

**3359-7-01 Office of the vice president and general counsel.**

(A) Vice president and general counsel.

- (1) Pursuant to sections 109.02 and 3345.15 of the Revised Code, the attorney general is the chief legal officer for the university of Akron and the legal representation of the university remains within the direction and control of the attorney general pursuant to agreement between the attorney general and the board of trustees of the university. The attorney general has ultimate responsibility for rendering legal services to the university and for the selection of counsel to provide representation for the university. The vice president and general counsel shall be appointed by the board of trustees or the board of trustees' designee(s) subject to the prior approval of the attorney general.

The vice president and general counsel shall hold office at the discretion of both the attorney general and the university board of trustees. Either the attorney general or the board of trustees may request the person in this position to cease serving in this position, and the person shall thereupon cease to serve. The associate vice president and deputy general counsel, and other associates or assistants thereto shall be appointed by the board with the prior written approval of the attorney general upon recommendation of the vice president and general counsel, and shall hold office at the discretion of both the attorney general and the board of trustees. Either the attorney general or the board of trustees may request the persons in these positions to cease serving in such positions, and the persons shall thereupon cease to serve.

The vice president and general counsel shall report directly to the president and shall work in close cooperation and coordination with the president, president's cabinet, and other university officers and administrators. The vice president and general counsel and associate vice president and general counsel, and other associates and assistant general counsels shall be appointed as assistant attorneys general. It is specifically understood that the nature of legal services are of such a personal and fiduciary nature that the attorney general is the sole judge of the adequacy of the n0rs[counerin

- (2) The vice president and general counsel shall serve as the chief legal advisor to the president, board of trustees, and university officers and administrators; and, shall be responsible to the president and the board for the direction and supervision of all legal matters of the university, including the provision of legal counsel, advice, and services in all matters pertaining to the practice of law on behalf of the university of Akron. The vice president and general counsel shall be assisted by the associate vice presidents and deputy general counsel and such associates and assistants as approved by the board of trustees and the attorney general. All attorneys practicing law on behalf of the university shall report to the vice president and general counsel. No attorney employed by the university of Akron shall be authorized to practice law on behalf of the university of Akron except those appointed assistant attorneys general and reporting to the general counsel.
- (3) Specific duties of the vice president and general counsel shall include responsibility for management of the office of general counsel and supervision of the legal staff, and directing and monitoring within the university, all legal matters on behalf of the university of Akron, including for example:
- (a) Litigation matters, such as representing or overseeing the representation of the institution, and when appropriate, its officers, administration and employees in judicial and administrative proceedings, and in negotiations with other state or federal entities;
  - (b) Review, advise, and assist with legal documents, contracts, policies, procedures, practices, actions, or any matter having legal significance to the management and operation of the university of Akron, and including but not limited to providing legal counsel and guidance to institutional officers and upper management on all legal matters relevant to a large public institution, such as employment law, and polices, procedures, rules and regulations pertaining to students;
  - (c) Legal review of judicial decisions, legislative or governmental regulatory developments, and recommended compliance procedures or strategies;
  - (d) Review, advise, and assist with property acquisitions, leases, labor relations, and personnel matters, insurance matters, intellectual property issues, including patent, trademark, and copyright matters;
  - (e) Advise and assist with compliance reviews by governmental agencies, higher education regulatory agencies and internal compliance and management audits;
  - (f) Assist the president and other administrative officers to identify and implement programs and strategies that will provide comprehensive and preventative legal guidance to the university of Akron, in

authority or management;

- (g) Obtain authorization from the attorney general when required by law for the settlement of claims or lawsuits; and obtain authorization from the attorney general prior to the commencement of any legal action;
- (h) Maintains professional growth and development through professional affiliations, seminars and workshops to keep abreast of current developments in college and university law and related areas;
- (i) Provides training and education to the campus community on various legal issues through meetings, memorandums, and the ge

of all significant pending legal matters involving the university. The vice president and general counsel shall serve as liaison with the office of the Ohio inspector general. The vice president and general counsel shall serve as the liaison person regarding legal matters with affiliated organizations, such as the university of Akron foundation.

- (7) As legal counsel to the board of trustees, the vice president and general counsel shall report to the chairman of the board and shall provide reports to the board of trustees as required by the board, and shall:
- (a) Attend and provide legal counsel at meetings of the board and its committees;
  - (b) Assist in preparation of agendas for board meetings, review documents presented to the board which may have legal implications, and review all minutes of board meetings prior to their submission for adoption;
  - (c) Provide litigation and transactional legal risk analysis to the board and its committees;
  - (d) Conduct inquiries and provide such other services as directed by the board, committees of the board, chairman or officers of the board;
  - (e) Work closely with the president to ensure good board and campus relations and flow of information;
  - (f) Maintain total confidentiality in regard to all board business and materials, as required by the code of professional responsibility;
  - (g) When appointed as secretary or assistant secretary of the board of trustees, administer those functions and duties prescribed for the secretary or assistant secretary of the board of trustees as

e6.16

## (D) Amendments.

This rule shall not be altered, amended, repealed or otherwise modified without the concurrence of the then current Ohio attorney general.

Effective: 10/14/2023

Certification:

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M. Celeste Cook  
Secretary  
Board of Trustees

Promulgated Under: 111.15

Statutory Authority: 3359

Rule Amplifies: 3359

Prior Effective Dates: 10/21/1989, 07/20/1990, 05/22/1991, 09/21/1995,  
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