

**SHAWNEE STATE UNIVERSITY
EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES**

**Meeting Minutes
November 18, 2022**

Call to Order

Chairperson Furbee called the meeting to order at 8:32 a.m. noting the meeting was in compliance with RC § 121.22(F).

Roll Call

Members Present: Mr. Furbee, Mr. Edwards, Mr. Watson

Members Absent: Mr. Evans

Other Board Members in Attendance: Mr. Daniels

Approval of the September 16, 2022 Executive Committee Minutes

Mr. Watson moved and Mr. Edwards seconded a motion to approve the September 16, 2022 Executive Committee meeting minutes. Without discussion, the Executive Committee unanimously approved said minutes.

Approval of Resolution E05-22, Approval of Shawnee State University and Communications Workers of America, Local 4372, Tentative Agreement for Wage Increase

This resolution approves the tentative agreement with the CWA bargaining unit for a wage increase. Mr. Watson moved to enter Executive Session to discuss collective bargaining with public employees concerning terms and conditions of their employment. Mr. Edwards seconded the motion and following a unanimous roll call vote in accordance with Ohio Revised Code Section 121.22, the Board entered executive session at 8:33 a.m. Those in attendance for the executive session were Jeff Bauer, Eric Braun, Jonica Burke, David Furbee, Joe Watson, Eddie Edwards, Ed Daniels and Desiree Isaac. Mr. Edwards moved and Mr. Watson seconded a motion to leave executive session and return to public meeting. The motion passed by unanimous roll call vote and the Board exited executive session at 8:40 a.m. Mr. Watson moved and Mr. Edwards seconded the motion to approve recommendation of Resolution E05-22. The motion was passed by unanimous roll call vote of all Executive Committee members present.

Approval of Resolution E06-22, Revision of Policy 4.91Rev, Naming of University Buildings and Campus Areas

This resolution approves updates to the policy on naming of University buildings and campus areas. Mr. Edwards moved and Mr. Watson seconded the motion to approve recommendation of Resolution E06-22. The motion was passed by unanimous roll call vote of all Executive Committee members present.

Approval of Resolution E07-22, Revision of Policy 5.10Rev, Freedom of Expression

This resolution approves revisions to Policy 5.10Rev, Freedom of Expression. Mr. Watson moved and Mr. Edwards seconded the motion to approve recommendation of Resolution E07-22. The motion was passed by unanimous roll call vote of all Executive Committee members present.

Adjournment

Mr. Edwards moved and Mr. Watson seconded a motion to adjourn. The motion was passed unanimously and the Executive Committee adjourned at 8:49 a.m.



Chairperson, Board of Trustees



Secretary, Board of Trustees

RESOLUTION E05-22

**APPROVAL OF SHAWNEE STATE UNIVERSITY AND COMMUNICATIONS
WORKERS OF AMERICA, LOCAL 4372, TENTATIVE AGREEMENT FOR WAGE
INCREASE**

WHEREAS, in accordance with Article 13, Section H of the Collective Bargaining Agreement between the University (SSU) and Communications Workers of America (CWA), formal negotiating sessions were held resulting in the parties reaching a tentatively accepted agreement regarding wages for the remainder of the contract period; and

WHEREAS, the tentative agreement was ratified in its entirety by the CWA membership; and

WHEREAS, the President recommends that the Board of Trustees approve the tentative agreement;

THEREFORE, BE IT RESOLVED that the Board of Trustees of Shawnee State University approves the SSU/CWA tentative agreement regarding wages, effective November 7, 2022, and extends its appreciation to the members of both negotiating teams.

(November 18, 2022)

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Shawnee State University and the Communication Workers of America hereby tentatively agree that the following language shall replace the current language in the Collective Bargaining Agreement, Article 13, Section H. between the parties:

ARTICLE 13

PAY PLAN/WAGES

H. Effective November 7, 2022, all eligible bargaining unit members will receive a 2% raise to their current rate of pay.



Desiree Isaac, Labor Officer
For the University



Monica Hogan, CWA Representative
For CWA

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CWA Classification Table**Current Pay Structure**

Level	1	2	3	4	5	6	7	8	9	10	11	12
A	12.17	12.54	13.04	13.57	14.11	14.60	15.04	15.50	15.97	16.38	16.79	17.37
B	13.38	13.78	14.34	14.91	15.52	16.06	16.55	17.05	17.57	18.01	18.47	19.10
C	14.72	15.17	15.78	16.42	17.07	17.66	18.20	18.75	19.32	19.80	20.30	21.01
D	16.20	16.69	17.37	18.06	18.79	19.43	20.01	20.62	21.25	21.78	22.33	23.11
E	17.81	18.35	19.08	19.85	20.65	21.37	22.01	22.68	23.37	23.95	24.56	25.43

CWA Classification Table**2% increase across all steps effective 11/7/2022**

Level	1	2	3	4	5	6	7	8	9	10	11	12
A	\$12.42	\$12.80	\$13.31	\$13.85	\$14.40	\$14.90	\$15.35	\$15.81	\$16.29	\$16.71	\$17.13	\$17.72
B	\$13.65	\$14.06	\$14.63	\$15.21	\$15.84	\$16.39	\$16.89	\$17.40	\$17.93	\$18.38	\$18.84	\$19.49
C	\$15.02	\$15.48	\$16.10	\$16.75	\$17.42	\$18.02	\$18.57	\$19.13	\$19.71	\$20.20	\$20.71	\$21.44
D	\$16.53	\$17.03	\$17.72	\$18.43	\$19.17	\$19.82	\$20.42	\$21.04	\$21.68	\$22.22	\$22.78	\$23.58
E	\$18.17	\$18.72	\$19.47	\$20.25	\$21.07	\$21.80	\$22.46	\$23.14	\$23.84	\$24.43	\$25.06	\$25.94

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RESOLUTION E06-22
REVISION OF POLICY 4.91REV
NAMING OF UNIVERSITY BUILDINGS AND CAMPUS AREAS

WHEREAS, Policy 4.91Rev, Naming of University Buildings and Campus Areas, was approved by the Board of Trustees on January 17, 2014; and

WHEREAS, a modification of the policy is recommended to give the Board of Trustees discretion to remove and/or change the name of a building or campus area when the existing name compromises the university's integrity or reputation, or for other reasons; and

WHEREAS, General Counsel and the President have recommended the policy updates for Board of Trustees approval;

THEREFORE, BE IT RESOLVED that the Board of Trustees of Shawnee State University hereby approves Policy 4.91Rev, Naming of University Buildings and Campus Areas.

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Shawnee State University

POLICY TITLE:	NAMING OF UNIVERSITY BUILDINGS AND CAMPUS AREAS
POLICY NO. :	4.91 REV
ADMIN CODE:	3362-4-61
PAGE NO.:	1 OF 1
EFFECTIVE DATE:	11/18/2022 01/17/2014
NEXT REVIEW DATE:	mm/yyyy 11/2025
RESPONSIBLE OFFICER:	V PFAPRESIDENT
APPROVED BY:	BOARD OF TRUSTEES

1.0 POLICY STATEMENT

This policy provides for the naming of university owned and/or operated buildings and campus areas following an orderly and efficient process in order to provide uniformity and consistency in the identification of these areas by students, staff, and visitors.

2.0 EXCEPTION

The process for the “naming” of University buildings, campus areas, or features as a result of credit for commemorative/naming opportunities are covered under the auspices of the SSU Development Foundation policies (Sections 11.0 and 12.0).

3.0 RIGHT TO REMOVE AND/OR CHANGE NAMING

The Board of Trustees reserves the right to remove and/or change names of buildings and structures, spaces, units or entities, whether administrative, philanthropic or honorific/commemorative, if at any time the university determines that the continued naming of a space, unit or entity compromises the university’s integrity or reputation, or for any other reason in its sole discretion.

3.04.0 PROCEDURE

The President will ensure procedures will be established for the naming of University owned and/or operated buildings and campus areas that follow a consistent framework, effectively communicate the approved identification, and provide for revision or discontinuation of such names ~~when required due to a change in the status of the building or campus area.~~under section 3.0 above.

History

Effective: 01/17/2014

Revised: 11/18/22

Applicable Procedures: 4.91:1 Naming of University Buildings and Campus Areas

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PROCEDURE TITLE:	NAMING OF UNIVERSITY BUILDINGS AND CAMPUS AREAS
PROCEDURE NO.:	4.91:1
RELATED POLICY:	4.91
PAGE NO.:	1 OF 2
RESPONSIBLE PARTY:	V PFAPRESIDENT
EFFECTIVE DATE:	01/17/2014 <u>11/18/2022</u>
NEXT REVIEW DATE:	01/2019 <u>11/2025</u>
APPROVED BY:	PRESIDENT

1.0 NAMING OF UNIVERSITY BUILDINGS AND CAMPUS AREAS

- 1.1 The naming of University buildings and campus areas will be based upon an established process and will not typically be based upon academic or administrative functions that may be housed at the location.
- 1.2 When appropriate, information describing the function within a building or area may be identified via appropriate signage.

2.0 FRAMEWORK FOR NAMING

- 2.1 Except for the gifting policies created by the SSU Development Foundation and approved by the Board of Trustees, the naming of University owned and/or operated buildings and campus areas shall rely upon a predetermined list recommended by the President and approved by the Board of Trustees.
- 2.2 The predetermined list will be based upon a theme that provides for uniformity and to ensure the appropriateness of names for Shawnee State University buildings and campus areas.
- 2.3 Names for campus areas or features may reflect the specific functions of that area or feature (e.g., courtyard).
- 2.4 The officially designated identification will be used in all University communications, maps, and course schedules.

3.0 MANAGEMENT OF THE IDENTIFICATION PROCESS

- 3.1 The Director of Facilities shall:
 - 3.1.1 Select an appropriate identification for a specific building, campus area or feature utilizing the Board of Trustees' approved theme for approval of the President.

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3.1.2 Collaborate with the Office of Communications for the effective communication of newly designated building or area identification.

3.1.3 Ensure adequate signage is placed.

3.1.4 Ensure a comprehensive and current list of all buildings, campus areas, and features will be maintained for insurance and reporting purposes.

3.2 Individuals requesting consideration that a University location be formally named in accordance with this procedure may submit a written request to the Director of Facilities who will evaluate the request and determine if naming is warranted and within the pre-approved theme. If appropriate to do so, the recommendation will be forwarded to the President for approval.

4.0 CHANGE OF STATUS

When a named University facility is sold, demolished, substantially renovated, or rebuilt, the University may continue to use the name, transfer the name to another comparable location, or discontinue the use of the name upon approval of the President.

History

Effective: 01/17/2014

~~Revised: [Most recent first]~~

Reviewed: 11/18/2022

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RESOLUTION E07-22

APPROVAL OF POLICY 5.10REV

WHEREAS, Senate Bill 134 of the 135th General Assembly contained various new requirements regarding freedom of expression on state university campuses; and

WHEREAS, the Board, through the passage of Resolution ASA08-22 during its June 2022 meeting, incorporated many of the SB 134 requirements in Policy 5.10Rev; and

WHEREAS, in August 2022, the Chancellor of the Ohio Department of Higher Education issued the Ohio Campus Free Speech Standards, which provided new guidance on SB 134's requirements; and

WHEREAS, the Board wishes to revise Policy 5.10Rev to incorporate the Chancellor's guidance;

THEREFORE, IT IS RESOLVED that the Board revises Policy 5.10Rev to incorporate the guidance provided by the Chancellor of the Ohio Department of Higher Education in the Ohio Campus Free Speech Standards.

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Shawnee State University

POLICY TITLE:	FREEDOM OF EXPRESSION
POLICY NO. :	5.10REV
ADMIN CODE:	3362-5-11
PAGE NO.:	1 OF 4
EFFECTIVE DATE:	11/189/07/21/2022
NEXT REVIEW DATE:	0711/2025
RESPONSIBLE OFFICER:	GENERAL COUNSEL
APPROVED BY:	BOARD OF TRUSTEES

1.0 PURPOSE AND SCOPE

1.1 Shawnee State University believes that the right of expression is as necessary as the right of inquiry and that both must be preserved as essential to the pursuit and dissemination of knowledge and truth. The Shawnee State University community, including students, recognized student groups (and those seeking recognition), faculty, staff, and their invited guests enjoy expansive rights to free expression on campus as permitted by the United States and Ohio Constitutions. The University is committed to the following principles:

- 1.1.1 Students have a fundamental constitutional right to free speech;
- 1.1.2 Students have broad latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to the restrictions set forth in sections 2.0, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.3, and ~~87.0~~, below;
- 1.1.3 The campus is a marketplace of ideas for all students, faculty, and staff, in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or most members of the community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed (hereinafter collectively referred to as “offensive”);
- 1.1.4 Individual students, faculty, and staff may make judgements about ideas for themselves and may act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting ideas they oppose;
- 1.1.5 The University should not attempt to shield individuals from free speech, because some ideas and opinions may be deemed offensive;

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- 1.1.6 Civility and mutual respect are greatly valued, but should never be used to justify closing off discussion of ideas, however offensive the ideas may be to some students, faculty, or staff;
- 1.1.7 Students, faculty, and staff are free to state their own views about and contest views expressed on campus, including those of invited speakers, but they may not substantially obstruct or substantially interfere with the freedom of others to express views they reject or loathe. The University is responsible for promoting a lively and fearless freedom of debate and deliberation and protecting that freedom;
- 1.1.8 The campus atmosphere should be conducive to speculation, experimentation, and creation by all students and faculty, who shall remain free to inquire, study, evaluate, and gain new understanding.
- 1.1.9 The primary responsibility of faculty is to engage in an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.

1.2 This policy applies to University students, student groups, faculty, staff, and visitors.

2.0 LAWFUL, NON-COMMERCIAL EXPRESSION

The University and its administration will not prohibit any member of the campus community from engaging in lawful, noncommercial free expression to the extent that it does not materially and substantially disrupt the functioning of the University. These rights apply to verbal, written, and electronic means, including protests, speeches, literature distribution, and the circulation of petitions (collectively, “expressive activity”)

3.0 OUTDOOR AREAS OF CAMPUS

Except as noted below, expressive activity is permitted in outdoor areas of campus where the campus community is generally allowed, such as grassy areas, walkways, and common areas.

4.0 LIMITATIONS ON FREE EXPRESSION

4.1 The University’s commitment to freedom of expression does not extend to speech that takes place on property owned, leased, or controlled by the University, and that:

- 4.1.1 Is not protected under the United States or Ohio Constitutions (“unprotected speech”); and/or

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4.1.2 Constitutes “harassment.” Harassment is defined as unprotected speech that is both:

4.1.2.1 Unwelcome; and

4.1.2.2 So severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual’s education program or activity.

4.1.3 Takes place in a nonpublic forum and is restricted in a way that is reasonable and viewpoint-neutral.

4.1.4 Is subject to content restrictions that are reasonably related to a legitimate pedagogical purpose, including classroom rules enacted by teachers.

4.1.5 Is disruptive to previously scheduled or reserved activities occurring in a public forum.

4.2 Nothing within this policy shall be interpreted as preventing the University from restricting speech described in sections 4.1.1, 4.1.2, 4.1.3, 4.1.4, or 4.1.5.

4.3 The University may maintain and enforce reasonable time, place, and manner limitations on expressive activity as permitted by law.

5.0 REPORTING

~~5.1~~ 5.1 Complaints under this policy shall be made to Human Resources or through the University’s online complaint reporting system (Maxient or any similar successor program)~~Students should report alleged violations of this policy to the Dean of Students.~~

~~5.2~~ Faculty and staff should report alleged violations of this policy to the Department of Public Safety, Department of Human Resources, or through a union grievance, where applicable.

5.32 Visitors ~~shall should~~ report alleged violations of this policy to the Department of Public Safety, which shall notify Human Resources of the complaint.

5.3 Any complaint under this policy against an employee whose terms and conditions of employment are governed by a collective bargaining agreement shall follow the procedures for investigation, hearing, and potential discipline set forth in the CBA.

6.0 COMPLAINTS, INVESTIGATION, AND RESOLUTION

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Any student, student group, ~~or~~ faculty or staff member, or visitor may submit a complaint about an alleged violation of this policy by a University employee, including any alleged penalty imposed on a student's grade for an assignment or coursework that is unrelated to ordinary academic standards of substance and relevance, including legitimate pedagogical concerns, and is instead based on the contents of the student's free speech. The University will investigate the alleged violation and conduct a fair and impartial hearing, pursuant to a procedure approved by the President. In instances where a f~~the~~ hearing determines this policy was violated, the Board of Trustees delegates to the President (or a sub-delegate named by the President) the authority to ~~will~~ determine a resolution to address the violation and prevent further violation of the policy.

~~Complaints that allege a student violated an individual's rights under this policy shall be addressed through the Student Conduct Code. The procedures set forth in this section shall be consistent with direction from the Chancellor of the Ohio Department of Higher Education.~~

7.0 RETALIATION

Members of the University community are prohibited from taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right to free speech as set forth in this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The procedures set forth in this policy and accompanying procedure shall apply to complaints of retaliation under this section.

78.0 OTHER ANTI-DISCRIMINATION LAWS, POLICIES, AND PROCEDURES

Nothing within this policy shall be interpreted as impairing the University's obligations under federal law including, but not limited to, Title IV of the Higher Education Act of 1965; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans With Disabilities Act; the Age Discrimination in Employment Act; the Age Discrimination Act of 1975; or any similar state laws, as addressed through the University's non-discrimination and Title IX policies and procedures.

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History

Effective: 4/11/97

Revised: 11/18/22; 7/21/22; 03/19/21; 03/13/15; 3/11/11

Applicable Procedures:

[5.10:1 Solicitation, Distribution of Material and Demonstrations and Distribution Activity](#)

[5.10:2 Complaints Against Employees for Violations of Free Expression Rights](#)

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