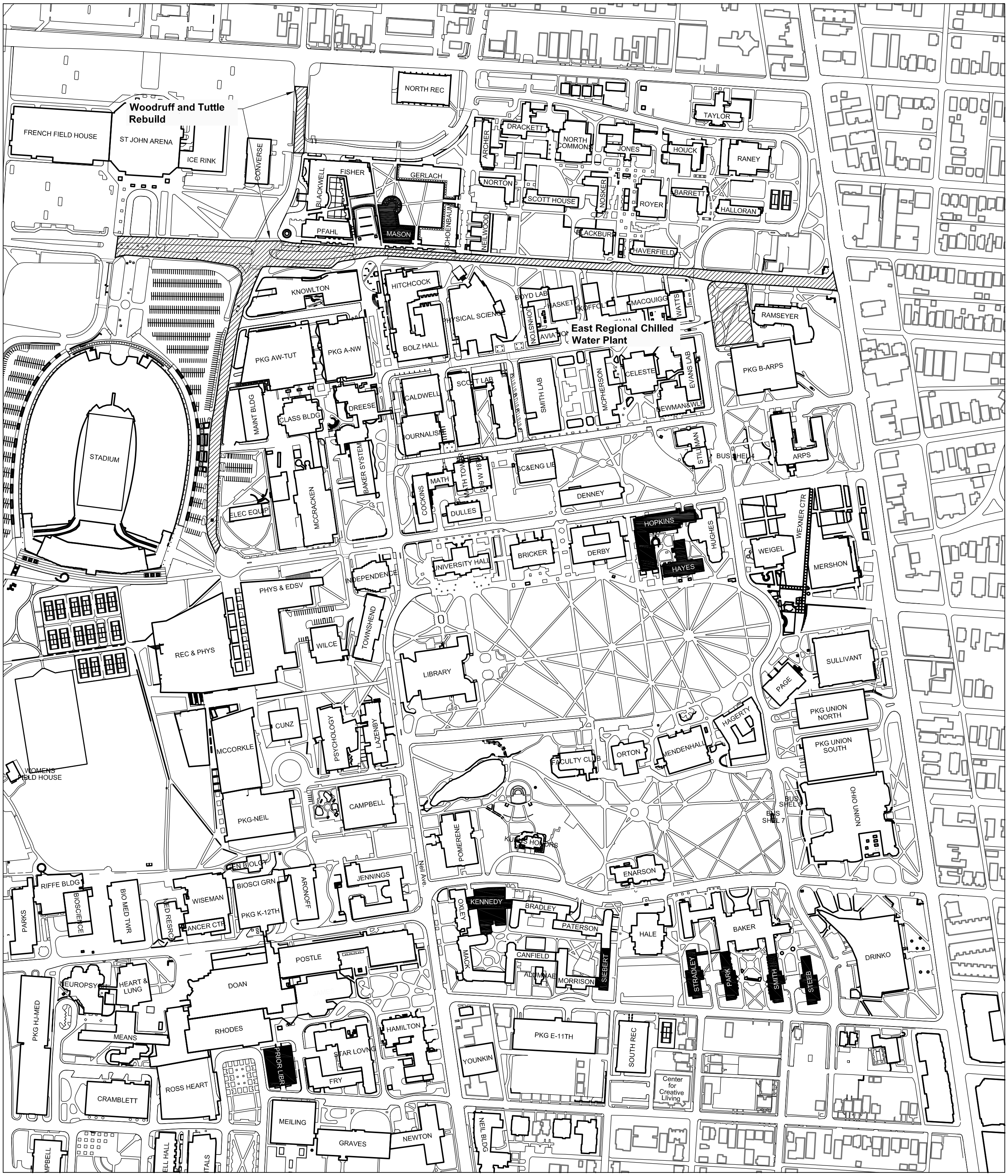
Project Manager: Tom Ekegren

Contracts Administrator: Melissa Griffin

KORDA NEMETH ENGINEERING, INC. - Design

Core and Medical Campus Projects

- East Regional Chilled Water Plant – will be located near Arps Garage
- Hopkins and Hayes Halls Renovation – Hopkins Hall and Hayes Hall
- College of Medicine Renovation/Addition – Prior Health Sciences Library
- Kennedy Commons Renovation – Kennedy Commons
- South High Rises Renovation and Addition – Stradley Hall, Siebert Hall, Park Hall, Smith Hall, Steeb Hall
- Woodruff Ave. and Tuttle Park Place Rebuilds



AMENDMENT TO LEASE

THE OHIO STATE UNIVERSITY—OFFICE OF INFORMATION TECHNOLOGY
OFFICE RELOCATION
2740 AIRPORT DRIVE
COLUMBUS, OHIO 43219

Description

A building assessment was commissioned for the OSU Kinnear Road Computer complex located at 1121 Kinnear Road and significant roofing and mechanical issues were observed. A review of alternative OSU space confirmed that no suitable accommodations were available. Therefore, several lease proposals were solicited through a competitive process, and a three-year lease of space was negotiated and executed. This lease satisfies the Integrated Physical Planning Liaison Group's direction to re-locate 170 employees from the Kinnear Road Computer complex to suitable office space. The leased facility also aligns with the University's strategic facilities framework by providing significant flexibility, attractive economics and near–ready conditions. Through the proposed amendment, the University can improve its strategic and economic position through an extension of the lease from a three-year term to a five-year term, and the landlord is willing to provide such term extension.

Location

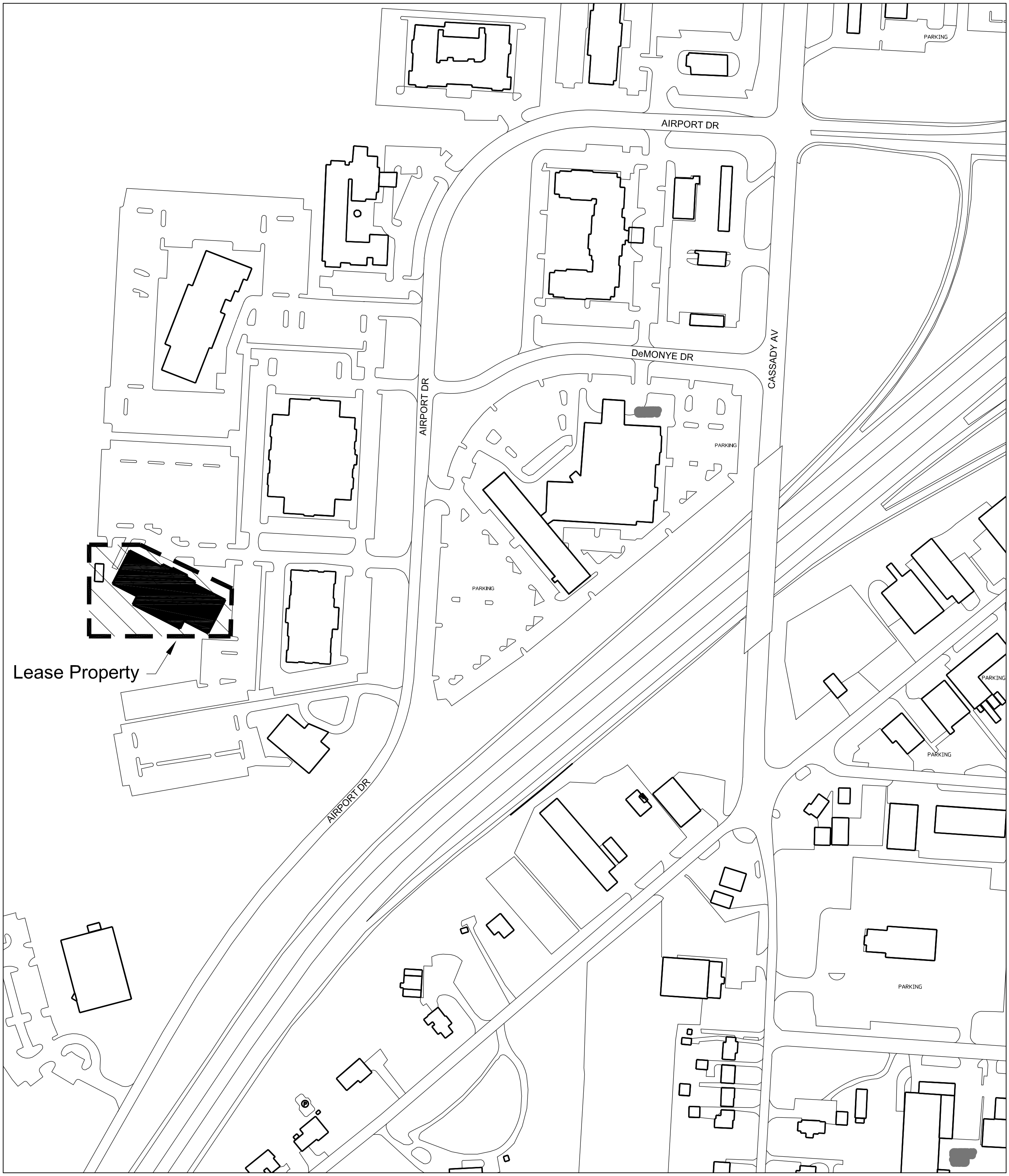
The leased office space is 25,000 square feet and is located on the first and second floors of an office building at 2740 Airport Drive, Columbus Ohio, near the Columbus International Airport.

Terms

When extended, the lease term shall be for a period of five (5) years with one (1) successive five (5) year renewal option. For the first three years, base rent will be $27,000/month or $324,000/year. For lease years four and five, base rent will be $28,000/month or $336,000/year. Base rent includes operating expenses and taxes associated with the property. The aggregate rental costs for the five-year lease term are approximately $1.65 million, all of which will be funded by the Office of Information Technology (OIT). Terms and conditions of the lease extension will be negotiated in the best interest of the State of Ohio and the University.

Office Lease Amendment - 2740 Airport Drive, Columbus, OH 43219

- Office of Information Technology Office Lease Amendment
- 2740 Airport Drive - 1st & 2nd Floors



AMENDMENT TO LONG-TERM LEASE

JAMESCARE WOMEN'S AMBULATORY ONCOLOGY CENTER
739 WEST THIRD AVENUE
COLUMBUS, OHIO 43212

Location and Description

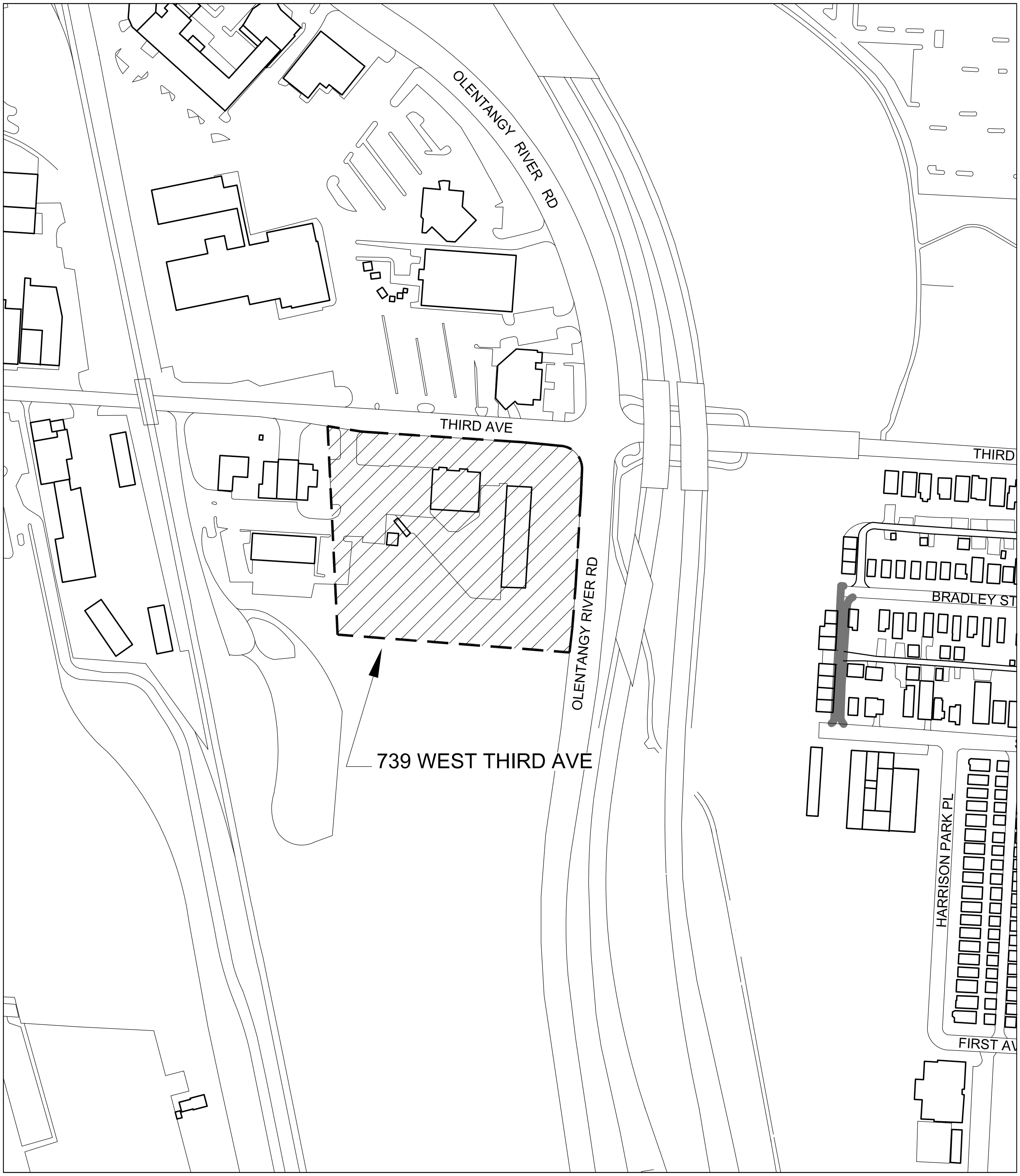
The 20-year lease/purchase agreement is for the 103,500 square feet building housing the JamesCare Women's Ambulatory Oncology Center which is located at the intersection of Olentangy River Road and W. Third Avenue. This lease was approved at the November 7, 2008 Board of Trustees meeting. The amendment to the lease proposes that an addition be made to the building to provide for a Radiation Oncology Center for the treatment of women's cancers using the latest radiation related therapeutic modalities. This location will satisfy the growing demand for ambulatory oncology care and performance of clinical trials in central Ohio. Patients also will benefit by having access to therapeutic clinical trials, a high-risk breast cancer clinic, leading-edge research of the James, and access to specialized oncology services. The updated business plan identifies the need for additional space at this location to accommodate radiation oncology therapeutic services at this cancer center and demonstrates a positive contribution that will be self-sustaining.

The site is visible from the SR 315 Expressway, has excellent access from SR 315 and Olentangy River Road, and is in close proximity to the James Cancer Hospital. The proposed addition will add approximately 11,400 square feet to the building and it is intended that construction of the addition will take place at the same time as the construction of the initial building. The simultaneous construction will minimize, if not eliminate, any interruption to the use and occupancy of the original 103,500 square feet Center upon completion. All costs including the additional lease payments and operating costs will be the responsibility of the James Cancer Hospital and will be paid over the term of the prior approved lease from operating revenue generated at the location. Fiscal Year 2010 approved funds are being reallocated and carried forward to 2011 to purchase (or lease, using available University lease/financing mechanisms) the first linear accelerator and CT simulator. A second linear accelerator will be purchased in approximately two years, when the patient volume and business plan support it.

Terms of the Lease Amendment

The term of the amendment is the same as the initial lease term, which is a period of 20-years with two five-year lease renewal options, and options to purchase the property at the end of ten years or at the end of the lease term. The proposed increase to the annual base rent, including estimated amortized tenant improvement costs and operating expenses, over the term of the 20-year lease, are estimated to be $16.5 million. The business plan shows that the facility will generate income that will cover the increase in rent payment and operating expenses over the term of the lease. Final terms and conditions of the lease, as amended, will be negotiated in the best interest of the James, the OSU Medical Center, and the University.

AMENDMENT OF LONG TERM LEASE, 739 WEST THIRD AVENUE



APPROVAL OF THE AMENDMENT AND RESTATEMENT OF THE OHIO STATE UNIVERSITY ALTERNATIVE RETIREMENT PLAN

Background:

The University's Alternative Retirement Plan (the "ARP") was originally adopted effective February 5, 1999. The ARP is an alternative to participating in OPERS (for staff) or STRS (for faculty). Faculty and staff contribute 10% of their eligible compensation each pay period to the ARP on a pre-tax basis. The University also contributes an amount equal to 14% of the employee's eligible compensation, although OPERS and STRS are permitted to withhold a portion of the University's contribution to offset any negative financial impact on those retirement systems.

The ARP is a "tax-qualified" retirement plan – i.e., participants do not pay taxes on their account balances (including earnings) until those balances are distributed. In order to remain tax-qualified, the ARP must meet certain requirements under the Internal Revenue Code. The ARP must be restated every six years to incorporate IRS rules and guidance issued since the last restatement. As such, the University must update the ARP and submit it to the IRS for a letter of determination by April 30, 2010.

Purpose:

The resolution would approve the amendment and restatement of the ARP and its submission to the IRS. The amended and restated ARP has been approved by the Office of Legal Affairs, the Office of Human Resources and outside counsel. Approval is recommended.

THE OHIO STATE UNIVERSITY
ALTERNATIVE RETIREMENT PLAN

(Amended and Restated on February 4, 2010 and Effective as of January 1, 2002)

ARTICLE I. OPTIONS

Section 1.1. Exclusive Benefit

This Plan has been executed for the exclusive benefit of the Participants hereunder and their Beneficiaries. This Plan shall be interpreted in a manner consistent with this intent and with the intention of the Employer that this Plan satisfy the pertinent provisions of IRC Section 401(a). Additionally, this Plan shall satisfy the pertinent provisions identified on Appendix A, attached hereto and incorporated herein. Under no circumstances shall funds ever revert to or be used or enjoyed by the Employer, except as provided in Section 9.4.

Section 1.2. No Rights of Employment Granted

The establishment of this Plan shall not be considered as giving any employee the right to be retained in the service of the Employer.

Section 1.3. Effective Date

Option 1

_____ If this is a new Plan, then this Plan may not be effective any earlier than the first day of the Plan Year in which the Plan is adopted.

Option 2

__X__ This amendment and restatement shall be effective January 1, 2002. (Any amendment and restatement cannot be effective earlier than January 1, 2002.)

Section 1.4. Employer

The "Employer" shall mean The Ohio State University. To adopt this Plan, Employer must be: (1) a state university as defined in the attached Appendix A at Item 1, (ii) the Medical College of Ohio at Toledo, (iii) the Northeastern Ohio Universities College of Medicine, or (iv) a university branch, technical college, state community college, community college or a municipal university (see Item 1 of Appendix A).

Section 1.5. Full-time Employee

Option 1

__X__ "Full-time Employee" shall mean employees with appointments of seventy-five percent 75%) or greater.

Option 2

_____ "Full-time Employee" shall mean an individual with an appointment to the faculty (instructional staff) or unclassified Administrative Staff of __% of a full-time employee or greater of at least __ months duration (with a full-time percentage defined as a minimum of __ hours worked or appointments of__ days or __ months duration).

Option 3

_____ "Full-time Employee" shall mean ____________.

Section 1.6. Plan Name

The "Plan Name" is The Ohio State University Alternative Retirement Plan.

Section 1.7. Plan Year

A "Plan Year" is the 12-consecutive month period beginning January 1 and ending December 31.

Section 1.8. Provider

Option 1

_____ "Provider" shall mean the Companies listed below selected to provide the Annuity Contract pursuant to Section 5.1 (see Appendix A, Item 2).

________________________ ________________________

________________________ ________________________

________________________ ________________________

________________________ ________________________

Option 2

__X__ "Provider" shall mean, with respect to an individual Participant, the company selected by the Participant to provide the Participant's Annuity Contract pursuant to Section 5.1. Participants may choose among those companies designated by the Ohio Department of Insurance that have entered into a provider agreement with the Employer (see Appendix A, Item 2). A Provider's responsibilities under the Plan, as to any Participant, shall be limited to the Accounts of those Participants investing in Annuity Contracts offered by the respective Provider.

Section 1.9. Year of Service for Vesting (Note: only one option of options one through three may be chosen.)

Option 1

_____ An employee shall be credited with a "Year of Service for Vesting" for each Plan Year during which the employee remains continuously employed by the Employer and which begins after the employee has attained the age of 18.

Option 2

__X__ An employee shall be credited with a "Year of Service for Vesting" on the first anniversary of the 12 consecutive month period beginning on the date the employee first performs an Hour of Service after the employee has attained the age of 18 (employment commencement date), and each anniversary thereof.

Option 3

_____ Not applicable, Participants vest immediately.

Option 4 (may be combined with Option 2)

__X__ Administrative Employees with 9 month contracts and Academic Employees shall be credited with a "Year of Service for Vesting" upon the earlier of: (a) the first anniversary of the 12 consecutive month period beginning on the date the employee first performs an Hour of Service after the employee has attained the age of 18 (employment commencement date) and each anniversary thereof; or (b) the completion of each 9 month academic year or 9 month contract.

Section 1.10. Employer Contributions

Option 1

_____ Employer discretionary contributions shall be made at a rate equal to a uniform percentage of the Compensation of each Participant who is eligible for Employer Contributions. The Board of Trustees of the Employer shall have discretion to vary the contribution rate from Plan Year to Plan Year.

Option 2

__X__ Employer discretionary contributions shall be made at a rate equal to a percentage of the Compensation of each Participant who is eligible for Employer Contributions. A different contribution rate may be set for Academic Employees and Administrative Employees. The Board of Trustees of the Employer shall have discretion to vary the contribution rate from Plan Year to Plan Year.

Option 3

______ Employer discretionary contributions shall be made at a rate of ___% of the Compensation of each Participant who is eligible for Employer Contributions and who is an Academic Employee, and at a rate of ___% of the Compensation of each

Participant who is eligible for Employer Contributions and who is an Administrative Employee. The Board of Trustees of the Employer shall have discretion to vary the contribution rate from Plan Year to Plan Year.

Notwithstanding the above options, effective as of August 1, 2005, Employer contributions shall be made at a rate equal to the percentage of Compensation of each Participant that the Employer would otherwise contribute on behalf of such Participant (had the Participant not made an election as described in Appendix A, Item 3, to participate in the Plan) to the respective plan in ORC Chapter 145, 3307, or 3309, less the mitigating percentage contributed by the Employer to such plan pursuant to ORC Section 3305.06(D).

Section 1.11. Loans to Participants

__X__ The Plan shall not permit loans.

_____ Plan loan provisions are set forth in Section 5.5. The minimum loan amount shall be set forth in the Annuity Contract.

_____ No loan to any borrower can be made to the extent that such loan when added to the outstanding balance of all other loans to the borrower would exceed the lesser of (a) $50,000 reduced by the excess (if any), of the highest outstanding balance of loans during the one (1) year period ending on the day before the loan is made over the outstanding balance of loans from the Plan on the date the loan is made, or (b) one-half (1/2) the present value of the nonforfeitable accrued benefit of the borrower or, (c) **____ (if checked) the total accrued benefit up to $10,000. **

Section 1.12. Spousal Consent

In the event of the death of a married Participant, the surviving spouse must be the sole Beneficiary unless the surviving spouse has consented in writing to a different election, has acknowledged the effect of such election, and the consent and acknowledgement are witnessed by a duly authorized Provider representative or notary public. Spousal consent shall not be necessary if it is established to the satisfaction of the Provider that there is no spouse, the spouse cannot reasonably be located, or for such other reasons as the Treasury Regulations may prescribe. If the spouse of a Participant is located or if a Participant remarries, it shall be the duty of the Participant to bring that fact to the attention of the Provider. If the Participant so notifies the Provider, the Provider shall then, if applicable, proceed to make available to such spouse the spousal consent procedures described in this Section.

Section 1.13. Employer Account Vesting on Termination

Option 1

_____ A Participant's Employer Account shall be 100% vested at all times.

If a Participant's employment is terminated prior to attaining Normal Retirement Age except for death or Disability, the vested portion of his Employer Account shall be determined in accordance with the following:

Option 2

_____ (5 year cliff)-

Total Service for Vesting	Vested Percentage of Employer Account
Less than 5 years	0%
5 years or more	100%

Option 3

_____

Total Service for Vesting	Vested Percentage of Employer Account
Less than 3 years	0%
3 years	20%
4 years	40%
5 years	60%
6 years	80%
7 years or more	100%

Option 4

__X__ (other)

Total Service for Vesting	Vested Percentage of Employer Account
Less than 1 year	0%
1 year	100%

Notwithstanding the above-referenced vesting schedule, vesting shall be at least as rapid as the slowest vesting schedule which is permitted by law in accordance with IRC Section 411(a).

Section 1.14. Reserved

Section 1.15. Method of Distribution of Accounts

The Participant shall elect to receive distribution of his or her vested Account in any of the following forms (check all that apply):

__X__ An annuity as permitted by the Annuity Contract:

_____ with a default option of a
Joint and Survivor Annuity or
Pre-Retirement Survivor Annuity as provided in Section 7.3, or

__X__ without a default option of a
Joint and Survivor Annuity or
Pre-Retirement Survivor Annuity.

__X__ a lump-sum distribution,

__X__ an installment distribution to the extent permitted under the Annuity Contract (subject to the limitations of Section 7.2).

ARTICLE II. DEFINITIONS

Section 2.1. Academic Employee

"Academic Employee" shall mean any Full-time Employee who is a member of the faculty of the Employer and is not receiving any benefit, allowance or other payment from the Public Employees Retirement System (see Item 4 of Appendix A), the State Teachers Retirement System (see Item 4 of Appendix A), or the School Employees Retirement System (see Item 4 of Appendix A). In all cases of doubt, the Employer's Board of Trustees shall make a final determination as to whether an employee is an Academic Employee.

Section 2.2. Account

"Account" shall mean the amount credited to the Employer Account, the Participant Account and, if applicable, the Rollover Account of a Participant or Beneficiary.

Section 2.3. Administrative Employee

"Administrative Employee" shall mean any Full-time Employee who is a member of the administrative staff of the Employer serving in a position in the unclassified civil service (see Item 5 of Appendix A), serving in a position comparable to a position in the unclassified civil service, or, effective as of August 1, 2005, serving in a position in the classified civil service, and is not receiving any benefit, allowance or other payment from the Public Employees Retirement System (see Item 5 of Appendix A), the State Teachers Retirement System (see Item 5 of Appendix A), or the School Employees Retirement System (see Item 5 of Appendix A). In all cases of doubt, the Employer's Board of Trustees shall make a final determination as to whether an employee is an Administrative Employee.

Section 2.4. Annuity Contract

"Annuity Contract" shall mean any annuity contract or custodial account that satisfies the provisions of IRC Section 401(f), and that is offered by the Provider.

The terms of any Annuity Contract purchased and distributed by the Plan to a Participant or spouse shall comply with the requirements of this Plan.

Section 2.5. Beneficiary

A "Beneficiary" is any person, estate or trust who by operation of law, or under the terms of the Plan, or otherwise, is entitled to receive the Account of a Participant under the Plan. A "designated Beneficiary" is any individual designated or determined in accordance with Section 5.4, excluding any person who becomes a beneficiary by virtue of the laws of inheritance or intestate succession.

Section 2.6. Compensation

"Compensation" shall mean:

(a) If the Participant would be subject to the Public Employees Retirement System had the Participant not made an election to participate in this Plan (see Item 6 of Appendix A), all salary, wages, and other earnings paid to the Participant. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed by the Participant under Section 4.1 and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes.

(1) Compensation includes the following:

(i) Payments made by the Employer in lieu of salary, wages, or other earnings for sick leave, personal leave, or vacation used by the Participant;

(ii) Payments made by the Employer for sick leave, personal leave, and vacation leave accrued, but not used if the payment is made during the year in which the leave is accrued, except that payments made pursuant to ORC Section 124.383 or ORC Section 124.386 are not Compensation;

(iii) Allowances paid by the Employer for full maintenance, consisting of housing, laundry, and meals, as certified to the public employees retirement board by the Employer or the head of the department that employs the Participant;

(iv) Fees and commissions paid under ORC Section 507.09;

(v) Payments that are made under a disability leave program sponsored by the Employer and for which the Employer is required by ORC Section 145.296 to make periodic Employer and employee contributions; and

(vi) Amounts included pursuant to Divisions (K)(3) and (Y) of ORC Section 145.01.

(2) Compensation does not include any of the following:

(i) Fees and commissions, other than those paid under ORC Section 507.09, paid as sole compensation for personal services and fees and commissions for special services over and above services for which the Participant receives a salary;

(ii) Amounts paid by the Employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the Participant or the Participant's family, or amounts paid by the Employer to the Participant in lieu of providing the insurance;

(iii) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the Employer, or use of the Employer's property or equipment, or amounts paid by the Employer to the Participant in lieu of providing the incidental benefits;

(iv) Reimbursement for job-related expenses authorized by the Employer, including moving and travel expenses and expenses related to professional development;

(v) Payments for accrued, but unused sick leave, personal leave, or vacation that are made at any time other than the year in which the sick leave, personal leave, or vacation was accrued;

(vi) Payments made to or on behalf of the Participant that are in excess of the annual compensation that may be taken into account by the Plan under IRC Section 401(a)(17);

(vii) (A) Effective as of January 1, 2002 through January 31, 2002 and effective as of October 1, 2002, payments made to the Participant under Division (B), (C) or (E) of ORC Section 5923.05, Section 4 of Substitute Senate Bill No.3 of the 119th Ohio General Assembly, Section 3 of Amended Substitute Senate Bill No. 164 of the 124th Ohio General Assembly, or Amended Substitute House Bill No. 405 of the 124th Ohio General Assembly; and (B) effective as of February 1, 2002 through September 30, 2002, payments made to the Participant under Division (B) or (D) of ORC Section 5923.05 or Section 4 of Substitute Senate Bill No.3 of the 119th Ohio General Assembly; and

(viii) Anything of value received by the Participant that is based on or attributable to retirement or an agreement to retire.

(b) If the Participant would be subject to the State Teachers Retirement System had the Participant not made an election to participate in this Plan (see Item 6 of Appendix A), all salary, wages, and other earnings paid to the Participant by reason of the Participant's employment, including compensation paid pursuant to a supplemental contract. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed by the Participant under Section 4.1 and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes

(1) Compensation does not include any of the following:

(i) Payments for accrued but unused sick leave or personal leave, including payments made under a plan established pursuant to ORC Section 124.39 or any other similar plan established by the Employer;

(ii) Payments made for accrued but unused vacation leave, including payments made pursuant to ORC Section 124.13 or a similar plan established by the Employer;

(iii) Payments made for vacation pay covering concurrent periods for which other salary, compensation, or benefits under ORC Chapter 3307 are paid;

(iv) Amounts paid by the Employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the Participant, or the Participant's family, or amounts paid by the Employer to the Participant in lieu of providing the insurance;

(v) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the Employer, use of the Employer's property or equipment, and reimbursement for job-related expenses authorized by the Employer, including moving and travel expenses and expenses related to professional development;

(vi) Payments made by the Employer in exchange for a Participant's waiver of a right to receive any payment, amount, or benefit described in Division (L)(2) of ORC Section 3307.01;

(vii) Payments by the Employer for services not actually rendered;

(viii) Any amount paid by the Employer as a retroactive increase in salary, wages, or other earnings that meets the requirements of ORC Section 3307.01(L)(2)(h)(i), (ii), (iii), or (iv);

(ix) Payments made to or on behalf of the Participant that are in excess of the annual compensation that may be taken into account by the Plan under IRC Section 401(a)(17);

(x) Payments made to the Participant under Division (B), (C) or (E) of ORC Section 5923.05, Section 4 of Substitute Senate Bill No. 3 of the 119th Ohio General Assembly, Section 3 of Amended Substitute Bill No. 164 of the 124th Ohio General Assembly or Amended Substitute House Bill No. 405 of the 124th Ohio General Assembly; and

(xi) Anything of value received by the Participant that is based on or attributable to retirement or an agreement to retire.

(c) If the Participant would be subject to the School Employees Retirement System had the Participant not made an election (see Item 6 of Appendix A), all salary, wages, and other earnings paid to a Participant by reason of employment. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed by the Participant under Section 4.1 and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes.

(1) Compensation does not include any of the following:

(i) Payments for accrued but unused sick leave or personal leave, including payments made under a Plan established pursuant to ORC Section 124.39 or any other similar plan established by the Employer;

(ii) Payments made for accrued but unused vacation leave, including payments made pursuant to ORC §124.13 or a similar plan established by the Employer;

(iii) Payments made for vacation pay covering concurrent periods for which other salary or compensation is also paid;

(iv) Amounts paid by the Employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the Participant or the Participant's family, or amounts paid by the Employer to the Participant in lieu of providing the insurance;

(v) Incidental benefits, including lodging, food laundry, parking, or services furnished by the Employer, use of the Employer's property or equipment, and reimbursement for job-related expenses authorized by the Employer, including moving and travel expenses and expenses related to professional development;

(vi) Payments made to or on behalf of the Participant that are in excess of the annual compensation that may be taken into account by the Plan under IRC Section 401(a)(l7);

(vii) Payments made to the Participant while on leave for military duty under Division (B), (C) or (E) of ORC Section 5923.05, Section 4 of Substitute Senate Bill No. 3 of the 119th Ohio General Assembly, Section 3 of Amended Substitute Senate Bill No. 164 of the 124th Ohio General Assembly, or Amended Substitute House Bill No. 405 of the 124th Ohio General Assembly; and

(viii) Anything of value received by the Participant that is based on or attributable to retirement or an agreement to retire.

Notwithstanding the foregoing, Compensation shall not be reduced by the amount of exclusions that are not currently includable in the Participant's gross income by reason of the application of IRC Sections 125, 402(e)(3), 403(b), and 457, or by reason of the application of IRC Section 414(h)(2).

An employee who has satisfied the eligibility requirements for Employer Contributions during a Plan Year shall be entitled to such contributions only with respect to Compensation earned on or after the date he becomes a Participant.

For Plan Years beginning before January 1, 2002, the annual Compensation of each Participant taken into account for determining all benefits provided under the Plan for that Plan Year shall not exceed $150,000, as adjusted for increases in the cost-of-living in accordance with IRC Section 401(a)(17)(B). The cost-of-living adjustment in effect for a calendar year applies to any determination period beginning in such calendar year.

For any Plan Year beginning after December 31, 2001, the annual Compensation of each Participant taken into account in determining allocations shall not exceed $200,000, as adjusted for cost-of-living increases in accordance with IRC Section 401(a)(l7)(B). Annual Compensation means Compensation during the Plan Year or such other consecutive 12-month period over which compensation is otherwise determined under the Plan (the determination period). The cost-of-living adjustment in effect for a calendar year applies to annual Compensation for the determination period that begins with or within such calendar year. If Compensation for any prior determination period is taken into account in determining a Participant's allocations for the current Plan Year, the Compensation for such prior determination period is subject to the applicable annual Compensation limit in effect for that prior period.

If a determination period consists of fewer than 12 months, the annual compensation limit is an amount equal to the otherwise applicable annual compensation limit multiplied by a fraction, the numerator of which is the number of months in the short determination period, and the denominator of which is 12.

Section 2.7. Disabled or Disability

"Disabled or Disability" shall mean the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or to be of long continued and indefinite duration, provided that such Disability occurs while the Participant is an Eligible Employee of the Employer. A Participant shall be considered Disabled only if the permanence and degree of such impairment is supported by medical evidence. Such determinations shall be made by each Provider.

Section 2.8. Eligible Employee

"Eligible Employee" shall mean (a) any Academic or Administrative Employee whose employment as an Academic or Administrative Employee commences on or after the Effective Date, (b) any Administrative Employee who has less than five years total service credit in the Public Employees Retirement System or School Employees Retirement System on March 31, 1998, and (c) any Academic Employee who has less than five years total service credit in the State Teachers Retirement System on the 30th day of June preceding the Effective Date; provided however, an Academic or Administrative Employee previously employed by a Public Institution of Higher Education (including the Employer) (see Item 7 of Appendix A), will not be an Eligible Employee unless: 1) such employee has had a One Year Break in Service with respect to such previous employer; 2) such employee participated in an alternative retirement plan (see Item 7 of Appendix A) while employed by such previous employer; or 3) such employee was employed by such previous employer for less than ninety (90) days.

Effective April 1, 2001, "Eligible Employee" shall mean (a) any Academic or Administrative Employee whose employment as an Academic or Administrative Employee commences or recommences (after such Employee has had a One Year Break in Service with respect to such Employee's most recent previous employment with the Employer) on or after the initial date on which this Plan is adopted, (b) any Administrative Employee who has less than five years total service credit in the Public Employees Retirement System or School Employees Retirement System on March 31, 1998, and (c) any Academic Employee who has less than five years of total service credit in the State Teachers Retirement System on the 30th day of June preceding the initial date on which the Plan is adopted. Notwithstanding the foregoing, "Eligible Employee" automatically shall include (1) any employee who participated in an alternative retirement plan under the employee's last employment position with the Employer (and who has not incurred a One Year Break in Service) and who transfers, or is transferred, to an employment position with the Employer for which an alternative retirement plan is not available from that Employer or (2) any employee whose employment with the Employer terminated before the employee had completed one hundred twenty (120) days of service with the Employer and such Employee had not, or had not been deemed to have, elected to participate in the Public Employees Retirement System, School Employees Retirement System or State Teachers Retirement System (collectively, "State Retirement System") as applicable, within such Employee's previous employment with the Employer.

Effective as of August 1, 2005, "Eligible Employee" shall mean (a) any Full-time Employee whose employment commences on or after August 1, 2005, or (b) any Full-time Employee who, as of August 1, 2005, has less than five years of total service credit in the State Teachers Retirement System, the Public Employees Retirement System, or the School Employees Retirement System, unless such person had an opportunity to make an election as an Academic Employee or an Administrative Employee to participate in an alternative retirement plan sponsored by the Employer. Notwithstanding the foregoing, "Eligible Employee" automatically shall include (1) any employee who participated in an alternative retirement plan in the employee's last employment position with the Employer (and who has not incurred a One Year Break in Service) and who transfers, or is transferred, to an employment position with the Employer for which an alternative retirement plan is not available from that employer or (2) any employee whose employment with the Employer terminates while the employee is participating in an alternative retirement plan and the employee recommences employment with the Employer before the employee has had a One Year Break in Service regardless of the employee's employment position with the Employer upon the employee's return or (3) any Full-time Employee whose previous employment with the Employer terminated before the employee had completed one hundred twenty (120) days of service with the Employer and such Employee had not, or had not been deemed to have, elected to participate in the Public Employees Retirement System, School Employees Retirement System or State Teachers Retirement System (collectively, "State Retirement System") as applicable, within such Employee's previous employment with the Employer.

Section 2.9. Employer Account

The "Employer Account" is the separate account maintained for each Participant to which all Employer Contributions (including Forfeitures, if applicable) shall be allocated.

Section 2.10. Forfeiture

"Forfeiture" refers to the amount of the non-vested portion of a Participant's Employer Account following a Participant's termination of employment with the Employer.

Section 2.11. Hour of Service

"Hour of Service" means each hour for which an employee is paid or entitled to payment for the performance of duties for the Employer.

For purposes of determining an employee's initial or continued eligibility to participate in the Plan or the nonforfeitable interest in the Participant's account balance derived from Employer Contributions, an employee will receive credit for the aggregate of all time period(s) commencing with the employee's first day of employment or reemployment and ending on the date a One Year Break in Service begins. The first day of employment or reemployment is the first day the employee performs an Hour of Service.

Section 2.12. IRC

"IRC" refers to the Internal Revenue Code of 1986, as amended.

Section 2.13. Joint and Survivor Annuity

A "Joint and Survivor Annuity" is an immediate annuity for the life of the Participant with a survivor annuity for the life of the Participant's Beneficiary which is not less than 50% and not more than 100% of the amount of the annuity which is payable during the joint lives of the Participant and the Participant's Beneficiary and which is the actuarial equivalent of the Participant's vested Account. The percentage of the survivor annuity under the Plan shall be elected by the Participant subject to the annuity options available under the Annuity Contract.

Section 2.14. Leave of Absence

A "Leave of Absence" shall refer to that period during which the Participant is absent without Compensation and for which the Employer, in its sole discretion has determined the Participant to be on a "Leave of Absence" instead of having terminated his or her employment. However, such discretion of the Employer shall be exercised in a nondiscriminatory manner. In all events, a Leave of Absence by reason of service in the armed forces of the United States shall end no later than the time at which a Participant's reemployment rights as a member of the armed forces cease to be protected by law, except that if the Participant resumes employment with the Employer prior thereto, the Leave of Absence shall end on such date of resumption of employment. The date that the Leave of Absence ends shall be deemed the Termination Date if the Participant does not resume employment with the Employer. In determining a Year of Service for Vesting, all such Leaves of Absence shall be considered to be periods of continuous employment with the Employer.

Section 2.15. Limitation Year

The "Limitation Year" for purposes of IRC Section 415 shall mean the Plan Year.

Section 2.16. Nonelective Contributions

"Nonelective Contributions" shall be those contributions made by the Participant pursuant to Section 4.1.

Section 2.17. Normal Retirement Age

The "Normal Retirement Age" shall be the time at which the Participant attains 65 years of age.

Section 2.18. One Year Break in Service

A "One Year Break in Service" or "Break in Service" is a Period of Severance of at least 365 consecutive days.

Section 2.19. Participant

A "Participant" shall refer to every employee or former employee who has met the applicable participation requirements of Article III.

Section 2.20. Participant Account

The "Participant Account" is the account to which all Nonelective and Voluntary Contributions, by the Participant shall be allocated, if applicable. Separate accounts within the Participant Account will be maintained for the Nonelective Contributions and the Voluntary Contributions of each Participant.

Section 2.21. Period of Severance

A "Period of Severance" is a continuous period of time during which the employee is not employed by the Employer. Such period begins on the date the employee retires, resigns or is discharged. In the case of an individual who is absent from work for maternity or paternity reasons, the 12-consecutive month period ending on the first anniversary of the first date of such absence shall not constitute a Break in Service. For purposes of this paragraph, an absence from work for maternity or paternity reasons means an absence: (1) by reason of the pregnancy of the individual, (2) by reason of the birth of a child of the individual, (3) by reason of the placement of a child with the individual in connection with the adoption of such child by such individual, or (4) for purposes of caring for such child for a period beginning immediately following such birth or placement.

Section 2.22. Plan

"Plan" refers to this Plan; and for purposes of the IRC this Plan shall be considered and administered as a "profit-sharing plan."

Section 2.23. Pre-Retirement Survivor Annuity

A "Pre-Retirement Survivor Annuity" is a survivor annuity for the life of the surviving Beneficiary of the Participant which is the actuarial equivalent of the Participant's vested Account.

Section 2.24. Retirement

"Retirement" refers to the termination of employment of a Participant who has attained at least the Normal Retirement Age. The Participant may work beyond Normal Retirement Age, in which case Employer Contributions, Nonelective Contributions, and Voluntary Contributions shall continue to be allocated to the Participant's Account.

Section 2.25. ORC

"ORC" refers to the Ohio Revised Code, as amended. The Sections of the ORC may be further set out on Appendix A.

Section 2.26. Rollover Contribution

"Rollover Contribution" means those amounts transferred to this Plan as are described in Sections 4.5 and 7.9.

Section 2.27. Termination Date

The "Termination Date" shall be the date on which the earliest of the following events occurs: (a) a Participant's Retirement, (b) a Participant's termination of employment as a result of Disability, (c) a Participant's death, or (d) a Participant's termination of employment for any other reason.

Section 2.28. Total Service for Vesting

"Total Service for Vesting" shall mean the sum of each separate Year of Service for Vesting credited to the Participant. In the case of a Participant who has a One Year Break in Service, all Years of Service for Vesting after such Break in Service will be disregarded for the purpose of vesting the Employer Account that accrued before such breaks, and all pre-break service will be disregarded for the purposes of vesting the Employer Account that accrues after such breaks.

Section 2.29. Voluntary Contribution

"Voluntary Contribution" shall mean those contributions made by a Participant pursuant to Section 4.3.

ARTICLE III. ELIGIBILITY TO PARTICIPATE

Section 3.1. Initial Entry

All Eligible Employees as of the date the Board of Trustees of the Employer establishes the Plan (the "Establishment Date") shall have a period of 120 days from such date in which to elect to participate in the Plan. Academic or Administrative Employees making such election on forms prescribed by the Employer shall participate in the Plan as of the Establishment Date. An Eligible Employee whose employment commences after the Establishment Date (or an existing employee who becomes an Eligible Employee after the Establishment Date) shall have a period of 90 days (120 days, effective April 1, 2001) from the date upon which the employee first is credited with an Hour of Service in which to elect participation in the Plan. Such election shall be effective on the Eligible Employee's employment commencement date and shall be irrevocable at the end of the 90-day period for Eligible Employees commencing employment prior to April 1, 2001 and shall be irrevocable when made for Eligible Employees commencing employment on or after April 1, 2001. Participants shall remain in the Plan as long as they are Eligible Employees. Effective April 1, 2001, Participants shall remain in the Plan as long as they are employees. Eligible Employees failing to elect participation in the Plan may not subsequently elect participation unless they have had a One Year Break in Service and are reemployed as Eligible Employees. For existing employees who became Eligible Employees due to a change in position, references in this section to employment commencement date and to the date upon which the employee is first credited with an Hour of Service shall mean the date upon which the employee became an Eligible Employee.

Section 3.2. Reclassification of Eligible Employee

If a Participant is reclassified into a position in which the Participant is no longer an Academic Employee or an Administrative Employee, such Participant's participation in the Plan shall terminate. Such termination shall be effective upon the date of reclassification. Effective April 1, 2001, a Participant will continue to participate in the Plan as long as the Participant remains an employee of the Employer.

Section 3.3. Resumption of Participation

In the event a Participant is re-employed prior to incurring a One-Year Break in Service or an employee whose participation was previously terminated pursuant to Section 3.2 is reclassified as an Academic or Administrative Employee prior to incurring a One-Year Break in Service, such employee will participate in the Plan immediately upon becoming an Academic or Administrative Employee of the Employer.

Effective as of August 1, 2005, in the event a Participant is re-employed prior to incurring a One-Year Break in Service or an employee whose participation was previously terminated pursuant to Section 3.2 is reclassified as an Eligible Employee prior to incurring a One-Year Break in Service, such employee will participate in the Plan immediately upon becoming an Eligible Employee of the Employer.

Section 3.4. Eligibility Determinations and Employer Powers

The Employer shall have full power (a) to interpret and construe this Plan in a manner consistent with its terms and provisions and with IRC Section 401 and other applicable qualified plan provisions of the IRC, and to establish rules and procedures conforming to those provisions; (b) to determine all questions of eligibility and of the status and rights of Participants; (c) to determine the amounts to be contributed to each Participant's Account; and (d) to employ such agents, attorneys, actuaries, accountants, auditors, investment counsel, and clerical assistants as it may deem necessary. In all such cases the Employer's determination shall be final and conclusive upon all persons. It is recognized that unusual circumstances may occur and questions may arise that are not specifically covered by any provision of this Plan, and the Employer shall have the right to resolve all such questions.

Notwithstanding the above, the Employer's power and responsibility under this Plan shall not extend to, nor have any control over, those responsibilities and duties of the Provider.

ARTICLE IV. CONTRIBUTIONS

Section 4.1. Nonelective Contributions

An Eligible Employee who becomes a Participant under this Plan in accordance with the provisions of Article III shall be deemed to have authorized the Employer to deduct from such Participant's Compensation, prior to its payment, a certain percentage of such Participant's Compensation, as a Nonelective Contribution to the Plan. Such contributions shall be credited to the Participant Account.

The Nonelective Contribution percentage shall equal the percentage of the Participant's Compensation which, but for the election to participate in this Plan, would have otherwise been contributed to the State Retirement System that applies to the Participant's position; provided that the Nonelective Contribution percentage shall not be less than three percent.

The amount of the Nonelective Contribution shall be picked up by the Participant's Employer as provided for in IRC Section 414(h)(2). The Employer may choose to apply for approval from the National Office of the Internal Revenue Service concerning the applicability of IRC Section 414(h)(2). The Participant shall not have the option to receive this picked up contribution directly and such contributions shall be paid by the Employer directly to the respective Provider selected by the Participant.

Section 4.2. Employer Contributions

Employer Contributions shall be made as set forth in Section 1.10. Such contributions shall be credited to the Employer Account.

Notwithstanding Section 4.1 and the preceding paragraph of this Section 4.2, in no event shall the amount contributed under Sections 4.1 and 4.2 be less than the amount necessary to qualify the Plan as a state retirement system pursuant to IRC Section 3121(b)(7) and the Treasury Regulations adopted thereunder.

Each Participant will share in Employer Contributions for the period beginning on the date the Participant commences participation under the Plan and ending on the date on which such Participant severs employment with the Employer or is no longer a member of an eligible class of employees.

Section 4.3. Voluntary Contributions

Participants shall be permitted to make voluntary non-deductible employee contributions to the Plan. Such contributions shall be credited to the Participant Account. Effective April 1, 2001, except as required by Ohio law, voluntary non-deductible employee contributions shall no longer be permitted. Voluntary non-deductible employee contributions made prior to April 1, 2001 shall be held and administered in accordance with the terms of the Plan.

Section 4.4. Corrective Distributions

If the limits under IRC Section 415 are exceeded for any taxable year, and such excess is a result of a reasonable error in estimating a Participant's annual Compensation or from such other facts and circumstances that are permitted under any regulation or other ruling of the U.S. Department of the Treasury, then the Account of the Participant will be adjusted by the amount of the Employer Contributions for the next Limitation Year in accordance with Section 5.3(a)(4).

Section 4.5. Rollover Contributions

(a) Any Participant may make a Rollover Contribution to this Plan; provided, however, that the plan from which the funds are to be transferred must permit the transfer to be made, and provided, further, the Provider is reasonably satisfied that such transfer will not jeopardize the tax exempt status of this Plan or create adverse tax consequences for the Employer. Rollover Contributions shall be made by delivery of such amount to the respective Provider. All Rollover Contributions must be in cash or property satisfactory to the Provider, whose decision in this regard shall be final.

(b) If the Provider accepts such transfer of funds, it shall allocate them to the appropriate Participant Account of the transferring Participant, or to a separate or segregated Account established for such purpose ("Rollover Account"). If the funds are allocated to a Rollover Account, they shall be invested separately, and any appreciation, depreciation, gain, or loss with respect to the Rollover Account, and any related expenses, shall be allocated to such Rollover Account. For all other purposes such funds shall be treated as if they had been allocated to the Participant's Account.

(c) Rollover Contributions shall not be considered to be Participant contributions for the purpose of calculating the limitations under Section 5.3.

(d) Any amount that is credited to a Participant's Account pursuant to a Rollover Contribution or transfer under Section 4.6 of this Plan shall be one hundred percent (100%) vested and nonforfeitable at all times. In all other respects, the portion of a Participant's Account attributable to such a Rollover Contribution or transfer shall be subject to the terms of this Plan.

Section 4.6. Transfers from a Plan of the Employer

Any Participant who has participated in a plan under IRC Section 401(a) or 403(a) attributable to such employee's current employment with the Employer may elect to transfer all or a portion of the amount accumulated under such other plan to this Plan provided such transfer may be effected in a manner consistent with the terms of such other plan(s) as well as the terms of this Plan. Such transfer shall only be permitted if such transfer qualifies as a tax-free transfer under generally accepted interpretations of the IRC. The portion of a Participant's Account attributable to such a transfer shall be subject to the terms of this Plan as if the contributions from which the transferred amount are derived were made under this Plan.

ARTICLE V. ADMINISTRATION OF ACCOUNTS

Section 5.1. Investments

The amounts allocated to the Employer and Participant Accounts shall be invested in Annuity Contracts for Participants provided by the respective Provider. The terms and conditions of such Annuity Contracts shall be considered part of, and shall be construed as having been incorporated into the Plan. Participants will invest their Accounts based upon the investment options available under the Annuity Contracts and may make their investment selections pursuant to the terms and conditions contained in the respective Annuity Contracts. If any provision of an Annuity Contract conflicts with the Plan, the terms of the Plan shall control.

Section 5.2. Intra-Plan Transfers

Subject to the Provider's rules for transfers and the ORC, a Participant may specify that a part or all of such Participant's Account may be transferred among different investment options offered under such Annuity Contract or may be transferred to the Annuity Contract of another authorized Provider. Transfers between Providers are subject to each Provider's rules for such transfers and shall be permitted only once per year, effective the first day of the Plan Year.

Effective as of August 1, 2005, if a Participant makes an election to change to a new Provider, a Participant may specify that a part or all of such Participant's account be transferred to the new Provider. Provided however, a Provider is not required to immediately transfer any part of the Participant's account invested at the Participant's election in a fixed annuity account if the contract under which the investment was made permits the Provider to make such a transfer over a period of time not exceeding ten years and the contract was filed with and approved by the Ohio Department of Insurance (see Item 8 of Appendix A).

Section 5.3. <u>Limitations on Allocations to each Participant</u>

(a)

(1) If the Participant does not participate in, and has never participated in, another qualified plan maintained by the Employer or a welfare benefit fund, as defined in IRC Section 419(e) maintained by the Employer, or an individual medical account, as defined in IRC Section 415(1)(2), maintained by the Employer, which provides an annual addition as defined in Paragraph (c)(1) of this Section 5.3, the amount of annual additions which may be credited to the Participant's account for any Limitation Year will not exceed the lesser of the maximum permissible amount or any other limitations contained in this Plan. If the Employer Contribution that would otherwise be contributed or allocated to the Account of the Participant would cause the annual additions for the Limitation Year to exceed the maximum permissible amount, the amount contributed or allocated will be reduced so that the annual additions for the Limitation Year will equal the maximum permissible amount, and such reduction shall be contributed, if possible, in a future Limitation Year.

(2) Prior to determining the Participant's actual Compensation for the Limitation Year, the Employer may determine the maximum permissible amount for a Participant on the basis of a reasonable estimation of the Participant's Compensation for the Limitation Year, uniformly determined for all Participants similarly situated.

(3) As soon as administratively feasible after the end of the Limitation Year, the maximum permissible amount for the Limitation Year will be determined on the basis of the Participant's actual Compensation for the Limitation Year.

(4) If, pursuant to Paragraph (a)(3) of this Section 5.3 or as a result of an allocation of Forfeitures, there is an excess amount, the excess will be disposed of as follows:

(i) Any Voluntary Contributions (plus attributable earnings), to the extent they would reduce the excess amount, will be returned to the Participant.

(ii) If after the application of Subparagraph (i) an excess amount still exists, and the Participant is covered by the Plan at the end of the Limitation Year, the excess amount in the Participant's Account will be used to reduce Employer

Contributions (including any allocation of Forfeitures) for such Participant in the next Limitation Year, and each succeeding Limitation Year if necessary.

(iii) If after the application of Subparagraph (i) an excess amount still exists, and the Participant is not covered by the Plan at the end of a Limitation Year, the excess amount will be held unallocated in a suspense account. The suspense account will be applied to reduce Employer Contributions for all remaining Participants in the next Limitation Year, and each succeeding Limitation Year if necessary.

(iv) If a suspense account is in existence at any time during a Limitation Year pursuant to this Section, it will be administered in accordance with the Provider's investment policies. If a suspense account is in existence at any time during a particular Limitation Year, all amounts in the suspense account must be allocated and reallocated to Accounts of Participants before any Employer or Participant contributions may be made to the Plan for that Limitation Year. Excess amounts may not be distributed to Participants or former Participants.

(b)

(1) This Subsection (b) applies if, in addition to this Plan, the Participant is covered under another qualified defined contribution plan maintained by the Employer, a welfare benefit fund, as defined in IRC Section 419(e), maintained by the Employer, or an individual medical account, as defined in IRC Section 415(1)(2), maintained by the Employer, which provides an annual addition as defined in paragraph (c)(i) of this Section 5.3, during any Limitation Year. The annual additions which may be credited to the Account of a Participant under the other plans and welfare benefit funds for the same Limitation Year will not exceed the maximum permissible amount reduced by the annual additions credited to the Account of a Participant under this Plan for any such Limitation Year. If the annual additions with respect to the Participant under this Plan are equal to or greater than the maximum permissible amount, no amount will be contributed or allocated to the account of the Participant under such other defined contribution plans and welfare benefit funds for the Limitation Year.

(2) Prior to determining the Participant's actual Compensation for the Limitation Year, the Employer may determine the maximum permissible amount for a Participant in the manner described in Paragraph (a)(2).

(3) As soon as administratively feasible after the end of the Limitation Year, the maximum permissible amount for the Limitation Year will be determined on the basis of the Participant's actual Compensation for the Limitation Year.

(4) If, pursuant to Paragraph (b)(3) or as a result of the allocation of Forfeitures, a Participant's annual additions under this Plan and such other plans would result in an excess amount for a Limitation Year, the excess amount will be deemed to

consist of the annual additions last allocated, except that annual additions attributable to a welfare fund or individual medical account will be deemed to have been allocated first regardless of the actual allocation date.

(5) If an excess amount was allocated to a Participant on an allocation date of this Plan which coincides with an allocation date of another plan, the excess amount attributed to this Plan will be the product of:

(i) The total excess amount allocated as of such date, times

(ii) The ratio of (a) the annual additions allocated to the Participant for the Limitation Year as of such date under this Plan to (b) the total annual additions allocated to the Participant for the Limitation Year as of such date under this and all other qualified defined contribution plans.

(6) Any excess amount attributed to this Plan will be disposed in the manner described in paragraph (a)(4) of this Section 5.3.

(c) For purposes of this Section 5.3, the following words and terms shall have the meanings indicated:

(1) "Annual additions." Annual additions means the sum of the following credited to the Account of a Participant for the Limitation Year:

(i) Employer Contributions,

(ii) Participant contributions (Nonelective and Voluntary Contributions),

(iii) Forfeitures, and

(iv) amounts allocated, after March 31, 1984, to an individual medical account, as defined in IRC section 415(1)(2), which is part of a pension or annuity plan maintained by the Employer are treated as annual additions to a defined contribution plan. Also amounts derived from contributions paid or accrued after December 31, 1985, in taxable years ending after such date, which are attributable to post-retirement medical benefits, allocated to the separate account of a key employee, as defined in IRC Section 419A(d)(3), under a welfare benefit fund, as defined in IRC Section 419(e), maintained by the Employer are treated as annual additions to a defined contribution plan.

For this purpose, any excess amount applied under paragraphs (a)(4) or (b)(6) of this Section 5.3 in the Limitation Year to reduce Employer Contributions will be considered annual additions for such Limitation Year.

(2) "Compensation." Compensation means wages as defined in IRC Section 3401(a) and all other payments of Compensation to an employee by the Employer (in the course of the Employer's trade or business) for which the Employer is required to furnish the employee a written statement under IRC Sections 6041(d) and 6051(a)(3) and 6052. Compensation must be determined without regard to any rules under IRC Section 3401(a) that limit the remuneration included in wages based on the nature or location of the employment or the services performed (such as the exception for agricultural labor in IRC Section 3401(a)(2)).

For Limitation Years beginning after December 31, 1997, for purposes of applying the limitations of this section, Compensation paid or made available during such Limitation Year shall include any elective deferral (as defined in IRC Section 402(g)(3)), and any amount which is contributed or deferred by the Employer at the election of the employee and which is not includable in the gross income of the employee by reason of IRC Section 125 or 457.

For Limitation Years beginning on and after January 1, 2001, for purposes of applying the limitations described in Section 5.3 of the Plan, Compensation paid or made available during such Limitation Years shall include elective amounts that are not includible in gross income of the employee by reason of Section 132(f)(4).

For Limitation Years beginning after December 31, 1991, for purposes of applying the limitations of this Section 5.3, Compensation for a Limitation Year is the Compensation actually paid or made available during such Limitation Year.

Notwithstanding the preceding sentence, Compensation for a Participant in a defined contribution plan who is permanently and totally disabled (as defined in IRC Section 22(e)(3)) is the Compensation such Participant would have received for the Limitation Year before becoming permanently and totally disabled; for Limitation Years beginning before January 1, 1997, but not for Limitation Years beginning after December 31, 1996, such imputed Compensation for the disabled Participant may be taken into account only if the Participant is not a Highly Compensated Employee (as defined in IRC Section 414(q)) and contributions made on behalf of such Participant are nonforfeitable when made.

(3) "Defined contribution dollar limitation." The defined contribution dollar limitation is $40,000, as adjusted under IRC Section 415(d).

(4) "Maximum Permissible Amount." For Limitation Years beginning on or after January 1, 2002, maximum permissible amount means the lesser of (a) 100 percent of the Participant's Compensation, within the meaning of IRC Section 415(c)(3), for the Limitation Year, or (b) $40,000 as adjusted for increases in the cost-of-living under IRC Section 415(d).

Section 5.4. Designation of Beneficiary

Each Participant may, pursuant to the forms provided by the Provider, designate from time to time in writing one or more Beneficiaries, who will receive the Participant's vested Account balance in the event of the Participant's death. Designation of one or more Beneficiaries shall become effective upon receipt of the fully completed forms by the Provider and shall supersede all prior designations made by the Participant. If the Participant dies without having made a Beneficiary designation, the Provider shall distribute such benefits in the order provided in the Annuity Contract.

Spousal rights to benefits are set forth in Section 1.12.

Section 5.5. Loans to Participants

If the Plan permits loans under Section 1.11, the following shall apply:

(a) Loans shall be made available to all Participants on a reasonably equivalent basis.

(b) Loans shall not be made available to highly compensated employees in an amount greater than the amount made available to other employees.

(c) Loans must be adequately secured and bear a reasonable interest rate.

(d) The repayment of the loan shall be made with payments that provide for a substantially level amortization of principal and interest over the term of the loan. Such payments shall be required to be made not less frequently than quarterly.

(e) In the event of default, foreclosure on the note and attachment of security will not occur until a distributable event occurs in the Plan.

(f) If the spousal consent option in Section 1.12 applies, a Participant must obtain the consent of his or her spouse, if any, to use the Account as security for the loan. Spousal consent shall be obtained no earlier than the beginning of the 90-day period that ends on the date on which the loan is to be so secured. The consent must be in writing, must acknowledge the effect of the loan, and must be witnessed by the Provider or notary public. Such consent shall thereafter be binding with respect to the consenting spouse or any subsequent spouse with respect to that loan. A new consent shall be required if the Account is used for renegotiation, extension, renewal, or other revision of the loan.

(g) Loan repayments may be suspended under this Plan as permitted under IRC Section 414(u)(4).

(h) The foregoing provisions shall be the standard loan provisions of the Plan. However, different loan terms may be permitted provided that the final determination shall be made by the Provider on a uniform and nondiscriminatory basis. Accordingly, the provisions of this Section 5.5 may be supplemented and/or replaced by more specific or different written provisions adopted by the Provider as part of the Plan's loan policy.

ARTICLE VI. VESTING

Section 6.1. Participant Account and Rollover Account 100 Percent Vested

Participant Accounts and Rollover Accounts shall be 100% vested at all times.

Section 6.2. Employer Account Vesting on Death, Retirement, or Disability

If a Participant's employment is terminated due to his or her death, for Disability, or on or after a Participant's attaining Normal Retirement Age, 100% of the Participant's Employer Account shall vest in the Participant (or in his or her Beneficiary, as the case may be) and shall be distributed in accordance with the provisions of Article VII.

Section 6.3. Employer Account Vesting on Termination

Except as provided in Section 6.2, a Participant's Employer Account shall be vested in accordance with Section 1.13. Upon a One Year Break in Service, forfeited Employer Accounts shall be used to reduce future Employer Contributions.

ARTICLE VII. DISTRIBUTION OF BENEFITS

Section 7.1. Method of Distribution of Accounts

(a) The Participant may elect to receive distribution of his or her vested Account in one of the forms selected by the Employer in Section 1.15. If the Participant fails to make an election, and the Employer has not elected the Joint and Survivor Annuity Option in Section 1.15, the Participant's vested account shall be distributed by the Provider in the form of a lump sum. Notwithstanding the preceding, if a Participant terminates service, the entire amount of such vested Account shall be either distributed to the Participant by the Provider or rolled over by the Participant within the time specified in Section 7.2. The Provider shall be responsible for distributing a Participant's Account and for making such distributions pursuant to the provisions of the Plan.

(b) If the spousal consent option in Section 1.12 applies, the Participant and the Participant's spouse (or where either the Participant or the spouse has died, the survivor) must consent to any distribution of such vested Account. The consent of the Participant and the Participant's spouse shall be obtained by the Provider in writing within the 90-day period ending on the annuity starting date. The annuity starting date is the first day of the first period for which an amount is paid as an annuity or any other form.

Notwithstanding the foregoing, only the Participant need consent to the commencement of a distribution in the form of a Joint and Survivor Annuity. Neither the consent of the Participant nor the Participant's spouse shall be required to the extent that a distribution is required to satisfy IRC Section 401(a)(9) or IRC Section 415. In addition, upon termination of this Plan if the Plan does not offer an annuity option (purchased from a commercial provider) and if neither the Employer nor any affiliated employer maintains another defined contribution plan (other than an employee stock ownership plan as defined in IRC Section 4975(e)(7)), the Participant's vested Account will, without the Participant's consent, be distributed to the Participant.

(c) If distributions are made in installments the amount of the installment to be distributed each year must be at least an amount equal to the quotient obtained by dividing the Participant's entire interest by the life expectancy of the Participant or the joint and last survivor expectancy of the Participant and his designated Beneficiary. Life expectancy and joint and last survivor expectancy are computed by the use of the return multiples contained in Treasury Regulations Section 1.72-9, Table V and VI or, in the case of payments under a contract issued by an insurance company, by use of the life expectancy tables of the insurance company. For purposes of this computation, a Participant's life expectancy may be recalculated no more frequently than annually, but the life expectancy of a nonspouse Beneficiary may not be recalculated.

Section 7.2. Time of Distribution

(a) Subject to Section 7.3, Joint and Survivor Annuity or Pre-Retirement Survivor Annuity, the requirements of this Section 7.2 shall apply to any distribution of a Participant's vested Account and will take precedence over any inconsistent provisions of this Plan. All distributions required under this Section 7.2 shall be determined and made in accordance with the Treasury Regulations under IRC Section 401(a)(9), including the minimum distribution incidental benefit requirement. Unless required by the IRC, no distribution shall commence before the one-year anniversary of a Participant's Termination Date. Effective April 1, 2001 distributions may commence as soon as administratively feasible following a Participant's Termination Date or Disability.

With respect to distributions under the Plan made for calendar years beginning on or after January 1, 2001, the Plan will apply the minimum distribution requirements of IRC Section 401(a)(9) in accordance with the Treasury Regulations under Section 401(a)(9) that were proposed on January 17, 2001, notwithstanding any provision of the Plan to the contrary. This amendment shall continue in effect until the end of the last calendar year beginning before the effective date of the final Treasury Regulations under Section 401(a)(9) or such other date specified in guidance published by the Internal Revenue Service. With respect to the minimum distribution requirements under the final Section 401(a)(9) Treasury Regulations, the requirements of the final Treasury Regulations are set forth in Article X.

(b) The Participant's vested Account must be distributed or begin to be distributed no later than the Participant's required beginning date.

(c) If the Participant's vested Account is to be distributed in other than a single sum, the following minimum distribution rules shall apply on or after the required beginning date:

(1) Individual Account.

(i) If a Participant's benefit is to be distributed over (A) a period not extending beyond the life expectancy of the Participant or the joint life and last survivor expectancy of the Participant and the Participant's designated Beneficiary or (B) a period not extending beyond the life expectancy of the designated Beneficiary, the amount required to be distributed for each calendar year, beginning with distributions for the first distribution calendar year, must at least equal the quotient obtained by dividing the Participant's benefit by the applicable life expectancy.

(ii) The amount to be distributed each year, beginning with distributions for the first distribution calendar year shall not be less than the quotient obtained by dividing the Participant's benefit by the lesser of (A) the applicable life expectancy or (B) if the Participant's spouse is not the designated Beneficiary, the applicable divisor determined from the table set forth in Q&A-4 of Section 1.401(a)(9)-2 of the Proposed Regulations. Distributions after the death of the Participant shall be distributed using the applicable life expectancy in Subparagraph (d)(i)(l) above as the relevant divisor without regard to Proposed Regulations Section 1.40l(a)(9)-2.

(iii) The minimum distribution required for the Participant's first distribution calendar year must be made on or before the Participant's required beginning date. The minimum distribution for other calendar years, including the minimum distribution for the distribution calendar year in which the employee's required beginning date occurs, must be made on or before December 31 of that distribution calendar year.

(2) If the Participant's benefit is distributed in the form of an annuity purchased from an insurance company, distributions thereunder shall be made in accordance with the requirements of IRC Section 401(a)(9) and the Proposed Regulations thereunder.

(d) If the Participant dies after distributions to him have begun but before his entire vested Account has been distributed to him, the remaining portion of his vested Account shall be distributed by the Provider from the Plan at least as rapidly as under the method of distribution previously established for him, if such method was irrevocable at the time of his death.

(e) If the Participant dies before distribution of his interest commences, then distributions of the Participant's remaining vested Account must be completed by the end of the fifth calendar year following the year of his death. However, installment distributions to a designated Beneficiary which begin not later than the end of the calendar year following the death of the Participant shall be treated as complying with this 5-year distribution requirement (even though the installment payments are not completed within 5 years of the Participant's death) if the distributions are made at a rate which is not longer than that calculated (in the manner described in Subparagraph (c)(i)(3) of this Section 7.2) to provide payment of all the Participant's vested Account during the anticipated life expectancy of the designated Beneficiary. Provided that if the designated Beneficiary is the surviving spouse of the deceased Participant, the distributions can begin as long after the Participant's death as the date on which the deceased Participant would have attained the age of 70-1/2. If the surviving spouse dies after the Participant, but before payments to such spouse begin, the provisions of this Subsection (e) shall be applied as if the surviving spouse were the Participant.

If the Participant has not made an election pursuant to this Subsection (e) by the time of his or her death, the Participant's designated Beneficiary must elect the method of distribution no later than the earlier of (1) December 31 of the calendar year in which distributions would be required to begin under this Subsection, or (2) December 31 of the calendar year which contains the fifth anniversary of the date of death of the Participant. If the Participant has no designated Beneficiary, or if the designated Beneficiary does not elect a method of distribution, distribution of the Participant's entire interest must be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(f) For purposes of this Section 7.2, any amount paid to a minor child of a Participant will be treated as if it had been paid to the surviving spouse of the Participant if such remaining amount becomes payable to the surviving spouse when the child reaches the age of majority.

(g) For the purposes of this Section 7.2, distribution of a Participant's benefit is considered to begin on the Participant's required beginning date (or, if Subsection 7.2(f) above is applicable, the date distribution is required to begin to the surviving spouse pursuant to Subsection 7.2(f)). If distribution in the form of an annuity irrevocably commences to the Participant before the required beginning date, the date distribution is considered to begin is the date distribution actually commences.

(h) For purposes of this Section 7.2, the following words and terms shall have the meanings indicated:

(1) "Applicable life expectancy." The life expectancy (or joint and last survivor expectancy) calculated using the attained age of the Participant (or designated Beneficiary) as of the Participant's (or designated Beneficiary's) birthday in the applicable calendar year reduced by one for each calendar year which has elapsed since the date life expectancy was first calculated. If life expectancy is being recalculated, the applicable life expectancy shall be the life expectancy as so recalculated. The applicable calendar year shall be the first distribution calendar year, and if life expectancy is being recalculated such succeeding calendar year.

(2) "Designated Beneficiary." The individual who is designated as the Beneficiary under the Plan in accordance with IRC Section 401(a)(9) and the Proposed Regulations thereunder.

(3) "Distribution calendar year." A calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Participant's required beginning date. For distributions beginning after the Participant's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to Subsection 7.2(c) above.

(4) "Life expectancy." Life expectancy and joint and last survivor expectancy are computed by use of the expected return multiples in Tables V and VI of Treasury Regulations Section 1.72-9, or, in the case of payments under a contract issued by an insurance company, by use of the life expectancy tables of the insurance company.

Unless otherwise elected by the Participant (or Participant's spouse, in the case of distributions described in Subsection 7.2(e)) by the time distributions are required to begin, life expectancies shall be recalculated annually. Such election shall be irrevocable as to the Participant (or spouse) and shall apply to all subsequent years. The life expectancy of a nonspouse Beneficiary may not be recalculated.

(5) "Participant's benefit."

(i) The vested Account as of the last valuation date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions or forfeitures allocated to the vested Account as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date.

(ii) For purposes of Subparagraph (i) above, if any portion of the minimum distribution for the first distribution calendar year is made in the second distribution calendar year on or before the required beginning date, the amount of the minimum distribution made in the second distribution calendar year shall be treated as if it had been made in the immediately preceding distribution calendar year.

(6) "Required beginning date." The required beginning date of a Participant is the first day of April of the calendar year following the calendar year in which the later of retirement or attainment of age 70-1/2 occurs.

(i) With respect to distributions under the Plan made for calendar years beginning with the 2003 calendar year, the Plan will apply the minimum distribution requirements of IRC Section 401(a)(9) in accordance with the final Treasury Regulations as set forth in Article X.

Section 7.3. Joint and Survivor Annuity or Pre-Retirement Survivor Annuity

(a) The provisions of this Section 7.3 shall apply if the Employer has elected the Joint and Survivor Annuity option in Section 1.15.

(b) Unless an optional form of benefit is selected, a married Participant's vested Account will be paid in the form of a Joint and Survivor Annuity with the Participant's Spouse and an unmarried Participant's Vested Account will be paid in the form of a Life Annuity. The Participant may elect to have such annuity distributed upon attainment of the earliest retirement age under the Plan. An unmarried Participant may select a Joint and Survivor Annuity with a designated Beneficiary.

(c) Unless an optional form of benefit is selected, if a Participant dies before the annuity starting date, then the Participant's Vested Account shall be applied toward the purchase of an annuity for the life of the surviving Beneficiary. The surviving Beneficiary may elect to have such annuity distributed within a reasonable period after the Participant' death.

(d) For purposes of this Section 7.3, the following words and terms shall have the meanings indicated:

(1) "Spouse (surviving spouse)." The spouse or surviving spouse of the Participant, provided that a former spouse will be treated as the spouse or surviving spouse and a current spouse will not be treated as the spouse or surviving spouse to the extent provided under a qualified domestic relations order as described in IRC Section 414(p).

(2) "Annuity starting date." The first day of the first period for which an amount is paid as an annuity or any other form.

(3) "Vested Account." The aggregate value of the Participant's vested Account whether before or upon death, including the proceeds of insurance contracts, if any, on the Participant's life.

(4) "Life Annuity." An annuity payable in equal installments for the life of the Participant that terminates upon the Participant's death.

(e) Notice Requirements.

(1) In the case of a Joint and Survivor Annuity, the Provider shall, no less than 30 days and no more than 90 days prior to the annuity starting date, provide each Participant a written explanation of: (i) the terms and conditions of a Joint and Survivor Annuity; (ii) the Participant's right to make and the effect of an election to waive the

Joint and Survivor Annuity form of benefit; (iii) the rights of a Participant's spouse; and (iv) the right to make, and the effect of, a revocation of a previous election to waive the Joint and Survivor Annuity.

(2) In the case of a Pre-Retirement Survivor Annuity as described in Subsection 7.3(c), the Provider shall provide each Participant within the applicable period for such Participant a written explanation of the Pre-Retirement Survivor Annuity in such terms and in such manner as would be comparable to the explanation provided for meeting the requirements of Paragraph (e)(l) applicable to a Joint and Survivor Annuity.

The applicable period for a Participant is a reasonable period ending after the individual becomes a Participant.

Section 7.4. <u>Distribution After Death of Participant</u>

In the event of the death of a Participant after distribution of the Participant's vested Account has begun, but prior to completion of such payments, the full amount of such unpaid vested Account shall continue to be paid in the form of the previously established installments except that the Beneficiary may request that the remaining account be paid in a lump sum.

In the event of the death of the Participant prior to the start of any payment of his Account, distributions shall be made in the form and at the time or times selected by the Beneficiary pursuant to Sections 7.1 and 7.2 and Article X, as applicable.

Section 7.5. <u>Distribution After Death of Beneficiary</u>

In the event of the death of a Beneficiary (or a contingent Beneficiary, if applicable) prior to the completion of payment of benefits due the Beneficiary from the Plan, the full amount of such unpaid vested Account shall at once vest in and become the property of the estate of said Beneficiary.

Section 7.6. <u>Rollover from Plan</u>

The Participant may direct the Provider to transfer part or all of the Participant's vested Account to a retirement plan, as described in IRC Section 401(a) or Section 403(a).

Section 7.7. <u>Inability to Locate Participant or Beneficiary</u>

If the Provider cannot locate the Participant or Beneficiary to whom the vested Account is to be distributed, and reasonable efforts have been made to find such a person, including the sending of notification by certified or registered mail to his or her last known address, the Participant's vested Account may be forfeited, subject to state law, and used to reduce Employer Contributions; provided that, if the Participant is subsequently located, such Forfeiture shall be restored and the restoration shall be made first out of Forfeitures, if any, and then by additional Employer Contributions.

Section 7.8. Qualified Domestic Relations Orders

Notwithstanding any other provisions of Article VII, any Account of a Participant may be apportioned between the Participant and the alternate payee, either through separate Accounts or by providing the alternate payee a percentage of the Account of the Participant. The Provider may direct distributions to an alternate payee pursuant to a qualified domestic relations order in accordance with IRC Section 414(p)(1) as modified by IRC Section 414(p)(11) prior to the date on which the Participant attains the earliest retirement age, provided that the Provider has properly notified the affected Participant and each alternate payee of the order and has determined that the order is a qualified domestic relations order as defined in IRC Section 414(p)(1), as modified by IRC Section 414(p)(11). The alternate payee shall be paid his or her separate Account or his or her percentage of the Account of the Participant, computed as of the Limitation Year, or if the Plan is valued on a daily basis, as provided in the order, in a lump-sum payment notwithstanding the value of such lump-sum payment unless the domestic relations order specifies a different manner of payment permitted by the Plan; and the alternate payee shall not be required to consent to such lump-sum payment. The Provider shall adopt reasonable procedures to determine the qualified status of domestic relations orders and to administer the distributions thereunder and, for distributions on and after January 1, 2002, shall comply with the provisions of the ORC pertinent to Qualified Domestic Relations Orders.

Section 7.9. Direct Rollover

Notwithstanding any other provision of the Plan, the Provider shall advise any distributee entitled to receive an eligible rollover distribution, at the same time as the notice required to be given pursuant to the IRC (or such other time as is permitted by law) of his or her right to elect a direct rollover to an eligible retirement plan, pursuant to the provisions of this Section. To elect a direct rollover the distributee must request in writing to the Provider that all or a specified portion of the eligible rollover distribution be transferred directly to one or more eligible retirement plans. If more than one direct rollover distribution will be made, the notice specified in the first sentence of this Section must state that the distributee's initial election to make or not to make a direct rollover will remain in effect unless he gives the Provider written instructions, on the forms provided by the Provider, to change the election, in which case the new election will remain in effect until changed.

The distributee shall not be entitled to elect a direct rollover pursuant to this Section unless he or she has obtained a waiver of any applicable Joint and Survivor Annuity, as required pursuant to Section 7.3.

For purposes of this Section, the following definitions shall apply:

(a) A "direct rollover" is a payment by the Plan to the eligible retirement plan specified by the distributee. The effective date for direct rollovers is applicable to rollovers made on or after January 1, 2002.

(b) A "distributee" includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's (or former employee's) spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in IRC Section 414(p), are distributees with regard to the interest of the spouse or former spouse.

(c) An "eligible retirement plan" is an eligible plan under IRC Section 457(b) which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this Plan, an individual retirement account described in IRC Section 408(a), an individual retirement annuity described in IRC Section 408(b), an annuity plan described in IRC Section 403(a), an annuity contract described in IRC Section 403(b), or a qualified plan described in IRC Section 401(a), that accepts the distributee's eligible rollover distribution. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse, or to a spouse or former spouse who is the alternate payee under a qualified domestic relation order, as defined in IRC Section 414(p).

(d) An "eligible rollover distribution" is any distribution from this Plan after December 31, 2001 of all or any portion of the balance to the credit of the distributee, except for distributions (or portions thereof) which are -

(1) Part of a series of substantially equal periodic payments (not less frequently than annually) made over the life of the employee (or the joint lives of the employee and the employee's designated beneficiary), the life expectancy of the employee (or the joint life and last survivor expectancy of the employee and the employee's designated beneficiary), or a specified period often years or more;

(2) Required under IRC Section 401(a)(9) (relating to the minimum distribution requirements);

(3) The portion of any distribution that is not includable in gross income (determined without regard to the exclusion for net unrealized appreciation in employer securities described in IRC Section 402(e)(4)); or

(4) Any hardship distributions described in IRC Section 401 (k)(2)(B)(i)(IV) and U.S. Treas. Reg. Section 1.401(k)-1(d)(2)(ii).

A portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in IRC Section 408(a) or (b), or to a qualified defined contribution plan described in IRC Section 401(a) or 403(a) that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

In addition to, and subject to, the foregoing terms and conditions (with the exception of those provisions regarding the acceptance of rollover contributions from conduit individual retirement accounts), effective January 1, 2002, the Plan will accept Participant rollover contributions and/or direct rollovers of distributions made after December 31, 2001, from the types of plans specified below.

Direct Rollovers:

The Plan will accept a direct rollover of an eligible rollover distribution from:

X a qualified plan described in IRC Section 401(a) or 403(a).

X an annuity contract described in IRC Section 403(b).

X an eligible plan under IRC Section 457(b) which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state.

Participant Rollover Contributions from Other Plans:

The Plan will accept a Participant contribution of an Eligible Rollover Distribution from:

X a qualified plan described in IRC Section 401(a) or 403(a).

X an annuity contract described in IRC Section 403(b).

X an eligible plan under IRC Section 457(b) which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state.

Participant Rollover Contributions from IRAs:

The Plan will accept a Participant rollover contribution of the portion of a distribution from an individual retirement account or annuity described in IRC Section 408(a) or 408(b) that is eligible to be rolled over and would otherwise be includible in gross income.

Notwithstanding any of the foregoing, the Plan will not accept any portion of a rollover contribution or a direct rollover that includes after-tax employee contributions.

The amount transferred to the Plan must be transferred within sixty (60) days of the date such individual received the eligible rollover distribution, provided, however, that for distributions made after December 31, 2001, the Secretary of the Treasury may waive the 60-day rollover period if the failure to waive such requirement would be against equity or good conscience, including cases of casualty, disaster, or other events beyond the reasonable control of the individual as provided under IRC Sections 402(c)(3) and 408(d)(3).

Section 7.10. Withholding Orders

(a) Withholding Orders Upon Theft in Office or Sex Offenses

In accordance with ORC §3305.09, any payment that is to be made to the Participant or his or her Beneficiary(ies) under this Plan shall be subject to any withholding order issued pursuant to Division (C)(2)(b) of ORC §2921.41. Payments made on or after April 1, 2001 shall also be subject to ORC §2907.15.

Upon notice pursuant to division (D) of ORC §2921.41 that a Participant is charged with a violation of ORC §2921.41, no payment shall be made to the Participant or his or her Beneficiary(ies) prior to whichever of the following is applicable:

(1) If the Participant is convicted of or pleads guilty to the charge and no motion for a withholding order for purposes of restitution has been filed, thirty (30) days after the date on which final disposition of the charge is made;

(2) If the Participant is convicted of or pleads guilty to the charge and a motion for a withholding order is made, the date on which the court decides the motion;

(3) If the charge is dismissed or the Participant is found not guilty of the charge or not guilty of the charge by reason of insanity, the date on which final disposition of the charge is made.

(b) Withholding Orders for Support

Any payment that is to be made to the Participant or his or her Beneficiary(ies) under this Plan shall, to the extent required by Ohio law, be subject to any withholding order for spousal or child support issued pursuant to ORC §3113.21. Payments made on and after April 1, 2001 shall, to the extent required by law, also be subject to ORC §3111.23 and ORC §3115.32.

(c) Provider Responsibility

The Provider shall be solely responsible for compliance with any withholding orders issued under (a) or (b) above.

ARTICLE VIII. AMENDMENT AND TERMINATION

Section 8.1. <u>Rights to Suspend or Terminate Plan</u>

It is the present intention of the Employer to maintain this Plan throughout its existence. Nevertheless, the Employer reserves the right, at any time, to the extent permitted by the ORC, to discontinue or terminate the Plan, to terminate the Employer’s liability to make further contributions to this Plan, and/or to suspend contributions for a fixed or indeterminate period of time. In any event, the liability of the Employer to make contributions to this Plan shall automatically terminate upon its legal dissolution or termination, upon its adjudication as bankrupt, upon the making of a general assignment for the benefit of creditors, or upon its merger or consolidation with any other entity. If there is more than one Provider selected in

Section 1.7, the Employer's liability to make contributions as to any Provider shall terminate upon the Provider ceasing to be a designated provider under the ORC.

Section 8.2. Successor Organizations

In the event of the termination of the liability of the Employer to make further contributions to this Plan, the Employer's liability may be assumed by any other organization which employs a substantial number of the Participants of this Plan. Such assumption of liability shall be expressed in an agreement between such other organization and the Employer under which such other organization assumes the liabilities of the Plan with respect to the Participants employed by it.

Section 8.3. Amendment

To provide for contingencies which may require the clarification, modification, or amendment of this Plan, the Employer reserves the right to amend this Plan at any time.

Effective February 17, 2005, The Ohio State University (hereinafter referred to as the "Volume Submitter Practitioner" or "Practitioner" in this Section 8.3) shall have the authority to amend the Plan on behalf of all adopting employers, including those employers who have adopted the Plan prior to this amendment, for changes in the IRC, Regulations, Revenue Rulings, other statements published by the Internal Revenue Service, including model, sample or other required good faith amendments, but only if their adoption shall not cause such Plan to be individually designed, and for corrections of prior approved plans. These amendments shall be applied to all employers who have adopted a volume submitter plan of the Practitioner.

The Practitioner shall no longer have the authority to amend the Plan on behalf of any adopting Employer as of either: (1) the date the Internal Revenue Service requires the employer to file Form 5300 as an individually designed plan as a result of an employer amendment to the Plan to incorporate a type of plan not allowable in the volume submitter program, as described in Revenue Procedure 2005-16, or (2) as of the date the Plan is otherwise considered an individually designed plan due to the nature and extent of the amendments. If an employer is required to obtain a determination letter for any reason in order to maintain reliance on the advisory letter, the Practitioner's authority to amend the Plan on behalf of the adopting employer is conditioned on the Plan receiving a favorable determination letter.

The Volume Submitter Practitioner shall maintain, or have maintained on its behalf, a record of the employers that have adopted the Plan, and the Volume Submitter Practitioner shall make reasonable and diligent efforts to ensure that adopting employers have actually received and are aware of all Plan amendments and that such employers adopt new documents when necessary. This paragraph supersedes other provisions of the Plan to the extent those other provisions are inconsistent with this paragraph.

Employer notice and signature requirements have been met for all adopting employers before the effective date of February 17, 2005.

Section 8.4. Vesting on Termination of Plan

Upon termination or partial termination of the Plan by formal action of the Employer or for any other reason, or if Employer Contributions to the Plan are permanently discontinued for any reason, there shall be vested 100% in each Participant directly affected by such action the amount allocated to the Accounts of each such Participant, and payment to such Participant shall be made in cash or in kind.

Section 8.5. Plan Merger or Consolidation

In the case of any merger or consolidation with, or transfer of any assets or liabilities to, any other plan, each Participant in this Plan must be entitled to receive (if the surviving plan is then terminated) a benefit immediately after the merger, consolidation, or transfer which is equal to or greater than the benefit he would have been entitled to receive immediately before the merger, consolidation, or transfer (if this Plan had terminated).

ARTICLE IX. MISCELLANEOUS

Section 9.1. Laws of Ohio to Apply

This Plan shall be construed according to the laws of Ohio, to the extent Federal laws do not control.

Section 9.2. Credit for Qualified Military Service

Notwithstanding any provision of this Plan to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with IRC Section 414(u).

Section 9.3. Participant Cannot Transfer or Assign Benefits

Except as provided in Section 7.10, none of the benefits, payments, proceeds, claims, or rights of any Participant hereunder shall be subject to any claim of any creditor of the Participant, nor shall any Participant have any right to transfer, assign, encumber, or otherwise alienate, any of the benefits or proceeds which he may expect to receive, contingently or otherwise under this Plan.

Notwithstanding any restrictions on the time of distribution which would otherwise apply under this Plan, distributions with respect to a Qualified Domestic Relations Order may be made at any time required by the Order.

Section 9.4. Reversion of Contributions Under Certain Circumstances

In the event that the Commissioner of Internal Revenue determines that the Plan is not initially qualified under the IRC, any contribution made incident to that initial qualification must be returned to the Employer within one year after the date the initial qualification is denied, but only if the application for the qualification is made by the time prescribed by law for filing the

Employer's return for the taxable year in which the Plan is adopted, or such later date as the Secretary of the Treasury may prescribe.

If a contribution is made by the Employer by a mistake of fact, the contribution may be returned to the Employer within one year after the payment of the contribution.

Notwithstanding the above, earnings attributable to amounts described in paragraphs one and two of this Section 9.4 shall not be returned to the Employer; losses attributable to such amounts shall reduce the amount returned.

Section 9.5. Filing Tax Returns and Reports

The Provider shall prepare, or cause to have prepared, all tax returns, reports, and related documents, except as otherwise specifically provided in this Plan.

Section 9.6. No Discrimination

Neither the Employer nor any Provider shall take any action that would result in benefiting one Participant or group of Participants at the expense of another, or discriminating between Participants similarly situated, or applying different rules to substantially similar sets of facts.

Section 9.7. Number and Gender

When appropriate the singular as used in this Plan shall include the plural and vice versa; and the masculine shall include the feminine.

Section 9.8. Records and Information

Each Provider shall keep a complete record of all its proceedings and all data necessary for the determination of Account balances.

Section 9.9. Information to Participants

Each Provider shall maintain separate Accounts for the Participants. It shall give each Participant, at least once every year, information as to the balance of his Employer Account and Participant Account, if applicable.

Section 9.10. Powers

The Employer shall have the power to determine all questions that may arise hereunder as to the eligibility of employees to participate in the Plan and as to the vesting of Participants.

ARTICLE X. MINIMUM DISTRIBUTION REQUIREMENTS - FINAL REGULATIONS

Section 10.1. General Rules

(a) Effective Date. Unless an earlier effective date is specified in the Optional Provisions below, the provisions of this Article will apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year.

(b) Coordination with Minimum Distribution Requirements Previously in Effect. If the Optional Provisions specify an effective date of this Article that is earlier than calendar years beginning with the 2003 calendar year, required minimum distributions for 2002 under this Article will be determined as follows. If the total amount of the 2002 required minimum distributions under the Plan made to the distributee prior to the effective date of this Article equals or exceeds the required minimum distributions determined under this Article, then no additional distributions will be required to be made for 2002 on or after such date to the distributee. If the total amount of 2002 required minimum distributions under the Plan made to the distributee prior to the effective date of this Article is less than the amount determined under this Article, then required minimum distributions for 2002 on and after such date will be determined so that the total amount of required minimum distributions for 2002 made to the distributee will be the amount determined under this Article.

(c) Precedence. The requirements of this Article will take precedence over any inconsistent provisions of the Plan.

(d) Requirements of Treasury Regulations Incorporated. All distributions required under this Article will be determined and made in accordance with the Treasury Regulations under IRC Section 401(a)(9) and the minimum distribution incidental benefit requirement of IRC Section 401(a)(9)(G).

(e) TEFRA Section 242(b)(2) Elections. Notwithstanding the other provisions of this Article, distributions may be made under a designation made before January 1, 1984, in accordance with Section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Plan that relate to Section 242(b)(2) of TEFRA.

Section 10.2. Time and Manner of Distribution

(a) Required Beginning Date. The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's required beginning date.

(b) Death of Participant Before Distributions Begin. If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:

(1) If the Participant's surviving spouse is the Participant's sole designated beneficiary, then, except as provided in the Optional Provisions, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70-1/2, if later.

(2) If the Participant's surviving spouse is not the Participant's sole designated beneficiary, then, except as provided in the Optional Provisions, distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.

(3) If there is no designated beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(4) If the Participant's surviving spouse is the Participant's sole designated beneficiary and the surviving spouse dies after the Participant but before distributions to the surviving spouse begin, this subsection (b) (other than subsection (b)(1), will apply as if the surviving spouse were the Participant.

For purposes of this subsection (b) and Section 10.4, unless Section 10.2(b)(4) applies, distributions are considered to begin on the Participant's required beginning date. If Section 10.2(b)(4) applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under Section 10.2(b)(1). If distributions under an annuity purchased from an insurance company irrevocably commence to the Participant before the Participant's required beginning date (or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under Section 10.2(b)(1), the date distributions are considered to begin is the date distributions actually commence.

(c) Form of Distribution. Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the Required Beginning Date, as of the first distribution calendar year distributions will be made in accordance with Sections 10.3 and 10.4 of this Plan. If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of IRC Section 401(a)(9) and the Treasury Regulations.

Section 10.3. <u>Required Minimum Distributions During Participant's Lifetime</u>

(a) Amount of Required Minimum Distribution for Each Distribution Calendar Year. During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:

(1) the quotient obtained by dividing the Participant's Account balance by the distribution period in the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 Q&A-2 of the Treasury Regulations, using the Participant's age as of the Participant's birthday in the distribution calendar year; or

(2) if the Participant's sole designated beneficiary for the distribution calendar year is the Participant's spouse, the quotient obtained by dividing the Participant's Account balance by the number in the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 Q&A-3 of the Treasury Regulations, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the distribution calendar year.

(b) Lifetime Required Minimum Distributions Continue Through Year of Participant's Death. Required minimum distributions will be determined under this Section 10.3 beginning with the first distribution calendar year and up to and including the distribution calendar year that includes the Participant's date of death.

Section 10.4. Required Minimum Distributions After Participant's Death

(a) Death On or After Date Distributions Begin.

(1) Participant Survived by Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is a designated beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated beneficiary, determined as follows:

(i) The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(ii) If the Participant's surviving spouse is the Participant's sole designated beneficiary, the remaining life expectancy of the surviving spouse is calculated for each distribution calendar year after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year. For distribution calendar years after the year of the surviving spouse's death, the remaining life expectancy of the surviving spouse is calculated using the age of the surviving spouse as of the spouse's birthday in the calendar year of the spouse's death, reduced by one for each subsequent calendar year.

(iii) If the Participant's surviving spouse is not the Participant's sole designated beneficiary, the designated beneficiary's remaining life expectancy is calculated using the age of the beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

(2) No Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is no designated beneficiary as of September 30 of the year after the year of the Participant's death, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(b) Death Before Date Distributions Begin.

(1) Participant Survived by Designated Beneficiary. Except as provided in the Optional Provisions, if the Participant dies before the date distributions begin and there is a designated beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the remaining life expectancy of the Participant's designated beneficiary, determined as provided in Section 10.4(a).

(2) No Designated Beneficiary. If the Participant dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the Participant's death, distributions of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(3) Death of Surviving Spouse Before Distributions to Surviving Spouse Are Required to Begin. If the Participant dies before the date distributions begin, the Participant's surviving spouse is the Participant's sole designated beneficiary, and the surviving spouse dies before distributions are required to begin to the surviving spouse under Section 10.2(b)(1), this Section 10.4(b) will apply as if the surviving spouse were the Participant.

Section 10.5. Definitions

For purposes of this Article X:

(a) Designated beneficiary. The individual who is designated as the beneficiary under Section 5.4 of the Plan and is the designated beneficiary under IRC Section 401(a)(9) and Section 1.401(a)(9)-4 of the Treasury Regulations.

(b) Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Participant's Required Beginning Date. For distributions beginning after the Participant's death, the first distribution calendar year is the calendar year in which distributions are required to begin under Section 10.2(b). The required minimum distribution for the Participant's first distribution calendar year will be made on or before the Participant's Required Beginning Date.

The required minimum distribution for other distribution calendar years, including the required minimum distribution for the distribution calendar year in which the Participant's Required Beginning Date occurs, will be made on or before December 31 of that distribution calendar year.

(c) Life expectancy. Life expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9 Q&A-l of the Treasury Regulations.

(d) Participant's Account balance. The Account balance as of the last Valuation Date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions made and allocated or Forfeitures allocated to the Account balance as of dates in the valuation calendar year after the Valuation Date and decreased by distributions made in the valuation calendar year after the Valuation Date. The Account balance for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the distribution calendar year if distributed or transferred in the valuation calendar year.

(e) Required Beginning Date. The date specified in Section 7.2 of the Plan.

Section 10.6. <u>Optional Provisions</u>

Any of the following Optional Provisions that are checked modify the preceding Sections as indicated:

(a) Effective Date of Plan Amendment for Section 401(a)(9) Final and Temporary Treasury Regulations.

_____ Article X, Minimum Distribution Requirements, applies for purposes of determining required minimum distributions for distribution calendar years beginning with the 2003 calendar year, as well as required minimum distributions for the 2002 distribution calendar year that are made on or after ______________________.

(b) Election to Apply 5-Year Rule to Distributions to Designated Beneficiaries.

_____ If the Participant dies before distributions begin and there is a designated beneficiary, distribution to the designated beneficiary is not required to begin by the date specified in Section 10.2(b) of the Plan, but the Participant's entire interest will be distributed to the designated beneficiary by December 31 of the calendar year containing the fifth anniversary of the Participant's death. If the Participant's surviving spouse is the Participant's sole designated beneficiary and the surviving spouse dies after the Participant but before distributions to either the Participant or the surviving spouse begin, this election will apply as if the surviving spouse were the Participant.

This election will apply to:

_____ All distributions.

_____ The following distributions: _________________________.

(c) Election to Allow Participants or Beneficiaries to Elect 5- Year Rule.

_____ Participants or beneficiaries may elect on an individual basis whether the 5-year rule or the life expectancy rule in Sections 10.2(b) and 10.4 of the Plan applies to distributions after the death of a Participant who has a designated beneficiary. The election must be made no later than the earlier of September 30 of the calendar year in which distribution would be required to begin under Section 10.2(b) of the Plan, or by September 30 of the calendar year which contains the fifth anniversary of the Participant's (or, if applicable, surviving spouse's) death. If neither the Participant nor beneficiary makes an election under this paragraph, distributions will be made in accordance with Sections 10.2(b) and 10.4 of the Plan and, if applicable, the elections in subsection (b) above.

(d) Election to Allow Designated Beneficiary Receiving Distributions Under 5- Year Rule to Elect Life Expectancy Distributions

_____ A designated beneficiary who is receiving payments under the 5-year rule may make a new election to receive payments under the life expectancy rule until December 31, 2003, provided that all amounts that would have been required to be distributed under the life expectancy rule for all distribution calendar years before 2004 are distributed by the earlier of December 31, 2003 or the end of the 5-year period.

THE OHIO STATE UNIVERSITY:

Date: ___________ By: ____

Its: ____

APPENDIX A

The Ohio State University ("Employer") Alternative Retirement Plan

This Plan is intended to satisfy the pertinent provisions of IRC Section 401(a) as identified in Plan Section 1.1. Additionally, this Appendix A sets forth the provisions of the ORC as these sections' pertinent provisions are relevant to this Plan, as set forth in ORC Section 3305.01, et seq. Capitalized terms used in this Appendix A shall have the respective meanings set forth in the Plan.

1) For Section 1.4, "Employer," a state university is defined in ORC Section 3345.011.

   For Section 1.4, "Employer," a university branch, technical college, state community college, community college or a municipal university must be an entity as is established or operating under ORC Chapter 3345, 3349, 3354, 3355, 3357, or 3358.

2) For Section 1.8, "Provider," Option 2, shall mean the company selected to provide the Annuity Contract under the Plan and in conformance with ORC Section 3305.03.

   For Section 1.8, "Provider," Option 2, is in reference to those companies designated by the Ohio Department of Insurance under ORC Section 3305.03.

3) For Section 1.10, the Participant election described in the final paragraph of Section 1.10 is made pursuant to ORC Section 3305.05, or ORC Section 3305.051, and the respective plans described by these ORC sections are further described in ORC Chapter 145, 3307, or 3309..

4) For Section 2.1, the section references (1) the Public Employees Retirement System, as such system was created under ORC Chapter 145; (2) the State Teachers Retirement System, as such system was created under ORC Chapter 3307; and (3) the School Employees Retirement System, as such system was created under ORC Chapter 3309.

5) For Section 2.3, the unclassified civil service is described in ORC Section 124.11 or if ORC Section 124.11 does not apply, then those employees serving in a position comparable to the unclassified civil service. The Public Employees Retirement System was created under ORC Chapter 145; the State Teachers Retirement System was created under ORC Chapter 3307; and the School Employees Retirement System was created under ORC Chapter 3309.

6) For Section 2.6(a), an election is made pursuant to ORC Section 3305.05.

   For Section 2.6(b), an election is made pursuant to ORC Section 3305.05.

For Section 2.6(c), an election is made pursuant to ORC Section 3305.05.

7) Section 2.8 describes a "Public Institution of Higher Education" which is defined in ORC Section 3305.0l(A). An alternative retirement plan is described in ORC Chapter 3305.

8) Section 5.2 describes the approval process for a provider under the Ohio Department of Insurance at ORC Section 39l1.0l1.

RATIFICATION OF AMENDMENT AND RESTATEMENT OF HARDING HOSPITAL EMPLOYEES' RETIREMENT PLAN AGREEMENT

Background:

The Harding Hospital Employees' Retirement Plan Agreement (the "Plan") was established by Harding Hospital, Inc. ("Harding"), effective March 1, 1987, to assist its employees in supplementing their retirement savings. In 1999, all contributions to the Plan ceased and the Plan was frozen to new participants. Harding was dissolved on January 17, 2003. As the sole member of Harding, the University became responsible for wrapping up Harding's affairs following its dissolution. As such, and because Harding's counsel previously had advised that the assets in the Plan could not be distributed until a participant's retirement or other termination of employment, the University continues to maintain the Plan.

Although the Plan is frozen, it remains subject to the rules described in Section 403(b) of the Internal Revenue Code. The Internal Revenue Service issued final regulations for 403(b) plans in July 2007 and issued subsequent guidance in 2008 and 2009. The regulations generally became effective January 1, 2009. However, a written plan was not required to be in place until December 31, 2009.

The written plan must include all material terms and conditions for eligibility, benefits, limitations, contracts available under the plan, time and form of distribution, and any optional provisions (such as loans and hardship distributions). Although the Plan was in writing, some modifications were necessary to comply with these final regulations. Therefore, the Plan was amended and restated in 2009. The amendment and restatement was prepared by the Office of Legal Affairs and the Office of Human Resources and is based on a model plan document issued by the Internal Revenue Service.

The modifications to the Plan do not change its status as a frozen Plan (e.g., the Plan will not allow new participants or permit contributions) or increase the University's financial obligations with respect to the Plan. Primarily, the Plan has been amended to follow model language issued by the IRS in 2007 and 2009.

Purpose:

This resolution ratifies and approves the amendment and restatement of the Plan, effective as of January 1, 2009, and ratifies the action of the Senior Vice President for Business and Finance in signing the amended and restated Plan.

HARDING HOSPITAL
EMPLOYEES' RETIREMENT PLAN AGREEMENT
(As amended and restated, effective as of January 1, 2009)

Section 1
Background

1.1 **Plan History.** Harding previously established the Plan, a retirement plan governed by Code Section 403(b), effective March 1, 1987. In 1999, (a) the Employer became the sole member of Harding, (b) Harding's then current employees became employees of the Employer and (c) all contributions to the Plan, including Elective Deferrals, ceased. On January 17, 2003, Harding was dissolved. As the sole member of Harding, the Employer became responsible for winding down Harding's affairs following its dissolution. Consequently, the Employer maintains the Plan on behalf of the Participants and their Beneficiaries.

1.2 **Plan Restatement.** The Plan is hereby amended and restated effective as of January 1, 2009 to comply with recently published Treasury Regulations under Code Section 403(b) and other guidance of general applicability promulgated under Code Section 403(b).

1.3 **Purpose of Plan.** The purpose of the Plan is to provide retirement income for Participants and their Beneficiaries who qualify for Plan benefits. The Plan is intended to continue to comply with the requirements of Code Section 403(b), and is not intended to qualify under Code Section 401(a). The Employer is a governmental entity as defined in Code Section 414(d) and, as such, is exempt from the provisions of the Employee Retirement Income Security Act of 1974, as amended.

Section 2
Definition of Terms Used

The following words and terms, when used in the Plan, have the meaning set forth below.

2.1 **"Account"**: The account or accumulation maintained for the benefit of any Participant or Beneficiary under an Annuity Contract or a Custodial Account.

2.2 **"Account Balance"**: The bookkeeping account maintained for each Participant which reflects the aggregate amount credited to the Participant's Account under all Accounts, including the Participant's Elective Deferrals, the earnings or loss of each Annuity Contract or a Custodial Account (net of expenses) allocable to the Participant, any transfers for the Participant's benefit, and any distribution made to the Participant or the Participant's Beneficiary. If a Participant has more than one Beneficiary at the time of the Participant's death, then a separate Account Balance shall be maintained for each Beneficiary. The Account Balance includes any account established under Section 6 for rollover contributions and plan-to-plan transfers made for a Participant, the account established for a Beneficiary after a Participant's death, and any account or accounts established for an alternate payee (as defined in Code Section 414(p)(8)).

2.3 **"Administrator"**: The Employer or its designee.

2.4 **"Annuity Contract"**: A nontransferable contract as defined in Code Section 403(b)(1), established for each Participant by the Employer, or by each Participant individually, that is issued by an insurance company qualified to issue annuities in a State and that includes payment in the form of an annuity.

2.5 **"Beneficiary"**: The designated person who is entitled to receive benefits under the Plan after the death of a Participant, subject to such additional rules as may be set forth in the Individual Agreements.

2.6 **"Custodial Account"**: The group or individual custodial account or accounts, as defined in Code Section 403(b)(7), established for each Participant by the Employer, or by each Participant individually, to hold assets of the Plan.

2.7 **"Code"**: The Internal Revenue Code of 1986, as now in effect or as hereafter amended. All citations to Sections of the Code are to such Sections as they may from time to time be amended or renumbered.

2.9 **"Disabled"**: The definition of disability provided in the applicable Individual Agreement.

2.10 **"Elective Deferral"**: The Employer contributions made to the Plan at the election of the Participant in lieu of receiving cash compensation.

2.11 **"Employee"**: Each individual, whether appointed or elected, who is a common law employee of the Employer performing services for a public school as an employee of the Employer. This definition is not applicable unless the employee's compensation for performing services for a public school is paid by the Employer. Further, a person occupying an elective or appointive public office is not an employee performing services for a public school unless such office is one to which an individual is elected or appointed only if the individual has received training, or is experienced, in the field of education. A public office includes any elective or appointive office of a State or local government.

2.12 **"Employer"**: The Ohio State University, which is a State-sponsored educational organization described in Code Section 170(b)(1)(A)(ii)

2.13 **"Funding Vehicles"**: The Annuity Contracts or Custodial Accounts issued for funding amounts held under the Plan and specifically approved by the Employer for use under the Plan.

2.14 **"Harding"**: Harding Hospital, Inc.

2.15 **"Individual Agreement"**: The agreements between a Vendor and the Employer or a Participant that constitutes or governs a Custodial Account or an Annuity Contract.

2.16 **"Participant"**: An individual for whom Elective Deferrals or other contributions have previously been made under the Plan and who has not received a distribution of his or her entire benefit under the Plan.

2.17 **"Plan"**: The Harding Hospital Employees' Retirement Plan Agreement, as amended from time to time.

2.18 **"Related Employer"**: The Employer and any other entity which is under common control with the Employer under Code Section 414(b) or (c). For this purpose, the Employer shall determine which entities are Related Employers based on a reasonable, good faith standard and taking into account the special rules applicable under Notice 89-23, 1989-1 C.B. 654.

2.19 **"Severance from Employment"**: For purpose of the Plan, Severance from Employment means Severance from Employment with the Employer and any Related Entity. However, a Severance from Employment also occurs on any date on which an Employee ceases to be an employee of a public school, even though the Employee may continue to be employed by a Related Employer that is another unit of the State or local government that is not a public school or in a capacity that is not employment with a public school (e.g., ceasing to be an employee performing services for a public school but continuing to work for the same State or local government employer).

2.20 **"Vendor"**: The provider of an Annuity Contract or Custodial Account.

Section 3
Participation and Contributions

3.1 **Eligibility**. Effective as of November 1, 1999, no new participants are permitted to participate in the Plan.

3.2 **Contributions to the Plan.** Effective as of November 1, 1999, no contributions (including Elective Deferrals) may be made to the Plan.

3.3 **Information Provided by the Employee.** Each Employee enrolled in the Plan shall provide to the Administrator at the time of initial enrollment, and later if there are any changes, any information necessary or advisable for the Administrator to administer the Plan, including any information required under the Individual Agreements.

3.4 **Change in Elective Deferrals Election.** Subject to the provisions of the applicable Individual Agreements, an Employee may at any time revise his or her investment direction and his or her designated Beneficiary. A change in the investment direction shall take effect as of the date provided by the Administrator on a uniform basis for all Employees. A change in the Beneficiary designation shall take effect when the election is accepted by the Vendor.

Section 4
Loans

4.1 **Loans**. Loans shall not be permitted under the Plan.

Section 5
Benefit Distributions

5.1 **Benefit Distributions.** Except as permitted under Section 5.4 (relating to withdrawals of amounts rolled over into the Plan) or Section 8.2 (relating to termination of the Plan), distributions from a Participant's Account may not be made earlier than the earliest of the date on which the Participation has a Severance from Employment, dies, becomes Disabled, or attains age 59½. Distributions shall otherwise be made in accordance with the terms of the Individual Agreements.

5.2 **Small Account Balances**. The terms of the Individual Agreement may permit distributions to be made in the form of a lump-sum payment, without the consent of the Participant or Beneficiary, but no such payment may be made without the consent of the Participant or Beneficiary unless the Account Balance does not exceed $5,000 (determined without regard to any separate account that holds rollover contributions under Section 6.1) and any such distribution shall comply with the requirements of Code Section 401(a)(31)(B) (relating to automatic distribution as a direct rollover to an individual retirement plan for distributions in excess of $1,000).

5.3 **Minimum Distributions.** Each Individual Agreement shall comply with the minimum distribution requirements of Code Section 401(a)(9) and the regulations thereunder. For purposes of applying the distribution rules of Code Section 401(a)(9), each Individual Agreement is treated as an individual retirement account (IRA) and distributions shall be made in accordance with the provisions of

§ 1.408-8 of the Income Tax Regulations, except as provided in § 1.403(b)-6(e) of the Income Tax Regulations.

5.4 **In-Service Distributions From Rollover Account.** If a Participant has a separate account attributable to rollover contributions to the Plan, to the extent permitted by the applicable Individual Agreement, the Participant may at any time elect to receive a distribution of all or any portion of the amount held in the rollover account.

5.5 **Hardship Withdrawals.** Hardship withdrawals shall not be permitted under the Plan.

5.6 **Rollover Distributions.**

(a) A Participant or the Beneficiary of a deceased Participant (or a Participant's spouse or former spouse who is an alternate payee under a domestic relations order, as defined in Code Section 414(p)) who is entitled to an eligible rollover distribution may elect to have any portion of an eligible rollover distribution (as defined in Code Section 402(c)(4)) from the Plan paid directly to an eligible retirement plan (as defined in Code Section 402(c)(8)(B)) specified by the Participant in a direct rollover. In the case of a distribution to a Beneficiary who at the time of the Participant's death was neither the spouse of the Participant nor the spouse or former spouse of the participant who is an alternate payee under a domestic relations order, a direct rollover is payable only to an individual retirement account or individual retirement annuity (IRA) that has been established on behalf of the Beneficiary as an inherited IRA (within the meaning of Code Section 408(d)(3)(C)).

(b) Each Vendor shall be separately responsible for providing, within a reasonable time period before making an initial eligible rollover distribution, an explanation to the Participant of his or her right to elect a direct rollover and the income tax withholding consequences of not electing a direct rollover.

Section 6
Rollovers to the Plan and Transfers

6.1 **Eligible Rollover Contributions to the Plan.** The Plan will not accept any rollover contributions.

6.2 **Plan-to-Plan Transfers to the Plan.** The Plan will not accept transfers from other plans.

6.3 **Plan-to-Plan Transfers from the Plan.**

(a) At the direction of the Employer, the Administrator may permit a class of Participants and Beneficiaries to elect to have all or any portion of their Account Balance transferred to another plan that satisfies Code Section 403(b) in accordance with § 1.403(b)-10(b)(3) of the Income Tax Regulations. A transfer is permitted under this Section 6.3(a) only if the Participants or Beneficiaries are employees or former employees of the employer (or the business of the employer) under the receiving plan and the other plan provides for the acceptance of plan-to-plan transfers with respect to the Participants and Beneficiaries and for each Participant and Beneficiary to have an amount deferred under the other plan immediately after the transfer at least equal to the amount transferred.

(b) The other plan must provide that, to the extent any amount transferred is subject to any distribution restrictions required under Code Section 403(b), the other plan shall impose restrictions on distributions to the Participant or Beneficiary whose assets are transferred that are not less stringent than those imposed under the Plan. In addition, if the transfer does not constitute a complete transfer of the Participant's or Beneficiary's interest in the Plan, the other plan shall treat the amount transferred as a continuation of a pro rata portion of the Participant's or Beneficiary's interest in the transferor plan (e.g., a pro rata portion of the Participant's or Beneficiary's interest in any after-tax employee contributions).

(c) Upon the transfer of assets under this Section 6.3, the Plan's liability to pay benefits to the Participant or Beneficiary under this Plan shall be discharged to the extent of the amount so transferred for the Participant or Beneficiary. The Administrator may require such documentation from the receiving plan as it deems appropriate or necessary to comply with this Section 6.3 (for example, to confirm that the receiving plan satisfies Code Section 403(b) and to assure that the transfer is permitted under the receiving plan) or to effectuate the transfer pursuant to § 1.403(b)-10(b)(3) of the Income Tax Regulations.

6.4 **Contract and Custodial Account Exchanges.** A Participant or Beneficiary is not permitted to change the investment of his or her Account Balance among the Vendors under the Plan.

6.5 **Permissive Service Credit Transfers.**

(a) If a Participant is also a participant in a tax-qualified defined benefit governmental plan (as defined in Code Section 414(d)) that provides for the acceptance of plan-to-plan transfers with respect to the Participant, then the Participant may elect to have any portion of the Participant's Account Balance transferred to the defined benefit governmental plan. A transfer under this Section 6.5(a) may be made before the Participant has had a Severance from Employment.

(b) A transfer may be made under Section 6.5(a) only if the transfer is either for the purchase of permissive service credit (as defined in Code Section 415(n)(3)(A)) under the receiving defined benefit governmental plan or a repayment to which Code Section 415 does not apply by reason of Code Section 415(k)(3).

(c) In addition, if a plan-to-plan transfer does not constitute a complete transfer of the Participant's or Beneficiary's interest in the transferor plan, the Plan shall treat the amount transferred as a continuation of a pro rata portion of the Participant's or Beneficiary's interest in the transferor plan (e.g., a pro rata portion of the Participant's or Beneficiary's interest in any after-tax employee contributions).

Section 7
Investment of Contributions

7.1 **Manner of Investment.** All Elective Deferrals or other amounts contributed to the Plan, all property and rights purchased with such amounts under the Funding Vehicles, and all income attributable to such amounts, property, or rights shall be held and invested in one or more Annuity Contracts or Custodial Accounts. Each Custodial Account shall provide for it to be impossible, prior to the satisfaction of all liabilities with respect to Participants and their Beneficiaries, for any part of the assets and income of the Custodial Account to be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries.

7.2 **Investment of Contributions.** Each Participant or Beneficiary shall direct the investment of his or her Account among the investment options available under the Annuity Contract or Custodial Account in accordance with the terms of the Individual Agreements. Transfers among Annuity Contracts and Custodial Accounts may be made to the extent provided in the Individual Agreements and permitted under applicable Income Tax Regulations.

7.3 **Current and Former Vendors.** The Administrator shall maintain a list of all Vendors under the Plan. Such list is hereby incorporated as part of the Plan. Each Vendor and the Administrator shall exchange such information as may be necessary to satisfy Code Section 403(b) or other requirements of applicable law. To the extent required by applicable law, the Employer shall keep the Vendors informed of the name and contact information of the Administrator in order to coordinate information necessary to satisfy Code Section 403(b) or other requirements of applicable law.

Section 8
Amendment and Plan Termination

8.1 **Amendment and Termination.** The Employer reserves the authority to amend or terminate this Plan at any time.

8.2 **Distribution upon Termination of the Plan.** The Employer may provide that, in connection with a termination of the Plan and subject to any restrictions contained in the Individual Agreements, all Accounts will be distributed, provided that the Employer and any Related Employer on the date of termination do not make contributions to an alternative Section 403(b) contract that is not part of the Plan during the period beginning on the date of plan termination and ending 12 months after the distribution of all assets from the Plan, except as permitted by the Income Tax Regulations.

Section 9
Miscellaneous

9.1 **Plan Administration.**

(a) **Administrative Duties.** The Employer shall be responsible for administering the Plan according to its terms and for coordinating the provisions of the various documents consistent with the requirements of Code Section 403(b). These provisions and requirements include but are not limited to: (i) maintaining a list of all Vendors under the Plan; and (ii) determining that the requirements of the Plan and Code Section 403(b) are properly applied.

(b) **Allocation of Duties.** The Employer shall have the power to delegate specific duties and responsibilities under the Plan. Such delegations may be to officers or other employees of the Employer, the Administrator, the Vendors or other individuals or entities. Any delegation by the Employer may, if specifically stated, allow further delegations by the individual or entity to whom the delegation has been made. Any delegation may be rescinded by the Employer at any time. Each person or entity to whom a duty or responsibility has been delegated shall be responsible for the exercise of such duties or responsibilities. The Employer assumes no obligation or responsibility to any of its Employees, Participants or Beneficiaries for any act of, or failure to act, on the part of the Vendors. Notwithstanding any provision hereof to the contrary or the terms of any Funding Vehicle, in no case shall administrative duties be allocated to Participants (other than, if applicable, permitting Participants to designate a Funding Vehicle, make investment elections or vote shares of any investment fund selected by the Participants).

9.2 **Non-Assignability.** Except as provided in Section 9.3 and 9.4, the interests of each Participant or Beneficiary under the Plan are not subject to the claims of the Participant's or Beneficiary's creditors; and neither the Participant nor any Beneficiary shall have any right to sell, assign, transfer, or otherwise convey the right to receive any payments hereunder or any interest under the Plan, which payments and interest are expressly declared to be non-assignable and non-transferable.

9.3 **Domestic Relation Orders.** Notwithstanding Section 9.2, if a judgment, decree or order (including approval of a property settlement agreement) that relates to the provision of child support, alimony payments, or the marital property rights of a spouse or former spouse, child, or other dependent of a Participant is made pursuant to the domestic relations law of any State ("domestic relations order"), then the amount of the Participant's Account Balance shall be paid in the manner and to the person or persons so directed in the domestic relations order. Such payment shall be made without regard to whether the Participant is eligible for a distribution of benefits under the Plan. Each Vendor shall establish reasonable procedures for determining the status of any such decree or order and for effectuating distribution pursuant to the domestic relations order.

9.4 **IRS Levy.** Notwithstanding Section 9.2, the Vendor may pay from a Participant's or Beneficiary's Account Balance the amount that the Administrator finds is lawfully demanded under a levy issued by the Internal Revenue Service with respect to that Participant or Beneficiary or is sought to be collected by the United States Government under a judgment resulting from an unpaid tax assessment against the Participant or Beneficiary.

9.5 **Tax Withholding.** Contributions to the Plan are subject to applicable employment taxes (including, if applicable, Federal Insurance Contributions Act (FICA) taxes with respect to Elective Deferrals, which constitute wages under Code Section 3121). Any benefit payment made under the Plan is subject to applicable income tax withholding requirements (including Code Section 3401 and the Income Tax Regulations thereunder). A payee shall provide such information as the Administrator may need to satisfy income tax withholding obligations, and any other information that may be required by guidance issued under the Code.

9.6 **Payments to Minors and Incompetents.** If a Participant or Beneficiary entitled to receive any benefits hereunder is a minor or is adjudged to be legally incapable of giving valid receipt and discharge for such benefits, or is deemed so by the Vendor, benefits will be paid to such person as the Vendor may designate for the benefit of such Participant or Beneficiary. Such payments shall be considered a payment to such Participant or Beneficiary and shall, to the extent made, be deemed a complete discharge of any liability for such payments under the Plan.

9.7 **Mistaken Contributions.** If any contribution (or any portion of a contribution) is made to the Plan by a good faith mistake of fact, then within one year after the payment of the contribution, and upon receipt in good order of a proper request approved by the Employer, the amount of the mistaken contribution (adjusted for any income or loss in value, if any, allocable thereto) shall be returned directly to the Participant or, to the extent required or permitted by the Employer, to the Employer.

9.8 **Procedure When Distributee Cannot Be Located.** The applicable Vendor shall make all reasonable attempts to determine the identity and address of a Participant or a Participant's Beneficiary entitled to benefits under the Plan. For this purpose, a reasonable attempt means (a) the mailing by certified mail of a notice to the last known address shown on the Vendor's records, (b) notification sent to the Social Security Administration or the Pension Benefit Guaranty Corporation (under their program to identify payees under retirement plans), and (c) the payee has not responded within 6 months. If the Vendor is unable to locate such a person entitled to benefits hereunder, or if there has been no claim made for such benefits, the Funding Vehicle shall continue to hold the benefits due such person.

9.9 **Incorporation of Individual Agreements.** The Plan, together with the Individual Agreements, is intended to satisfy the requirements of Code Section 403(b) and the Income Tax Regulations thereunder. Terms and conditions of the Individual Agreements are hereby incorporated by reference into the Plan, excluding those terms that are inconsistent with the Plan or Code Section 403(b). In the case of any conflict between the provisions of the Plan and any Individual Agreement or Funding Vehicle, the provisions of the Plan shall govern.

9.10 **Governing Law.** The Plan will be construed, administered and enforced according to the Code and the laws of the State of Ohio.

9.11 **Headings.** Headings of the Plan have been inserted for convenience of reference only and are to be ignored in any construction of the provisions hereof.

9.12 **Gender.** Pronouns used in the Plan in the masculine or feminine gender include both genders unless the context clearly indicates otherwise.

IN WITNESS WHEREOF, the Employer has caused this Plan to be executed this ___ day of December, 2009.

EMPLOYER:

THE OHIO STATE UNIVERSITY

By: William J. Shkurti
William J. Shkurti

Date: 12/28/09

Title: Senior Vice President for Business & Finance

THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES
FISCAL AFFAIRS COMMITTEE

Paid Disaster Leave Benefit – Supplemental Information

Rationale and Background

Paid disaster leave is intended to provide a balance between protecting faculty and staff income (to preserve our talent base) and protecting Ohio State's financial viability. Our institutional strategy and values support a leading-edge position to support and maintain engagement of faculty, staff, and graduate associates.

The Ohio State University Office of Human Resources is preparing a Paid Disaster Leave Benefit Program to be available when a pandemic or other major disaster has been declared and the *Disaster Preparedness and University State of Emergency Policy* has been activated. This includes natural, pandemic, terrorist and related disasters, not budget reductions.

Other large universities have experienced floods, hurricanes and other disasters, and the potential of a widespread pandemic is also present. The first priority is to retain essential personnel at work, and to determine all possible methods to maintain productivity of other faculty and staff (alternate locations, telecommuting, and different job responsibilities, as examples).

For those who cannot work after any and all work is assigned, and for a disaster that may last a period of a few weeks or longer, a program of maintaining some level of compensation and benefits support is preferable to widespread layoffs, loss of talent to other employers, and payment of unemployment benefits.

The University will only be able to provide compensation support for a defined period of time. For disasters of extended duration, unpaid short-term furloughs and reductions-in-force could be implemented as required. These actions will vary by unit and occupation according to institutional needs and financial resources.

Eligibility

- Regular faculty, staff, and graduate associates, as well as temporary employees who are engaged in teaching and research.

- Individuals who are funded by grants and contracts may or may not be eligible, to be determined in final program details.

Program Assumptions

- Paid Disaster Leave applies only to a true and declared disaster; short term weather closings (e.g. snow emergencies) would not be included.

- The University will emphasize identifying other means to work as the top priority, through such means as telecommuting, alternate locations, etc; compensation support is not an entitlement.
- For individuals who are prevented from any and all assignable work due to the declared university disaster; assigned work may be completely different than normal responsibilities.
- Individuals who are unable to work due to reasons unrelated to the disaster may be required to retroactively charge their time to the appropriate accrued leave bank (compensatory, vacation, sick) if relevant and approved.
- Individuals who are able to work and refuse to work if asked will not be paid.

Program Design Overview

Eligible employees will be paid 100% of their base compensation for the first week. This will provide opportunity for the University president, in consultation with Senior Management Council and the Vice President for Human Resources to determine how to proceed on a week by week basis, with these options on the table among others which could be identified at the time of the disaster:

- Compensation based on a % of base pay, adjusted to FTE.

- Allow use of accrued paid leave banks and compensatory time; University may issue paid leave to continue pay with the provision that an individual can retroactively cancel and pay back. Accrued paid leave or compensatory time to be used in this order, unless otherwise determined by leadership in light of the disaster: compensatory time, vacation time, sick time (if appropriate). As individuals exhaust paid leave, they will be placed on unpaid leave with continued benefits coverage.

THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES
FISCAL AFFAIRS COMMITTEE

February 4, 2010

TOPICS: Football and Men's Basketball Ticket Prices
Golf Course Membership and Daily Green Fees

CONTEXT:

The Ohio State University's Department of Athletics is fully self-supporting and does not receive state or University funding, student tuition, or student activity fees. The Department is facing increases in operating costs for next fiscal year, including additional debt service, utilities, financial aid (athletic grants-in-aid) and travel. With the lifting of the in-state tuition cap, the Department anticipates a significant increase in its annual expense for athletic grants-in-aid that must be reimbursed back to the University. A ticket price increase is necessary to meet these increased costs and remain financially stable. These proposed rates have been reviewed by the Athletic Council and the University.

RECOMMENDATION:

- For football tickets (2010 football season) – an increase of $7 per game for all reserve price tickets, $4 per game for faculty/staff and $1 for student tickets. The per game increase for all ticket groups will be an increase between 3.2% and 11.1%. (Attachment 1).
- For Men's Basketball Tickets (2010/2011 basketball season) – an increase of $1 per game for all ticket groups and $0.50 for faculty/staff and student tickets. As initiated in 2009, the upper level endzone ticket price will remain affordable at $10 and sold only day-of-game at the Schottenstein Ticket Office. The ticket price increases for Fiscal Year 2011 will be between 2.2% and 4.5%. (Attachment 1).
- For 2010 Golf Course Membership Dues and Green Fees (Fiscal Year 2011) – a 3.0% increase is proposed for faculty/staff membership dues and membership dues for Alumni/Affiliates. Members' children, 13 and over, will also increase 3.0%. OSU student memberships and dues for children of members under 13 will increase by 2.7%. Daily green fees for all groups remain unchanged. The food and beverage minimum is unchanged at $20 per month for six months of the year. An annual tournament fee of $40 per member is proposed to fund membership tournament events during the year. (Attachment 2).

CONSIDERATIONS:

Football Tickets:
- The proposed $70 single game ticket price is near the top of the Big Ten Conference, however, it remains below the premium game prices charged by other conference institutions and comparable high-profile athletic programs, such as Texas. (Attachment 3)
- The student ticket price increases $1 for the 2010 season, but will not increase in the 2011 season. The $32 student ticket price is 45.7% of the public ticket price.

Men's Basketball Tickets:
- The proposed $1 single game ticket price increase for public tickets to $28 keeps our price in line with the top basketball programs at benchmark universities. (Attachment 4)
- The faculty/staff and student ticket price will increase only $0.50 per ticket, representing a 2.2% - 3.4% increase.

Golf Course Fees:
- Alumni/affiliate and faculty/staff membership fees will increase 3% for 2010, but the new dues will continue to be less than 50% of the average 2009 membership for similar public courses in this area. Daily green fees will be unchanged for the fourth consecutive year. (Attachment 2)

REQUESTED OF FISCAL AFFAIRS:

Approval.

The Ohio State University
Department of Athletics
Ticket Pricing Information

Proposed Ticket Prices Needing Approval For 2010-2011

FOOTBALL	approved 05-06	approved 06-07	approved 07-08	approved 08-09	approved 09-10	proposed 10-11	Price % Increase
Football Season	2005	2006	2007	2008	2009	2010	
Student	$28.00	$29.00	$30.00	$31.00	$31.00	**$32.00**	3.2%
Faculty/Staff	$47.00	$48.00	$49.00	$51.00	$52.00	**$56.00**	7.7%
B & BB Boxes	$68.00	$69.00	$70.00	$72.00	$73.00	**$80.00**	9.6%
Reserve	$58.00	$59.00	$60.00	$62.00	$63.00	**$70.00**	11.1%
Club	$59.00	$60.00	$61.00	$63.00	$64.00	**$71.00**	10.9%

Proposed Ticket Prices Needing Approval For 2010-2011

MEN'S BASKETBALL	approved 05-06	approved 06-07	approved 07-08	approved 08-09	approved 09-10	proposed 10-11	Price % Increase
Personal Seat License	$25.00	$26.00	$27.00	$28.00	$29.00	**$30.00**	3.4%
Public 1	$23.00	$24.00	$25.00	$26.00	$27.00	**$28.00**	3.7%
Public 2 (upper level corners)	$18.00	$19.00	$20.00	$21.00	$22.00	**$23.00**	4.5%
Public 3 (upper level endzones)	$13.00	$14.00	$15.00	$16.00	$10.00	**$10.00**	0.0%
Faculty/Staff 1	$18.50	$19.50	$20.00	$21.00	$22.50	**$23.00**	2.2%
Faculty/Staff 2	$14.50	$15.50	$16.00	$17.00	$19.00	**$19.50**	2.6%
Student	$12.00	$13.00	$13.50	$14.50	$14.50	**$15.00**	3.4%

bj 1/27/10

The Ohio State University Golf Club
Proposed Golf Course Dues and Fees for 2010 Golf Season (FY11)

PROPOSED GOLF FEES FOR 2010 (as approved by Athletic Council)

Annual Membership Dues	FY '08 Previous 2007	FY '09 Previous 2008		FY '10 Current 2009		FY '11 Proposed 2010	
Students	$550	$550	0.0%	$560	1.8%	**$575**	2.7%
Faculty/Staff	$1,640	$1,760	7.3%	$1,860	5.7%	**$1,916**	3.0%
Initiation Fee-New Members Only	$800	$800		$800		**$800**	0.0%
Alumni/Affiliates	$2,065	$2,200	6.5%	$2,325	5.7%	**$2,395**	3.0%
Initiation Fee-New Members Only	$1,000	$1,000		$1,000		**$1,000**	0.0%
Children under 13 of Member	$800	$275	-65.6%	$280	1.8%	**$288**	2.7%
Children 13 and older of Member	$800	$800	0.0%	$800	0.0%	**$824**	3.0%

Daily Fees	FY '08 Previous	FY '09 Previous		FY '10 Current		FY '11 Proposed	
Students - Gray	$18	$18	0.0%	$18	0.0%	**$18**	0.0%
Students - Scarlet	$30	$30	0.0%	$30	0.0%	**$30**	0.0%
Faculty/Staff - Gray	$32	$32	0.0%	$32	0.0%	**$32**	0.0%
Faculty/Staff - Scarlet	$56	$56	0.0%	$56	0.0%	**$56**	0.0%
Alumni/Affiliates/Guests - Gray	$40	$40	0.0%	$40	0.0%	**$40**	0.0%
Alumni/Affiliates/Guests - Scarlet	$70	$70	0.0%	$70	0.0%	**$70**	0.0%
Others							
Food & Beverage Minimum*		$60		$120		**$120**	
Tournaments Fees		$0		$30		**$40**	

*Proposed $20 per month April-September

ATTACHMENT #3

BOWL CHAMPIONSHIP SERIES CONFERENCES
2009 Football Ticket Prices

ATLANTIC COAST CONFERENCE	Public Single Game Ticket
Boston College	$20; $47 Wake/UNC/NC State
Clemson	$48; $35 MTSU/CCU
Duke	$40; $25 Richmond/NC Central
Florida State	$49; $36 Jackson ST.; $55 GT; $65 Miami
Georgia Tech	$50; $25 Jacksonville State
Maryland	$38 James Madison/ MTSU; $48
Miami (FL)	Range from $19-$360 depending on seat location
North Carolina	$50
North Carolina State	$45;$35 Murray State/Gardner Web; $55 NC/USC
Virginia	$23 Will.&Mary; $35 TCU/IU; $42 Duke/BCU/GT; $50 VT
Virginia Tech	Only available if returned from opponents
Wake Forest	$45

BIG EAST CONFERENCE	Public Single Game Ticket
Cincinnati	$46; $52 Louisville; $56 West Virginia
Connecticut	$60/$55/$50
Louisville	$45
Notre Dame	**$68**
Pittsburgh	$30; $25 YSU; $50 NotreDame
Rutgers	n/a
South Florida	n/a
Syracuse	$66 Mini Pack Syracuse Vs. Minn & any other game
West Virginia	$45; $50

BIG TEN CONFERENCE	**Public Single Game Ticket**
Illinois	$45 ; PSU/Mich $60
Indiana	$40; OSU/Pur $50
Iowa	$52; Arizona $65
Michigan	$59
Michigan State	$49; **Michigan $70**
Minnesota	$50
Northwestern	$35 non-conference;$50 conference
Penn State	**$68 chairback**; $64 bleacher seat
Purdue	$37; **$70 OSU & Notre Dame**
Wisconsin	$46 conference; $39 non conference

ATTACHMENT #3

BOWL CHAMPIONSHIP SERIES CONFERENCES
2009 Football Ticket Prices

BIG 12 CONFERENCE	Public Single Game Ticket
Baylor	$25; $30; $35; $40; $60 Texas
Colorado	$50/$60/**$75/$100/$120**
Iowa State	$40 North Dakota/Army; $60 rest
Kansas	$50; $60 UI; **$90 UNL/OU**
Kansas State	$55; **$75 Kansas**
Missouri	$44 BG; $52 ISU/BU; **$69 Texas, $75 Nebraska**
Nebraska	$55 non-conference; $65 conference
Oklahoma	$79
Oklahoma State	**$85 conference**; $60 non-conference
Texas	$65 ULM; $70 UCF/UTEP; **$80 Colo/Kansas; $95 Texas Tech**
Texas A&M	$50 UNM/USU/UAB;$60 UI;$70 BU; **$80 OklaSt; $100 Texas**
Texas Tech	$35 UNM/UND/Rice;$55 KU/KSU; **$95 Texas A&M/Okla.**

PACIFIC-10 CONFERENCE	Public Single Game Ticket
Arizona	$23; $32 UCLA, Oregon &WSU; $37 Stanford
Arizona State	**$75**/$60/$50
California Berkeley	$51; $66 USC
Oregon	$55; $70 Oregon State & USC
Oregon State	$45; $35 PSU; $65 UCLA; **$75 Washington**
Stanford	$45; $40 SJSSU; $65 CAL/ ND
UCLA	$36
USC	$50; **$80 UCLA**
Washington	**$70**; $65 CAL/AZ; $55 Idaho
Washington State	$40

SOUTHEASTERN CONFERENCE	Public Single Game Ticket
Alabama	n/a
Arkansas	$45
Auburn	$35BSU&Furman; $40 LTAC; $45 Arkansas; $55 UK&MSU
Florida	$40; N/A for Florida State & Tennessee
Georgia	n/a
Kentucky	$35 LMU&EKU; $40 SEC games; $70 Louisville
Louisiana State	$45 Non-conference; $50 Conference
Mississippi	$40; $55 Arkansas
Mississippi State	$50
South Carolina	n/a
Tennessee	$40; $60 UCLA&USC; $70 UGA& Auburn
Vanderbilt	$50; $40 GT; $20 Western Carolina

ATTACHMENT #3

BOWL CHAMPIONSHIP SERIES CONFERENCES
2009 Football Ticket Prices

MOUNTAIN WEST CONFERENCE	Public Single Game Ticket
Air Force	$30.50; $43.50 Army
Brigham Young	$25, $45 Florida State; $50 Utah
Colorado State	$30; $40 Utah & Air Force
Nevada Las Vegas	$29; $32 Utah & Oregon St.; $35 BYU & Hawaii
New Mexico	$32; $36 NMSU
San Diego State	n/a
Texas Christian	$25
Utah	Range of $75-90 depending on seat location
Wyoming	n/a

WESTERN ATHLETIC CONFERENCE	Public Single Game Ticket
Boise State	n/a
Fresno State	$35; $45 San Jose State; $50 Boise State
Hawaii	n/a
Idaho	n/a
Louisiana Tech	$25
Nevada	$50; $68 Notre Dame
New Mexico State	$20
San Jose State	n/a
Utah State	$20; $35 BYU &Utah

BENCHMARK DATA

2009-2010 Men's Basketball Single Game Ticket Prices

BIG TEN:

Illinois	**$22 non-conf; $25 Iowa, PSU, NW; $28 Ind, Pur, Minn, MSU, OSU, Wisc**
Indiana	**$32 main level; $23 balcony**
Iowa	**$25, $20 or $12 depending on game**
Michigan	**$22/$15/$10 conf $15/$10/$5 non-conf**
Michigan State	**$30/$22/$13 depending on seat level**
Minnesota	**$35**
Northwestern	**$20**
Penn State	**$18 lower level; $15 upper level**
Purdue	**$26 or $22 depending on game**
Wisconsin	**$24**

OTHERS:

USC	**$30**
Stanford	**$42 conf $29 non-conf**
Notre Dame	**$40 platform; $30 lower arena; $20 upper arena; $15 upper endzone**
Texas	**Depending on level $45/$20/$15 conf $40/$13/$8 non-conf**
Texas Tech	**$25/$15/$8 non-conf; $30/$20/$12 MU, ISU, KSU, BU; $40/$30/$18 OU, OSU, UT, A&M**
Oklahoma	**$60/$45/$30 premier games; $35/$25/$10 conf; $30/$20/$10 non-conf**
Connecticut	**$30**
Syracuse	**$34 premium games; $30 conf; $20 non-conf**