



**BOARD OF TRUSTEES**

Roudebush Hall Room 212  
Oxford, Ohio 45056-3653  
(513) 529-6225  
(513) 529-3911 Fax

**September 12, 2008**

Official Call of a Meeting

The Board of Trustees of Miami University will meet on the Oxford Campus, Oxford, Ohio on Friday, September 19, 2008.

The Board will convene at 9:15 a.m. in Multipurpose Rooms B-C of the Phillip R. Shriver Center for a Public Study Session, followed by the Public Business Session and an Executive Session.

An agenda for the meeting, with appropriate attachments, accompanies this Official Call of the Meeting.

Stephen D. Snyder  
Secretary to the Board of Trustees

**Miami University  
September 19, 2008 Board of Trustees Meeting  
Multipurpose Rooms B-C  
Phillip R. Shriver Center  
Oxford, Ohio Campus**

**SCHEDULE OF ACTIVITIES**

**Friday, September 19, 2008**

- 8:00 a.m.**      **Breakfast with Associated Student Government Officers  
Bystrom/Reid Room, Shriver Center**
- 9:15 a.m.**      **Public Study, Business and Executive Sessions  
Multipurpose Rooms B-C, Shriver Center**
- 12 noon**        **Lunch with Miami Tribe Officers  
Miami University Art Museum**
- 1:00 p.m.**      **Executive Session  
Miami University Art Museum Library Room**

**MIAMI UNIVERSITY  
BOARD OF TRUSTEES  
Oxford Campus**

**Public Study Session – 9:15 a.m.**

**To be followed by the Public Business Session and an Executive Session**

**Friday, September 19, 2008**

**Multipurpose Rooms B-C, Phillip R. Shriver Center**

**AGENDA**

**Call the Meeting to Order and Roll Call – Mr. Richard Smucker**

**Public Study Session: Presentation of “Sustaining Miami University for a Third Century: Draft Report of the Presidential Task Force on Environmental Sustainability” – President Hodge**

**Public Business Session**

**Approval of the Minutes of the June 20, 2008 Meeting**

**Consent Calendar**

- 1) Approval of the conferring of degrees, honors and distinctions for the 2008-2009 Academic Year – President Hodge**
- 2) Designation of Emerita/Emeritus – President Hodge**
- 3) Recommendation for an honorary degree – President Hodge**

**Comments by the Chair – Mr. Richard Smucker**

**Reports:**

**President – Dr. David Hodge**

**Provost and Executive Vice President for Academic Affairs – Dr. Jeffrey Herbst**

**Vice President for Student Affairs – Dr. Barbara Jones**

**Michael Scott, President, Associated Student Government**

**Finance and Audit Committee Report – Mr. Jay Henderson**

**Vice President for Finance and Business Services – Mr. David Creamer**

**Ordinance:**

- 1) Appropriation ordinance establishing room and board rates for the 2009-2010 academic year**

**Resolutions:**

- 1) Adoption of energy efficiency and conservation guidelines**

- 2) **Authorize participation in the Local Administration Competency Certification Program**
- 3) **Authorize reimbursement from future debt issues**
- 4) **Authorize award of contracts for the Central Campus Water and Sewer Modification Project**
- 5) **Authorize award of contracts for the Central Campus Electrical Modifications Project**

**Vice President for Information Technology – Ms. Debra Allison**

**Vice President for University Advancement – Ms. Jayne Whitehead**

**Student Trustee Report**

**Other Business**

- 1) **Appointment of a nominating committee for Board officers for calendar year 2009**

**Resolution:**

- 1) **Election of Associate Treasurer**

**Executive Session**

**Adjournment of Meeting**

9/19/2008 Agenda Item  
Consent Calendar  
Resolution #1

RESOLUTION R2009-

BE IT RESOLVED: that the Board of Trustees hereby approves the conferring of all appropriate degrees, honors, and distinctions, as recommended by the Faculty Assembly, for all Commencement exercises scheduled during the 2008-2009 academic year.

9/19/2008 Agenda Item  
Consent Calendar  
Resolution #2

RESOLUTION R2009-

BE IT RESOLVED: that the Board of Trustees hereby approves the following individual for the rank of Professor Emerita effective with the formal date of her retirement:

Sherrie Inness  
English, Hamilton Campus

BE IT FURTHER RESOLVED: that the Board of Trustees hereby approves the following individuals for the rank of Professor Emeritus effective with the formal dates of their retirement:

Phillip J. Best  
Psychology

Michael Goldman  
Philosophy

William J. Green  
Interdisciplinary Studies

Thomas Idinopolus  
Comparative Religion

David Kullman  
Mathematics & Statistics

Ramon Layera  
Spanish & Portuguese

Richard Luftig  
Educational Psychology

Terry Perlin  
Interdisciplinary Studies

Roscoe F. Ward  
Paper & Chemical Engineering

9/19/2008 Agenda Item  
Consent Calendar  
Resolution #3

RESOLUTION R2009-

BE IT RESOLVED: that the Board of Trustees hereby approves the awarding of an honorary degree of Doctor of Laws to:

Francois Biltgen

In recognition of his accomplishments as Luxembourg's Minister of Higher Education, Research, Culture and Religion, his outstanding contributions to higher education in Luxembourg, and for his continuous and generous support of the Miami University John E. Dolibois European Center.

October 2008

9/19/2009 Agenda Item  
 Finance & Business Services  
 Ordinance #1

Appropriation Ordinance O2009-

BE IT ORDAINED: that the Board of Trustees hereby establishes the following charges to be levied and collected beginning with the first semester of the academic year 2009-2010 unless otherwise indicated.

**I. Residence Halls** (per semester per student)

	<u>2008-09</u>	<u>2009-10</u>	<u>% change</u>
A. Fall/Spring Semesters-			
Residence Halls, Multi-Occupancy	\$2301	\$2393	4.00%
Designated Single Room or Super Quad	3225	3385	4.96%
Double Room as Single	3775	3960	4.90%
Premier Single Room	4165	4365	4.80%
B. Summer Weekly			
Double Occupancy	\$ 96	\$ 100	4.17%
Single Occupancy (double as single)	140	150	7.14%
C. Heritage Commons Apartments	\$4270	\$4440	3.98%
D. Sorority Suites			
(Effective January 1, 2009)			
Less than 800 sq. ft.	\$2530	\$2630	3.95%
800-1,200 sq. ft.	4425	4600	3.95%
1,200-1,300 sq. ft.	4790	4980	3.97%
1,300-1,400 sq. ft.	5270	5480	3.98%
1,400-1,500 sq. ft.	5945	6180	3.95%
more than 1,500 sq. ft.	6330	6580	3.95%

**II. Residence Halls Room Refund Policy**

The refund policy for room rent for first and second semester will be as follows:

- |     |  |                    |
|-----|--|--------------------|
| (1) | Withdrawal during the first five days of the term                        | 100 % of room rent |
| (2) | Withdrawal during the sixth through eighth days of the term              | 90 % of room rent  |
| (3) | Withdrawal during the ninth through twentieth days of the term           | 50 % of room rent  |
| (4) | Withdrawal during the twenty-first through thirtieth days of the term    | 35 % of room rent  |
| (5) | Withdrawal during the thirty-first through the fortieth days of the term | 25 % of room rent  |
| (6) | Withdrawal after fortieth day of the term                                | No Refund          |

The refund policy for room rent for the summer terms will be as follows:

- |     |  |                   |
|-----|--|-------------------|
| (1) | Withdrawal during the first three days of the term             | 100% of room rent |
| (2) | Withdrawal during the fourth through eighth days of the term   | 50% of room rent  |
| (3) | Withdrawal during the ninth through fifteenth days of the term | 25% of room rent  |
| (4) | Withdrawal after the fifteenth day of the term                 | No Refund         |

Provided further that no room rental charges will be returned upon withdrawal until thirty days have elapsed from the date of withdrawal. In the event of an emergency, the Vice President for Finance and Business Services or his designee is authorized to make exceptions to the above stated refund policy.

An advance Oxford Campus enrollment deposit of \$330.00 and an admission fee of \$70.00 are charged to all incoming first year resident students. The \$330.00 fee would be applied retroactively toward the student's final term fees.

### III. Meal Plans (per semester per student)

A. Fall/Spring Semesters On Campus Students	<u>2008-09</u>	<u>2009-10</u>	<u>% change</u>
Passport	\$2198	\$2336	6.28%
Passport Plus	+ \$250 account	+ \$250 account	N/A
Passport Premier	+ \$350 account	+ \$350 account	N/A
Diplomat Meal Plan			
Required Meal Program Assessment	\$1370	\$1450	5.84%
Minimum Level Account Purchase	+ \$500	+ \$550	N/A
B. Commuter/Off Campus			
Ambassador I (any 3 weekend meals)	\$ 350	\$ 370	5.71%
Ambassador II (L weekdays)	725	765	5.52%
Ambassador III (D weekdays)	850	900	5.88%
Ambassador IV (L daily)	970	1025	5.67%
Ambassador V (D daily)	1080	1140	5.56%
Ambassador VI (L & D weekdays)	1495	1580	5.67%
Ambassador VII (L & D daily)	1855	1965	5.93%
Ambassador VIII (B, L & D daily)	2198	2336	6.28%
Attaché Account Meal Plan	\$100 min. deposit	\$100 min. dep.	N/A
C. Summer			
Envoy Account Meal Plan	\$100 min. initial deposit	\$100 min. int. dep.	N/A

### IV. Meal Refund Policy

Provided further that upon withdrawal during the first or second semester, the meal plan charge for that semester will be adjusted for a meal plan charge per day for all days during which the student is in residence. Diplomat Account balances remaining at the end of the first semester for graduating seniors and at the end of the second semester for all other plan holders are refunded to the student after the service fee is charged.

Provided further that upon withdrawal during a summer term, the Embassy meal plan charge for that term will be adjusted to provide for a meal plan charge for all weeks during which the student is in residence including the week of withdrawal.

### V. Service Fee

A \$35.00 service fee after the first two weeks of each semester or a summer term will be charged for such requested actions as a meal plan cancellation, meal plan change, or a point account refund; except that Summer Envoy point account refunds will be charged a \$20 service fee.

9/19/2008 Agenda Item  
Finance and Business Services  
Resolution #1

RESOLUTION R2009-

WHEREAS, Substitute House Bill No. 251 directed the Inter-University Council of Ohio and the Ohio Association of Community Colleges, in consultation with the Office of Energy Services of the Department of Administrative Services, to develop guidelines for use by boards of trustees of each state institution of higher education in Ohio to achieve increased energy efficiency and reduced energy consumption for campus facilities; and

WHEREAS, these guidelines were used as a part of a presidential task force on environmental sustainability to develop a plan to reduce energy consumption by 20% per gross square foot for all of Miami University's campuses by 2014 compared to the fiscal year 2004 as the benchmark year; and

WHEREAS, the guidelines and an energy efficiency plan must be adopted by the Miami University Board of Trustees by December 31, 2008;

THEREFORE, BE IT RESOLVED: that the Board of Trustees hereby adopts the Energy Efficiency and Conservation Guidelines relating to Sub. H.B. No. 251 (ORC Sec. 3345.69); and

BE IT FURTHER RESOLVED: that the Board of Trustees also adopts the energy efficiency plan that was developed in accordance with the adopted guidelines; and

BE IT FURTHER RESOLVED: that annual reports on the progress of the implementation and the resulting outcomes of the adopted plan are to be reported to the Finance and Audit Committee annually.

9/19/2008 Agenda Item  
Finance & Business Services  
Resolution #2

RESOLUTION R2009-

WHEREAS, the 127th Ohio General Assembly enacted H.B. 562 which appropriates \$21,380,305 to Miami University for capital improvement projects for the 2009-10 biennium; and

WHEREAS, the Local Administration Competency Certification Program allows institutions of higher education to administer state-funded capital facilities projects pursuant to section 3345.51 of the Revised Code without the supervision, control, or approval of the Ohio Department of Administrative Services; and

WHEREAS, the University maintains its desire to participate in the Local Administration Competency Certification Program, and administer its own capital facilities projects;

THEREFORE, BE IT RESOLVED: that the University is authorized to participate in the Local Administration Certification Program; and

BE IT FURTHER RESOLVED: that the appropriate University officials are directed to take all necessary steps to accomplish that purpose, including, without limitation, giving written notice to the Ohio Board of Regents pursuant to R.C. 3345.51 (A)(2), of the Board's request to administer a capital facilities project within sixty days after the effective date of the section of an act in which the General Assembly initially makes an appropriation for the project; and

BE IT FURTHER RESOLVED: that pursuant to the requirement set forth in R.C. 3345.51(A)(3), the University intends to comply with section 153.13 of the Revised Code, policy and procedure guidelines for contract documents established pursuant to section 153.16 of the Revised Code, and all laws that govern the selection of consultants, preparation and approval of contract documents, receipt of bids, and award of contracts with respect to the applicable project; and

BE IT FURTHER RESOLVED: that pursuant to the requirement set forth in R.C. 123.17 (D)(6), the University agrees to indemnify and hold harmless the State and the Ohio Department of Administrative Services for any claim of injury, loss, or damage that results from the University's administration of a capital facilities project pursuant to the Local Administration Certification Program; and

BE IT FURTHER RESOLVED: that pursuant to the requirement set forth in R.C. 123.17 (D)(5), the University will conduct biennial audits of the

University's administration of capital facilities projects in accordance R.C. 3345.51(C); and

BE IT FURTHER RESOLVED: that pursuant to the requirement set forth in R.C. 123.17(D)(2), the University will select new employees to participate in the Local Administration Certification Program as necessary to compensate for employee turnover.

**RESOLUTION INDICATING INTENT TO ISSUE  
BONDS FOR THE PURPOSE OF CONSTRUCTING, REHABILITATING  
AND EQUIPPING OF VARIOUS UNIVERSITY FACILITIES**

WHEREAS, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require that the University make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid;

WHEREAS, the Reimbursement Regulations provide that an Issuer may delegate the authority for making such Declarations of Official Intent and Allocations to one or more individuals; and

WHEREAS, The Board of Trustees of Miami University (the "University"), wishes to ensure compliance with the Reimbursement Regulations;

NOW, THEREFORE, be it resolved by the Board of Trustees of the University:

**Section 1. Definitions.** The following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the University for such payments.

"Authorized Officer" means the Vice President for Finance and Business Services and Treasurer of the University and any person with authority at the time to exercise functions of that office.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the University intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Reimbursement" means the restoration to the University of money temporarily advanced from other funds, including moneys borrowed from other sources, of the Corporation to pay for Capital Expenditures before the issuance of Obligations intended to fund such Capital Expenditures.

"Reimbursement Bonds" means Obligations that are issued to reimburse the University for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the Corporation.

"Reimbursement Regulations" means Treasury Regulation §150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the University for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Sections 103 and 141 to 150 of the Code.

## **Section 2. Declaration of Official Intent.**

(a) The University declares that it reasonably expects that the Capital Expenditures described in Section (b), which were paid no earlier than sixty (60) days prior to the date hereof, or which will be paid prior to the issuance of any Obligations intended to fund such Capital Expenditures, will be reimbursed with the proceeds of Obligations, representing a borrowing or borrowings by the University in the maximum principal amount, for such Reimbursements, of \$50,000,000; and

(b) The Capital Expenditures to be reimbursed are to be used for the following purpose: (i) construction and equipping of the Bicentennial Student Center on the University's main campus; (ii) relocation of certain academic departments; (iii) rehabilitation and equipping of various academic buildings on the University's main campus; (iv) construction, rehabilitation and equipping of student housing facilities on the University's main campus; (v) construction of parking facilities on the University's main campus; and (vi) upgrades to the University's utility systems.

## **Section 3. Reasonable Expectations.**

The University does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed), to be reserved, allocated on a long-term basis, or otherwise set aside by the University or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b).

The undersigned has been authorized by the University to sign this resolution on behalf of the University.

Date of Resolution:

September 19, 2008

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Secretary, Miami University Board  
of Trustees

9/19/2008 Agenda Item  
Finance & Business Services  
Resolution #4

RESOLUTION R2009-

WHEREAS, at its April 2008 meeting, the Board of Trustees authorized the University to proceed with the design of various Central Campus Utility Upgrade projects; and

WHEREAS, Miami University has identified local funds in the amount of \$1.2 million for the Central Campus Water and Sewer Modifications project; and

WHEREAS, the \$1.2 million budget includes a cost of construction estimate of approximately \$1 million; and

WHEREAS, the State of Ohio allows award of contracts up to 110% of the construction estimate necessitating a bid variation contingency of \$100,000 in addition to the \$1 million construction budget; and

WHEREAS, the design is being completed and receipt of bids is planned for December 2008; and

WHEREAS, the Board of Trustees desires to award contracts to the lowest responsive and responsible bidders;

NOW, THEREFORE, BE IT RESOLVED: that the Board of Trustees hereby authorizes the Vice President for Finance and Business Services and Treasurer, with the concurrence of the Board Chair and Chair of the Finance and Audit Committee, in accordance with all State guidelines, to proceed with the award of contracts for the Central Campus Water and Sewer Modifications project with a total construction and equipment budget not to exceed \$1.1 million.

9/19/2008 Agenda Item  
Finance & Business Services  
Resolution #5

RESOLUTION R2009-

WHEREAS, at its April 2008 meeting, the Board of Trustees authorized the University to proceed with the design of various Central Campus Utility Upgrade projects; and

WHEREAS, Miami University has identified local funds in the amount of \$3.3 million for the Central Campus Electrical Modifications project; and

WHEREAS, the \$3.3 million budget includes a cost of construction and equipment estimate of approximately \$2.9 million; and

WHEREAS, the State of Ohio allows award of contracts up to 110% of the construction estimate necessitating a bid variation contingency of \$290,000 in addition to the \$2.9 million construction and equipment budgets; and

WHEREAS, the design is being completed and receipt of bids is planned for December 2008; and

WHEREAS, the Board of Trustees desires to award contracts to the lowest responsive and responsible bidders;

NOW, THEREFORE, BE IT RESOLVED: that the Board of Trustees hereby authorizes the Vice President for Finance and Business Services and Treasurer, with the concurrence of the Board Chair and the Chair of the Finance and Audit Committee, in accordance with all State guidelines, to proceed with the award of contracts for the Central Campus Electrical Modifications project with a total construction and equipment budget not to exceed \$3.19 million.

9/19/2008 Agenda Item  
Other Business  
Resolution #1

RESOLUTION R2009-

WHEREAS, the Board of Trustees has established the position of Associate Treasurer to have full authority in the absence of the Treasurer;

THEREFORE BE IT RESOLVED: that the Board of Trustees hereby elects Beverly H. Thomas to a three-year term as Associate Treasurer of Miami University ending September 30, 2011.