**Ohio University Faculty Senate**

**Monday, March 5, 2018**

**Margaret M. Walter Hall, Room 135, 7:10pm**

**Meeting Minutes DRAFT**

In attendance

Group I

* *College of Arts and Sciences*: G. Buckley, D. Clowe, S. Gradin, J. M. Holt [sub. for J. Andrews], McLaughlin, R. Muhammad, R. Palmer, N. Reynolds, W. Roosenburg, N. Sandal, B. Schoen, C. Snyder
* *College of Business*: K. Hartman, D. Ridpath, Rosado-Feger, A.
* *College of Fine Arts*: Brian Evans [sub. for C. Buchanan] K. Geist, H. Siebrits, D. Thomas
* *College of Health Sciences and Professions*: R. Brannan, FC, Jeng, A. Sergeev
* *Heritage College of Osteopathic Medicine*: B. Franz, J. Wolf
* *Patton College of Education*: G. Brooks, C. Lowery [sub. for L. Harrison], S. Helfrich
* *Regional Campus – Chillicothe*: John O’Keefe [sub. for Allison White]
* *Regional Campus – Eastern*: P. McMurray-Schwarz
* *Regional Campus – Lancaster*: C. Thomas-Maddox
* *Regional Campus – Southern*:
* *Regional Campus – Zanesville*: J. Taylor, Amy White
* *Russ College of Engineering*: D. Arch, J. Cotton, D. Masel
* *Scripps College of Communication*: B. Debatin, S. Girton, F. Lewis, T. Roycroft
* *Voinovich School of Leadership and Public Affairs*:

Group II and Clinical

* *Athens At Large*: D. Duvert, C. Schwirian
* *Clinical*: J. Balbo
* *College of Arts & Sciences:* H. Edwards
* *College of Business*: T. Barnett
* *College of Health Sciences and Professions:*
* *Patton College of Education:* C. Hartman
* *Regional Higher Education*: D. Nickles, T. Pritchard

Excused: Eric Stinaff, Nukhet Sandal, Allison White, Susan Williams

Absent: Ken Hicks, Derek Kauneckis, Gary Weckman

Ohio University Faculty Senate

Agenda for Monday, March 5, 2018

Room 235, Margaret M. Walter Hall, 7:10-9:00 p.m.

1. M. Duane Nellis, President
2. Elizabeth Sayrs, Executive Vice President & Provost
3. Roll Call and Approval of the February 5, 2018 Minutes
4. Chair’s Report—Joe McLaughlin
   * Status of Resolutions
   * Faculty Senate Elections
   * Nominating Committee—Katie Hartman
   * Updates and Announcements
   * **Upcoming Senate Meeting: April 2, 2018, 7:10pm, Walter Hall 235**
5. Finance & Facilities Committee—Susan Williams
6. Promotion & Tenure Committee—Sherrie Gradin
   1. Resolution on Commercialization as a Possible Criteria for Promotion and Tenure-Second Reading & Vote
   2. Resolution on Promotion and Tenure Appeals—Second Reading & Vote
   3. Sense-of-the-Senate Resolution on Erosion of Tenure—Second Reading & Vote
7. Professional Relations Committee—Sarah Wyatt
   1. Resolution to Establish a University Professional Ethics Committee (UPEC) to Review Allegations of Sexual Misconduct by Faculty—First Reading
   2. Resolution to Clarify the Process for Reviewing ECRC Findings Related to Faculty Sexual Misconduct—First Reading
   3. Resolution to Clarify Recommendation Options in Cases of Research Misconduct—First Reading
8. Educational Policy & Student Affairs Committee—Katie Hartman
   1. Resolution to Change Residency Requirements for Minors and Certificates—Second Reading & Vote
   2. Resolution to Standardize Fall Break—First Reading
9. New Business
10. Adjournment

**Faculty Senate Chair Joe McLaughlin** called the meeting to order at 7:10PM.

**I and II President M. Duane Nellis and Interim EVPP Elizabeth Sayrs (joint presentation)**

President Nellis reported the renewal of Higher Education Act (“Prosper Act”) is a critical piece of legislation; it proposes to eliminate many aspects of the Higher Education Act. He encouraged everyone to contact their Congressional leaders to dissuade the passage of the Prosper Act; Jennifer Kirksey, Chief of Staff, could provide additional information to anyone seeing to lobby on higher education issues. President Nellis also provided an update on the major searches: (1) a search firm was being sought for the search for the Vice-President of Diversity & Inclusion, (2) the Provost search was moving forward and (3) the successful search of the new VP for Advancement resulted in the hiring of Nico Karagosian.

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**III Roll Call and the Approval of Minutes (Muhammad)**

Roll Call was taken by Secretary Robin Muhammad. Chair McLaughlin called for the approval of the minutes. A motion to approve the minutes was made and seconded. The minutes were approved unanimously by voice vote.

**IV Chair’s Report (McLaughlin)**

1. Status of Resolution: Given that there are a number of ethics-related resolutions being considered, Interim Provost has been granted an extension so as to see all the resolutions at one time and to ensure that all languages in resolutions is parallel.

2. Faculty Senate Elections: The “soft” deadline is Wednesday, March 7 at 5:00 p.m. During the week after returning from spring break, the electronic ballots will go out. As part of a phasing in of Group II senators, 8 additional senators will added to the ballot. Dublin and Cleveland faculty have inquired about their involvement in the election and this is being worked out. It’s likely they will be part of the Heritage College pool. During the April meeting officers will be elected. Remote participation is difficult but it is being looked into as a future possibility.

3. Nominating Committee: Katie Hartmann spoke on behalf of nominating committee. Self-nominations are being taken until the March 20 deadline.

In addition, retiring senators who have served two consecutive terms constitute the Nominating Committee.  Retiring senators include, David Thomas, Charles Buchanan, Dominique Duvert, Gordon Brooks, Amy White, Gary Holcomb, and Katie Hartman. The Nominating Committee is responsible for securing candidates three officer positions: Chair, Vice-Chair, and Secretary.  Elections for Office positions occur during the April meeting.

Members of the committee have identified senators willing to serve for re- election or election for each of the positions.  However, we will continue to accept self-nominations until Friday, March 23.  We will announce the final slate of candidates for the three positions the week of March 26.

If you have questions about the slate of candidates or the elections, please feel free to contact me, David Thomas, or Amy White.

4. Updates and Announcements:

Candidates for Provost Search will visit campus shortly after spring break. Chair McLaughlin encouraged broad participation and provide written feedback.

There was an announcement last Friday from Dean Scott Titsworth, Freedom of Expression forum will be on Wednesday, March 26 in Baker Center Ballroom from 5:30 pm to 7:00 pm.

A special meeting to deal with FOE matter will probably occur in April. One senator suggested a time due that would not interfere with some major events in the College of Communications.

5. The next meeting will be on April 2, 2018 in Walter Hall 235 at 7:10 pm.

**V Finance & Facilities Committee (McLaughlin on behalf of Williams)**

1) F&F continues to meet with Deb Shaffer and John Day about the university budget and addressing some of the big picture questions that faculty are interested in. At the last committee meeting on Feb 6 a few key questions related to personnel emerged:

1.What is the difference in growth between faculty and administration?

2. What has the rate of salary change been for these two groups?

3. How has the number of classified employees changed over time?

4. What is the rate of growth of Group 1 versus Group 2? Where do Group 3 fit in?

The university can only go back to 2008-2009 to address these questions with the current data because of how we track positions. Williams is currently working with Deb’s office to schedule the next meeting for the committee.

2) A Travel Working Group has been formed to find and evaluate travel solutions for the university and to review and make recommendations related to travel policy/procedures so that updates to these policies can be made. Senator Nukhet Sandal, a member of F&F, is representing Faculty on this committee.

3) Park Place Work Group – Senator Brian Schoen, a member of F&F reported that committee work is wrapping up on the 29 Park Place issue. There are recommendations of a Engagement Center for faculty, students, community members, and improving sidewalks, etc. The larger plan will be presented to the Board of Trustees on March 22-23.

**VI Promotion & Tenure Committee (Gradin)**

Resolution on Commercialization as a Possible Criteria for Promotion and Tenure-Second Reading & Vote– See Appendix A

Committee Chair Gradin introduced the second reading and highlighted minor changes. The resolution passed unanimously.

Resolution on Promotion and Tenure Appeals—Second Reading & Vote –See Appendix B

Committee Chair Gradin introduced the second reading and highlighted minor changes. Faculty Senate Chair McLaughlin noted that the changes included, “rank equal to or higher than the rank…”

**Questions, Discussion, and Comments:**

Senator Clowe asked if the Chair was confident that there will always be enough Full Professors, for example to deal with appeals. Chair McLaughlin responded that this is usually the case, but if not, then the committee could pull from other sources. Senator Helfich asked for clarification regarding Group II appeals having committee members at same rank as appealing candidate. Chair McLaughlin confirmed this.

The resolution passed unanimously.

Sense-of-the-Senate Resolution on Erosion of Tenure—Second Reading & Vote – See Appendices C and D

Committee Chairs Gradin and Wyatt introduced the sense-of-the-senate resolution for a second reading.

**Questions, Discussion, and Comments:**

A lengthy discussion ensued covering the 25%/75% split and its challenges. The packet distributed included both the resolution and accompanying graphs for illustration.

Senator Clowe asked about the breakdown regional, online, Athens, etc.

Senator Roosenberg asked whether the language was too broad and would this eliminate national searches.

Chair Wyatt stated that we wanted to enable departments to hire on differential loads.

Senator Roosenberg asked if this language was already in the Faculty Handbook?

Senator Wyatt said yes, it’s already there but a P&T document in a given department may or may not make it possible for to hire faculty with a differential load.

Senator Schoen raised concerns about whether the resolution would encourage a top down or bottom up process. Will this encourage the decline of research, the senator asked.

Senator Wolf pointed out that differential workloads are not interchangeable with conversion (non-tenure track to tenure-track positions).

Committee Chair Gradin stressed that this was a sense-of-the-senate only not a resolution.

Senator Evans asked, What is the “mechanism?” Who is in charge of the mechanism?

Committee Chair Gradin stated this would be handled by departments.

Senator Holcombsuggested we are focusing on the position not the person.

Senator Roosenberg stated that the 75%/25% split is a university wide goal suggesting the resolution should say something about this is handled by the department.

Senator Jeng stated that research should be the emphasis.

Committee Chair Gradin said this won’t limit research.

Committee Chair Wyatt clarified that this sense-of-the-senate would only allow for some Group II to apply.

Senator Hartman stated that flexibility in hiring is appreciated.

Senator White commented that research is part of mission but this was also about academic freedom. Many Group II faculty members in WGSS and Environment Sciences are being harassed and the opportunity to be tenured would be a good source of protection for these faculty.

Committee Chair Gradin called for voice vote: the resolution passed with a majority of “ayes,” 2 “nays,” and 7abstentions.

**VII Professional Ethics Committee (Wyatt)**

Resolution to Establish a University Professional Ethics Committee (UPEC) to Review Allegations of Sexual Misconduct by Faculty—First Reading– See Appendix E

Chair Wyatt introduced the resolution for first reading.

**Questions, Discussion, and Comments:**

Senator Roycroft asked if this was a process to report violations.

Senator Balbo commented that the ECRC and planning unit are also involved in reviewing allegations.

Resolution to Clarify the Process for Reviewing ECRC Findings Related to Faculty Sexual Misconduct—First Reading– See Appendix F

Chair Wyatt introduced the resolution for first reading.

**Questions, Discussion, and Comments:**

Senator Debatin asked if this would be part of an open, public record.

Committee Chair Wyatt said yes.

Senator Brannan asked if this would entail one university committee and no college committees.

Committee Chair Wyatt said yes.

Senator Gradin asked if it would 21 days to form committee and/or do work?

Committee Chair Wyatt responded that it would be to form committee and to respond to Memo.

Student Senate President Lama asked if the faculty person facing allegations would remain on campus.

Committee Chair Wyatt said yes and referred to page 3 of the resolution for the process for faculty removal.

Chair McLaughlin stated that timely feedback is important.

Senator Gradin mentioned the good work between Wyatt’s committee and Provost’s office, citing a great example of shared governance.

Resolution to Clarify Recommendation Options in Cases of Research Misconduct—First Reading– See Appendix G

Chair Wyatt introduced the resolution for first reading.

**Questions, Discussion, and Comments:**

Senator Debatin asked, “What is “persuasive evidence?”

Committee Chair Wyatt said she would look that up as it is pre-existing wording.

Senator Sergeev asked if there was another option if there is no evidence?

Committee Chair Wyatt stated that she would take that back to the Provost.

Senator Brannan asked if there was a role for the VP of Research’s role.

Committee Chair Wyatt said it was an option.

**VIII Educational Policy & Student Affairs Committee (Hartman)**

Resolution to Change Residency Requirements for Minors and Certificates— Second Reading & Vote– See Appendix H

Committee Chair Hartman introduced the resolution for a second reading, offering clarification that AP credit was not an issue and that study abroad credit from universities other than OU would not count.

**Questions, Discussion, and Comments:**

Senator Roosenberg asked if this pertained to 50% of the major or all courses.

Committee Chair Hartman replied that it was 50% of the undergraduate major.

The resolution was unanimously approved.

Resolution to Standardize Fall Break—First Reading– See Appendix I

Committee Chair Hartman introduced the resolution for a first reading. There were no questions.

**X New Business**

No new business.

**XI Adjournment**

The Chair called for a motion to adjourn. The motion was put forward, seconded, and passed unanimously. The meeting adjourned at 9:22 pm.

**Appendix A**

**Resolution on**

**Commercialization as a Possible Criteria for Promotion and Tenure**

**Promotion and Tenure Committee of the Faculty Senate**

**March 5th, 2018-- Second Reading and Vote**

Whereas the Ohio Revised Code 3345.45-C1/2 now requires a pathway for commercialization as a criteria that can be considered in promotion and tenure;

Whereas, the Legislature has determined that beginning on July 1, 2018, as a condition for a state university to receive any state funds for research that are allocated to the department of higher education under the appropriation lines items referred to as either “research incentive third frontier fund” or “research incentive third frontier-tax,” the chancellor shall require the university to include multiple pathways for faculty tenure, one of which may be a commercialization pathway, in its Board-approved policy.

Be it resolved that section II.C.6.a of the Faculty Handbook be revised:

Original: 6. **Faculty Tenure**

* + - 1. Tenure is awarded to those individuals whose records indicate that they are likely to continue to make significant positive contributions to the academic life of the University throughout their professional careers. Eligibility for tenure shall be determined by the department concerned and is reserved for those who are engaged in academic activities, including teaching, research, and service.

Revision in bold: 6. **Faculty Tenure**

* + - 1. Tenure is awarded to those individuals whose records indicate that they are likely to continue to make significant positive contributions to the academic life of the University throughout their professional careers. Eligibility for tenure shall be determined by the department concerned and is reserved for those who are engaged in academic activities, including research, and/or **scholarly activity, and/or creative activity (of which any may include activities leading to commercialization),** teaching, and service**.**

**Appendix B**

**Resolution on Promotion and Tenure Appeals**

**Promotion and Tenure Committee of the Faculty Senate**

**March 5th 2017—Second Reading & Vote**

Whereas Group II faculty are now eligible for promotion and should be consulted on appeals brought forth by Group II faculty members;

**Be it resolved** that the following sentences be added to the beginning of Section **II.F. 3** Grievance Procedures for Non-reappointment and for Denial of Promotion and/or Tenure

II. F. 3. All appeals adjudicated by the Faculty Senate Promotion and Tenure Committee **will be heard by faculty with rank equal to or higher than the rank for which a candidate is being considered. In the instance of a Group II or Clinical Faculty appeal, two Group II members of the Faculty Senate will act as advisors to the Promotion and Tenure Committee with full voting rights on Group II or Clinical Faculty appeals. Group II faculty will not vote on Group I appeals. If in any given year there are no Group II assigned to the committee, the Senate Chair will request two Group II serving the Senate in other capacities join the Senate Promotion and Tenure Committee for the duration of the committee’s work on the Group II or Clinical Faculty appeal.**  Insofar as the petition for review alleges denial of due process, the functions of the Faculty Senate Promotion and Tenure committee shall be as follows:

[procedure follows here with no changes]

**Appendix C**

**Sense-of-the-Senate Resolution on Erosion of Tenure**

**Promotion and Tenure & Professional Relations Committees**

**March 5, 2018—Passed**

Whereas an institution comprised principally of tenured faculty protects academic freedom, the creation of new knowledge, shared governance, and curricular integrity;

Whereas an institution comprised principally of tenured faculty resists the threat of the erosion of tenure both locally and nationally, enhancing academic freedom, shared governance, curricular integrity, and to increasing research, scholarly, and creative activity of the faculty;

**Whereas** President Nellis has publicly stated his desire to raise the research profile of Ohio University;

**Whereas** budget constraints on American universities and the deterioration of university missions (being driven by enrollment, agendas of state and federal agencies, concerns primarily on academic generation of revenue) have accelerated erosion of tenure across the nation and at Ohio University through increased numbers of non-tenure track lines;

**Whereas** the AAUP has reported from the national view “that in the past, financial and intellectual security enabled the faculty to carry out the public trust in both teaching and research, sustaining a rigorous system of professional peer scrutiny in hiring, evaluation, and promotion”; however, “today the tenure system has all but collapsed”\*;

**Whereas** AAUP reports that in “opposition to this trend, a new consensus is emerging that it is time to stabilize the crumbling faculty infrastructure. Concerned legislators and some academic administrators have joined faculty associations in calling for dramatic reductions in the reliance on contingent appointments, commonly urging a maximum of 25 percent”\*; thus, the recommendation is for tenure-line faculty to not drop below 75% of the overall number of faculty;\*\*

**Whereas** the 2016Ohio University Institutional Research data indicate that Ohio University is well above the 25 percent maximum contingent faculty and below the 75% of total Group 1 faculty.\*\*\* (See below for more information.)

**Be it resolved that** the University and its academic departments and programs prioritize hiring on the tenure track;

**Be it resolved that** the University strive to hire no more than 25% of its faculty outside of the tenure track;\*\*\*\*

**Be it resolved that** the University use its ability to hireon a variable workload distribution (Faculty Handbook II.A.1.B) to protect both the research and teaching mission of academic departments, *with* the expectation that all tenure track faculty contribute to some extent to all areas (TRS) of the mission of the university;

**Be it resolved** that as appropriate to the mission of departments, schools, and colleges, faculty and administrators provide the means by which to consider teaching-intensive or research intensive tenure lines, with adjusted expectations in the other two areas of the academic mission, through planning, promotion and tenure criteria;

**Be it resolved** that those responsible for hiring requests and decisions will hire, whenever possible, tenure track faculty at differential workloads to meet the needs of the department/school before defaulting to non-tenure track faculty. While letters of offer to incoming faculty need to clearly specify the workload expectations under which they will begin employment, such agreements should not prohibit a renegotiation of workload distribution if such a renegotiation is warranted, both during the tenure clock and post-tenure;

**Be it resolved** that departments ensure that promotion and tenure criteria reflect actual workload distribution of faculty, including teaching-intensive, research-intensive or balanced faculty lines as appropriate to their mission;

**Be it resolved** that the Senate, Provost’s Office, **colleges, and departments** seriously consider **college and departmental** mechanisms for converting appropriate non-tenure track **positions** to teaching or research-intensive tenure track lines.

Sources

\*[https://www.aaup.org/report/tenure-and-teaching-intensive-appointments](https://www.ohio.edu/equity-civil-rights/grievance-resolution.cfm)

Please note: the AAUP uses the term contingent for all non-tenure line faculty

\*\*Ohio University IR: 2016 Athens Campus Total Faculty =1403; Group I = 711. 1,052 is 75% of total faculty.

2016 Regional Campus Total Faculty=644; Group I=113. 483 is 75% of total faculty.

Please note: Over the past several years the number of Group I has stayed relatively stable. However; there has been a sharp increase in faculty hired off the tenure line.

\*\*\*[https://www.ohio.edu/instres/faculty/index.html](https://www.ohio.edu/policy/03-004.html)

-20 years ago, G1 constituted 85.25% of all full-time faculty (tenure track and non-tenure). Today, after steady decline, they make up only 71.41%.

-Compared to all faculty (full- and part-time together), G 1 made up 59.63% in 1996/97, while they are only at 42.22% today.

-Over the past 20 years, Group 1 have flat-lined (zero growth from 1996/17 to 2016/17). However, between 1996/97 and 2006/07, Group 1 faculty grew from 879 to 949. After that, their number fell sharply to 840 in 2013/14 and then grew back to almost the same value as 20 years ago, 882.

-Compared to this, full-time non-tenure (G2 and G4) grew more or less steadily from 152 in 1996/17 to 353 in 2016/17 (today 2.3 times as many as in 1996/97).

-All non-tenure faculty (both full and part time) together have also more than doubled in the past 20 years from 595 to 1207.

(Source: OU Institutional Research)

\*\*\*\*We recognize that this is a high bar, one that is probably quite literally impossible for Regional campuses and very difficult to imagine in reality for the Athens campus. Yet, “strive” is a word that asks for accountability in the attempt to reach the goal; We should still “strive” for it though obstacles will be numerous.

**Appendix D**

**Faculty Numbers Over Time and Group I and II Faculty with FTE 0.50 and Above**

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| |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | Year | Full-Time, Tenure | Full Time, Non-Tenure | Part Time | Full Time or Part Time, Non-Tenure | Percent of G1 Faculty compared to G2 and G4 | Percent of Faculty Tenured compared to all faculty | | 1996-97 | 879 | 152 | 443 | 595 | 85.25% | 59.63% | | 1997-98 | 868 | 129 | 470 | 599 | 87.06% | 59.17% | | 1998-99 | 864 | 131 | 491 | 622 | 86.83% | 58.14% | | 1999-00 | 875 | 152 | 522 | 674 | 85.19% | 56.49% | | 2000-01 | 884 | 163 | 513 | 676 | 84.43% | 56.67% | | 2001-02 | 877 | 161 | 535 | 696 | 84.48% | 55.75% | | 2002-03 | 895 | 161 | 581 | 742 | 84.75% | 54.67% | | 2003-04 | 923 | 147 | 577 | 724 | 86.26% | 56.04% | | 2004-05 | 923 | 146 | 646 | 792 | 86.34% | 53.82% | | 2005-06 | 944 | 148 | 686 | 834 | 86.44% | 53.09% | | 2006-07 | 949 | 150 | 606 | 756 | 86.35% | 55.66% | | 2007-08 | 919 | 155 | 609 | 764 | 85.56% | 54.60% | | 2008-09 | 909 | 202 | 610 | 812 | 81.81% | 52.82% | | 2009-10 | 921 | 205 | 660 | 865 | 81.79% | 51.57% | | 2010-11 | 916 | 197 | 666 | 863 | 82.30% | 51.49% | | 2011-12 | 870 | 205 | 695 | 900 | 80.93% | 49.15% | | 2012-13 | 843 | 213 | 789 | 1002 | 79.82% | 45.69% | | 2013-14 | 840 | 260 | 861 | 1121 | 76.36% | 42.84% | | 2014-15 | 856 | 304 | 769 | 1073 | 73.79% | 44.38% | | 2015-16 | 844 | 332 | 850 | 1182 | 71.76% | 41.66% | | 2016-17 | 882 | 353 | 854 | 1207 | 71.41% | 42.22% | |  |  |  |  |  |  |
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| |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **Ohio University** | | | | | | | | | | **Group I and II Faculty with FTE 0.50 and Above** | | | | | | | | | |  |  |  |  |  |  |  |  |  | |  |  | **Group I** |  | **Group II** | | |  | **Total** | |  |  |  |  | **Non-Clinical** | **Clinical\*** | **Total Grp II** |  |  | | Athens | Arts & Sciences | 300 |  | 111 | 0 | 111 |  | 410 | |  | Business | 60 |  | 49 | 0 | 49 |  | 109 | |  | Communication | 70 |  | 13 | 0 | 13 |  | 83 | |  | Education | 55 |  | 40 | 0 | 40 |  | 95 | |  | Engineering & Technology | 79 |  | 16 | 0 | 16 |  | 95 | |  | Fine Arts | 74 |  | 15 | 0 | 15 |  | 89 | |  | Global Affairs | 1 |  | 0 | 0 | 0 |  | 1 | |  | Health Sci & Professions | 53 |  | 48 | 19 | 67 |  | 120 | |  | Honors Tutorial | 0 |  | 1 | 0 | 1 |  | 1 | |  | Osteopathic Medicine | 57 |  | 41 | 11 | 52 |  | 109 | |  | Voinovich | 10 |  | 1 | 0 | 1 |  | 11 | | Athens Total |  | 759 |  | 335 | 30 | 365 |  | 1,123 | |  |  |  |  |  |  |  |  |  | | Chillicothe |  | 22 |  | 26 | 0 | 26 |  | 48 | | Eastern |  | 14 |  | 9 | 0 | 9 |  | 23 | | Lancaster |  | 24 |  | 16 | 0 | 16 |  | 40 | | Southern |  | 19 |  | 23 | 0 | 23 |  | 42 | | Zanesville |  | 30 |  | 14 | 0 | 14 |  | 44 | | Regional total |  | 109 |  | 88 | 0 | 88 |  | 197 | |  |  |  |  |  |  |  |  |  | | University Total | | 868 |  | 423 | 30 | 453 |  | 1,320 | |  |  |  |  |  |  |  |  |  | |  |  |  |  |  |  |  |  |  | |  |  |  |  |  |  |  |  |  | | \*Note: Clinical Group II Faculty are designated based on the Faculty Rank value stored in the HRMS System. | | | | | | | | | |  |  |  |  |  |  |  | | |  |  | | Office of Institutional Research | |  |  |  |  |  | | |  |  | | 2/14/2018 |  |  |  |  |  |  | | |  |  | |  |  |  |  |  |  |  | | |  |  | |  |  |  |  |  |  |
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**Appendix E**

**Resolution to Establish a University Professional Ethics committee to Reviews Cases of Allegations of Sexual Misconduct by Faculty**

**Professional Relations Committee**

**Faculty Senate**

**March 5, 2018—First Reading**

***Whereas*** *the* 2014 Violence Against Women Act/SAVE Act amendments to the Clery Act establishes “Procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, or stalking.” and requires hearings and investigations  “(ii) Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;” *See* 34 Code of Federal Regulations at 34 CFR 668.46(k).

***Whereas*** *the proposed university professional ethics committee would provide for a university-wide culture and response to sexual misconduct,*

***Whereas*** *the number of persons serving on the individual college/school Professional Ethics Committees is unwieldy to serve the needs of a university wide response to sexual misconduct,*

**Be it resolved** that faculty senate establish a University Professional Ethics Committee for review of cases relating to sexual misconduct allegations against faculty.

**Be it resolved** that the committee will be established as soon as the Provost signs the resolution so that it is in place to review cases as soon as possible.

1. **L. Procedures in the Event of Allegations of Violation of Professional Ethics**

**Introduction**

The Faculty Senate and the Provost of Ohio University have adopted a statement on Professional Ethics. (See [Section I.A](#Section_I_A) of the *Faculty Handbook*.). Procedures for the investigation and resolution of alleged violations of Professional Ethics are specified. Section IV.L.4 applies to alleged violations of Professional Ethics not involving research misconduct. Section IV.L.5 applies to alleged Fraud and Misconduct in Professional Research (see Policy [No. 19.048](https://www.ohio.edu/policy/03-004.html)). Section II.Q applies to alleged violations of sexual misconduct (Policy 03.006). Procedures for Loss of Tenure are in [Section II.D.5](#Section_II_D_5) of the *Faculty Handbook.*

Members of the faculty should familiarize themselves with the University policies on Whistle-blowing and Retaliation ([03.006](https://www.ohio.edu/policy/03-004.html)), Workplace Violence ([41.135](https://www.ohio.edu/equity-civil-rights/grievance-resolution.cfm)), Equal Employment and Educational Opportunity (40.001) and Sexual Misconduct ([03.004](https://www.ohio.edu/policy/03-004.html)).

1. **Reporting violations.**

Cases involving alleged research misconduct should be reported to the Office of the Vice President for Research (IV.L.5). Alleged violations of sexual misconduct should be reported to University Equity and Civil Rights Compliance(ECRC), following the reporting guidelines as outlined in section II.Q and will be investigated and resolved via the procedures outlined in II. Q. Other violations of professional ethics should be brought to the attention of the department chair **[3] (see IV.L.4)**.

1. **Establishment of professional ethics committees**
   1. **College/School Professional Ethics Committee[1]**

Each college, regional campus, and the Voinovich School will have a standing Professional Ethics Committee consisting of six faculty members in the college, regional campus, or the Voinovich School unless it is necessary to supplement the Committee by faculty from other colleges or regional campuses. At least four of the six faculty must be tenured Group I faculty. The other two may be selected from among the untenured Group I or the Group II faculty. Three of the six members of the college Professional Ethics Committee are selected by the faculty senators from that college or regional campus, while the remaining three are appointed by the dean of the college, regional campus, and the Voinovich School (the director is the dean’s equivalent in the case of the Voinovich School)**[2]**. The chair of the committee will be appointed by the dean from among the Group I faculty on the committee. The term length for members on the college Professional Ethics Committee will be three years, and service is restricted to two successive terms. Initial appointments will be staggered so that each year the senators from the college or regional campus and the dean will each need to select a new committee member. Each college Professional Ethics Committee will be provided access to appropriate university resources to assist it in carrying out its investigations.

* 1. **University Professional Ethics Committee for cases of Sexual Misconduct**

1. As the faculty senators and the deans of the colleges, regional campuses, and Voinovich School designate faculty to fill openings on the individual college Professional Ethics Committee (VI.L.2.a), one will be designated to serve on the University Professional Ethics Committee (UPEC) to provide a pool of fourteen faculty from across the university to review cases involving allegations of sexual misconduct by faculty. This person will be chosen by the chair of faculty senate in consultation with the dean of the college, regional campus or Voinovich School from the two candidates nominated. The length of term for members serving on the University Professional Ethics Committee will be three years and coincide with their service to the college ethics committee. Service is restricted to two successive terms.

To initially establish the UPEC, the provost in consultation with the chair of Faculty Senate, will select ONE faculty member from each college, regional campus and Voinovich school profession ethics committees, ensuring a stagger in term length among members to maintain institutional memory and consistency as the committee membership moves forward.

* + 1. For any given case referred to the University Professional Ethics Committee, the chair and Executive Committee of Faculty Senate in consultation with the Provost, will appoint six faculty from the UPEC to serve as a review committee, one of which will be appointed as chair of the committee. All six should be willing and able to serve for the duration of the case. **Please note:** Unlike other faculty committees, because of the nature of these cases and the benefit of timely action to both the university and the faculty member, UPEC does not observe the academic calendar, therefore depending on the timing of findings, members may be asked to serve over summer, spring, winter or fall breaks, but not including winter closure, to meet the timeline. In the event of service outside the academic calendar, faculty will be compensated for their time.

The committee chair will be responsible for conducting the review and ensuring that the committee carries out all its responsibilities in a timely manner and satisfies all requirements of the state and federal laws and university policies. Any member of the UPEC or the Faculty Senate Executive Committee, including the chair of Faculty Senate, who is from the same department or has close personal or professional relationships with the faculty member in question will recuse themselves from the process for that case. If the chair of Faculty Senate recuses him/herself, his/her duties would fall to the vice chair etc.

* + 1. The University Professional Ethics Committee will be provided access to appropriate university resources to assist it in carrying out its review. And as is dictated by law, all members of the university Professional Ethics Committee will be provided training annually by ECRC on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. (Code of Federal Regulations at 34 CFR 668.46 (2. k)).

**Appendix F**

**Resolution to Clarify the Process for Reviewing Findings of ECRC when Related to Faculty Sexual Misconduct**

**Professional Relations Committee**

**Faculty Senate**

**March 5, 2018—First Reading**

***Whereas,*** *the university’s process for review of findings of sexual misconduct against faculty can be improved to provide greater clarity and consistency and to satisfy the requirements of the Violence Against Women Reauthorization Act of 2013’s amendments to the Clery Act,*

***Whereas*** *the procedure for determining outcomes following investigations of allegations of sexual misconduct by faculty is not clearly stated in the faculty handbook,*

***Be it resolved*** *that the language of the Faculty Handbook be revised to include the following process for review of accusations of sexual misconduct by faculty*

**II. Q. Policy on Sexual Misconduct, Relationship Violence and Stalking**

1. Sexual misconduct, relationship violence and stalking [sexual misconduct] of students, faculty, or staff is prohibited at Ohio University as defined in the Policy and Procedures Manual [No. 03.004](https://www.ohio.edu/policy/03-004.html).
2. The administration and faculty of Ohio University recognize that sexually explicit material may be part of the instructional material used in the classroom. Therefore any investigation will consider the legitimate pedagogical context, and will take into account discipline-specific guidelines for professional practice [Policy and Procedures [03.004](https://www.ohio.edu/policy/03-004.html) VII.O].

In settings where a sexual misconduct charge may be directly related to the content or instructional mission of the instructional environment, the investigating body will take special consideration of such a context and the outcome of these goals. Weighing inappropriate behavior against the context of legitimate physical contact (for example, in dance or medical instruction); or verbal or visual communication (such as creative writing, art, or biology) should be conducted with cognition of the necessary pedagogy involved in such cases and take into account guidelines within each discipline for recognized professional activities.

1. **Responsibility to Report.** All Ohio University faculty and staff are responsible for compliance with [03.004](https://www.ohio.edu/equity-civil-rights/grievance-resolution.cfm) in the Policy and Procedures Manual and have an affirmative duty to report conduct inconsistent with this policy. Immediately upon learning of potential campus sexual misconduct, a faculty member who receives a complaint of sexual misconduct or who observes or learns of conduct that is reasonably believed to be in violation of this policy, is required to report the alleged conduct to the University office of Equity and Civil Rights Compliance(ECRC), following the reporting guidelines as outlined in [03.004](https://www.ohio.edu/policy/03-004.html), section VII.A Duty to Report. University Equity and Civil Rights Compliance (ECRC) is the University office with responsibility for responding to complaints of sexual misconduct or discrimination and ensuring the University’s compliance with its obligations under federal and state non-discrimination laws, including Title IX.

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In addition to the duty to report sexual misconduct to University Equity and Civil Rights Compliance (ECRC) as identified above, in some circumstances there is a duty to report allegations of criminal conduct to law enforcement. Ohio law (Ohio Revised Code 2921.22) requires every person who knows that a felony has been or is being committed, to report it to law enforcement. It is a criminal offense to knowingly fail to make the report. If a faculty member suspects or has knowledge of criminal activity occurring on university property, s/he/they have a duty to call the Ohio University Police Department at 740-593-1911 (in an emergency, please dial 911 immediately). Incidents that occur off campus or at a regional campus should be reported to local law enforcement.

1. **Procedures for complaints involving sexual misconduct by faculty.**
   1. **Inquiry into reports of sexual misconduct:** On receiving a report of possible sexual misconduct or on receiving information that suggests possible sexual misconduct, University Equity and Civil Rights Compliance (ECRC) will respond in accordance with its Grievance Resolution Procedure, [https://www.ohio.edu/equity-civil-rights/grievance-resolution.cfm](https://www.ohio.edu/policy/03-004.html))

In the inquiry, the ECRC investigator will evaluate whether the allegations, if substantiated, would constitute sexual misconduct, relationship violence, or stalking as defined in Policy 03.004. If the ECRC investigator determines the allegations would violate the sexual misconduct policy if substantiated, then the ECRC investigator will proceed to initiate an investigation.

If the ECRC investigator determines that the allegation would not violate the sexual misconduct policy even if substantiated, then the ECRC investigator will close the inquiry as a consultation.

* 1. **Investigation**. An ECRC Investigation will be conducted in accordance with the ECRC Grievance Resolution Procedure (<https://www.ohio.edu/equity-civil-rights/grievance-resolution.cfm>). If the ECRC investigator determines an investigation is warranted, the ECRC investigator will notify the faculty member identified in the complaint as well his/her/their department chair and the dean of the college/school when the investigation is initiated.

ECRC will provide the faculty member with written notice of the allegations involved in the sexual misconduct complaint. As a part of the ECRC investigation, the faculty member will have the opportunity to present any oral, written, or other information they wish the investigator to consider and to identify any witnesses the faculty member believes may have information relating to such a complaint before an investigation is completed.

ECRC endeavors to complete investigations as promptly as possible. In the event an investigation cannot be completed within 90 days, ECRC will notify the faculty member and the complainant(s) in writing, with a copy to the faculty member’s dean and chair, of the need to extend the timeline and provide an anticipated timeline for completion of the investigation.

At any time during the investigation, the ECRC investigator may recommend to the Provost that interim measures be put in place to prevent the continuation or recurrence of sexual misconduct or to preserve the integrity of the investigation process (according to the ECRC Grievance Resolution Procedure, section V. 7.). The Provost may consult the chair of the department and/or dean of the college/school when making these determinations. Depending on the severity of the accusations, the Provost may decide to put the faculty member on administrative leave until resolution of the allegations.

* 1. The Violence Against Women Reauthorization Act (Code of Federal Regulations at 34 CFR 668) requires that sexual misconduct proceedings provide equal opportunity for the complainant and the respondent to participate, including simultaneous written notification of the outcome of any sexual misconduct proceeding. Therefore, once an investigation is complete, the ECRC Memorandum of Findings (MOF) will be sent to the complainant(s) and the faculty member involved, with copies to the dean of the planning unit and the chair of his/her/their department.

If the ECRC MOF does not support findings of misconduct, the ERCR investigator closes the ECRC case. ECRC’s closing of the ECRC case does not foreclose the examination of the faculty member’s conduct by other university entities.

If the ECRC MOF presents findings of sexual misconduct (violations in accordance to Policy No. 3.004), the dean will forward the complaint to the Provost and Chair of Faculty Senate to convene a review committee of the University Professional Ethics Committee (according to VI.L.3.b.ii). The committee shall be established within twenty-one (21) calendar days of a case being forwarded to the Provost.

* 1. If a UPEC review committee is to be formed, the provost will notify the faculty member and complainant involved who each will be given the opportunity to submit a statement regarding the ECRC findings in writing to the Provost within 21 days. These statements will be included as part of the documentation submitted to the UPEC for its review and consideration. The UPEC’s responsibility is to consider only the charges contained in the ECRC MOF.

**Please note:** Unlike other faculty committees, because of the nature of these cases and the benefit of timely action to both the university and the faculty member, UPEC will not observe the academic calendar, therefore depending on the timing of findings, members may be asked to serve over summer, spring winter or fall breaks to meet the timeline (and, in that case, compensated for their time).

* 1. The UPEC review will be a formal examination and evaluation of ECRC’s findings and the statements of the faculty member and complainant(s) to draw conclusions as to whether the finding of misconduct merits disciplinary action, and if so, to determine an appropriate recommendation for disciplinary action. The review will include examination of documentation, including but not limited to, the report of the ECRC, and the statements of the faculty member and complainant(s) regarding the ECRC findings. It may also include interviews of the ECRC investigator(s), the faculty member involved, the complainant(s), and possible witnesses as deemed necessary by the review committee. The committee will have access to and the assistance of all units or offices at the University in conducting its review. UPEC will have forty-five (45) calendar days to conduct the review, write their report and submit it and their recommendations to the provost.
  2. After consideration of the case, the University Professional Ethics Committee will provide a written report with recommendations to the Provost, with a copy to the faculty member and complainant(s) involved, the chair of the department, and the dean of the college. The final report should include sufficient detail of the review processes to permit an assessment of the reasons for determining recommendation(s). The recommendation(s) of University Professional Ethics Committee may include
     + - **Insufficient cause** to support disciplinary action or
       - A recommendation for disciplinary action that may include, but is not limited to, one or a combination of the following:
         1. **Written reprimand** placed in the faculty member’s file
         2. **Reassignment of duties** for some specified period of time.
         3. **Unpaid leave** (**Suspension without pay)** for a specified period of time or
         4. Adequate cause to recommend that a school or department initiate **loss of tenure and/or dismissal** proceedings.

A recommendation of disciplinary action requires at least four affirmative votes from the University Professional Ethics Committee.

* 1. The report and recommendations of the University Professional Ethics Committee will be forwarded in writing to the Provost, with copies to the dean and the faculty member and complainant(s) involved, for action within thirty (30) days after the provost receives the report and recommendations of the University Professional Ethics Committee.
  2. The Provost, with due consideration of the recommendations of the University Professional Ethics Committee, will announce his/her/their decision within thirty (30) days of receiving the report and recommendations from the University Professional Ethics Committee.
  3. The faculty member or the complainant(s) may appeal the action of the Provost to the President within twenty-one (21) days of being informed of the Provost's action. The grounds for appeal are limited to failure to follow appropriate procedures or arbitrary and capricious decision-making. In the case where a faculty member is the complainant, the appeal would move through the Professional Relations Committee of the Faculty Senate as is standard practice for faculty appeals to the President. The Professional Relations Committee shall submit its recommendations to the President within thirty (30) days of notification, and the President will make the final determination on the appeal within thirty-days (30) after receiving the recommendation of the Professional Relations Committee."
  4. **Reporting.** The University will comply with all federal reporting requirements concerning sexual misconduct of faculty, including notification of the findings when allegations are not confirmed.

**Appendix G**

**Resolution to Clarify the Process for Reviewing Findings of ECRC when Related to Faculty Sexual Misconduct**

**Professional Relations Committee**

**Faculty Senate**

**March 5, 2018—First Reading**

***Whereas,*** *the university’s process for review of findings of sexual misconduct against faculty can be improved to provide greater clarity and consistency and to satisfy the requirements of the Violence Against Women Reauthorization Act of 2013’s amendments to the Clery Act,*

***Whereas*** *the procedure for determining outcomes following investigations of allegations of sexual misconduct by faculty is not clearly stated in the faculty handbook,*

***Be it resolved*** *that the language of the Faculty Handbook be revised to include the following process for review of accusations of sexual misconduct by faculty*

**II. Q. Policy on Sexual Misconduct, Relationship Violence and Stalking**

1. Sexual misconduct, relationship violence and stalking [sexual misconduct] of students, faculty, or staff is prohibited at Ohio University as defined in the Policy and Procedures Manual [No. 03.004](https://www.ohio.edu/policy/03-006.html).
2. The administration and faculty of Ohio University recognize that sexually explicit material may be part of the instructional material used in the classroom. Therefore any investigation will consider the legitimate pedagogical context, and will take into account discipline-specific guidelines for professional practice [Policy and Procedures [03.004](https://www.aaup.org/report/tenure-and-teaching-intensive-appointments) VII.O].

In settings where a sexual misconduct charge may be directly related to the content or instructional mission of the instructional environment, the investigating body will take special consideration of such a context and the outcome of these goals. Weighing inappropriate behavior against the context of legitimate physical contact (for example, in dance or medical instruction); or verbal or visual communication (such as creative writing, art, or biology) should be conducted with cognition of the necessary pedagogy involved in such cases and take into account guidelines within each discipline for recognized professional activities.

1. **Responsibility to Report.** All Ohio University faculty and staff are responsible for compliance with [03.004](https://www.ohio.edu/instres/faculty/index.html) in the Policy and Procedures Manual and have an affirmative duty to report conduct inconsistent with this policy. Immediately upon learning of potential campus sexual misconduct, a faculty member who receives a complaint of sexual misconduct or who observes or learns of conduct that is reasonably believed to be in violation of this policy, is required to report the alleged conduct to the University office of Equity and Civil Rights Compliance(ECRC), following the reporting guidelines as outlined in [03.004](https://www.ohio.edu/policy/19-048.html), section VII.A Duty to Report. University Equity and Civil Rights Compliance (ECRC) is the University office with responsibility for responding to complaints of sexual misconduct or discrimination and ensuring the University’s compliance with its obligations under federal and state non-discrimination laws, including Title IX.

.

In addition to the duty to report sexual misconduct to University Equity and Civil Rights Compliance (ECRC) as identified above, in some circumstances there is a duty to report allegations of criminal conduct to law enforcement. Ohio law (Ohio Revised Code 2921.22) requires every person who knows that a felony has been or is being committed, to report it to law enforcement. It is a criminal offense to knowingly fail to make the report. If a faculty member suspects or has knowledge of criminal activity occurring on university property, s/he/they have a duty to call the Ohio University Police Department at 740-593-1911 (in an emergency, please dial 911 immediately). Incidents that occur off campus or at a regional campus should be reported to local law enforcement.

1. **Procedures for complaints involving sexual misconduct by faculty.**
   1. **Inquiry into reports of sexual misconduct:** On receiving a report of possible sexual misconduct or on receiving information that suggests possible sexual misconduct, University Equity and Civil Rights Compliance (ECRC) will respond in accordance with its Grievance Resolution Procedure, [https://www.ohio.edu/equity-civil-rights/grievance-resolution.cfm](https://www.ohio.edu/policy/41-135.html))

In the inquiry, the ECRC investigator will evaluate whether the allegations, if substantiated, would constitute sexual misconduct, relationship violence, or stalking as defined in Policy 03.004. If the ECRC investigator determines the allegations would violate the sexual misconduct policy if substantiated, then the ECRC investigator will proceed to initiate an investigation.

If the ECRC investigator determines that the allegation would not violate the sexual misconduct policy even if substantiated, then the ECRC investigator will close the inquiry as a consultation.

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ECRC will provide the faculty member with written notice of the allegations involved in the sexual misconduct complaint. As a part of the ECRC investigation, the faculty member will have the opportunity to present any oral, written, or other information they wish the investigator to consider and to identify any witnesses the faculty member believes may have information relating to such a complaint before an investigation is completed.

ECRC endeavors to complete investigations as promptly as possible. In the event an investigation cannot be completed within 90 days, ECRC will notify the faculty member and the complainant(s) in writing, with a copy to the faculty member’s dean and chair, of the need to extend the timeline and provide an anticipated timeline for completion of the investigation.

At any time during the investigation, the ECRC investigator may recommend to the Provost that interim measures be put in place to prevent the continuation or recurrence of sexual misconduct or to preserve the integrity of the investigation process (according to the ECRC Grievance Resolution Procedure, section V. 7.). The Provost may consult the chair of the department and/or dean of the college/school when making these determinations. Depending on the severity of the accusations, the Provost may decide to put the faculty member on administrative leave until resolution of the allegations.

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If the ECRC MOF does not support findings of misconduct, the ERCR investigator closes the ECRC case. ECRC’s closing of the ECRC case does not foreclose the examination of the faculty member’s conduct by other university entities.

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* 1. If a UPEC review committee is to be formed, the provost will notify the faculty member and complainant involved who each will be given the opportunity to submit a statement regarding the ECRC findings in writing to the Provost within 21 days. These statements will be included as part of the documentation submitted to the UPEC for its review and consideration. The UPEC’s responsibility is to consider only the charges contained in the ECRC MOF.

**Please note:** Unlike other faculty committees, because of the nature of these cases and the benefit of timely action to both the university and the faculty member, UPEC will not observe the academic calendar, therefore depending on the timing of findings, members may be asked to serve over summer, spring winter or fall breaks to meet the timeline (and, in that case, compensated for their time).

* 1. The UPEC review will be a formal examination and evaluation of ECRC’s findings and the statements of the faculty member and complainant(s) to draw conclusions as to whether the finding of misconduct merits disciplinary action, and if so, to determine an appropriate recommendation for disciplinary action. The review will include examination of documentation, including but not limited to, the report of the ECRC, and the statements of the faculty member and complainant(s) regarding the ECRC findings. It may also include interviews of the ECRC investigator(s), the faculty member involved, the complainant(s), and possible witnesses as deemed necessary by the review committee. The committee will have access to and the assistance of all units or offices at the University in conducting its review. UPEC will have forty-five (45) calendar days to conduct the review, write their report and submit it and their recommendations to the provost.
  2. After consideration of the case, the University Professional Ethics Committee will provide a written report with recommendations to the Provost, with a copy to the faculty member and complainant(s) involved, the chair of the department, and the dean of the college. The final report should include sufficient detail of the review processes to permit an assessment of the reasons for determining recommendation(s). The recommendation(s) of University Professional Ethics Committee may include
     + - **Insufficient cause** to support disciplinary action or
       - A recommendation for disciplinary action that may include, but is not limited to, one or a combination of the following:
         1. **Written reprimand** placed in the faculty member’s file
         2. **Reassignment of duties** for some specified period of time.
         3. **Unpaid leave** (**Suspension without pay)** for a specified period of time or
         4. Adequate cause to recommend that a school or department initiate **loss of tenure and/or dismissal** proceedings.

A recommendation of disciplinary action requires at least four affirmative votes from the University Professional Ethics Committee.

* 1. The report and recommendations of the University Professional Ethics Committee will be forwarded in writing to the Provost, with copies to the dean and the faculty member and complainant(s) involved, for action within thirty (30) days after the provost receives the report and recommendations of the University Professional Ethics Committee.
  2. The Provost, with due consideration of the recommendations of the University Professional Ethics Committee, will announce his/her/their decision within thirty (30) days of receiving the report and recommendations from the University Professional Ethics Committee.
  3. The faculty member or the complainant(s) may appeal the action of the Provost to the President within twenty-one (21) days of being informed of the Provost's action. The grounds for appeal are limited to failure to follow appropriate procedures or arbitrary and capricious decision-making. In the case where a faculty member is the complainant, the appeal would move through the Professional Relations Committee of the Faculty Senate as is standard practice for faculty appeals to the President. The Professional Relations Committee shall submit its recommendations to the President within thirty (30) days of notification, and the President will make the final determination on the appeal within thirty-days (30) after receiving the recommendation of the Professional Relations Committee."
  4. **Reporting.** The University will comply with all federal reporting requirements concerning sexual misconduct of faculty, including notification of the findings when allegations are not confirmed.

**Appendix H**

**Resolution to Change Residency Requirements for Minors and Certificates**

Educational Policy and Student Affairs (EPSA) Committee

Faculty Senate

March 5, 2018 – Second Reading

*Whereas* Ohio University defines residence credit as any credit earned by regular enrollment at Ohio University on the Athens campus or any regional campus or by Ohio University education abroad, any approved student teaching, online or distance education courses offered through eCampus, or any combination of these options;

Whereas Ohio University requires students to earn a minimum of 30 credit hours in residence with resident credit as defined above to earn a Bachelor’s Degree and a minimum of 18 credit hours in residence with resident credit as defined above to earn an Associate Degree;

*Whereas* Ohio University requires students to earn a minimum of 50 percent of coursework taken to fulfill major concentration in residence with resident credit as defined above to earn a Bachelor’s Degree;

Whereas Ohio University offers academic minors and academic certificates to students pursuing a baccalaureate program; and

*Whereas* Ohio University does not stipulate minimum residence credit for to earn certificates or minors.

Be it resolved Ohio University requires students to earn a minimum of 50 percent of coursework taken to fulfill certificate or minor requirements in residence with resident credit as defined above to earn a Bachelor’s Degree.

BE IT FURTHER RESOLVED that the language in the OHIO University Undergraduate Catalog for 2018-19 be amended to

**Graduation Requirements – Universitywide**

**Residency Requirements for Graduation**

Like most universities, Ohio University requires that you be “in residence” for a certain number of credit hours in order to graduate. Some colleges have additional residency requirements, so check with your advisor or college student service’s office to make certain all requirements are being met.

Residence credit is defined as any credit earned by regular enrollment at Ohio University on the Athens campus or any regional campus or by Ohio University education abroad, any approved student teaching, online or distance education courses offered through eCampus, or any combination of these options.

**Bachelor’s Degree**

You must earn a minimum of 30 semester credit hours while enrolled at Ohio University; and you must earn a minimum of 50 percent of coursework taken to fulfill each of your major concentration, minor, or certificate requirements in residence with resident credit as defined above. A college may require more than 50 percent of Ohio University credit to fulfill a major concentration, minor, or certificate or have other additional residence requirements for a given program. A college may permit fewer than 50 percent of Ohio University credit to fulfill minor or certificate requirements for transfer credit approved in advance through education abroad programs in which a student participates while enrolled at Ohio University.

If you begin graduate study at Ohio University before completing all requirements for a bachelor’s degree, your residency requirement will be reduced by as many hours as credit hours of graduate work completed. The number of hours subtracted also will be credited toward the residency requirement for a master’s degree, if the credit is acceptable in the program approved for graduate work toward a degree. Residence credits used for meeting requirements for one or more bachelor’s degrees may not also be used for meeting the residency requirements for the graduate degree.

The residency requirements apply even if you have been approved for graduation *in absentia* and are completing your last year in an accredited institution, except that the regulations apply to residence before you leave the University. (See the *In Absentia* section below.)

**Associate’s Degree**

You must earn a minimum of 18 semester credit hours while enrolled at Ohio University; and you must earn a minimum of 50 percent of coursework taken to fulfill your major concentration in residence with resident credit as defined above. A college may require more than 50 percent of Ohio University credit to fulfill a major concentration or have other additional residence requirements for a given program.

***In Absentia***

To be considered for in absentia status, you must obtain permission from the student services office of your college. If you have been approved for the senior–in absentia privilege, you must complete a full year’s work in an Ohio University–approved professional school and be eligible for advancement without condition to the second year to obtain your bachelor’s degree in absentia. In absentia programs involve preplanned curricula and cannot be arranged on an ad hoc basis. The in absentia privilege does not apply to graduate degree programs.

**Appendix I**

**Resolution to Standardize Fall Break**

Educational Policy and Student Affairs (EPSA) Committee

Faculty Senate

March 5, 2018 – Approved

**Whereas** the original intent of having a Reading Day was to provide a brief break in the middle of fall semester (there was a long period of time with no break between Labor Day and Veteran’s day);

**Whereas** Ohio University currently schedules a reading day each fall semester;

**Whereas** the floating nature of the current implementation of Reading Day (inconsistent day of the week) makes it difficult to predict and schedule around (e.g., Friday, October 3, 2014; Friday, October 2, 2015; Monday, October 3, 2016; Tuesday, October 10, 2017);

**Whereas** scheduling Reading Day on weekdays other than Friday are more likely to interrupt one-day or two-day per week class schedules;

**Whereas** missing a Friday class is less disruptive to coursework and other academic activities than other days of the week;

**Whereas** Reading Day is already scheduled to occur on Fridays through fall of 2021 (e.g., Friday, October 5, 2018; Friday, October 4, 2019; Friday, October 2, 2020; Friday, October 1, 2021);

**Whereas** there is student and faculty support for the continued use of some form of fall break; and

**Whereas** the term reading day does not precisely reflect the nature of activities that occur on that day.

**Be it resolved** that the title of Reading Day be changed to Fall Break beginning fall semester 2019 (classes not in session, but university remains open); and

**Be it further resolved** that Fall Break will consistently be held on a Friday near the middle of fall semester and that if it cannot be held at that time (e.g. if it would put us out of compliance with ODHE guidelines) that the Registrar’s Office should consult Faculty Senate.