In attendance

- **College of Business**: J. Hiler, A. Pueschel, D. Ridpath, A. Rosado Feger
- **College of Fine Arts**: M. Franz, K. Geist, H. Siebrits
- **College of Health Sciences and Professions**: R. Brannan, M. Clevendece, A. Sergeev, M. Lee (sub. for B. Sindelar)
- **Heritage College of Osteopathic Medicine**: B. Franz, S. Williams, J. Wolf
- **Clinical**: A. Healy
- **Patton College of Education**: L. Harrison, C. Harytmam, S. Helfrich, C. Lowery
- **Regional Campus – Chillicothe**: A. White
- **Regional Campus – Eastern**: n/a (excused)
- **Regional Campus – Lancaster**: n/a (excused)
- **Regional Campus – Southern**: Y. Shao-Lucas
- **Regional Campus – Zanesville**: S. House, C. Vickers
- **Russ College of Engineering**: D. Arch, J. Cotton, D. Scherwerha
- **Scripps College of Communication**: B. Bates, B. Debatin, F. Lewis
- **Voinovich School of Leadership and Public Affairs**: D. Kauneckis
- **Athens At Large**: G. Michaud
- **Regional Higher Education**: D. Nickles, T. Pritchard

**Excused**: A. Chadwick, S. Doty, P. McMurray-Schwarz, B. Sindelar, J. Taylor, G. Weckman

**Absent**: D. Clowe, V. Marchenkov
Ohio University Faculty Senate  
Agenda for Monday, February 4, 2019  
Room 235, Margaret M. Walter Hall, 7:10-9:00pm

I. President M. Duane Nellis & EVPP Chaden Djalali

II. Roll Call and Approval of the December 10, 2018 Minutes

III. Chair’s Report—Joe McLaughlin
   a. Updates & Announcements
   b. Wright State Faculty Strike
   c. Faculty Senate Spring Elections
   d. Regional Higher Education Update
   e. Upcoming Senate Meeting: March 4, 2019, Walter Hall 235, 7:10-9:00pm

IV. Educational Policy & Student Affairs Committee—Allison White
   a. Resolution on Graduate Retakes—First Reading (See Appendix A)

V. Professional Relations Committee—Sarah Wyatt
   a. Resolution to Correct the Process for Complaints Involving Sexual Misconduct—First Reading (See Appendix B)
   b. Resolution to Clarify Recusal Process for College Professional Ethics Committees –Second Reading & Vote (See Appendix C)
   c. Resolution to Clarify Process for Investigation of Complaints not Involving Sexual Misconduct, Discrimination, or Research Misconduct—Second Reading & Vote (See Appendix D)
   d. Resolution to Revise Faculty Classifications—First Reading (See Appendix E)

VI. Promotion & Tenure Committee—Sherrie Gradin

VII. Finance & Facilities Committee—Susan Williams

VIII. New Business

IX. Adjournment
Meeting called to order at 7:10 p.m.

I. President M. Duane Nellis & EVPP Chaden Djalali

President Nellis made several remarks and noted that he would have to leave prior to 8 p.m. to attend another commitment.

The President highlighted several February dates celebrating faculty excellence in the following order, including

- Feb 21 – Faculty Innovation and Excellence/Konnecker Award Dinner
- Feb. 25 - Annual Distinguished Faculty portrait unveiling to honor Dr. Susan Burgess
- Feb. 15 – Deadline for next year’s distinguished faculty award

In addition, President Nellis said that there were updates on searches, most of which would be covered by EVPP Djalali later. The search for a new VP for Communication and Marketing continues with a projected interview period in early April interviews.

On other employment matters, John Biancamano, OU legal counsel announced his retirement at the end of the academic year. A search committee would be formed in due course.

In reference to issues and concerns surrounding the LGBT Center, the President he would not make public comments due to the President being the next level of appeal. He stated he had met with some LGBT students and would be scheduling a future meeting for further dialogue.

Finally, the President announced the appointment of three Sustainability Hub Coordinators: Drs. David Bayloss, Theresa Moran, and Ryan Fogt.

Question and Answers:

Senator White who had served on several diversity commissions including the President’s Committee on Diversity charged with conducting the Diversity Climate Survey expressed alarm and concern over the recent termination of delphin bautista, LGBT Center director and the future of the LGBT Center. The Diversity Climate Survey 2018 climate results have not been forthcoming, despite several requests. The 2017 Audit also not forthcoming. These reports, the senator continued, have critical information that could have informed current and future decisions. Meanwhile the Diversity & Inclusion’s mission remains unclear. One consequence is the
challenge this lack of mission poses to the recruitment of excellent students of diverse backgrounds such as the Cutler Scholars.

President Nellis responded that he heard the message of concern and appreciated the senator’s remarks.

Faculty Senate Chair McLaughlin raised the possibility of forwarding additional questions and concerns to President Nellis after the meeting. The President agreed saying all faculty were always welcome to do so.

EVPP Chaden Djalali provided the following updates and announcements:

In terms of searches, the Dean of Library search was in final stages of negotiations. Secondly, the Dean searches for the Russ College and the College of Arts & Sciences were in the process of scheduling “airport interviews” (although these were more likely to be conducted via Zoom instead of a site interview at the airport). The Honors Tutorial College Dean Search was moving forward.

EVPP Djalali discussed the budget and the need for a sustainable plan for a balanced budget in order to avoid persistent shortfalls. The decline in enrollment was affecting the budget and there was some attention given to the decline in summer enrollment. There had been a decline in enrollment on the Athens campus during summer session in the past year that was equal to a decline of $3 million in revenue.

He also added that the Regional/Integration Plan with action items was being discussed by higher administration. We are waiting for a final outcome of the budget before moving forward with action items.

Question & Answer:

Some senators asked to what extent regional deans were discussing the integration plan. Djalali indicated that broader discussions with the deans would have to wait until the Board of Trustees approved the budget later in the spring.

A senator also noted that regional campuses also have declined in enrollment because the teaching stipend is not worth it.

II. Roll Call and Approval of the December 10, 2018 Minutes

Faculty Senate Secretary Robin Muhammad took roll.
Faculty Senate called for the approval of the minutes of the last meeting. The motion was made, seconded, and approved unanimously.

III. Chair’s Report—Joe McLaughlin

Faculty Senate Joe McLaughlin announced the following updates and events:

1) Tim Vickers wanted faculty to know that in late April, Spotlight on Learning Conference would take place and faculty were encouraged to apply by the Feb. 10 deadline.

2) Chair McLaughlin would be attending the next Ohio Faculty Council meeting and sharing several white papers of interest in the future.

3) He also noted that the Chancellor deeply familiar with Ohio-level issues.

4) The Distinguished Faculty Event would take place on February 25.

5) Dr. Judith Lee was retiring and the Chair wished congratulations to this long-standing Faculty Senator.

6) Former senator and Faculty Senate Secretary Katie Hartman would be serving on the search committee for the next VP Communications and Marketing.

7) The Wright State Faculty Strike was in its 3rd week. Issues relevant to the strike are health benefits; summer teaching; furloughing. A statement of support by the Faculty Senate might be considered.

8) In preparation for the Faculty Senate election a call for nominations was issues by Chair McLaughlin and Senators Alexander Sergeev and Jim Taylor (having completed their second terms as senators) were named as the nominating committee. Nominations should be sent to them. Faculty Senate Officers will be elected at the April 2019 meeting.

Questions & Answers:

Senator Roosenberg asked about the RHE plan to integrate by department across all a campuses.

Senator Nickles voiced their support for a resolution in support of Wright State. Senator Buckley suggested coordinating with other universities.

Senator Ridpath reminded everyone of the AAUP-Athens chapter letter of support for the striking faculty at Wright State already made public.
Next Meeting is March 4, 2019

IV. Educational Policy & Student Affairs Committee—Allison White

Resolution on Graduate Retakes—First Reading (See Appendix A)

Senator Allison White was filling in for EPSA Committee Chair Betty Sindelar.

After extensive discussion about the retaking courses at the graduate level, it was agreed that more clarification in the resolution was needed.

V. Professional Relations Committee—Sarah Wyatt

Resolution to Correct the Process for Complaints Involving Sexual Misconduct – First Reading (See Appendix B)

There was a brief discussion and Senator Wyatt’s extensive work on this and other resolutions was complimented.

Resolution to Clarify recusal process for the college professional ethics committees second reading (See Appendix C)

There was discussion about the definition of recusal: recusal is done voluntarily and is not imposed.

The resolution was approved unanimously.

Resolution to Clarify the Process for Investigation and Review Allegations of Misconduct not Involving Sexual Misconduct, Discrimination or Research Misconduct.

Senator Wyatt noted that there were no no substantial changes from first reading.

There was general discussion about the improved language. A senator repeated their concern that guidelines should be more clear. Senator Wyatt responded that the College in question could shape the process and/or ethical code more clearly.

The resolution was approved with a majority of votes and two nays.

Resolution to Revise Faculty Classifications – First Reading

There was some discussion about the term “adjunct” which is widely used but not consistently defined.
VI.  Promotion & Tenure Committee—Sherrie Gradin
No report

VII.  Finance & Facilities Committee—Susan Williams
No report

VIII.  New Business
None

IX.  Adjournment

A motion to adjourn was made, seconded, and carried unanimously at 9:05 p.m.
Appendix A

Resolution to Clarify Course Retake Language in the Graduate Catalog
Educational Policy & Student Affairs Committee
February 4, 2019
First Reading

Whereas all graded OHIO graduate courses contribute to the student’s cumulative OHIO graduate GPA; and

Whereas the current catalog policy is meant to prevent graduate students from retaking classes primarily for the purpose of raising their cumulative GPAs; and

Whereas the current catalog language communicates that policy imprecisely and incorrectly implies that retaken classes do not raise the cumulative GPA; and

Whereas the grade required to meet program requirements is always above a C- but may be higher in some programs;

Be it resolved that the Academic Policies and Procedures section of the Graduate Catalog be amended as shown below:

[with changes marked]

Standards of Work

Graduate accumulative grade point average (GPA) includes all graduate courses taken at Ohio University. Conferral of a graduate degree or certificate requires an accumulative graduate GPA of at least a 3.0 – GPA cannot be “rounded up” to achieve a 3.0. No course with a grade below C (2.0) may be used to satisfy any graduate degree or certificate requirement. Repeating or retaking a graduate-level course does not remove or replace a grade from a previous attempt.

Students taking courses in post-baccalaureate or non-degree status must adhere to the same standards of work as degree and certificate students. Note: graduate courses taken by undergraduate students through university, college, or Honors Tutorial College will have graduate course grades applied to their undergraduate GPA unless they have applied for and received permission to take graduate courses for graduate credit.

Individual graduate programs, schools, departments, or academic colleges may establish standards more rigorous than those in this section. For example, programs may set minimum grade expectations for courses, or programs may consider
academic progress based on work done as part of the active program exclusive of previous graduate work.

**Repeating a Course**

Repeating a course is to complete a course more than once for credit. This can be done only with repeatable courses, which are designed to be taken multiple times (e.g., thesis credits 6950, dissertation credits 8950). Some departments place a limit on the total number of credits that may be earned in a given repeatable course.

**Retaking a Course**

Students may not retake a graduate-level course if the prior attempt has met degree requirements. Retaking a graduate-level course will not remove or replace a grade from a previous attempt. A regular graduate-level course with fixed content cannot be retaken to affect the student's GPA. All course attempts and grades appear on the permanent academic record (transcript) and are calculated in the graduate GPA.

[clean version of revised text]

**Standards of Work**

Graduate accumulative grade point average (GPA) includes all graduate courses taken at Ohio University. Conferral of a graduate degree or certificate requires an accumulative graduate GPA of at least a 3.0 – GPA cannot be “rounded up” to achieve a 3.0. No course with a grade below C (2.0) may be used to satisfy any graduate degree or certificate requirement. Repeating or retaking a graduate-level course does not remove or replace a grade from a previous attempt.

Students taking courses in post-baccalaureate or non-degree status must adhere to the same standards of work as degree and certificate students. Note: graduate courses taken by undergraduate students through university, college, or Honors Tutorial College will have graduate course grades applied to their undergraduate GPA unless they have applied for and received permission to take graduate courses for graduate credit.

Individual graduate programs, schools, departments, or academic colleges may establish standards more rigorous than those in this section. For example, programs may set minimum grade expectations for courses, or programs may consider academic progress based on work done as part of the active program exclusive of previous graduate work.

**Repeating a Course**

Repeating a course is to complete a course more than once for credit. This can be done only with repeatable courses, which are designed to be taken multiple times (e.g., thesis credits 6950, dissertation credits 8950). Some departments place a limit on the total number of credits that may be earned in a given repeatable course.
Retaking a Course

Students may not retake a graduate-level course if the prior attempt has met degree requirements. Retaking a graduate-level course will not remove or replace a grade from a previous attempt. All course attempts and grades appear on the permanent academic record (transcript) and are calculated in the graduate GPA.
Appendix B

Resolution to correct the process for complaints involving sexual misconduct
Professional Relations Committee
Faculty Senate
Feb 4, 2019 – First Reading

Whereas the procedure for appeal to the president for the action of the provost is inappropriate in the case that the UPEC recommends referral to the department or school to initiate loss of tenure and of dismissal proceedings,

Whereas is the case of such referral, the case moves to the department or school for further consideration and initiation of the proceeding as indicated by Tenure and Promotion committee

Be it resolved that the language of the Faculty Handbook be revised to include the following

Q. Policy on Sexual Misconduct, Relationship Violence and Stalking

4. Procedures for complaints involving sexual misconduct by faculty

f. 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:

a. Written reprimand placed in the faculty member’s file

b. Reassignment of duties for some specified period of time.

c. Unpaid leave (Suspension without pay) for a specified period of time or
d. Adequate cause to recommend that a school or department initiate **loss of tenure and/or dismissal** proceedings (II. D. 5).

i. **Except for the recommendation to initiate loss of tenure or dismissal proceedings** which is referred back to the department or school, 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.
Appendix C

Resolution to clarify recusal process for the college professional ethics committees.
Professional Relations Committee
Faculty Senate
Feb 4, 2019 – Second Reading

Whereas the procedure for recusal from and appointment of replacements to the college professional ethics committees is not clearly stated,

Be it resolved that the language of the Faculty Handbook be revised to include the following

IV. L.3 Establishment of Professional Ethics Committees

a. College/School Professional Ethics Committee

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 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.

Recusals. When an allegation of a violation of professional ethics is received by the chair of the college Professional Ethics Committee, the committee chair will inform the members of the committee of the
pending case. Committee members who have a close personal or professional relationship with the accused or complainant, will recuse themselves from the case. The dean or the chair of Faculty Senate shall then fill any vacancy based on the selection criteria (chosen by faculty senators or by the dean) and faculty classification of the person recused. The dean or senators may draw from faculty of similar classification from within the college, including those who have previously served on PEC, and if necessary may appoint faculty from outside the college.
Appendix D

Resolution to clarify the process for investigation and review allegations of misconduct not involving sexual misconduct, discrimination or research misconduct

Professional Relations Committee
Faculty Senate
Feb 4, 2019 – Second Reading

Whereas the procedure the process for investigation and review of allegations of professional misconduct not involving sexual misconduct, discrimination or research misconduct is not clearly stated,

Be it resolved that the language of the Faculty Handbook be revised to include the following

IV. L.4. Procedures for allegations not involving sexual or research misconduct

b. For apparent violations of professional ethics not investigated through the Office of the Vice President of Research nor by ECRC, the investigation starts at the department level. The department chair, possibly in consultation with faculty colleagues or a departmental grievance/advisory committee, shall investigate the allegations. When charges are brought against a faculty member from some external professional or governmental agency, the case will proceed directly to the dean and the college Professional Ethics Committee after any adverse determination is made by the external professional or governmental agency.

i. The investigation at the department level will include, minimally, interviews with the accused and complainant, and may include, but is not limited to written statements or other documentation provided by the accused and complainant(s) regarding the activities in question, and interviews or statements from possible witnesses.

The person accused of the violation of professional ethics will be informed of the charges within thirty (30) calendar days and be given an opportunity to explain his/her/their behavior. If the chair is not satisfied with the explanation, the specifics of the allegations will be given within fifteen (15) calendar days to the
person accused in writing. The person accused will have fifteen (15) calendar days to respond to the chair in writing, and the chair will attempt to resolve the problem.

ii. If resolution cannot be reached between the chair, the complainant, and the accused within fifteen (15) calendar days, the chair will forward the specific allegations of violation of Professional Ethics by the faculty member, along with documentation of the process and findings of his/her investigation, to the dean in writing. The faculty member accused and complainant will be given the option of submitting written statements regarding the alleged misconduct in writing as part of the documentation submitted to the dean at the same time.

iii. If the dean, chair, complainant, and faculty member accused of the violation cannot reach a resolution of the matter within fifteen (15) calendar days, the dean will notify the members of the PEC of the pending case, ask for recusals, and then work with the chair of Faculty Senate to fill any vacancies (L.3.a). The specific allegations of violation of professional ethics along with all documentation of the investigation, attempted resolutions, and process followed will be forwarded to the college Professional Ethics Committee (according to VI.L.4.c) in writing. A final copy of the allegations and documentation provided to the college PEC will be given to the accused and complainant, and once the allegations are forwarded to the college Professional Ethics Committee, no additional charges can be added without beginning the process anew.

c. **Role of the college Professional Ethics Committee.** When an allegation of violation of professional ethics is received by the college Professional Ethics Committee, the committee will the committee chair will inform the person accused and the committee will investigate the charges (or review the investigation and findings from ECRC in cases of allegations of discrimination according to VI.L.4.a), with the assistance of university offices as needed as determined by the dean and the Professional Ethics Committee chair.

The college PEC investigation will be a formal examination and evaluation of the allegations 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 investigation will include examination of documentation, including but not limited to, the written statements from parties involved, summary statements of
witness interviews, and reports from the chair and the dean as to process, findings, and resolutions attempted. The complainant and accused will be given an opportunity to meet and discuss the charges with the committee. When appearing before the committee, they may be accompanied by an advocate, preferably a faculty member. The college PEC has the right to interview all parties involved including possible witnesses as needed to make a decision.

After consideration of all of the testimony and evidence in the case, the Professional Ethics Committee will report its written conclusions and recommendations to the dean of the college and to the person accused with a copy to the provost. The report and recommendations must be issued within thirty (30) days after receiving the written allegations. The findings and recommended action may include the following:
Resolution to Revise Faculty Classifications
Professional Relations Committee
Faculty Senate
Feb 4, 2018 – First Reading

Whereas the use of Group 1,2,3,4 is not descriptive of the position, is cumbersome and leads to confusion,

Whereas the current classification system has not been responsive to modifications or new types of faculty positions,

Be it resolved that the language of the Faculty Handbook be revised to include the following language revising faculty classification

II.B.1. Professional Courtesy Appointments

A department at Ohio University may provide an academic home to professional persons through special courtesy appointments as a Research Scholar, Research Scientist, or Artist when mutually beneficial to the individual and the department.

Appointments are made by the dean of a college upon recommendation from a department or regional campus division, and copies of the letter of appointment go to the Provost and President. Persons granted these appointments must have the appropriate qualifications to pursue a program of research, scholarship, or creative activity. This program may also include proposal and report writing, grant solicitation, publication of results, and/or performance and exhibition. Persons with these appointments receive an annual letter of appointment that describes the nature of their work with an appropriate title.

Such appointees are given computer accounts, faculty ID cards, parking, and faculty library privileges, and are listed in the campus directory, but receive no salary. Additional resources may be made available to them by departments or regional campuses depending on availability.
Suitably qualified appointees may teach regularly scheduled classes upon the issuance of a contract specifying both an appropriate salary and faculty classification.

II.B.2 Other Special Appointments

a. Research Professor (administrative lines). The Ohio University Policy #01.015 states "The vice-president for research and graduate studies, with the concurrence of an appropriate academic department and college dean, may recommend to the president that center staff who are supported solely on external funds (grants or contracts), with appropriate academic credentials and background, be given a non-tenure track position and be designated as assistant research professor, associate research professor, or research professor within the employing center or institute. The appointment is coterminous with the external funding."

These positions do not hold faculty rank, faculty status nor teaching responsibilities. The research positions/people are not governed nor protected by the Faculty Handbook. Their actions would be governed by the administrative handbook.

Suitably qualified appointees may teach regularly scheduled classes upon the issuance of an additional contract specifying both an appropriate salary and faculty classification.

b. It is recognized that in some departments and divisions of the University there are positions, such as Technical Assistant and Curator that do not necessarily require advanced degrees. Appointees to these positions will not ordinarily receive tenure. In addition to a formal contract, such appointees will be given a written statement describing the character as well as the probable minimum and maximum duration of their work.