

**WRIGHT STATE UNIVERSITY  
BOARD OF TRUSTEES  
OFFICIAL PROCEEDINGS OF THE  
THREE HUNDRED AND THIRTY- NINTH MEETING**

**Friday, October 6, 2017  
Berry Room, Wright State University Nutter Center  
8:30 a.m.**

**VII. RECONVENE**

Roll Call:

Fecher  
Chan

**Chair's Statement:**

The Wright State University Board of Trustees is a public body subject to the Ohio Open Meetings Act. It operates on a fixed agenda available to those attending the meeting. Persons wishing to address the Board in its public session should submit a written request to the Board of Trustees' office 72 hours in advance of the meeting in order to be placed on the agenda. However, all persons address the Board at the invitation of the Board and are subject to time limitations and other guidelines established to maintain the good order of the meeting.

**Conflict of Interest Statement**

It is of utmost importance to ensure that all university decisions are free from any real or perceived conflicts of interest.

Therefore, please be mindful of all obligations with which you have been charged as a Trustee of Wright State University; and take the steps you deem appropriate to perform your duties fairly and impartially.

**VIII. REPORT OF THE CHAIR**

**A. Alternative Retirement Plan and Vendor Consolidation**

The Finance, Audit and Infrastructure Committee heard an update from Mr. Jeff Ulliman on September 15, 2017 and Ms. Shari Mickey-Boggs briefed the Executive Committee on Friday, September 29, 2017 of a plan to reduce the number of Alternative Retirement Plan vendors at Wright State from seven to five. This change would improve the employee experience, streamline process and allow for a better employee understanding of the strengths and benefits of the various plans. The following resolution is before the Board for their consideration and approval.

## **RESOLUTION 18-**

### **Alternative Retirement Plan Vendor Consolidation**

WHEREAS, section 3305.03 of the Revised Code, designates the Chancellor of the Ohio Department of Higher Education the responsibility for designating entities that are eligible to provide investment options under the alternative retirement plans maintained by Ohio public institutions of higher education; and

WHEREAS, in order to fulfill the duties and responsibilities in section 3305.03 of the Revised Code, the Ohio Department of Higher Education contracted with consultant, Aon Hewitt Investment Consulting, to develop the vendor application, the review process, and to evaluate submissions of entities seeking designation, or continued designation; and

WHEREAS, section 3305.04 of the Revised Code, requires Ohio public institutions of higher education to contract with a minimum of four approved entities for the alternative retirement plans; and

WHEREAS, the Ohio Department of Higher Education issued a memorandum on June 2, 2016, communicating the list of eight appropriate entities; and

WHEREAS, Wright State University, through its Board of Trustees, granted to the President or his/her designee(s) the authority to contract with approved appropriate entities.

WHEREAS, Wright State University's Leadership aspire to contract with a reasonable number of alternative retirement plan entities which will enable Wright State University to effectively expand retirement education, ensure transparency of fees and maximize retirement outcomes; and

WHEREAS, the President or his/her designee(s) has met the provisions in section 3305.04 of the Revised Code and the guidance outlined by the Ohio Department of Higher Education to reduce the number of approved alternative retirement plan entities to five, with changes to be communicated in benefit information and website;

**THEREFORE BE IT RESOLVED THAT:**

The five entities, AXA, Fidelity, TIAA, VALIC and VOYA, will be the only entities permitted to accept alternative retirement plan contributions beginning January 1, 2018.

I offer this Motion:

Is there a Second:

Roll Call Vote:

**B. Limited Waiver of Privilege**

The following Limited Waiver of Privilege is before the Board today for their review and approval.

**RESOLUTION 18 -**

**Authorization of a limited Waiver of the Attorney-Client and Attorney Work Product privileges attached to the Plante Moran Audit Report, Discussions with the report authors, and materials provided to the Ohio Attorney General's Bureau of Criminal Investigation in early 2015 related to U.S. Attorney Investigation into H-1 Visa Fraud**

WHEREAS, the Ohio Attorney General's Bureau of Criminal Investigation (BCI) took possession of files, records, computers, flash drives, and other equipment or material from the University in early 2015 for delivery to the U.S. Attorney's office in conjunction with its criminal investigation into H-1B visa fraud that may have taken place at the University;

WHEREAS, such equipment and materials continue to remain in the possession of the BCI pending the U.S. Attorney's office investigation;

WHEREAS, Wright State University through its Board of Trustees engaged the law firm of Dinsmore & Shohl, LLP, ("Dinsmore"), to represent the University in a variety of legal matters including but, not limited to, the U.S. Attorney's investigation of the University's use of H-1B visas;

WHEREAS, pursuant to its representation of the University in the federal investigation, Dinsmore engaged Plante Moran to provide forensic investigative services in connection with Dinsmore's representation of the University;

WHEREAS, the investigative services provided by Plante Moran and Dinsmore's representation of the University are subject to attorney-client and attorney work product privileges, and may not be disclosed without a waiver of the privileges by Dinsmore's client, the University's Board of Trustees; and

WHEREAS, the Board of Trustees desires, and intends to, authorize a limited waiver of the attorney-client privilege and the attorney work product privilege attached to the BCI materials held by the Ohio Attorney General's office, the final Plante Moran audit report and to any discussions held among the Report authors to allow inspections of the BCI materials by the Air Force Office of Special Investigations, and, questions and answers and additional discussions between the Report authors and the Air Force Office of Special Investigations.

NOW THEREFORE,

BE IT RESOLVED, that the Trustees hereby authorize a limited waiver of the attorney-client privilege and the attorney work product privilege that are attached to the BCI materials, the final Plante Moran audit report and to any discussions held among the Report authors to allow inspection of the BCI materials by the Air Force Office of Special Investigations, and, questions and answers and additional discussions between the Report authors and the Air Force Office of Special Investigations.

I offer this Motion:  
Is there a Second:  
Roll Call Vote:

**C. Written Reports – Wright State University Board of Trustees-  
September 15, 2017**

The Advancement, Communications, Enrollment Management, and Marketing Reports as presented to this meeting be, and the same hereby are accepted. These reports are contained in the appendix of the end of the written report.

**D. Introduction of the Trustees Scholars**

Every year two undergraduate students are selected from a highly competitive pool of applicants to receive the Trustees' Scholarship. To be eligible for this high honor, he or she must meet two of the three qualifications listed here:

- Have a cumulative GPA of 3.75 or higher
- Rank in the top 5% of their high school graduating class
- Have an ACT composite score or an SAT combined Math and Critical Reading score at or above the 95%

It is my pleasure to recognize our 2017-2018 Trustee Scholars. Please stand as I call your name.

Mr. Jared Gibson comes to Wright State from southwestern Ohio and is a graduate of Milford High School in Milford, Ohio where he was Valedictorian of his class. Jared is a first-year Honors student pursuing a bachelor's degree in Computer Engineering.

Ms. Rebecca Reese is a graduate of Wayne High School in Huber Heights and was her class Valedictorian. Rebecca is a first-year Honors student majoring in Biochemistry and Molecular Biology and has already started working on research with Dr. Hongmei Ren in the Diggs Laboratory for Life Science Research.

Please join me in congratulating Jared Gibson and Rebecca Reese on their selection as Trustee Scholars. We wish you both the best of luck with your academic careers.