

## OHIO BOARD OF REGENTS

Agenda Item 3.16 Consideration of a Joint Use Agreement between the Ohio Board of Regents, Cuyahoga Community College, and OneCleveland.

### **RESOLUTION**

WHEREAS, the 126<sup>th</sup> Ohio General Assembly enacted H.B. 16 which includes a specific capital appropriation of \$500,000 to the Ohio Board of Regents for the One Cleveland Broadband Network; and

WHEREAS, the Ohio Board of Regents' Rule 3333-1-03 requires that a joint use agreement between the institution for which funds are appropriated and the organization which will own or lease and operate facilities to be constructed or improved with such funds must be approved by the Board; and

WHEREAS, the Board of Regents, Cuyahoga Community College, and OneCleveland have presented a joint use agreement for approval by the Ohio Board of Regents; and

WHEREAS, the agreement has been reviewed and its format is found to be appropriate, its description of extent and nature of use has been specified, and the commitment extends no less than fifteen years, and it is in conformity with Rule 3333-1-03; and

WHEREAS, the parties have determined that the value of the use is reasonably related to the amount of the appropriation; and

WHEREAS, approval by the Ohio Board of Regents is contingent upon approval and execution of a Collaborative Communication Services agreement by OneCleveland and The Ohio State University on behalf of OARnet and approval and execution of a revised Joint Use Agreement by Cuyahoga Community College and OneCleveland;

NOW, THEREFORE,

BE IT RESOLVED: upon the recommendation of the Chancellor and with the concurrence of the Resources and System Efficiency Committee of the Ohio Board of Regents, that the Joint Use Agreement between Board of Regents, Cuyahoga Community College, and OneCleveland, and attached and made a part hereof, be approved.

The joint use agreement, as currently executed, requires an increase in the agreement term to 20 years and the addition of language addressing insurance coverage for the equipment purchased.

OneCleveland and the Ohio Academic Resources Network (OARnet) have agreed to a collaborative communication services agreement. The unexecuted draft is included for Board review.