



MINUTES

Trustees Present: Mike Bailey, Patty Bedient, Rani Borkar (*chair*), Julia Brim-Edwards, Darry Callahan, Michele Longo Eder, Lamar Hurd, Khawater Hussein, Becky Johnson (*ex officio*), Paul Kelly, Julie Manning, Preston Pulliams, Kirk Schueler (*vice chair*), Stephanie Smith, and Mike Thorne

University Staff Present: Charlene Alexander, Jennifer Almquist, Scott Barnes, Sherm Bloomer, Jon Boeckenstedt, Steve Clark, Debbie Colbert, Katie Fast, Ed Feser, Becca Gose, Mike Green, Selina Heppell, Steve Hoelscher, Stephen Jenkins, Dan Larson, Terry Meehan, Nicole Neuschwander, Paul Odenthal, Lauren Skousen, Patricia Snopkowski, and Irem Tumer

Guests: Ben Cannon (*executive director, Higher Education Coordinating Commission*), Jon DeVaen (*liaison, OSU Foundation Board of Trustees*), Taha Elwefati (*president, Associated Students of Cascades Campus*), and Isabel Nuñez Pérez (*president, Associated Students of Oregon State University*), Dhru Patel (*president-elect, Associated Students of Oregon State University*)

1. Call to Order/Roll/Declaration of a Quorum

Board Chair Rani Borkar called the meeting to order at 8:31 a.m., asked the board secretary to call the roll, and noted a quorum. Borkar then made a land acknowledgement statement.

2. Public Comments

The following individuals provided public comment:

- Colin Cole spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Joseph Orosco spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Kenneth Maes spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Jesus Jaime-Diaz spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Julianne Freeman spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Ariel Mendez spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.

- Amy Koehlinger spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Linda Richards spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Glencora Borradaile spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Amanda Granrud spoke about the importance of transparency in the university's operating budget.
- Victor Reyes spoke about the need to review faculty salaries to ensure equitable pay.
- Andrea Haverkamp spoke in support of a petition calling for continued investment and prioritization of interpersonal violence prevention, support, and response at OSU.
- Robyn Morris spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.
- Isamar Chavez spoke in support of a petition to recognize and support OSU's Ethnic Studies and Difference, Power, and Discrimination Programs.

3. Opening Comments and Reports

c. Associated Students of Oregon State University Report

Borkar asked that the Board move next to item 3.c. on the agenda and invited Associated Students of Oregon State University (ASOSU) President Isabel Nuñez Pérez to provide her report. Nuñez Pérez began by inviting ASOSU President-elect Dhru Patel to introduce himself. Patel introduced himself and provided an overview of his agenda for the coming year. Nuñez Pérez reflected on her year as president, sharing highlights and challenges and noting areas for continued work. She concluded by encouraging university leaders to continue to engage with and listen to students.

Following the report, Trustee Patty Bedient thanked Nuñez Pérez and Patel for their engagement in the Board's process to identify an interim president. Trustees Darry Callahan and Khawater Hussein thanked Nuñez Pérez for her leadership. Borkar thanked Nuñez Pérez and said the Board looked forward to working with Patel.

e. OSU Foundation Report

Borkar asked that the Board move next to item 3.e. on the agenda and welcomed Jon DeVaam, with the OSU Foundation Board of Trustees. She noted that it would be DeVaam's last meeting and said that John Stirek would be serving as the next liaison to the Board. DeVaam provided an update on fundraising, noting that in early-May the OSU Foundation surpassed its baseline fundraising goal of \$123M. He noted that donors had given over \$30M this fiscal year for

scholarships and student success efforts. DeVaan said the OSU Foundation would be launching a fundraising effort in support of veterans and military-connected students. He provided an update on the endowment, which he said is faring well. DeVaan also spoke about recent engagement efforts.

Following the report, Trustee Kirk Schueler thanked DeVaan for serving as the liaison to the Board.

a. Chair's Comments

Borkar began with an update on appointments and reappointments, noting that five appointments are pending. Borkar said that until the appointments are made, Governor Kate Brown has asked current trustees to continue to serve in their positions. Borkar thanked everyone who engaged with the Board's retrospective review of the last presidential search process and thanked Trustee Paul Kelly for leading the effort.

b. President's Report

Borkar welcomed Interim President Becky Johnson and invited her to provide her report. Johnson said she was pleased to be serving as OSU's interim president. She reflected on her first month in the role and provided updates on efforts including planning to resume traditional on-site and in-person activities at OSU locations for the coming academic year and exploring the possibility of an in-person graduation celebration event in addition to a virtual Commencement ceremony. Johnson spoke about policing and public safety efforts, noting that OSU has a strong commitment to community policing, engagement and education, and de-escalation practices. She added that OSU will have a public safety advisory committee and an oversight committee to enhance community engagement and accountability.

Johnson said that creating a university community free from all forms of interpersonal violence, including sexual assault, dating and domestic violence, stalking, or harassment, continues to be a top priority for OSU. She reported that Executive Director for Equal Opportunity and Access Kim Kirkland and Vice Provost for Student Affairs Dan Larson were leading this work and would provide her regular updates regarding OSU's sexual harassment and violence education, prevention, and response efforts. Johnson said she would continue to provide updates to the Board as this work moves ahead.

Johnson provided updates on OSU's Diversity Strategic Plan and the Moving Forward Together initiative, noting that she continues to work with Vice President and Chief Diversity Officer Charlene Alexander to advance these efforts. Johnson added that she would be meeting with the newly formed President's Commission on the Status of Black Faculty and Staff Affairs and the President and Provost's Leadership Council on Equity, Inclusion and Social Justice. Johnson thanked faculty and staff for their efforts through a challenging year and said that she looked forward to celebrating with the undergraduate and graduate students who would soon be receiving their degrees. She concluded by saying that she would continue to support OSU's momentum and work to support a seamless transition to the next president.

d. Associated Students of Cascades Campus Report

Borkar shared that Associated Students of Cascades Campus (ASCC) President Taha Elwefati had recently been re-elected to another term as president. She

then invited him to provide his report. Elwefati provided updates on efforts by the ASCC leadership team to continue to advance efforts to support students and provide them with the necessary resources to succeed. He said the Student Fee Committee was in the process of allocating student incidental fees for the coming fiscal year. Elwefati concluded by noting the importance of continuing to support the success of students.

Following the report, Bedient thanked Elwefati for his engagement in the Board's process to identify an interim president. Johnson thanked Elwefati for his leadership and said that she looked forward to continuing to work with him and the ASCC leadership team.

f. Faculty Senate Report

Faculty Senate President Selina Heppell provided an overview of the recent Faculty Senate meeting, which included establishing an OSU Presidential Search Ad Hoc Committee and reviewing the recommendations of the Professor of Teaching Task Force. Heppell also provided updates on a new tool to facilitate student teaching evaluations; two new committees that will be established by the Faculty Senate, including one focused on the university's carbon commitment and one focused on the status of professional faculty; and on efforts to reform the Baccalaureate Core. She concluded by summarizing the results of the most recent faculty pulse survey.

In response to a question from Schueler, Heppell provided further information about a possible professor of teaching rank. Trustees engaged in a discussion with Heppell regarding shared governance and the importance of continuing to facilitate communication, engagement, and relationship building between trustees and faculty and in clarifying roles and responsibilities. In response to a question from Borkar about the timeline for reforming the Baccalaureate Core, Heppell spoke about the various components of the effort and noted that it would span multiple years.

g. Higher Education Coordinating Commission Report

Higher Education Coordinating Commission (HECC) Executive Director Ben Cannon spoke about efforts to pursue a coordinated approach to health and safety at Oregon's public universities. He reported that none of the seven public universities were proposing tuition increases greater than 5%, the threshold at which HECC approval is required. Cannon reflected on the current legislative session, noting that the recent positive revenue forecast provides the legislature an opportunity to re-invest in post-secondary education. Cannon also provided an update on the HECC's development of a strategic roadmap.

In response to a question from Callahan, Cannon said that the HECC had determined that it would not at this time pursue further analysis of governance arrangements for postsecondary education. In response to a question from Trustee Mike Thorne, Cannon shared his perspective on the HECC's role in navigating the future landscape of postsecondary education in Oregon. Schueler asked about the Oregon Opportunity Grant, and Cannon described the funding goal and the possible funding scenarios being considered by legislators. Trustee

Mike Bailey asked about the HECC's role in adult educational attainment, and Cannon provided an update on current strategies and outcomes.

4. Consent Agenda

a. **Minutes of the April 16, 2021 Board Meeting**

b. **Board Policy Review and Amendments**

c. **Capital Project Stage Gate II: Owen Hall Repairs**

Borkar noted that the Board Policy Review and Amendments had been forwarded by the Executive & Audit Committee and reflected changes recommended by the committee. A motion was made and seconded to approve the items on the consent agenda. The motion carried.

5. Reports of Standing Committees of the Board

a. **Academic Strategies Committee**

Academic Strategies Committee Chair Preston Pulliams reported that the committee heard an update from Provost Ed Feser who spoke about key academic leadership searches and noted that there currently are eight that are planned or underway. Pulliams said that Feser also highlighted the recent success with large research projects, an outcome of increased attention to research development and institutional support, and highlighted the success of the TRACE-OSU program, which will be ending operations in June. Pulliams said the committee heard that by the time the program ceases operations, OSU will have completed more than 60,000 individual tests, thousands of wastewater tests, and hundreds of genetic sequences. He shared that Feser was joined at the end of his report by staff from Ecampus who shared highlights from a recent social media campaign to help drive enrollment.

Pulliams reported that the committee approved two bachelor of science degrees in the College of Earth, Ocean, and Atmospheric Sciences, one in climate science and one in geology. The committee also heard briefings on student life and conduct and on student-athletes. Pulliams said that Dan Larson, vice provost for student affairs, provided an update about efforts over the past year to support student mental health and, in particular, to assess the university's approach to supporting Black, Indigenous, and other students of color. He said Larson also provided an update on a review of interpersonal violence prevention, support, and response programs. Pulliams said that Vice President and Director of Intercollegiate Athletics Scott Barnes highlighted the successes of student-athletes both on and off the field and provided an update on the topic of name, image, and likeness. Pulliams said the committee engaged in conversation with Barnes about the financial sustainability plan for Athletics, noting that the longer-term trajectory has Athletics back in alignment with sustainability goals.

b. **Finance & Administration Committee**

Finance & Administration Committee Chair Patty Bedient said the committee heard a report from Vice President for Finance and Administration Mike Green who updated the committee on several initiatives underway in the division and in partnership with other university departments. Bedient noted that these included an ongoing project to develop performance metrics for the division and its departments, a redesign of the university's travel and expense system, and the development of systems to expand employee development and access to

training opportunities. Bedient reported that Green also described work to advance diversity, equity, and inclusion goals across the Division of Finance and Administration. She said the committee accepted the FY2021 third quarter operating management and investment reports and took action on several capital projects advancing them to the design development phase. Bedient noted that the committee recommended to the Board several items for consideration. Bedient also reported that the committee heard a risk management report about research infrastructure needs from Irem Tumer, vice president for research, and Paul Odenthal, senior associate vice president for administration. She said that trustees discussed with Tumer and Odenthal the importance of investing in infrastructure to support innovation and the connection between infrastructure and competitiveness for external funding opportunities.

c. Executive & Audit Committee

Executive & Audit Committee Chair Rani Borkar reported that the committee heard an update on public safety and said that staff shared information about continued hiring efforts, provided an overview of the types of calls being responded to, and reported on work underway to establish protocols and policies. She added that the committee would continue to hear updates on these efforts. Borkar reported that the committee approved a progress report from the Office of Audit, Risk and Compliance and recommended to the Board one item for consideration.

6. Action Items

a. OSU COVID-19 Safety and Success Plan

Borkar asked Provost and Executive Vice President Ed Feser and Vice Provost for Student Affairs and OSU Coronavirus Response Coordinator Dan Larson to present this item. Feser began with an overview of the fall 2021 “Pathway to Fall” plan, which he said includes principles and guidance, primarily for employees, in their preparation for the return of more traditional onsite work and activities. He noted that, given the wide availability of vaccines, the university is planning for the return of onsite activity, while continuing to maintain necessary and required public health measures. Larson spoke about OSU’s intention to implement a COVID-19 vaccination requirement beginning in fall 2021 for those students who learn, work, or engage in-person in OSU activities and for those employees who, as part of their OSU work, engage in-person with individuals outside of their household. He said OSU’s policy regarding face coverings would follow the guidelines issued by the Oregon Health Authority. Larson then provided additional information about the “Pathway to Fall” plan, which he said provides guidance that is intended to provide some flexibility in setting the precise level of on-site research, teaching, and engagement activities in response to the status of COVID-19 in the communities OSU operates and health directives from local and state health authorities. He concluded by acknowledging the work of OSU’s Continuity Management Team.

Following the report, Borkar asked about the implementation of the COVID-19 vaccination requirement. Larson said the plan was still in development but would likely involve a central process to determine compliance with the vaccination requirement and would include a pathway for exemptions legally required by state or federal law. In response to a question by Trustee Stephanie Smith about

the continued work of the Continuity Management Team, Larson said the team as it is currently figured would likely not continue; however, a smaller team would continue to meet to support planning for fall term.

With no further discussion, a motion was made and seconded to approve the university's plan specified in Executive Order No. 20-28 as provided in Attachment 1. The motion carried.

b. FY2022 Operating Budget

Borkar asked Bedient to introduce this item. Bedient said the Finance & Administration Committee reviewed the FY2022 operating budget and recommended it to the Board for approval. She then asked Green and Associate Vice President for Budget and Fiscal Planning Sherm Bloomer to provide an overview. Green noted that, while a great deal of pandemic-related uncertainty remains, the university is starting FY2022 in a better position than anticipated. At this time, the Oregon legislature had not yet finalized higher education funding. Bloomer explained that the budget is an estimate and assumes a moderate decline of resident students, some Ecampus growth and lower revenues from self-support operations like Housing & Dining and Athletics.

A motion was made and seconded that the Board approve the proposed operating budget for FY2022 as presented in Tables 2 through 6 of the docket. Bedient reminded trustees that the Board will hear a budget update in October, when there will be more information about state funding and fall term enrollment levels.

c. Capital Project Stage Gate II: Reser Stadium West Grandstands

Borkar asked Bedient to introduce this item. Bedient said the Finance & Administration Committee voted to recommend that the Board approve advancing the Reser Stadium West Grandstands project to the design development stage. She added that the Board is being asked to approve the final project budget of \$153M and advancing the project to the construction phase. She then asked Green, Odenthal, Vice President and Director of Intercollegiate Athletics Scott Barnes, Vice Provost for Student Affairs Dan Larson, and Vice Provost for Enrollment Management to provide an overview of the project.

Manning declared a potential conflict of interest and excused herself.

Following the presentation, trustees asked for details about how project revenues were estimated. Green explained that project revenues are adequate to cover the related debt service and incremental operating costs. Barnes discussed the conservative way in which potential revenues for new premium seating were calculated.

A motion was made and seconded that the Board approve the total capital project budget of \$153.0M for the Reser Stadium West Grandstands project and advance the project to the construction phase.

d. Delegation of Authority Amendments

Borkar began the agenda item by summarizing the Executive & Audit Committee discussion of proposed amendments to the delegation of authority. She noted the

importance of a delegation of authority to lay out clear lines of responsibility between the board and president. She shared that, while the current delegation is clear on when certain activities must go to the Board such as capital projects and property acquisitions, it is less clear on other types of transactions. The amendments clarify that gifts or exchanges of real property over \$5 million and leases with an initial term of more than 15 years or \$15M in base rent would go to the Board for review.

Borkar further noted that there was discussion in the Executive & Audit Committee about whether there needed to be further clarification related to amendments to leases and directed trustees to revised language in Attachment 1 of the docket materials.

Schueler shared that the revised language addressed the concerns he raised in the committee discussion. Brim-Edwards noted the committee discussion around her interest about potentially adding language around legal risks that might trigger similar thresholds and asked staff about a proposed timeline for this follow up. Colbert proposed bringing that discussion forward at the October Board meeting as part of the annual review of the delegation of authority. Schueler noted the general practice of bringing significant legal issues to the board and expressed his interest in staff sharing examples and approaches used at other institutions.

With no further discussion, a motion was made and seconded to adopt the resolution amending the Delegation of Authority as provided in revised Attachment 1. The motion carried.

7. Discussion Items

a. Legislative Update

Borkar invited Executive Director of Government Relations Katie Fast to provide an update. Fast began by noting the ongoing engagement of her office with others within and outside of the university on the implementation of policies and regulations related to the COVID-19 pandemic. She provided an update on the 2021 legislative session and noted progress on several policy bills related to higher education in general and OSU in particular. Fast summarized the March 2021 revenue forecast, noting that revenue declines were less severe than initially predicted, likely due in part to federal aid packages. She concluded with an update on the status of OSU's capital requests.

Following the report, Thorne asked about a bill related to student-athlete name, image, and likeness. Fast described the concept around the bill, which would allow student-athletes to use their name, image, and likeness in endorsement deals, and she summarized what student-athletes will be able to do if the bill passes. In response to a question from Manning about the Oregon Opportunity Grant, Fast spoke about the increase that Oregon universities are advocating for in order to bolster financial aid for low-income students.

b. Retrospective of the 2019 President Search Process and Next Steps

Borkar introduced the agenda item by sharing that retrospective reviews are learning opportunities, a chance to pause and assess what went well with an effort in order to be intentional about carrying those things forward and to ask what might be done differently in the future. She summarized the two efforts

underway by the Board: the broad community-based review of the last search process and the independent review of the due diligence for Dr. Alexander.

With that introduction, Borkar asked Schueler to begin by providing an update on the due diligence review. He spoke about a revised scope for the project which would include a background check to identify gaps and any areas that should have been flagged or need more comprehensive analysis. In response to a question from Callahan, Schueler spoke about how the firm conducting the search would try to perform the check similar to what was available during the time of the check performed by WittKieffer. Eder noted the importance of determining the industry standard for due diligence and determining whether it was met and encouraged conversations with other universities about their approach to background checks. Colbert said the due diligence items performed in the last presidential search was in part based on conversations with other universities and industry standards, and that the approach used could be revisited in the next search. Trustees discussed the purpose and focus of the due diligence review and how the findings might inform the next search. Colbert emphasized that the review would assess the publicly available information. Borkar noted the importance of focusing on the end goal, and Colbert added that Schueler and Brim-Edwards would share recommendations with the Board based on the review.

Borkar asked Kelly to introduce the retrospective review. Kelly described the approach to completing the retrospective review, which included an online survey tool and three virtual workshops. He shared that the survey was aimed at getting broad input from the community and that the opportunity to provide input was announced in a university-wide message from the Chair, through the university's daily news feed, and in messages to the former search committee and stakeholder group. There were 180 responses to the survey with about 40% from academic and professional faculty, which reflects good engagement from the faculty. Kelly also noted that there was high participation rates for the virtual workshops with a total of 56 participants including facilitators, trustees, search committee members, stakeholder group members, all of the members of the ad hoc committee of the faculty senate looking at recommendations for community engagement and other elements of presidential searches, and others.

Trustees engaged in a discussion around their individual perspectives and the accumulated feedback provided in the docket material. Pulliams reflected on the virtual workshop session that he participated in. He noted some of the feedback about what went well in the last process and the focus on the feedback about the Board having finalists visit the university in the next search process. Bedient shared that the retrospective highlighted aspects of the process the Board used that were well executed. Callahan noted the importance of a diverse, representative search committee such as the one convened for the last search. Trustees noted the importance of carrying forward those aspects of the last process that worked well. Kelly noted in the feedback that the listening sessions held at the start of the last search were appreciated, well organized, and well communicated and that it was good that they were held across the state with the recordings posted online to include as much input and participation as possible. Several trustees also noted that there was a highly qualified and diverse pool of

candidates at each stage of the process. Smith shared that the discussion in the workshop she attended focused on the importance of regular communication throughout the entire search process. Bailey noted that he had attended several listening sessions and felt they went well, and he offered thoughts about ways to increase participation in listening sessions for the next search.

Trustees then moved to a discussion of what might be done differently in the next search. Kelly shared his thoughts on what might be done differently, including the need for a feedback loop with community stakeholders and a strong focus on communication throughout the process. Bedient echoed the importance of communication and the benefits of an open search. Callahan noted the importance of broad involvement across the university. He said that what he has heard has him leaning toward an open search, recognizing that there are tradeoffs. Brim-Edwards emphasized the need to keep a strong pool throughout the process and to be nimble to ensure a strong pool to the end, especially since candidates may select themselves out of the process over the course of the search. Manning shared her support for an open search in which finalists visit the university and her sense that an open search would best support the ultimate candidate's success. She also shared that, if the Board uses an open search, it will be important to select a search firm that has experience and success with open searches, since this approach will affect the candidate pool. Thorne spoke about the importance of engagement of stakeholders across the state as the Board designs the next search. Kelly shared what he considered an open search process, stating his understanding is that this is intended to mean that there would be community engagement with finalists. Pulliams noted his support for this understanding of an open search and that it would address much of what was heard in the retrospective feedback. He also noted the community buy-in that can result from this type of open search and the need to develop an effective feedback loop for the community to give feedback to the Board. Schueler concurred with this definition of an open search, noting that there would still be the need for confidentiality during the initial phases while the search committee does its work, which is consistent with current university practices for searches. Eder also concurred with this definition of an open search, agreeing that this needs to include an opportunity for the community to give feedback. She also noted the need for broad engagement with finalists when they visit the university. Borkar noted that there is a chance in an open search that candidates will drop out and that it will be important to have a strong pool of candidates. Brim-Edwards underscored the point that candidates may drop out once they see the other finalists and the importance of only bringing forward finalists that the Board would consider hiring. She also noted the risk associated with an open process in that it gives the candidate's current institution an opportunity to try to retain the candidate and can result in a loss of finalists. Bedient acknowledged the risks to an open search while noting that some of those risks also apply to closed searches. She also expressed a desire to signal as soon as possible the Board's intent to hold an open search in which finalists visit the university and the community has an opportunity to provide feedback to the Board. Pulliams noted that one risk with open searches is managing community expectations around the feedback received on candidates, underscoring the need to be clear throughout the process that the ultimate decision on the presidential hire rests with the Board. Borkar led a discussion of whether the Board should formally consider making a statement of intent and issuing a statement to the OSU community. Schueler proposed an initial statement of intent. After some discussion, trustees concurred with the statement: "in the next presidential search it is the OSU Board's intent to announce the names of finalists being considered, provide an opportunity for broad community

engagement with finalists, and solicit feedback on finalists before the Board makes the final decision.”

Kelly asked trustees under what conditions trustees might consider using WittKieffer for the next search. Trustees Callahan, Brim-Edwards, and Pulliams shared that they would be comfortable using the firm again, noting that the firm would have a shared interest in the success of the next search. Brim-Edwards noted her preference for separating the due diligence from the work performed by the search firm. Schueler expressed his comfort with using the firm again, assuming the due diligence review underway now does not raise concerns, and support for separating the due diligence process for the next search from the search firm. Eder shared her preference for selecting a search firm that has experience with open searches and is enthusiastic in this approach. She also noted community perception and trust issues around using the same firm again. Manning echoed the concerns expressed by Eder, adding that if the Board chose to use the firm again, it would be important to get references that could speak to the firm’s experience and success with open searches. Borkar closed by thanking trustees for the thoughtful discussion and Kelly for his extensive work on the retrospective, noting that the Board will discuss the plan for the next search in the fall and reminding trustees that they will receive additional input from the Faculty Senate Ad Hoc committee when it completes its work in June.

8. Executive Session

At 3:40 p.m., Borkar announced that the Board was moving to an executive session pursuant to ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions and ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection (ORS 192.345(6), attorney-client privilege, ORS 40.225; and ORS 192.355(9)(a)). Borkar stated that representatives of the news media and designated university staff would be allowed to attend the executive session. Other members of the audience were not allowed to attend the session. Borkar noted that no decisions would be made in executive session.

Borkar closed the executive session and at 4:12 p.m. trustees returned to the public session of the meeting.

9. Action Item

a. Acquisition of Leasehold Interest

Borkar asked Director of Leasing and Strategic Real Property Management Nicole Neuschwander, Associate Vice Provost for Operations Steve Hoelscher, Associate Vice Provost for Student Affairs Stephen Jenkins, and Senior Associate General Counsel Terry Meehan to present this item. Meehan summarized a lease agreement with The GEM, a student housing facility that is owned by OSU but privately operated, and noted that nonbinding negotiations had occurred. He said staff propose acquiring the GEM leasehold interest from the current leaseholder, College Housing Northwest, and terminating the lease.

With no further discussion, a motion was made and seconded that the Board authorize the president, acting alone and without further authorization from the Board to execute and deliver on behalf of OSU and the Board a letter of intent; complete the negotiations of, execute, and deliver on behalf of OSU and the Board, if possible, a termination

agreement and related documents to be consistent with the terms of the letter of intent with such amendments, additions, deletions, and modifications as the president, in her discretion, determines to be consistent with the key terms reviewed by the Board; and cause the lease agreement between College Housing Northwest and OSU and related documents to be terminated in accordance with the termination agreement. The motion carried.

10. Adjournment

With no further business proposed, Chair Rani Borkar adjourned the meeting at 4:17 p.m.

Respectfully submitted,



Debbie Colbert
Board Secretary