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<td>RESOLUTION 2019 – 3774</td>
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</table>
Ohio University Board of Trustees  
Meeting of the Board of Trustees  
Friday, June 21, 2019  
St. Clairsville

Chair Dave Scholl called the June Meeting of the Ohio University Board of Trustees to order at 10:06 am.

Roll Call
Board Secretary David Moore called roll.

Present: Chair David Scholl, Trustees Steve Casciani, Cary Cooper, Matthew Evans, Victor Goodman, Eileen Sheil, Diane Smullen, Peggy Viehweger; Student Trustees Austin McClain and Justin Kelley, National Trustees David Pidwell and John Gainor; Alumni Representative Casey Christopher, President Duane Nellis, and Board Secretary David Moore.

Approval of Agenda
Chair Scholl asked to approve the agenda for the 2019 June Meeting of the Board of Trustees; Trustee Viehweger moved to approve the agenda; Trustee Goodman seconded; Chair Scholl called for a vote; with all in favor, the agenda was approved.

Approval of Minutes
Chair Scholl asked to approve the minutes of the 2019 March meeting of the Board of Trustees; Trustee Evans moved to approve the minutes; Trustee Viehweger seconded; Chair Scholl called for a vote; with all in favor, the minutes were approved.

Chair Scholl asked to approve the minutes of the 2019 May meeting of the Board of Trustees; Trustee Goodman moved to approve the minutes; Trustee Smullen seconded; Chair Scholl called for a vote; with all in favor, the minutes were approved.

Reports

Report from Chair
Chair Scholl reviewed the week’s events. Chair Scholl reported that each year the Board has an opportunity to visit one of our Regional Campuses and this year they are honored to have been hosted by Dean Klein in St. Clairsville.
Chair Scholl reported that yesterday, at lunch, Dean Klein hosted us and a group of students, many who were Student Ambassadors who gave us a tour of the campus this morning.

Chair Scholl also reported that last evening, at dinner, we met with members of Eastern’s Governing Council, along with many of Eastern’s faculty. We were introduced to the Ebbert Family whose story demonstrates how important OHIO is to this region. Finally, we had a chance to hear some original music by former Dean Rich Greenlee. Chair Scholl concluded by giving his thanks to Dean Klein and the entire OHIO Eastern community.

Chair Scholl reported that the Board’s subcommittees met the previous day and this morning in preparation for this meeting.

**President’s Report**

Chair Scholl asked President Nellis to present his Presidential Report.

President Nellis shared a set of action steps for *One OHIO* and for OHIO’s bold future. He also shared notable highlights of progress related to the University’s strategic pathways and priorities, such as:

- Guest Lecturer Anita Hill Kennedy speaks to the impact of social movements
- Award winning and nationally recognized student creators, researchers, and innovators
- The recent accomplishments of the Ohio University Innovation Center and its economic impact
- Ohio University’s efforts to combat the opioid epidemic
- How the Patton College of Education is positively affecting the lives of local school children and the life of one veteran and his family
- OHIO Museum Complex
- Leadership Updates
- The results of our inaugural Giving Day and the impact our Alumni Chapters have on their communities
- May’s commencement ceremonies

Finally, President Nellis introduced the Presidential Spotlight presentation on with a panel of speakers from a recent networking forum held at Ohio University Eastern on student engagement and success.

Chair Scholl thanked the President and stated it was time to move to committee reports.

**Committee Reports and Information Items**
Chair Scholl asked Committee Chair Cooper to give the Academics and Student Committee Report.

Committee Chair Cooper reported that the Academics and Student Success Committee received the Russ College of Engineering’s Dashboard from Dean, Dennis Irwin; the Committee also received an update on One OHIO and an update on Certificate Programs that have been approved as well as a Promotion and Tenure Report. Additionally, Committee Chair Cooper reported that the committee received a report on the newly implemented OHIO Honors program.

Committee Chair Cooper stated that the committee has affirmed that the following Resolutions will stay on the Consent Agenda and that they be approved in the vote later this morning.

- Honorary Degree - Francis A. Papay
- Honorary Degree – Richard A. Vincent
- Faculty Fellowship Leaves
- Emeriti Nominations
- Regional Coordinating Council Appointments
- Program Reviews
- New Programs
  - A&S Geography-Broadcast Meteorology
  - A&S Linguistics-Teaching English to Speakers of Other Languages (TESOL)
  - BUS Management-Applied Business
  - Fine Arts: Arts Administration
  - Fine Arts: Community Dance
  - HSP Interdisciplinary Health Studies-Integrated Health Studies
- Program Suspensions
  - A&S Modern Languages-French
  - RHE ZANESVILLE CAMPUS Electronic Media
- Program Name Changes
  - A&S Linguistics
  - RHE Computer Science Technology
  - COM Information and Telecommunication Systems

Lastly, the Committee Chair Cooper reported that the Committee reviewed a resolution revising the Student Code of Conduct. The committee recommends that that resolution be approved.
REVISED STUDENT CODE OF CONDUCT

RESOLUTION 2019 - 3768

WHEREAS, Ohio University holds as its central purpose the intellectual and personal development of its students, and

WHEREAS, Ohio University has expectations for the behavior of its students, both on and off campus, and

WHEREAS, those expectations are articulated through the Student Code of Conduct, and

WHEREAS, the Student Code of Conduct must be formally reviewed every two years, and the Board of Trustees approved the current version, which became effective in June 2017, by Resolution 2017-3631, and

WHEREAS, the Review and Standards Committee, the university committee charged with reviewing and making recommended changes to the Code, along with the Office of Community Standards and Student Responsibility, the office charged with implementing the Code, researched, benchmarked, and proposed revisions to the Code, and

WHEREAS, Student Senate, Graduate Student Senate, and Faculty Senate were each given the opportunity to provide feedback and the proposed revisions to the Student Code of Conduct was open for public comment on the web, and

WHEREAS, the proposed revisions to the Student Code of Conduct have been approved by the Review and Standards Committee, and

WHEREAS, the President recommends approval of the proposed revisions to the Student Code of Conduct to the Board of Trustees.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees approves the proposed revisions to the Student Code of Conduct, attached hereto as Exhibit A, which will go into effect on August 22, 2019.

Committee Chair Cooper motioned that the Student Code of Conduct Resolution be approved; Trustee Evans seconded; Chair Scholl called for discussion. The Trustees discussed what should be the appropriate standard of evidence in the Student Code of Conduct. General Counsel Biancamano stated that the Department of Education was working on revised recommendations and that the resolution wasn’t intended to address the issue of standard of evidence, but staff could explore the standards of evidence in a future resolution if warranted. Chair Scholl called for a vote. The motion passed with 7 yes votes and 0 no votes; Trustee Goodman abstained.

Exhibit A is located at the end of the June 2019 Minutes.
Committee Chair Cooper reported that there were no further Consent Resolutions or additional Resolutions; detailed minutes of the committee’s discussions will be made available on the Board of Trustees’ website.

**Resources, Facilities and Affordability Committee**

Chair Scholl asked Committee Chair Viehweger to give the Resources, Finances, and Affordability Committee Report. Committee Chair Viehweger reported that the committee received the FY20 & Multi-year University Budget Update as well as the Capital Improvement Plan (CIP) Update. Committee Chair Viehweger also reported that the Committee received an Advancement Update, Investment Advisor Update, and the Treasury & Debt Update. Finally, Committee Chair Viehweger reported that the Committee had the Financial Update and updates on Facility & Planning Projects.

**Consent Agenda**

Committee Chair Viehweger stated that the following resolutions on the Consent Agenda were considered by the Committee.

- **Resolution for Undergraduate Scholarship Match Program Extension**
  This resolution extends the matching program to accommodate donor commitments made on or before June 30, 2020.

- **Resolution for Capital Projects**
  This resolution includes allocations for:
  - Gamertsfelder Bath/HVAC Upgrades
  - Clippinger Renovation Strategy Phase 2
  - Grosvenor Hall Administrative Relocation Renovation
  - Richland Avenue Pedestrian Crossing Sidewalk Realignment
  - Brown House and Edgehill Maintenance Demolition

- **Resolution for Surplus Land Athens Library**
  This resolution declares property at 30 Home Street consisting of two separate parcels of to be surplus property. The real estate in question is to be for the use and operation of a public library and in the event that the primary use is no longer for a library, the land will revert back to Ohio University.

- **Resolution for AEP Easement**
  This resolution approves of an easement in order to reroute an existing overhead line along Moore Avenue that must be removed due to the construction of the new West Campus HCOM building;

- **Resolution for Athens Bike Path Easement**
This resolution approves the renewal of an easement land under the jurisdiction of Ohio University which forms part of a bicycle path that runs from Nelsonville, Ohio to Athens, Ohio.

Committee Chair Viehweger also stated that the Committee recommends that they remain on the consent agenda and be approved by the Board later this morning.

Resolutions
Committee Chair Viehweger, additionally, stated that the Committee considered the following resolutions.

FY20 University Operating Budget
Committee Chair Viehweger stated that this resolution approves the Fiscal Year 2019-2020 budgets of the expected revenues and expenses. Committee Chair Viehweger stated the Committee recommends this resolution for approval.
WHEREAS, the appropriate planning and consultation has been completed within the University, resulting in recommendations for budget priorities, and

WHEREAS, the University has developed a funded budget consistent with the provisions of the state budget.

NOW THEREFORE, BE IT RESOLVED that the Fiscal Year 2019-2020 budgets of the expected revenues and expenses as presented are hereby approved subject to the condition that the Senior Vice President of Finance and Administration, in conjunction with the Executive Vice President and Provost and with approval of the President, is authorized to make adjustments during the fiscal year to ensure that total expenditures do not exceed available resources.
## Proposed FY20 University Budget

### Consolidated University Budget (All Funds)

<table>
<thead>
<tr>
<th>(in millions)</th>
<th>FY16 Actuals</th>
<th>FY17 Actuals</th>
<th>FY18 Actuals</th>
<th>FY19 Budget</th>
<th>FY19 Forecast</th>
<th>FY20 Budget</th>
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<td>$805.7</td>
<td>$648.5</td>
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<td>34 Internal Bank Transfers</td>
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<td>$172.0</td>
<td>$41.0</td>
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</table>
Committee Chair Viehweger made a motion to approve the University Operating Budget Resolution; Trustee Goodman provided a second; Chair Scholl called for a vote; the resolution passed unanimously.
Fee Approvals

Committee Chair Viehweger stated that this resolution approves the fee schedule for Graduate Off Campus Programs on Tab 27 of the June 2019 Board Agenda. Committee Chair Viehweger stated the Committee recommends this resolution for approval.
WHEREAS, the appropriate planning and consultations within the University have been completed, resulting in the recommendations for establishing tuition, fee, and rate increases for proposes of investing in strategic priorities and to support quality off-campus, graduate programs detailed in Exhibit A; and

WHEREAS, the appropriate planning and consultations within the University have been completed, resulting in the recommendations for maintaining the current reduced instructional, general and non-resident fee rates for certain eCampus, off-campus graduate, and undergraduate programs as detailed in Exhibit B; and

WHEREAS, the reduced instructional, general, and non-resident fees in Exhibit B require the review and approval of the Chancellor of the Ohio Department of Higher Education each biennium; and

WHEREAS, these tuition, fees, and rate changes must be authorized and consistent with legislation enacted by the General Assembly.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees adopts the fee schedules attached hereto as Exhibits A and B, effective Fall Semester 2019, unless otherwise noted and pending approval of the Chancellor of the Ohio Department of Higher Education as noted above.
<table>
<thead>
<tr>
<th>College</th>
<th>Program - Current Fees</th>
<th>Instructional Fee</th>
<th>General Fee</th>
<th>Program Fee</th>
<th>Special Svcs / Materials Fee</th>
<th>Ohio Resident Total</th>
<th>Non-Resident Fee</th>
<th>Out-of-State Resident Total</th>
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</thead>
<tbody>
<tr>
<td>Health Sciences</td>
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<td>78</td>
<td>37</td>
<td>-</td>
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<td>496</td>
<td>1,116</td>
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<tr>
<td>Health Sciences</td>
<td>Doctor of Clinical Audiology</td>
<td>505</td>
<td>78</td>
<td>37</td>
<td>-</td>
<td>620</td>
<td>496</td>
<td>1,116</td>
</tr>
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<td>Health Sciences</td>
<td>Dietetics Internship Masters Program</td>
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<td>78</td>
<td>15</td>
<td>-</td>
<td>598</td>
<td>496</td>
<td>1,094</td>
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<td>Health Sciences</td>
<td>Master of Arts Speech-Language Pathology</td>
<td>505</td>
<td>78</td>
<td>50</td>
<td>-</td>
<td>633</td>
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<td>1,129</td>
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<tr>
<td>Health Sciences</td>
<td>Doctor of Clinical Audiology</td>
<td>505</td>
<td>78</td>
<td>50</td>
<td>-</td>
<td>633</td>
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<td>1,129</td>
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<td>Health Sciences</td>
<td>Dietetics Internship Masters Program</td>
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<thead>
<tr>
<th>College</th>
<th>New Program</th>
<th>Instructional Fee</th>
<th>General Fee</th>
<th>Program Fee</th>
<th>Special Svcs / Materials Fee</th>
<th>Ohio Resident Total</th>
<th>Non-Resident Fee</th>
<th>Out-of-State Resident Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business</td>
<td>Professional Masters of Business Analytics</td>
<td>505</td>
<td>3</td>
<td>454</td>
<td>-</td>
<td>962</td>
<td>19</td>
<td>981</td>
</tr>
<tr>
<td>Engineering</td>
<td>Master of Science in Project Management</td>
<td>505</td>
<td>3</td>
<td>317</td>
<td>125</td>
<td>950</td>
<td>19</td>
<td>969</td>
</tr>
<tr>
<td>Engineering</td>
<td>Project Management Graduate Certificate</td>
<td>505</td>
<td>3</td>
<td>312</td>
<td>80</td>
<td>900</td>
<td>19</td>
<td>919</td>
</tr>
<tr>
<td>Health Sciences</td>
<td>Masters of Science in Nursing Online (AGACNP Track)</td>
<td>505</td>
<td>3</td>
<td>184</td>
<td>-</td>
<td>692</td>
<td>19</td>
<td>711</td>
</tr>
<tr>
<td>Health Sciences</td>
<td>Masters of Science in Nursing Online (PMHNPTTrack)</td>
<td>505</td>
<td>3</td>
<td>109</td>
<td>-</td>
<td>617</td>
<td>19</td>
<td>636</td>
</tr>
<tr>
<td>Health Sciences</td>
<td>Masters of Science in Nursing Hybird (AGACNPTrack)</td>
<td>505</td>
<td>78</td>
<td>184</td>
<td>-</td>
<td>767</td>
<td>496</td>
<td>1,263</td>
</tr>
<tr>
<td>Health Sciences</td>
<td>Masters of Science in Nursing Hybird (PMHNPTTrack)</td>
<td>505</td>
<td>78</td>
<td>109</td>
<td>-</td>
<td>692</td>
<td>496</td>
<td>1,188</td>
</tr>
</tbody>
</table>
## Exhibit B

### OHIO UNIVERSITY

**MAINTAINING CURRENT REDUCED RATES**

**2019-20 STUDENT TUITION & FEE SCHEDULE**

(PER CREDIT HOUR)

<table>
<thead>
<tr>
<th>eCampus Undergraduate Tuition Rates</th>
<th>Instructional Fee</th>
<th>General Fee</th>
<th>Program Fee</th>
<th>Special Svcs / Materials Fee</th>
<th>Ohio Resident Total</th>
<th>Non-Resident Fee</th>
<th>Out-of-State Resident Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>eCampus Undergraduate Programs</td>
<td>237</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>240</td>
<td>3</td>
<td>243</td>
</tr>
<tr>
<td>BSTOM Program ETM Courses</td>
<td>237</td>
<td>3</td>
<td>113</td>
<td>-</td>
<td>353</td>
<td>3</td>
<td>356</td>
</tr>
<tr>
<td>Correctional Education</td>
<td>237</td>
<td>3</td>
<td>-</td>
<td>100</td>
<td>340</td>
<td>3</td>
<td>343</td>
</tr>
</tbody>
</table>

### Off-Campus Graduate Programs with Reduced Rates

<table>
<thead>
<tr>
<th>Instructional Fee</th>
<th>General Fee</th>
<th>Program Fee</th>
<th>Special Svcs / Materials Fee</th>
<th>Ohio Resident Total</th>
<th>Non-Resident Fee</th>
<th>Out-of-State Resident Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard Rate for all Off-Campus Graduate Programs and Certificates</td>
<td>505</td>
<td>3</td>
<td>-</td>
<td>508</td>
<td>19</td>
<td>527</td>
</tr>
<tr>
<td>Early Child Generalist Endorsement Certificate (4th/5th)</td>
<td>346</td>
<td>3</td>
<td>-</td>
<td>349</td>
<td>19</td>
<td>368</td>
</tr>
<tr>
<td>College of Education Graduate Workshop</td>
<td>130</td>
<td>3</td>
<td>-</td>
<td>133</td>
<td>19</td>
<td>152</td>
</tr>
</tbody>
</table>

### Undergraduate Reduced Non-Resident Fee

<table>
<thead>
<tr>
<th>Instructional Fee</th>
<th>General Fee</th>
<th>Program Fee</th>
<th>Special Svcs / Materials Fee</th>
<th>Ohio Resident Total</th>
<th>Non-Resident Fee</th>
<th>Out-of-State Resident Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Bayreuth - Dual Degree, B.S. SportsManagement</td>
<td>441</td>
<td>58</td>
<td>-</td>
<td>499</td>
<td>10</td>
<td>509</td>
</tr>
</tbody>
</table>
Committee Chair Viehweger motioned to approve the Graduate Off Campus Programs, ecampus, and reduced non-resident fee Resolution; Trustee Sheil provided a second; Chair Scholl called for a vote; the Resolution pass unanimously.
Committee Chair Viehweger stated that this resolution approves the attached FY21-FY26 Six Year Capital Improvement Plan, the FY20 Annual Capital Plan, and the FY21-FY22 State Capital Project Requests as described in Tab 29 of the June 2019 Board Agenda. Committee Chair Viehweger stated the Committee recommends this resolution for approval.
RESOLUTION 2019 - 3789

WHEREAS, the University's Capital Planning Team has undertaken the update of the University's six-year capital improvement plan within a comprehensive campus context, and

WHEREAS, this FY21-FY26 Six Year Capital Improvement Plan is an update to the Board of Trustees approved FY19-FY24 Six Year Capital Improvement Plan and embodies the concepts incorporated within it, and

WHEREAS, the plan includes the FY21-FY22 State Capital Appropriation project requests for future State submission, and

WHEREAS, the plan includes the FY20 Annual Capital Plan, and

WHEREAS, the priorities of the Deans and Vice Presidents have been considered, and their endorsement of the plan given, and

WHEREAS, the Capital Funding and Priorities Committee has approved and made recommendation to the President, and

WHEREAS, the FY20 Annual, FY21-FY26 Six Year Capital Improvement Plan, and FY21-FY22 State Capital Plan have been approved by the President.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby approve the attached FY21-FY26 Six Year Capital Improvement Plan, the FY20 Annual Capital Plan, and the FY21-FY22 State Capital Project Requests.

----------

Committee Chair Viehweger motioned to approve the CIP and State Capital Plan Resolution; Trustee Evans provided a second; Chair Scholl call for a vote; the Resolution was passed unanimously.
Line of Credit Extension

Authorizes Amendments to the $50,000,000 The Ohio University General Receipts Obligations, Line of Credit as described in Tab 34 of the June 2019 Board Agenda. Committee Chair Viehweger stated the Committee recommends this resolution for approval.
Resolution Authorizing Amendments to the $50,000,000 The Ohio University (A State University of Ohio) General Receipts Obligations, Series 2017B (Line of Credit) and Authorizing the Execution and Delivery of Documents To Make Those Amendments

WHEREAS, The Ohio University (the "University"), a state university of the State of Ohio created and existing under Chapter 3337 of the Ohio Revised Code, by Resolution No. 2016-3582 (the "Original Resolution") adopted by its Board of Trustees (the "Board") on August 24, 2016 previously approved the issuance of $50,000,000 The Ohio University (A State University of Ohio) General Receipts Obligations, Series 2017B (Line of Credit) (the "Series 2017B Line of Credit Obligations") to provide the University with available funds to pay for those University Facilities approved by the Chancellor of the Ohio Department of Education on January 23, 2017 (collectively the "Line of Credit Projects"); and

WHEREAS, PNC Bank, National Association (the "Bank") agreed to provide funding for the Series 2017B Line of Credit Obligations; and

WHEREAS, the Series 2017B Line of Credit Obligations mature on December 1, 2019; and

WHEREAS, the Bank and the University desire to amend the Series 2017B Line of Credit Obligations to provide for, among other matters, an extension of the maturity date to no later than December 1, 2025 to provide available funds to the University to fund those Line of Credit Projects that are also included in the Six-Year Capital Improvement Plan for Fiscal Year 2021 to Fiscal Year 2026 previously submitted to this Board; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE OHIO UNIVERSITY, as follows:

Section 1. Definitions and Interpretations. All words and terms defined in the preambles hereto shall have the respective meanings provided in the preambles hereto. All capitalized words and terms that are not defined in this Resolution but which are used in this Resolution when rules of grammar would not otherwise require capitalization shall have the meaning given to them in the Original Resolution.

Section 2. Determinations by Board. The Board hereby confirms the findings and determinations made in the Original Resolution concerning the Line of Credit Projects, the issuance of the Series 2017B Line of Credit Obligations and the adoption of the Original Resolution and this Resolution pursuant to the General Bond Resolution, the Trust Agreement, the Act and Section 2i of Article VIII of the Ohio Constitution.
Section 3. **Amendments to Series 2017B Line of Credit Obligations.** It is hereby declared to be necessary and in the best interests of the University to, and the University shall, make amendments to the Series 2017B Line of Credit Obligations described herein or authorized hereby. Those amendments shall be set forth in an "Amended Line of Credit Certificate of Award," which is hereby authorized, and which shall be executed by the Fiscal Officer and by either the Chair of the Board or the Chair of the Resources Committee of the Board. That Amended Certificate of Award may contain such other matters as such officers determine are consistent with this Resolution and the Original Resolution. That the matters contained in the Amended Line of Credit Certificate of Award are consistent with this Resolution and Original Resolution shall be conclusively evidenced by the execution of such Amended Line of Credit Certificate of Award by such officers. Those amended terms shall include an extension of the principal maturity date from December 1, 2019 to a date not later than December 1, 2025. The Series 2017B Line of Credit Obligations shall be prepayable on any business day with notice as provided in the Amended Line of Credit Certificate of Award, and consistent with the Original Resolution, each Holder and Beneficial Owner shall have the option to tender the Series 2017B Line of Credit Obligations for purchase upon such terms as may be set forth in the Amended Line of Credit Certificate of Award and related documents.

The Fiscal Officer, and any other appropriate officer and members of the Board of the University, are each authorized to make arrangements for the delivery of amended forms of the Series 2017B Line of Credit Obligations, as necessary. The Fiscal Officer, and any other appropriate officer and members of the Board of the University are each authorized and directed to execute, acknowledge and deliver any and all amendments to agreements and documents necessary to carry out the intent of this Resolution as may be necessary, including amendments to the Line of Credit Supplemental Trust Agreement and other related documents, in such forms not substantially adverse to the University as may be permitted by the Act and the Trust Agreement and approved by the officer or officers executing the same on behalf of the University. The approval of such forms, and the fact that such forms are not substantially adverse to the University, shall be conclusively evidenced by the execution thereof by such officer or officers. Those same officers are each authorized to execute and deliver such other certificates, including tax certificates, documents, forms and instruments as are necessary in connection with the amendment transactions authorized in this Resolution, and to do all other things required of them or the University pursuant to the Trust Agreement, the Original Resolution and this Resolution.

Section 4. **Tax Matters.** The University hereby covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Series 2017B Line of Credit Obligations, to the extent they are Tax-Exempt Line of Credit Obligations, under Section 103(a) of the Code. Without limiting the generality of the foregoing, the agreements and covenants of the University set forth in Sections 9 and 10 of the Original Resolution are incorporated into this Resolution as if fully rewritten herein.
Section 5. **Prior Actions Approved.** All actions previously taken by officers and employees of the University in connection with or related to the amendments to the Series 2017B Line of Credit Obligations as described herein are hereby approved ratified and confirmed.

Section 6. **General.** This Resolution is adopted pursuant to the General Bond Resolution and the Trust Agreement. The appropriate officers of the University shall do all things necessary and proper to implement and carry out the orders and agreements set forth in or approved in the General Bond Resolution and this Resolution for the proper fulfillment of the purposes thereof.

Section 7. **Relationship to Original Resolution.** All provisions of the Original Resolution and the Series 2017B Line of Credit Obligations that are not amended hereby, or which are amended in the Amended Line of Credit Certificate of Award, shall remain in full force and effect.

Section 8. **Open Meeting Determination.** It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

Section 9. **Effective Date.** This Resolution shall take effect and be in force immediately upon its adoption.

Adopted: June 20, 2019

Committee Chair Viehweger motioned to approve the Line of Credit Resolution; Trustee Cooper provided a second; Chair Scholl called for a vote; the Resolution was passed unanimously.
Lastly, the Committee introduced the following resolutions that were not in the agenda:

**Undergraduate eCampus Career Fee**

This resolution approves the establishment of the $3 per credit hour undergraduate eCampus Career Fee.

Secretary Moore read the resolution. Committee Chair Viehweger stated the Committee recommends this resolution for approval.
RESOLUTION 2019 - 3763

WHEREAS, the appropriate planning and consultations within the University have been completed, resulting in the recommendation to establish a Career Fee for Ohio University’s undergraduate eCampus students; and

WHEREAS, the undergraduate eCampus Career Fee must be authorized and consistent with legislation enacted by the General Assembly; and

WHEREAS, the establishment of Ohio University’s undergraduate eCampus Career Fee must be reviewed and approved by the Chancellor of the Ohio Department of Higher Education.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees approves the establishment of a $3 per credit hour undergraduate eCampus Career Fee consistent with the attached Exhibit A, effective August 15, 2019, contingent on review and approval by the Chancellor of the Ohio Department of Higher as delineated in Section 381.160 of House Bill 166.

Exhibit A

<table>
<thead>
<tr>
<th>OHIO eCampus Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Continuing Students</td>
</tr>
<tr>
<td>Fee</td>
</tr>
<tr>
<td>eCampus Undergraduate Career Fee</td>
</tr>
</tbody>
</table>

* Increase effective August 15, 2019

Committee Chair Viehweger motioned to approve the Undergraduate eCampus Career Fee; Trustee Casciani provided a second; Chair Scholl called for a vote; the Resolution was passed unanimously.
Resolution for use of Century Bond

This resolution approves the use of the annual Century Bond allocations to fund its operating investment in deferred and preventative projects.

Secretary Moore read the resolution. Committee Chair Viehweger stated the Committee recommends this resolution for approval.
APPROVAL FOR FY20 USES OF CENTURY BOND FUNDING AND THE USE OF ANNUAL CENTURY BOND ALLOCATIONS TO FUND OPERATING INVESTMENT IN DEFERRED AND PREVENTIVE MAINTENANCE

RESOLUTION 2019 - 3790

WHEREAS, the University issued $250 million in 100-year maturity taxable bonds (“Century Bonds”) in order to establish a central bank funding model for deferred maintenance and other projects; and

WHEREAS, the Century Bond Guiding Principles set aside $160 million of the $250 million to address deferred maintenance in 16 annual $10 million deferred maintenance tranches; and

WHEREAS, University management has presented the expected FY20 uses of Century Bond funding, inclusive of the FY20 $10 million tranche; and

WHEREAS, a portion of the FY20 and future annual tranches will be used to fund the projects identified in the FY20 Annual Capital Plan and the FY21-FY26 Six Year CIP; and

WHEREAS, the funding strategy has been reviewed and approved by the Treasury and Debt Advisory Committee.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees approves the FY20 uses of Century Bond funding as presented.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees approves the use of annual Century Bond allocations to fund its operating investment in deferred and preventive maintenance projects.

-----------------

Committee Chair Viehweger motioned to approve the Century Bond Allocation Resolution; Trustee Casciani provided a second; Chair Scholl called for a vote; the Resolution was passed unanimously.
There are no further resolutions and no remaining consent agenda items from the Resources, Facilities, and Affordability Committee. Detailed minutes of the committee’s discussions will be made available on the Board of Trustees website.

Chair Scholl thanked the Committee.

Audit and Risk Management Committee
Chair Scholl asked Committee Chair Smullen to give the Audit and Risk Management Committee Report. Committee Chair Smullen stated that the Audit and Risk Management Committee received the Chief Audit Executive’s Report and the FY19 Audit Update from Plante Moran, our external auditors.

The Committee considered a resolution approving the Audit Plan and recommends it for approval.
WHEREAS, the Board of Trustees of Ohio University has established an independent, objective assurance and appraisal activity to evaluate and improve effectiveness of risk management and internal management controls, and

WHEREAS, the Board of Trustees has approved an Ohio University Internal Office Charter requiring Board of Trustees authorization of an annual audit plan initiated to evaluate internal management controls, and

WHEREAS, the Chief Audit Executive charged with initiating audits pursuant to the plan proposes an annual audit plan for authorization by the University Trustees, and

WHEREAS, the proposed plan will be conducted during the period of July 2019 through June 2020, and

WHEREAS, time for unplanned special projects is separately allotted in the audit plan. Further revisions to the plan will be administratively reviewed and approved by the President and the Chair of the Audit and Risk Management Committee, and

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does authorize the proposed audit plan.

--------------
Committee Chair Smullen motioned to approve the Internal Audit Plan Resolution; Trustee Viehweger provided a second; Chair Scholl called for a vote; the Resolution was passed unanimously.
Committee Chair Smullen reported that there were no consent agenda items and no further resolutions from the Audit and Risk Management Committee. Detailed minutes of the committee’s discussion will be made available on the Board of Trustees website.

Chair Scholl thanked the Committee.

Chair Scholl asked Committee Chair Goodman to give the Governance and Compensation Committee Report.

**Governance and Compensation Committee**

Committee Chair Goodman reported that the Governance and Compensation Committee considered the following resolutions and recommends them both for approval:

Resolution: Annual appointment of the Secretary of the Board

This resolution appoints David Moore as Secretary of the Board of Trustees for the 2019-20 fiscal year.
ELECTION OF SECRETARY TO THE BOARD

RESOLUTION 2019 – 3792

RESOLVED, that Dr. David R. Moore be elected Secretary to the Board of Trustees for a term beginning July 1, 2019 and ending June 30, 2020.

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Committee Chair Goodman motioned to approve the Secretary of the Board Resolution; Trustee Cooper provided a second; Chair Scholl called for a vote; the Resolution was passed unanimously.
Resolution: Annual appointment of the Treasurer of the Board

This resolution appoints Deb Shaffer as Treasurer of the Board of Trustees for the 2019-20 fiscal year.
ELECTION OF TREASURER

RESOLUTION No. 2019 - 3793

RESOLVED, that Deborah Shaffer be elected Treasurer of the Board of Trustees for the year beginning July 1, 2019, and ending June 30, 2020.

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Committee Chair Goodman motioned to approve the Treasurer of the Board Resolution; Trustee Sheil provided a second; Chair Scholl called for a vote; the Resolution was passed unanimously.
Committee Chair Goodman reported that there are no further resolutions and no consent agenda items from the Governance and Compensation Committee. Detailed minutes of the committee’s discussion will be made available on the Board of Trustees website.

Chair Scholl thanked the Committee.

**Executive Committee**

Chair Scholl reported that on Thursday, the Executive Committee went into Executive Session to discuss threatened or pending litigation, the purchase or sale of property, the evaluation and compensation of a public employee, and to discuss an information security issue.

Chair Scholl also reported that yesterday morning, the Executive Committee met and discussed President Nellis’ annual evaluation. As part of that effort, the Committee has generated a resolution for consideration.

Chair Scholl read the resolution.
WHEREAS, in accordance with the Board Policy for Annual and Comprehensive Presidential Performance Reviews, this Board has conducted an evaluation of the performance of President M. Duane Nellis during Fiscal Year 2018-19; and

WHEREAS, the Board has determined that President Nellis has continued to lead the University with high distinction by displaying presidential core values of constructive engagement and dialogue, integrity, civility, inclusivity, and diversity; and

WHEREAS, the Board recognizes that President Nellis has enhanced the legacy of the institution through his effective outreach and visible stewardship, passion for OHIO and by strongly asserting the transformational value of public higher education on our campuses and throughout the region, state and beyond; and

WHEREAS, through his hard work and exemplary leadership, he has elevated specified key initiatives, and made strong and meaningful progress during Fiscal Year 2018-2019 towards the goals and objectives represented by a series of well-articulated Strategic Presidential Pathways and Priorities; and

WHEREAS, President Nellis has effectively focused system-wide attention on these Presidential Pathways and Priorities and activities and has contributed in key strategic ways toward advancing major institutional themes that promise to define OHIO among public universities “of great distinction” in the 21st Century; and

WHEREAS, the President has successfully completed the recruitment and on-boarding of critical new members of his leadership team positioning the University to build a new culture that advances and executes OHIO’s Strategic Plan to 2025 – One OHIO, by:

- producing structurally balanced and financially sustainable operations and infrastructure system-wide,
- fully integrating the regional campuses into the One OHIO system,
- stabilizing enrollments, and growing opportunities through life-long learning
- improving academic quality, student success, and national prominence,
- recruiting top faculty to OHIO,
- incorporating innovative and entrepreneurial approaches into teaching, elearning, inter-disciplinary and creative research and outreach,
- building highly engaged partnerships with alumni, corporations, and communities (domestically and globally) to produce mutually beneficial and durable relationships and outcomes,
• enhancing marketing and communications infrastructure that enhances global institutional brand awareness; and

WHEREAS, the Board wishes to recognize the President’s strong accomplishments during the previous fiscal year and provide an increased bonus potential going forward associated with leading the successful development, launch and implementation of the enterprise-wide Strategic Plan;

NOW THEREFORE, BE IT RESOLVED, that the Board approves an increase for Fiscal Year 2019-20 in the amount of $7,232 (1.50%) of the President’s Fiscal Year 2018-19 base compensation and an increase of $533 (1.50%) for Mrs. Ruthie Nellis, effective July 1, 2019.

BE IT FURTHER RESOLVED that the Board approves a bonus of $72,319 (15%), computed on the President’s base compensation for Fiscal Year 2018-19.

BE IT FURTHER RESOLVED that the Board directs the General Counsel to prepare an amendment to the June 12, 2017 Presidential Employment Agreement, making President Nellis eligible for a performance bonus up to 20% of his base salary to be initiated with the presidential performance review of the 2019-2020 academic year, and the Board further authorizes the Board Chair to execute such amendment to the Presidential Employment Agreement with President Nellis.

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Chair Scholl motioned to approve the Compensation of the President Resolution; Trustee Cooper provided a second; Chair Scholl called for a vote; the Resolution was passed unanimously.
Chair Scholl stated that he had nothing further to report from the Executive Committee.

**Consent Agenda**

Chair Scholl stated that the Board had a modified Consent Agenda which retains the following resolutions:

- CONSENT AGENDA, Honorary Degree – Papay 3764
- CONSENT AGENDA, Honorary Degree – Vincent 3765
- CONSENT AGENDA, Faculty Fellowship Leaves 3766
- CONSENT AGENDA, Emerita / Emeritus Nominations 3767
- CONSENT AGENDA, Regional Coordinating Council Appointments 3769
- CONSENT AGENDA, New Program, A&S, Broadcast Meteorology 3770
- CONSENT AGENDA, New Program, A&S, TESOL 3771
- CONSENT AGENDA, New Program, COB, Applied Business 3772
- CONSENT AGENDA, New Program, FAR Arts Administration 3773
- CONSENT AGENDA, New Program, FAR, Community Dance 3774
- CONSENT AGENDA, New Program, HSP Integrated Health Studies 3775
- CONSENT AGENDA, Program Suspension, MA French 3776
- CONSENT AGENDA, Program Suspension, RHE Zane Electronic Media 3777
- CONSENT AGENDA, Program Name Change, Applied Linguistics 3778
- CONSENT AGENDA, Program Name Change, RHE Computer Sci. Tech 3779
- CONSENT AGENDA, Program Name Change, COM ITS 3780
- CONSENT AGENDA, Program Reviews 3781
- CONSENT AGENDA, Capital Projects 3782
- CONSENT AGENDA, Surplus Land Athens Library 3783
- CONSENT AGENDA, West Union, AEP Easement 3784
- CONSENT AGENDA, Bike Path Easement 3785
- CONSENT AGENDA USMC 3786
HONORARY DEGREE AWARD

RESOLUTION 2019 – 3764

WHEREAS, the University Committee on Honorary Degrees has recommended that Ohio University honor the person listed below through the conferral of an honorary degree,

Francis A. Papay, M.D., Doctor of Science

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University approves the degree recommended be conferred at an appropriate time in the future.

Francis A. Papay, M.D.

An alumnus of Ohio University, Dr. Francis A. Papay has driven fundamental advances in plastic surgery and facial reconstruction in particular. He is currently the Institute Chair at the Cleveland Clinic Health System Dermatology & Plastic Surgery Institute. He is also Professor of Surgery at Cleveland Clinic Lerner College of Medicine of Case Western Reserve University.

In 2008, Dr. Papay served as the chief craniofacial plastic surgeon during the first face transplant in America. Dr. Papay is held in high esteem by his peers who call him a “leader and innovator.” His work in plastic surgery has been life changing for many people as he has given hope back to people who have been seriously disfigured. He is said to be a “forward-thinker and a compassionate advocate for patients.”

He has been named as one of the United States Best Doctors specializing in plastic and reconstructive surgery by Castle Connolly Medical Ltd. He has published over 150 articles, papers, abstracts, and book chapters in his field. His research includes utilization of bone substitutes in craniofacial reconstruction, nasal valve function in rhinoplasty, facial plastic surgery, pediatric craniofacial anomalies, and recently, trans-facial approaches for neuromodulation of the sphenopalatine ganglion for cluster and migraine headaches. Moreover, he has been a fellow for some of the top professional societies including the National Society of Inventors, American College of Surgeons, and American Academy of Pediatrics and a member of more than twenty other organizations.

His other accomplishments include receiving 15 medical device patents and aiding in the creation of a neuromodulation device to aid in cluster and migraine headaches. He has received numerous honors including the 2007 Golden Scalpel Award among other honors and awards. Dr. Papay received his bachelor’s degree in Chemistry/Zoology from Ohio University in 1975, a Master’s degree in Biomedical Engineering from Case Western Reserve in 1977, and a Doctor of Medicine from Northeastern Ohio Universities College of Medicine in 1983.
HONORARY DEGREE AWARD

RESOLUTION 2019 – 3765

WHEREAS, the University Committee on Honorary Degrees has recommended that Ohio University honor the person listed below through the conferral of an honorary degree,

Richard A. Vincent, Doctor of Humane Letters

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University approves the degree recommended be conferred at an appropriate time in the future.

Richard A. Vincent

Richard A. Vincent is President/Chief Executive Emeritus of The Osteopathic Heritage Foundations, Columbus, Ohio. He retired in March 2018 and leaves a legacy of significant contributions to the advancement of osteopathic medical education, Ohio University, and the health and care of vulnerable populations in Appalachia and Central Ohio.

A veteran of the U.S. Air Force, serving in the medical corps during the Vietnam War, Mr. Vincent led the Osteopathic Heritage Foundations from 1995-2018. The Osteopathic Heritage Foundations are the nation’s foremost foundations providing support for osteopathic medical care and for osteopathic medical education and research. Mr. Vincent worked to create the Osteopathic Heritage Foundations which have elevated the quality and stature of osteopathic medical schools nationwide.

For Ohio University, Mr. Vincent and the Osteopathic Heritage Foundations have worked to increase educational quality, research ability, and influence of the Heritage College of Osteopathic Medicine (HCOM). He worked to develop the Academic Research Center, a shared facility for the Department of Engineering and HCOM as well as the Clinical Training and Assessment Center, the J.O. Watson Endowed Chair in Diabetes Research and Diabetes Research Center, and provided significant funding for the founding of the Dublin Extension Campus and for a new campus for HCOM in Athens.

Prior to the Heritage Foundations, Mr. Vincent worked as the President/CEO for Doctor’s Hospital for over twenty years. He has served on numerous boards and has been a health policy and medical education advocate throughout his career. He has received numerous recognitions, honors and awards including the James O. Watson Award & Lecturer, Trustee of the Year – Ohio Osteopathic Association, Ohio University’s Phillips Medal, and the William Miller Award from the American Association of Colleges of Osteopathic Medicine. He earned his Bachelor of Science in Business Administration from Franklin University in 1976 and a Master of Business Administration degree from the University of Dayton in 1984.
WHEREAS, the proposed 2019-2020 Faculty Fellowship Leaves listed below have been reviewed in accordance with University policy and found to be meritorious.

THEREFORE, BE IT RESOLVED that the listed leaves be approved, and

BE IT FURTHER RESOLVED that the Executive Vice President and Provost may approve changes in the conditions of the fellowships, but not the total number of fellowships granted for the academic year.

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Terms</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alonso-Sameno, Emilia</td>
<td>Department of Modern Languages</td>
<td>Spring</td>
<td>Collaborative research project between Jawaharlal Nehru University (JNU) and OHIO to teach and learn Spanish using digital tandem interactions (e-tandem) as a distance or open learning method.</td>
</tr>
<tr>
<td>Barr-Melej, Patrick</td>
<td>Department of History</td>
<td>Fall</td>
<td>Complete an extensive academic-journal article and a third book project. The article focuses on the far-reaching influence that Chilean psychologist and Marxist activist Marta Harnecker had on the Chilean Socialist Party and Marxist thought in the 1960s and 1970s. The book project examines the complicated positions of post-World War II Chilean governments.</td>
</tr>
<tr>
<td>Bernstein, Neil</td>
<td>Department of Classics and World Religions</td>
<td>Fall and Spring</td>
<td>Complete two book projects: 1) A Commentary on Silius Italicus, Punica 9, under contract with Oxford University Press; 2) Translation of Silius Italicus' Punica, under contract with Rutledge.</td>
</tr>
<tr>
<td>Carson, Scott</td>
<td>Department of Philosophy</td>
<td>Fall</td>
<td>Complete the writing of a book-length treatment of the concepts or causation, explanation, and naturalism in the history of the natural sciences from the 6th Century B.C. through the high middle ages. Then, write a publication proposal for submission to a major academic press.</td>
</tr>
<tr>
<td>Name</td>
<td>Department</td>
<td>Fall and Spring</td>
<td>Activity Details</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------------------------------</td>
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</tr>
<tr>
<td>Govorov, Alexander</td>
<td>Department of Physics and Astronomy</td>
<td></td>
<td>Research at two international institutions (Germany and China), attend several conferences, submit research papers/grant proposals/patent applications, and supervise postdoc and PhD students.</td>
</tr>
<tr>
<td>Gradin, Sherrie</td>
<td>Department of English</td>
<td></td>
<td>Start monograph project, &quot;Finding Myrtle, Finding Myself: Uncovering and Archiving Rural Queerness&quot;.</td>
</tr>
<tr>
<td>Grant, Judith</td>
<td>Department of Political Science</td>
<td>Spring</td>
<td>Complete volume 1 and work on volume 2 of two-volume book on politics in science fiction and politics in horror fiction.</td>
</tr>
<tr>
<td>Gulisashvili, Archil</td>
<td>Department of Mathematics</td>
<td>Fall and Spring</td>
<td>Collaborate and complete research papers and grant proposals with Michigan State University, UC Irvine, ETH Zurich, University of Barcelona, and the Technical University of Vienna.</td>
</tr>
<tr>
<td>Halliday, Mark</td>
<td>Department of English</td>
<td>Fall</td>
<td>Write two or more substantial essays on contemporary poetry, with a view of building a publishable book-manuscript of essays on poetry.</td>
</tr>
<tr>
<td>Hicks, Kenneth</td>
<td>Department of Physics and Astronomy</td>
<td>Fall</td>
<td>Publish several papers, work with graduate students on their doctoral research, and assist undergraduate students with individual research projects. Complete and publish a popular science book titled “Nature’s Balancing Act: How Small Changes in Physical Laws Make Life on Earth Possible”.</td>
</tr>
<tr>
<td>Holt, Mara</td>
<td>Department of English</td>
<td>Fall</td>
<td>Complete and then publish research as Director of Composition on a Cultural Competencies curriculum for first-year writing.</td>
</tr>
<tr>
<td>Huynh, Dinh Van</td>
<td>Department of Mathematics</td>
<td>Spring</td>
<td>Study algebraic codes over Frobenius to construct DNA codes and quantum codes for further applications in biomathematics and quantum information theory.</td>
</tr>
<tr>
<td>Name</td>
<td>Department</td>
<td>Term</td>
<td>Research/Projects</td>
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<tr>
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</tr>
<tr>
<td>Kim, Yeong</td>
<td>Department of Geography</td>
<td>Fall and Spring</td>
<td>Research examining management of the legacy of the Olympic Games staged in East Asia and develop a new course on the Global Urban South that focuses on challenges and opportunities for mega cities in the developing world.</td>
</tr>
<tr>
<td>Li, Jie-li</td>
<td>Department of Sociology and Anthropology</td>
<td>Fall and Spring</td>
<td>Research projects and field trips to collect data for projects, mainly in the areas of social ecology, sustainable development, social governance, civil society, and the state-society relations.</td>
</tr>
<tr>
<td>Manring, Nancy</td>
<td>Department of Political Science</td>
<td>Fall and Spring</td>
<td>Complete papers for submission to peer-review publications on environmental policy, the challenges of teaching issues that involve irreversible ecological losses, and climate change pedagogy.</td>
</tr>
<tr>
<td>Miner, Steven</td>
<td>Department of History</td>
<td>Spring</td>
<td>Complete contracted book about the legacy of the Battle of Stalingrad.</td>
</tr>
<tr>
<td>Mohlenkamp, Martin</td>
<td>Department of Mathematics</td>
<td>Fall and Spring</td>
<td>Participate in three programs at the Statistical and Applied Mathematical Sciences Institute: &quot;Games, Decisions, Risk and Reliability&quot;, &quot;Deep Learning&quot;, and &quot;Causal Inference&quot;.</td>
</tr>
<tr>
<td>Morgan, Charlie</td>
<td>Department of Sociology</td>
<td>Fall and Spring</td>
<td>Interview immigrant second generation in Joetsu, Japan, then code and analyze transcriptions to identify the different aspects of integration.</td>
</tr>
<tr>
<td>Reynolds, Nicole</td>
<td>Department of English</td>
<td>Fall and Spring</td>
<td>Conduct research trip to complete chapters one through four of book manuscript, &quot;Blunden's Books: Print Culture in Britain, 1914-1964&quot;, then submit proposal to potential publishers.</td>
</tr>
<tr>
<td>Name</td>
<td>Department</td>
<td>Terms</td>
<td>Description</td>
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</tr>
<tr>
<td>Thompson, Christopher</td>
<td>Department of Linguistics</td>
<td>Fall</td>
<td>Fieldwork and manuscripts associated with three different research projects stemming from previous ethnographic work in Japan associated with tsunami recovery and community development since 2011.</td>
</tr>
<tr>
<td>Trese, Arthur</td>
<td>Department of Environmental &amp; Plant Biology</td>
<td>Spring</td>
<td>Write a comprehensive plan for the continued operation and future expansion of the Ohio Student Farm.</td>
</tr>
<tr>
<td>Vis-Chiasson, Morgan</td>
<td>Department of Environmental &amp; Plant Biology</td>
<td>Fall and Spring</td>
<td>Travel to Brazil and finish collaborative book project, “Freshwater Red Algae – Phylogeny, Taxonomy and Biogeography”.</td>
</tr>
<tr>
<td>White, Julie</td>
<td>Department of Political Science</td>
<td>Fall</td>
<td>Complete article “The State of Friendship: Care Beyond Family and Free Market”, and manuscript “The Politics of Resentment: Aspirations to Sovereignty and Democracy's Demise”.</td>
</tr>
</tbody>
</table>

**College of Business**

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Terms</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coombs, Gary</td>
<td>Department of Management</td>
<td>Fall</td>
<td>Complete book to be included in the “Teaching Methods in Business” series being published by Sage Publishing.</td>
</tr>
<tr>
<td>Geringer, John</td>
<td>Department of Management</td>
<td>Spring</td>
<td>Data collection, analysis, paper preparation and journal submission for 3 elite or I top journal paper generated from 3 separate research projects.</td>
</tr>
<tr>
<td>Lou, Hao</td>
<td>Department of Analytics and Information Systems</td>
<td>Fall and Spring</td>
<td>MIS course redesign for all MBA programs, Online MBA, Professional MBA, and Full-time MBNMSA.</td>
</tr>
</tbody>
</table>

**College of Communication**

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Terms</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chawla, Devika</td>
<td>School of Communication Studies</td>
<td>Fall and Spring</td>
<td>Complete and submit two journal articles that engage feminist materialism, post-humanism, object theory, and affect theory, and a book proposal tentatively entitled, “A Memoir in Pieces OR A Memoir in Objects”.</td>
</tr>
<tr>
<td>Name</td>
<td>Department</td>
<td>Terms</td>
<td>Description</td>
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</tr>
<tr>
<td>Lewis, Frederick</td>
<td>School of Media Arts and Studies</td>
<td>Spring</td>
<td>Conduct research at the Library of Congress for a documentary on the life and work of pioneering photographer Frances Benjamin, and to film interviews with FBJ scholars around the country.</td>
</tr>
<tr>
<td>Sweeney, Michael</td>
<td>Scripps School of Journalism</td>
<td>Fall</td>
<td>Complete book about war correspondence of the Russo-Japanese War of 1904-1905.</td>
</tr>
<tr>
<td>Wood, Lawrence</td>
<td>School of Media Arts and Studies</td>
<td>Fall and Spring</td>
<td>Finalize and submit for publication research papers that are in various stages of completion, develop new data for ongoing research in these areas, and create an online course.</td>
</tr>
<tr>
<td>Harrison, Laura</td>
<td>Department of Counseling and Higher Education</td>
<td>Spring</td>
<td>Conduct interviews with students struggling academically at various universities in order to understand the persistently stagnant 59% graduation rate and how universities may respond to student needs more effectively.</td>
</tr>
<tr>
<td>Harrison, Lisa</td>
<td>Department of Teacher Education</td>
<td>Spring</td>
<td>Complete manuscript on the experiences of Black girls who have been suspended and the education policies and laws that result in inequitable and illegal outcomes for students of color, then submit a conference proposal based on preliminary findings.</td>
</tr>
<tr>
<td>Jung, Jeesun</td>
<td>Department of Teacher Education</td>
<td>Fall</td>
<td>Conduct research on infant teachers' beliefs and practices in curriculum implementation and planning, then write a manuscript of a study on infant and toddler preservice teachers' learning through collaboration with mentor teachers.</td>
</tr>
<tr>
<td>Robinson, Mona</td>
<td>Department of Counseling and Higher Education</td>
<td>Fall and Spring</td>
<td>Conduct research focused on gaining a better understanding of counseling in Botswana in comparison to counseling in the U.S., specifically in relation to mental health and Black churches.</td>
</tr>
<tr>
<td>Name</td>
<td>Department</td>
<td>Terms</td>
<td>Description</td>
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</tr>
<tr>
<td>Bayless, David</td>
<td>Department of Mechanical Engineering</td>
<td>Spring</td>
<td>Compile book manuscript for leadership development of engineering and technical students.</td>
</tr>
<tr>
<td>Schwerha, Diana</td>
<td>Department of Industrial and Systems Engineering</td>
<td>Spring</td>
<td>Develop the Ohio Center for Wearable Technology by developing the founding researchers and external partners, identifying and designing space on campus, and writing several papers and proposals.</td>
</tr>
<tr>
<td>Sormaz, Dusan</td>
<td>Department of Industrial and Systems Engineering</td>
<td>Fall</td>
<td>Increase mastery of ontologies and intelligent simulation, translate it into research projects and graduate courses, and then enable graduate student research in the following years.</td>
</tr>
<tr>
<td>Steinberg, Eric</td>
<td>Department of Civil Engineering</td>
<td>Spring</td>
<td>Work with ODOT's Office of Structural Engineering to gain experience on the practical issues facing Ohio’s bridges.</td>
</tr>
<tr>
<td>Zhu, Jianchao</td>
<td>Department of Electrical Engineering and Computer Science</td>
<td>Fall and Spring</td>
<td>Complete three books on “Vehicle Control - A Unified Approach”, “Trajectory Linearization Control”, and “A Unified Spectral Theory for Linear Time-Varying Dynamical Systems”.</td>
</tr>
</tbody>
</table>

**College of Fine Arts**

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Terms</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carrera, Michael</td>
<td>School of Music</td>
<td>Fall</td>
<td>Write and publish research findings, lecture about and perform the complete cello works of Beethoven.</td>
</tr>
<tr>
<td>Condee, William</td>
<td>School of Interdisciplinary Arts</td>
<td>Fall and Spring</td>
<td>Study how objects engage in material performances of race and religion in Germany, Indonesia and Japan.</td>
</tr>
<tr>
<td>Ghosh, Rajorshi</td>
<td>School of Art + Design</td>
<td>Fall and Spring</td>
<td>Produce art works in Augmented (AR) and Mixed Reality (MR), based on my ongoing research in design and code and other emerging technologies for multiple solo and group exhibits.</td>
</tr>
<tr>
<td>Name</td>
<td>Department</td>
<td>Terms</td>
<td>Description</td>
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</tr>
<tr>
<td>Gribou, Andre</td>
<td>School of Music</td>
<td>Fall</td>
<td>Conduct research on preparing projects and performances as part of a piano/percussion ensemble, develop new course materials, and investigate internship possibilities with London-based universities and performance venues.</td>
</tr>
<tr>
<td>Haviland, Melissa</td>
<td>School of Art + Design</td>
<td>Fall and Spring</td>
<td>Produce artwork for ongoing &quot;White Gold&quot; project.</td>
</tr>
<tr>
<td>Xu, Li</td>
<td>School of Rehabilitation and Communication Studies</td>
<td>Spring</td>
<td>Research effects of music and/or singing training on speech perception performance in prelingually-deaf children with cochlear implants and on the utility of deep neural network in noise reduction for speech recognition.</td>
</tr>
<tr>
<td>Vance, Ronald</td>
<td>Chillicothe Campus Nursing</td>
<td>Spring</td>
<td>Conduct research to assess Ohio University undergraduate and graduate nursing students’ knowledge of and attitudes toward LGBT health care concerns.</td>
</tr>
<tr>
<td>Casebolt, James</td>
<td>Eastern Campus Psychology</td>
<td>Fall</td>
<td>Conduct study on secularization in Appalachian tombstone art, travel to South Korea to increase knowledge of religious traditions and language, then lead an experiment to determine the effectiveness of different styles of lecture videos.</td>
</tr>
<tr>
<td>Proctor, Janice</td>
<td>Eastern Campus Sociology</td>
<td>Spring</td>
<td>Publish research papers concerning female criminality and how women are affected by imprisonment.</td>
</tr>
<tr>
<td>Nevin, Mark</td>
<td>Lancaster Campus History</td>
<td>Spring</td>
<td>Research and write a book on “Implementation of Title II of the 1964 Civil Rights Act”.</td>
</tr>
</tbody>
</table>
**WHEREAS**, the following individuals have rendered dedicated and outstanding service to Ohio University, and

**WHEREAS**, their colleagues and supervisors have recommended action to recognize their service.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves emeriti status for the following individuals upon their retirement from Ohio University.

<table>
<thead>
<tr>
<th>Name</th>
<th>Unit</th>
<th>Years Svc.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christine A. Gidycz</td>
<td>College of Arts and Sciences</td>
<td>31</td>
<td>Professor Emerita of Psychology</td>
</tr>
<tr>
<td>David L. Kidder</td>
<td>College of Arts and Sciences</td>
<td>30</td>
<td>Associate Professor Emeritus of Geological Sciences</td>
</tr>
<tr>
<td>James Kurt Lein</td>
<td>College of Arts and Sciences</td>
<td>31</td>
<td>Professor Emeritus of Geography</td>
</tr>
<tr>
<td>Herta Rodina</td>
<td>College of Arts and Sciences</td>
<td>32</td>
<td>Associate Professor Emerita of French</td>
</tr>
<tr>
<td>Amritjit Singh</td>
<td>College of Arts and Sciences</td>
<td>15</td>
<td>Professor Emeritus of English</td>
</tr>
<tr>
<td>Ellen Gerl</td>
<td>College of Communication</td>
<td>32</td>
<td>Associate Professor Emerita of Journalism, Ohio University Athens</td>
</tr>
<tr>
<td>George Korn</td>
<td>College of Communication</td>
<td>40</td>
<td>Associate Professor Emeritus of Media Arts and Studies</td>
</tr>
<tr>
<td>Trevor Ross Roycroft</td>
<td>College of Communication</td>
<td>16</td>
<td>Professor Emeritus of Information and Telecommunication Systems</td>
</tr>
<tr>
<td>Judith Yaross Lee</td>
<td>College of Communication</td>
<td>28</td>
<td>Distinguished Professor Emerita of Communication Studies</td>
</tr>
<tr>
<td>Richard Dennis Irwin</td>
<td>College of Engineering and Technology</td>
<td>32</td>
<td>Dean Emeritus of the Russ College of Engineering and Technology and Professor Emeritus of Electrical Engineering</td>
</tr>
<tr>
<td>Leeanna Morgan</td>
<td>Heritage College of Medicine</td>
<td>33</td>
<td>Assistant Director Emerita of Learning Services, OU-HCOM</td>
</tr>
<tr>
<td>Mikiko Lee Crawford</td>
<td>Regional Higher Education</td>
<td>27</td>
<td>Professor Emerita of Communication Studies, Ohio University Southern</td>
</tr>
<tr>
<td>Linda Lou Taylor</td>
<td>Regional Higher Education</td>
<td>20</td>
<td>Senior Lecturer Emerita of Geology</td>
</tr>
</tbody>
</table>

**Name** | **Unit** | **Years Svc.** | **Title**                                      |
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<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Age</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martin Thomas Tuck</td>
<td>Regional Higher Education</td>
<td>33</td>
<td>Dean Emeritus</td>
</tr>
<tr>
<td>William R. Willan</td>
<td>Regional Higher Education</td>
<td>20</td>
<td>Executive Dean Emeritus for Regional Higher Education and Associate Professor Emeritus of English</td>
</tr>
<tr>
<td>Vicki L. Wilson</td>
<td>Regional Higher Education</td>
<td>32</td>
<td>Professor Emerita of Nursing</td>
</tr>
<tr>
<td>Anita Jane Leach</td>
<td>Executive Vice President and Provost</td>
<td>18</td>
<td>Executive Assistant Emerita for Academic Planning</td>
</tr>
<tr>
<td>Gillian Berchowitz</td>
<td>Ohio University Press</td>
<td>30</td>
<td>Emerita Director Ohio University Press</td>
</tr>
<tr>
<td>Scott Seaman</td>
<td>University Libraries</td>
<td>10</td>
<td>Emeritus Dean of University Libraries</td>
</tr>
</tbody>
</table>
APPOINTMENT TO REGIONAL COORDINATING COUNCILS

RESOLUTION 2019 - 3769

BE IT RESOLVED by the Ohio University Board of Trustees that the following persons be appointed to membership on the Coordinating Council at each of the regional campuses of Ohio University.

**Ohio University - Chillicothe**

Matt Thornsberry For a three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022, vice Jon Saxton, whose term expired.

Brian White For a three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022, vice Bill McKell, whose term expired.

**Ohio University - Eastern**

James Carnes Reappointment of a second three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022.

Terry Lee Reappointment of a second three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022.

Melissa A. Stimpert For a three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022, vice Craig Sweeney, whose term expired.

Dianna Vargo Reappointment of a second three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022.

**Ohio University - Lancaster**

Rick Szabrak Reappointment of a second three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022.
Steve Wigton  Reappointment of a third three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022.

Ohio University - Southern

Jennifer R. Hellmich  For a one-year term beginning July 1, 2019, and ending at the close of business June 30, 2020, vice Ann Newman, who resigned.

Ohio University - Zanesville

Eric D. Martin  For a three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022, vice Stoey Stout, whose term expired.

Patrick Nash  Reappointment for a three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022.

Brian Wagner  Reappointment of a second three-year term beginning July 1, 2019, and ending at the close of business June 30, 2022.
COLLEGE OF ARTS AND SCIENCES

DEPARTMENT OF GEOGRAPHY

BACHELOR OF SCIENCE IN

BROADCAST METEOROLOGY

RESOLUTION 2019 – 3770

WHEREAS, the Department of Geography in the College of Arts and Sciences proposes to establish the Bachelor of Science in Broadcast Meteorology; and

WHEREAS, the proposed degree program has completed University Curriculum Council approval; and

WHEREAS, the Bachelor of Science in Broadcast Meteorology degree will enable students to graduate from the program having completed the entire coursework component of the requirements for obtaining the American Meteorological Society’s Certified Broadcast Meteorologist title; and

WHEREAS, the degree requires 123 credit hours credit hours composed of a geography, meteorology, and journalism core, associated science classes specified by the American Meteorology Society, and college and university general education requirements; and

WHEREAS, the program will not require any additional resources or faculty to establish the degree.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Ohio University hereby approves establishing the Bachelor of Science in Broadcast Meteorology degree program in the Department of Geography in the College of Arts and Sciences.
COLLEGE OF ARTS AND SCIENCES
DEPARTMENT OF LINGUISTICS
MASTER OF
TEACHING ENGLISH TO SPEAKERS OF OTHER LANGUAGES
RESOLUTION 2019 – 3771

WHEREAS, the Department of Linguistics in the College of Arts and Sciences proposes to establish the Master of Teaching English to Speakers of Other Languages; and

WHEREAS, the proposed degree program has completed University Curriculum Council approval; and

WHEREAS, the Master of Teaching English to Speakers of Other Languages students will include practicing teachers, current and former participants of government-sponsored English teaching programs, and applicants with educational, linguistic or foreign language backgrounds looking to start a career abroad; and

WHEREAS, graduates are expected to find employment and career opportunities in educational institutions, both private and public, as well as domestic and international; and

WHEREAS, the degree requires 31 credit hours of core and elective courses assessed through an e-Portfolio developed in a seminar course; and

WHEREAS, current facilities and teaching staff are sufficient.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Ohio University hereby approves establishing the Master of Teaching English to Speakers of Other Languages degree program in the Department of Linguistics in the College of Arts and Sciences.
WHEREAS, the College of Business proposes to establish the Bachelor of Applied Business; and

WHEREAS, the proposed degree program has completed University Curriculum Council approval; and

WHEREAS, the Bachelor of Applied Business is intended as a degree completion program offered in a hybrid online and onsite mode in Dublin that will provide for adult learners to gain skills, knowledge, and competencies to adapt to new technologies and advance in their careers; and

WHEREAS, as a degree completion program, the curriculum includes 60 credit hours divided into three required units consisting of a business foundations certificate, a business skills certificate, and a specialization area, plus additional credit hours for electives; and

WHEREAS, the program will require new faculty specific to the teaching needs of the degree program and other graduate business programs located in Dublin; and

WHEREAS, the program is complementary to the Bachelor of Science in Applied Management offered through Regional Higher Education.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Ohio University hereby approves establishing the Bachelor of Applied Business degree program in the College of Business.
WHEREAS, the College of Fine Arts proposes to establish the Master of Arts Administration degree; and

WHEREAS, the proposed degree program has completed University Curriculum Council approval; and

WHEREAS, the Master of Arts Administration degree provides an opportunity for students and working professionals who want to pursue leadership positions in the arts; and

WHEREAS, demand for arts administration professionals continues to expand with fulltime job opportunities that include think tanks, performance-based companies, and education centers and work that spans from local, grass roots arts advocacy to state and national cultural policy and research analysis; and

WHEREAS, the degree requires 30 credit hours through a foundational certificate, an elective certificate from among five content areas, and a professional internship; and

WHEREAS, facilities and faculty resources are sufficient to establish the program.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Ohio University hereby approves establishing the Master of Arts Administration degree program in the College of Fine Arts.
WHEREAS, the School of Dance in the College of Fine Arts proposes to establish the Master of Arts in Community Dance degree program; and

WHEREAS, the proposed degree program has completed University Curriculum Council approval; and

WHEREAS, the Master of Arts in Community Dance students will include graduates with degrees in dance, working dance artists who seek leadership positions, and current dance professionals or educators intending to expand their current knowledge base and scope of skills; and

WHEREAS, graduates will become active professionals, ready to create and lead community dance projects focused on wellness, health, education, social justice activism, or other initiatives; and

WHEREAS, the degree requires 30 credit hours which include studio practice in dance technique and composition; theoretical, practical, and historical investigations of dance as a community form; dance research; and project planning; and

WHEREAS, facilities and faculty resources are sufficient to establish the program.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Ohio University hereby approves establishing the Master of Arts in Community Dance degree program in the School of Dance in the College of Fine Arts.
WHEREAS, the Department of Interdisciplinary Health Studies in the College of Health Sciences and Professions proposes to establish an online Master of Integrated Health Studies degree program; and

WHEREAS, the proposed degree program has completed University Curriculum Council approval; and

WHEREAS, the online Master of Integrated Health Studies will prepare post-baccalaureate students desiring to fulfill diverse roles in high-demand areas in a variety of healthcare settings; and

WHEREAS, graduates will demonstrate that they have achieved a level of education/training in multiple areas attractive to healthcare facilities and organizations; and

WHEREAS, the degree requires a minimum of 33 credit hours from among core courses, an elective course, two or more concentration areas, and a capstone impact project; and

WHEREAS, existing resources are sufficient to establish the program.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Ohio University hereby approves establishing the online Master of Integrated Health Studies degree program in the Department of Interdisciplinary Health Studies in the College of Health Sciences and Professions.
WHEREAS, the Department of Modern Languages in the College of Arts and Sciences has requested the Master of Arts degree program in French be suspended, and

WHEREAS, the notification requesting the suspended status has been received by the University Curriculum Council, and

WHEREAS, the suspended status is based on recruitment difficulties, enrollment declines, and retention difficulties, as well as a decrease in faculty available to offer the graduate-level courses, and

WHEREAS, enrollments have been suspended and currently enrolled students have been provided with a transition plan toward degree completion.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University hereby accepts placing the Master of Arts degree program in French in the Department of Modern Languages in the College of Arts and Sciences on suspended status.
WHEREAS, the Regional Higher Education Zanesville Campus has requested the Associate of Applied Science degree program in Electronic Media be suspended, and

WHEREAS, the notification requesting the suspended status has been received by the University Curriculum Council, and

WHEREAS, the suspended status is based on limited funding, lack of leadership and enthusiasm to secure external funding to upgrade equipment, as well as limited enrollment,

WHEREAS, enrollments have been suspended and currently enrolled students have been provided with plans toward degree completion.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University hereby accepts placing the Associate of Applied Science degree program in Electronic Media at the Ohio University Zanesville campus on suspended status.
WHEREAS, the Department of Linguistics in the College of Arts and Sciences requests a name change of the Master of Arts in Linguistics to the Master of Arts in Applied Linguistics, and

WHEREAS, the University Curriculum Council approved a revision in the curriculum and program name change in April 2019, and

WHEREAS, with curricular revision in different graduate tracks in Linguistics, a name change will distinguish the applied linguistics program, and

WHEREAS, no new resources or faculty are needed for these changes.

NOW THEREFORE, BE IT RESOLVED that the Master of Arts in Linguistics be renamed the Master of Arts in Applied Linguistics.
WHEREAS, the Regional Higher Education campuses support a name change for the Associate of Applied Business degree in Computer Science Technology to Computer Technology, and

WHEREAS, the proposed name change was reviewed by the University Curriculum Council in March 2019, and

WHEREAS, the proposed name minimizes confusion with the Bachelor of Science degree in Computer Science which has resulted in students enrolling in courses that are not applicable to the degree sought, and is a better match to program learning outcomes, and

WHEREAS, the name change will not impact curricular resources.

NOW THEREFORE, BE IT RESOLVED that the Associate of Applied Business degree in Computer Science Technology offered through the Regional Higher Education campuses be renamed Computer Technology.
COLLEGE OF COMMUNICATION

NAME CHANGE FOR THE

J. WARREN McCLURE SCHOOL OF

INFORMATION AND TELECOMMUNICATION SYSTEMS

RESOLUTION 2019–3780

WHEREAS, the Scripps College of Communication proposes a name change for the J. Warren McClure School of Information and Telecommunication Systems to the J. Warren McClure School of Emerging Communication Technologies; and

WHEREAS, the Scripps College of Communication is currently working on realizing new curricular opportunities by expanding the School of Information and Telecommunication Systems through integration of the Gaming Research and Immersive Design (GRID) Lab into the school; and

WHEREAS, the expanded school will encompass additional curricular offerings in the areas of virtual and augmented reality, as well as e-sports; and

WHEREAS, these broader curricular offerings are not well described by the term “Information and Telecommunication”; and

WHEREAS, neither the original gift agreement naming the school, nor the subsequent name change approved by the Board of Trustees through Resolution 2006-2048 restrict further changes in the name of the school.

NOW THEREFORE, BE IT RESOLVED that the J. Warren McClure School of Information and Telecommunication Systems in the Scripps College of Communication be renamed as the J. Warren School of Emerging Communication Technologies.
MAJOR, DEGREE, AND COLLEGE PROGRAM REVIEWS

RESOLUTION 2019 – 3781

WHEREAS, the continuous review of academic programs is essential to the maintenance of quality within an educational institution; and

WHEREAS, Ohio University has had for many years a rigorous program of internal review; and

WHEREAS, the Higher Learning Commission through its Criterion 4A requires, “The institution maintains a practice of regular program reviews.”

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Ohio University hereby accepts the program reviews for the following six programs:

College of Arts and Sciences
- Geography
- Mathematics

Regional Higher Education
- Accounting Technology
- Business Technology Management
- Computer Science Technology
- Electronic Media
CAPITAL PROJECTS

APPROVAL TO PROCEED WITH DESIGN AND CONSTRUCTION

RESOLUTION 2019 - 3782

**WHEREAS,** construction and renovation projects with a total project budget of $500,000 or more require Board approval; and

**WHEREAS,** projects presented and recommended for Board approval have been subject to a multi-step planning process culminating in executive leadership review and approval by the Capital Funding and Priorities Committee (CF&PC); and

**WHEREAS,** the following projects are presented for Board approval:

**Modification of Design & Construction Requests:**

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<tr>
<th>Capital Project Budget &amp; Authorized Expenditures</th>
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<td>Project</td>
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<td>Gamertsfelder Bath/HVAC Upgrades</td>
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**Design & Construction Requests:**

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<tr>
<td>Clippinger Renovation Strategy Phase 2</td>
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<tr>
<td>Grosvenor Hall Administrative Relocation Renovation</td>
</tr>
<tr>
<td>Brown House and Edgehill Maintenance Demolition</td>
</tr>
<tr>
<td>Richland Avenue Pedestrian Crossing Sidewalk Realignment</td>
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**NOW THEREFORE, BE IT RESOLVED** that the Ohio University Board of Trustees approves the requests described above, authorizes the receipt of appropriate bids or proposals and authorizes the President or his designee to accept and award contracts within the total project budgets identified.
DECLARATION OF SURPLUS PROPERTY

RESOLUTION 2019 - 3783

WHEREAS, Ohio University, through its Board of Trustees holds title in fee simple to 30 Home Street, Athens, otherwise known as the Athens County Public Library (“the library”); and

WHEREAS, since 1992 Ohio University has leased land to Athens County Public Libraries for a one-time payment of $1.00; and

WHEREAS, the library provides valuable civic and community initiatives to Athens residents. Over the past 25 years, the Athens branch has been a steward of the core mission of Ohio University through early educational outreach programs, providing English courses to foreign nationals and providing study and research resources for residents of all ages; and

WHEREAS, the library was constructed on both Ohio University and City of Athens land and both the City and the University now desire to transfer the property and the Athens County Public Libraries desire to own it in order to ensure continued community service; and

WHEREAS, the real estate in question is to be for the use and operation of a public library and in the event that the primary use is no longer for a library, the land will revert back to Ohio University.

NOW THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees hereby declares property at 30 Home Street consisting of two separate parcels of approximately 3.25-acres and 0.72-acres to be surplus property.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees agrees to release the easement provided to it from the City of Athens on a parcel of land located at 30 Home Street.

BE IT FURTHER RESOLVED that the President or his designee is hereby authorized to negotiate, evaluate, or otherwise transact the disposition of the real property, consistent with the requirements of Ohio law.
RESOLUTION TO APPROVE RENEWAL OF THE EASEMENT
FOR ATHENS BIKE PATH

RESOLUTION 2019 - 3784

WHEREAS, the Athens County Commissioners, has requested the University’s approval for the renewal of an easement (DAS File No. 5174) over land under the jurisdiction of Ohio University which forms part of a bicycle path that runs from Nelsonville, Ohio to Athens, Ohio; and

WHEREAS, the original easement commenced on November 9, 1993 for a period of twenty-five (25) years ending on November 8, 2018 and was granted for the consideration for the total sum of $1.00; and

WHEREAS, this request has been reviewed and approved by University staff and is subject to review and approval by the Ohio Department of Administrative Services.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees hereby approves the request by the Athens County Commissioners for a 25-year renewal of the original easement in exchange for a one-time payment of $1.

BE IT FURTHER RESOLVED that the Board of Trustees hereby authorizes the President or his designee to execute the corresponding easement renewal and other appropriate documentation in accordance with Ohio law.
RESOLUTION TO APPROVE UTILITY EASEMENT REQUEST
FROM AMERICAN ELECTRIC POWER

RESOLUTION 2019 - 3785

WHEREAS, the Ohio Power Company, an operating company of American Electric Power ("AEP"), has requested the University’s approval of an easement in order to reroute an existing overhead line along Moore Avenue that must be removed due to the construction of the new West Campus HCOM building;

WHEREAS, part of this underground line will be on University land along the edge of the parking lot of the West Union Street Office Complex, part will be on City of Athens land, and part will be on private land;

WHEREAS, this rerouting is necessitated due to the University’s construction plans;

WHEREAS, this request has been reviewed and approved by University staff and will be reviewed by the Ohio Department of Administrative Services.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby approves the request by AEP for a 25-year utility easement as depicted in the attached map in exchange for a one-time payment of $1.

BE IT FURTHER RESOLVED, that the Board of Trustees hereby authorizes the President or his designee to execute the corresponding easement and other appropriate documentation in accordance with Ohio law.
ESTABLISHMENT OF UNIVERSITY QUASI-ENDOWMENTS

Extension of the

UNDERGRADUATE SCHOLARSHIP INVESTMENT PROGRAM

RESOLUTION 2019 - 3786

WHEREAS, The Board of Trustees of Ohio University is responsible for oversight of the financial condition of the institution, and

WHEREAS, the Board of Trustees has the ability to establish quasi-endowments, or funds functioning as endowments, to be utilized at the discretion of the University, and

WHEREAS, The Ohio University Foundation Board of Trustees and, specifically, the Investment Committee is entrusted by The Board of Trustees of Ohio University with the oversight to invest funds established as University quasi-endowments, and

WHEREAS, University quasi-endowments are invested alongside endowments of the University and The Ohio University Foundation and managed in accordance with The Ohio University Foundation’s investment policy and spending policy, and

WHEREAS, the Undergraduate Scholarship Match Program, initially established in July 2013 and revised effective July 2018, was scheduled to continue as a $25 million matching program that provides $.50 in quasi-endowed scholarship funds for every dollar committed to eligible scholarship endowments from July 1, 2013 to June 30, 2019, and

WHEREAS, subject to program requirements, match eligible endowments will provide renewable undergraduate scholarship awards that are designated either to a college or university-wide. Donors may also continue to specify whether awards are based on merit, need and/or talent, with the specifics of those terms defined at the University’s discretion, and

WHEREAS, the program was revised and expanded at the October 2018 and January 2019 Board of Trustees meeting, as follows:

- Previous funding allocations that limited available match funding by college were abolished, with all match funding being made available university-wide on a first come, first served basis.
- Donors may now designate a preference for scholarship funds to be directed to particular academic departments, programs, or majors. The University will endeavor to meet the donors stated preference while reserving the right to award funds at the college-level or university-wide basis in the event that eligible recipients who meet the donor preference cannot be identified in any given year.
- Other donor preferences, including but not limited to geographic restrictions, may be considered on a case-by-case basis and approved by the Vice President,
University Advancement in conjunction with the Vice President Finance & Administration, CFO and Treasurer. In all cases, approved donor preferences must be broad enough to provide for easily-administered scholarships and an ample number of eligible recipients.

- The previous program stipulation that limited available match funding to the Athens campus was removed, with match funding being made available on a first come, first served basis to endowed scholarships that support undergraduate students studying on the Athens, Chillicothe, Eastern, Lancaster, Southern, or Zanesville campuses. All other program requirements apply to match-eligible scholarships established for the benefit of regional campus students, and

**WHEREAS,** the program has been well received by donors and beneficial to the University in encouraging the establishment of scholarship endowments that will support University undergraduate students into perpetuity.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Ohio University approves the extension of the Undergraduate Student Matching Program to accommodate donor commitments made on or before June 30, 2020.

**BE IT FURTHER RESOLVED** that the Board of Trustees of Ohio University hereby approves the establishment of the above listed quasi-endowment funds in accordance with the revised program parameters.

**BE IT FURTHER RESOLVED** that the Treasurer of Ohio University, be and hereby is, directed and authorized to administer policies and procedures to manage these quasi-endowments.
Trustee Cooper moved to approve the consent agenda; Trustee Casciani seconded; Chair Scholl called for a vote; with all in favor, the Consent Agenda was approved as follows:
Chair Scholl confirmed that there was no unfinished business and no new business.

Chair Scholl announced that the Board of Trustees is awarding Certificates of Appreciation to General Counsel, John Biancamano and National Trustee David Pidwell. Secretary Moore read the certificates.
Certificates of Appreciation

OHIO UNIVERSITY

June 21, 2019

CERTIFICATE OF APPRECIATION

presented to

General Counsel, John Biancamano

From February 11, 2008 to June 30, 2019

FOR serving dutifully as counsellor to two Ohio University President’s and multiple senior University officials for more than eleven years, an uncommon span of continuity, stability and commitment of service in such a key position of higher education;

FOR your collaborative and aligned service to the Office of the Ohio Attorney General over two governing administrations;

FOR your professional diligence and skill in overseeing and managing the growth of Ohio University’s legal office into a staff of twelve to handle the ever-growing complexity of legal matters related to the Institution during your tenure;

FOR your distinguished service to the Ohio University Board of Trustees, espousing at the highest level the core Institutional values of character, community, citizenship, civility and commitment;

FOR your exceptional leadership in managing Institutional risks and opportunity, and your professional advice and sound judgement in service of Ohio University;

FOR your extraordinary support of related entities such as the Ohio University Foundation and professional service to multiple OHIO campuses across Ohio;

FOR your determined work to improve the lives and futures of all Ohio University students, and your continuous support of faculty and staff;

FOR your guidance and counsel in the search for Ohio University’s 21st president;

FOR those personal and professional qualities of loyalty, dedication, fairness, and kindness, which have earned our deepest regard and the respect of colleagues, students, and alumni across the University community;
WE thank you and affirm our appreciation.

Conferred as a Mark of Esteem by the President and the Board of Trustees of Ohio University
OHIO UNIVERSITY

June 21, 2019

CERTIFICATE OF APPRECIATION

presented to

National Trustee, David W. Pidwell

From October 16, 2016 to June 30, 2019

FOR your distinguished service as a member of the Ohio University Board of Trustees;

FOR your valuable expertise in corporate governance and shaping the future of Ohio University by thoughtful strategic planning and implementation rooted in critical priority setting and sound business principles;

FOR your guidance and sound judgement in the search of Ohio University’s 21st president;

FOR your forward-thinking, innovative and exemplary work, and extraordinary engagement, for nearly fifteen years covering two administrations;

FOR your full participation and perseverance in the strategic development and implementation of an entrepreneurial ecosystem that has garnered national recognition and impacted the local and regional economy in meaningful ways;

FOR your tangible effort to transform not only those that participate within OHIO’S Entrepreneurial Ecosystem but the participation of Ohioans more broadly in newly developed industries;

FOR your leadership and full involvement in the creation of The Ohio Innovation Fund;

FOR your tireless support of Ohio University’s vision of becoming the nation’s best transformative learning community,

FOR championing the core values of entrepreneurship, and associated University programs and services, that foster the creation of new industries and learning and professional opportunity for OHIO faculty, students and staff in the process;
FOR your special leadership in promoting entrepreneurial education, for your founding role in establishing the Co-Lab on the Athens campus, and for personally mentoring a vast number of students as a result;

FOR those personal and professional qualities of loyalty, dedication, collaboration, fairness, and kindness, which have earned our deepest regard and the respect of colleagues, students, and alumni across the University community;

WE thank you and affirm our appreciation.

Conferred as a Mark of Esteem by the President and the Board of Trustees of Ohio University
Secretary Moore announced that the next meeting of the Ohio University Board of Trustees would be on August 19th, 2019 in Beavercreek, Ohio.

The June 2019 Meeting of the Ohio University Board of Trustees was adjourned by Chair Scholl at 12:02pm.
Subcommittee Minutes
Ohio University Board of Trustees  
University Academics and Student Success Committee  
Ohio University St. Clairsville, Shannon Hall Theater  
Thursday, June 20, 2019

Present:

**Committee members:** Trustees Cooper, Evans, Goodman, Helfrich, Kelley, Scheil  
**Other members:** Trustees Scholl, Casciani, Christopher, Coleman, Gainor, McClain, Pidwell, Smullen, Viehweger  
President M. Duane Nellis, Executive Vice President and Provost Chaden Djalali

Board Chair David Scholl called the Board of Trustees meeting to order at 10:47 am. He recognized the newest trustees: Justin Kelley, John Gainor, and Matthew Evans.

Committee Chair Cooper called the Academics and Student Success Committee meeting to order at 10:48 am. He solicited motions to remove any consent agenda items from the agenda; no motions were made.

**Academic Quality Dashboard: Russ College of Engineering**

EVPP Djalali introduced Dr. Dennis Irwin, Dean of the Russ College of Engineering & Technology, who presented the dashboard for the Russ College *(refer to Tab 1 of agenda).* He noted that this was Dean Irwin’s last meeting as dean and thanked him for his 17 years of service in that role.

Board Chair Scholl asked whether the research funds cited in the presentation included indirect, and Dean Irwin responded that they did.

Trustee Viehweger asked what percentage of exit-survey respondents were employed in Ohio. Dean Irwin responded that it was approximately 75 percent. Also, he mentioned that employment encompasses internships as well, and that about 67 percent of students did at least one. (Later in the presentation President Nellis stated that Dr. Loralyn Taylor, the Interim Associate Provost for Institutional Research, had informed him via text message that the current figure is 72 percent.)

In response to a question from Trustee Casciani, Dean Irwin noted that the Russ College’s Scholarship Matching Program began in 2009 and has grown to $400,000.

Committee Chair Cooper asked whether the partners listed for Beavercreek have a physical presence at that location. Dean Irwin answered that some do; the business center houses some of the private-sector partners, and the government entities frequently use the classroom facilities for training. He added that Universal Technologies is about to expand the number of its employees at the location from 10 to 40 and may eventually locate all 120 of its employees there.

President Nellis inquired about the enrollment and support of first-generation students in the Russ College. Dean Irwin indicated that while the presentation included graphs
showing enrollments of female and minority students, they do not currently capture data on first-generation students. Trustee Viehweger asked whether the experience of other institutions indicates that having a female dean, such as our incoming Dean Wei, contributes to higher percentages of female students. Dean Irwin said that he was not aware of research on that particular question but that there is ample evidence that diverse STEM role models in general have a positive impact on under-represented minority students.

Board Chair Scholl stated that Ohio University is challenged by its rural setting in comparison to institutions in or nearer urban areas and that providing sufficient, high-quality co-op opportunities is much more difficult than in an area like Cincinnati. He said that relationships and partnership-building are vital. Dean Irwin agreed, noting that the Russ College addresses this challenge by building partnerships as far away as California, Texas, etc.

Board Chair Scholl asked how many students from the new Honors Program will be in the Russ College this fall. Dean Irwin deferred to Dr. Margaux Cowden, Director of the Cutler Scholars Program, who said 45 will be in the Russ College and added that their average ACT score is 30. Dean Irwin noted that these students will constitute 15–20 percent of the incoming total.

Standing Reports and Updates

One OHIO Update

EVPP Djalali introduced Regional Higher Education (RHE) Study Committee Co-Chairs Brad Cohen (Senior Vice Provost for Instructional Innovation) and Nicole Pennington (Dean of OU–Southern Campus) to present an update on the One OHIO transition, and Craig Cornell, Senior Vice Provost for Strategic Enrollment Management, to provide an update on enrollments (refer to Tab 2 of agenda).

Board Chair Scholl noted that it appears that the fall 2019 enrollment for RHE is slightly higher. Dean Pennington confirmed that this is correct. Trustee Viehweger asked for clarification on what constitutes the contribution margins. Dean Pennington said it is the portion of revenue that supports the administrative units.

In response to a question about RHE’s use of the OU Learning Network, Dean Pennington replied that RHE uses it to provide distance education. She noted that students like it and that it enables RHE to consolidate what would otherwise be low-enrollment courses. She added that the trustees were welcome to visit the OULN facility at Eastern Campus if they would like to see what the system looks like.

Committee Chair Cooper asked about the level of participation in online learning by students and faculty. Dean Pennington replied that all regional campuses are
providing online learning opportunities, that students like them, and that enrollments in online courses are steady. Committee Chair Cooper also asked if the curriculum-approval process is timely enough to enable the campuses to respond to community needs. Dean Pennington said that the regional campuses are planning as one unit how many courses to offer, not each one operating separately. SVP Cohen noted that we are looking at the best way to move forward in section efficiencies and at how the university as a whole can best respond to changing demand. He noted that campuses have operated in a “conflict model” but are moving toward a model of providing service from anywhere in system to anywhere in the system. He added that important considerations in the change process are how faculty adapt to it and how we navigate state-level approval processes.

Trustee Casciani asked about the State Share of Instruction (SSI) figures and how they varied by regional campus. Rosanna Howard, Director of Budget and Operations for RHE, explained that the SSI amounts are affected by the “swirling” of students between campuses, as well as the distribution of STEM courses. SVP Cohen said that the way SSI is accounted for among the regional campus doesn’t fit with a campus-specific budget model, and that what appear to be discrepancies are an artifact of that lack of fit. He added that a challenge for One OHIO is developing a way to better address the realities of location in budget models. President Nellis said that another issue with the SSI is the way the state allocates it. Deb Shaffer, Vice President for Finance and Administration, explained that the SSI is a “closed pie” that is being shifted around to align with the way the regional-campus budgets are currently structured. She also noted that SSI is actually projected to decrease over time because it is tied to credit-hour production, which is declining due to declining enrollments. She said that the SSI figures she will be presenting later in the Board of Trustees meeting will be similar to those presented here, although they will not be an exact match because the executive dean’s office costs are not included. She added that her office is working with the RHE Study Group to develop the new budget approach.

Trustee Gainor asked whether the projected SSI reduction is anything we can control. VPFA Shaffer answered that the distribution of SSI is tied to our enrollments: how many courses are delivered and how many degrees are conferred. She added that as the number of courses offered declines, time to degree will increase, so we expect to see it reflected in the future SSI coming to OHIO. She said that because SSI is a fixed “pie” for all institutions in the state, our allocation is a function of not only our enrollments but the enrollments of every other institution in state.

Board Chair Scholl expressed concern that tuition does not appear to be declining but SSI is, and he asked how it is possible to have a declining SSI while keeping tuition the same. VPFA Shaffer said that 50 percent of our state support we do not receive until the student graduates. Director Howard added that the
first year of the regional tuition guarantee will be set at a higher tuition rate and each subsequent cohort will be higher. Trustee Goodman said that projected changes are also related to the types of courses offered and the demographics of the regionals’ student population. VPFA Shaffer said OHIO and Kent State University are seeing a different impact than Ohio State University because their regional campuses function more as feeders. Trustee Goodman added that we will also now be facing competition with two-year campuses that have residential halls. President Nellis stated that some of them are now offering bachelor’s degrees as well.

Craig Cornell, Senior Vice Provost for Strategic Enrollment Management, provided an update on enrollments. When asked how OHIO’s enrollment picture compares with other institutions in the state, he said there is considerable variation with some up and other down in enrollment, some of those changes planned and others not. Trustee Viehweger asked why there was so much variability. SVP Cornell replied that such changes in a given year are likely due to which institutions are doing marketing pushes, branding, and even simply which schools are “hot” in a given year. He added that such issues as affordability and price sensitivity affect institutions in different ways; for example, Cleveland State’s recent increase was likely due in part to the rollout of the Cleveland Scholarship Program in area high schools. He also said that many institutions are affected by overall declines in international enrollments and that, as those numbers decline, they are expanding their in-state recruiting efforts, which in turn increases competition for OHIO. He noted that with the arrival of the new Vice President for Communications and Marketing to support the Strategic Executive Enrollment Committee’s marketing and branding efforts, as well as greater coordination with the Alumni and Development offices, we will be able to more effectively package and widely communicate our messaging about the value of an Ohio University degree. Trustee Viehweger asked whether more students are opting to attend nearby institutions in order to cut costs by living at home, a trend which would put OHIO at a competitive disadvantage. SVP Cornell said this is likely true: while other institutions can redouble their local recruiting efforts we cannot.

*NOTE: Discussions of the consent-agenda items in Tabs 3–9 were deferred until after the discussion of the Code of Conduct updates so that they could be considered and acted upon with the consent-agenda items in Tabs 12–24. Refer to Page 85 of these minutes for those discussions.*

**Code of Conduct Update**
EVPP Djalali introduced Jason B. Pina, Vice President for Student Affairs, to present updates to the Student Code of Conduct (refer to Tab 10 of agenda). VPSA Pina introduced Taylor Tackett, the new director of the Office of Community Standards and Student Responsibility (CSSR).

Trustee Goodman inquired about the University’s position on medical marijuana, as it is legal in Ohio but not at the federal level. Director Tackett replied that OHIO does not make an exception for medical marijuana, and that the University needs to work with students who have state-issued medical-marijuana cards to clarify that its use is not in compliance with university policy. VPSA Pina noted that this issue has generated media inquiries.

Trustee Goodman noted that the U.S. Department of Education is in the process of changing the standard of proof for sexual-misconduct cases, adding that he supports a change from “preponderance of the evidence” to “clear and convincing evidence.” He asked what standard other institutions are using. Director Tackett replied that the preponderance standard has been used for some time by other institutions and recommended by USED. He stated that CSSR uses the preponderance standard consistently across infractions, and a higher burden of proof would greatly increase the investigative burden for low-level offenses. He further added that the preponderance standard is consistent with CSSR’s goal of educating students. Committee Chair Cooper noted that a sexual-misconduct charge is very serious for the person charged as well as significant for other party, and he asked how CSSR had decided which standard to use. VPSA Pina replied that case law and particularly the rulings of the 6th Circuit Court relating to attorney involvement influenced our position. He said that CSSR has submitted comments as part of the USED rule-making process, and when guidance changes are announced we will review it with legal counsel to determine what we need to do to remain in compliance. He said it would be premature to shift how we look at conduct cases based on remarks the Secretary of Education has made. He noted that compliance with federal policy is very important to maintain financial aid and research funding.

Committee Chair Cooper asked whether the appeal process for conduct cases has changed. Director Tackett responded that it has not, other than the deadline. Committee Chair Cooper asked whether the appeal process varies by the gravity of the offense. VPSA Pina answered that only the most serious cases ever reach the University’s appeal level. He noted that of the three reasons that justify an appeal—new information becoming available, undue/unfair sanction, or bias of hearing officer—the appeals he sees are for undue/unfair sanctions. He also noted that “new information” is typically not really newly unearthed, just newly interpreted.
Trustee Evans moved, and Trustee Smullen seconded, to move the resolution adopting the revised Student Code of Conduct forward for a vote by the full Board. The motion passed 3:2, with Trustees Goodman and Sheil opposed.

Academic Quality Initiatives

**OHIO Honors Program Inaugural Cohort**

*Due to time constraints the Committee skipped this agenda item. It was covered later in the afternoon, and a summary of the discussion is included on page 89 of these minutes.*

Standing Reports and Updates

**Consent Resolution: Honorary Degree—Francis A. Papay**

**Consent Resolution: Honorary Degree—Richard A. Vincent**

EVPP Djalali introduced consent resolutions to approve the conferral of honorary degrees on Francis A. Papay and Richard A. Vincent (*refer to Tabs 3 and 4 of agenda*).

There were no questions about either resolution.

**Certificate Programs Approved 2018-2019**

EVPP Djalali introduced Howard Dewald, Associate Provost for Faculty and Academic Planning, to present a summary of the 17 certificate programs approved in 2018–19 (*refer to Tab 5 of agenda*).

Board Chair Scholl noted that the creation of these certificates indicates that we are moving quickly to identify opportunities and meet the demand for new programs.

There were no questions about the certificate programs.

**Promotion and Tenure Report**

AP Dewald presented the Promotion and Tenure Report, including results of the promotion and tenure review process for 63 Group I faculty and the promotion review process for 21 Group II faculty and 1 Clinical Faculty (*refer to Tab 6 of agenda*).

There were no questions about the report.

**Consent Resolution: Faculty Fellowship Leaves**

AP Dewald introduced a consent resolution to approve faculty fellowship leaves for the coming academic year (*refer to Tab 7 of agenda*).

There were no questions about the resolution.
Consent Resolution: Emerita/Emeritus Nominations

AP Dewald introduced a consent resolution to approve emeriti status for 19 individuals upon their retirement from Ohio University (refer to Tab 8 of agenda).

There were no questions about the resolution.

Consent Resolution: Regional Coordinating Council Appointments

EVPP Djalali introduced a consent resolution to appoint or reappoint members to the Coordinating Council for each of OHIO’s regional campuses for FY 2020 (refer to Tab 9 of agenda).

Board Chair Scholl remarked, and President Nellis agreed, that as we move forward with the implementation of One OHIO, these groups will become increasingly important for community engagement.

Trustee Goodman said that nominee Jennifer Hellmich appeared to be a resident of Ashland, Ky., and he inquired about her connection to the Southern campus. Dean Pennington replied that she is the manager of a large plant in Lawrence County.

New Programs, Departments, Centers, Name Changes

Consent Resolution: A&S Geography-Broadcast Meteorology

AP Dewald introduced a consent resolution to approve establishing a Bachelor of Science in Broadcast Meteorology degree program in the Department of Geography in the College of Arts and Sciences (refer to Tab 12 of agenda).

Trustee Goodman asked whether there will be an adequate level of faculty to operate the program. AP Dewald said that there are currently two faculty members, and some turnover in the Geography Department is providing an opportunity to reorganize and provide for a third faculty member. EVPP Djalali added that it is anticipated that demand for the degree program will generate adequate funding to resource it.

Consent Resolution: A&S Linguistics—TESOL

AP Dewald introduced a consent resolution to approve establishing a Master of Teaching English to Speakers of Other Languages (TESOL) degree program in the Department of Linguistics in the College of Arts and Sciences (refer to Tab 13 of agenda).

There were no questions about the resolution.

Consent Resolution: BUS Management—Applied Business
AP Dewald introduced a consent resolution to approve establishing a Bachelor of Applied Business degree program in the College of Business *(refer to Tab 14 of agenda)*.

There were no questions about the resolution.

**Consent Resolution: FAR Arts Administration**

AP Dewald introduced a consent resolution to approve establishing a Master of Arts Administration degree program in the College of Fine Arts *(refer to Tab 15 of agenda)*.

There were no questions about the resolution.

**Consent Resolution: FAR Dance—Community Dance**

AP Dewald introduced a consent resolution to approve establishing a Master of Arts in Community Dance degree program in the School of Dance in the College of Fine Arts *(refer to Tab 16 of agenda)*.

There were no questions about the resolution.

**Consent Resolution: HSP Interdisciplinary Health Studies—Integrated Health Studies**

AP Dewald introduced a consent resolution to approve establishing an online Master of Integrated Health Studies degree program in the Department of Interdisciplinary Health Studies in the College of Health Sciences and Professions *(refer to Tab 17 of agenda)*.

There were no questions about the resolution.

**Program Suspensions**

**Consent Resolution: A&S Modern Languages—French**

AP Dewald introduced a consent resolution to accept placing the Master of Arts degree program in French in the Department of Modern Languages in the College of Arts and Sciences on suspended status *(refer to Tab 18 of agenda)*.

There were no questions about the resolution.

**Consent Resolution: RHE ZANE Electronic Media**

AP Dewald introduced a consent resolution to accept placing the Associate of Applied Science degree program in Electronic Media at the Ohio University Zanesville campus on suspended status *(refer to Tab 19 of agenda)*.

There were no questions about the resolution.
Program Name Changes

Consent Resolution: A&S Linguistics

AP Dewald introduced a consent resolution to approve changing the name of the Master of Arts in Linguistics to the Master of Arts in Applied Linguistics (refer to Tab 20 of agenda).

There were no questions about the resolution.

Consent Resolution: RHE Computer Science Technology

AP Dewald introduced a consent resolution to approve changing the name of the Associate of Applied Business degree in Computer Science Technology to Computer Technology (refer to Tab 21 of agenda).

There were no questions about the resolution.

Consent Resolution: COM Information and Telecommunication Systems

AP Dewald introduced a consent resolution to approve changing the name of the J. Warren McClure School of Information and Telecommunication Systems in the Scripps College of Communication to the J. Warren McClure School of Emerging Communication Technologies (refer to Tab 22 of agenda).

There were no questions about the resolution.

Name Change for A&S English Language Improvement Program

AP Dewald informed the Committee that the English Language Improvement Program in the Department of Linguistics is changing its name to the Academic and Global Communication Program. The prefix for courses in the program will also change from ELIP to AGC (refer to Tab 23 of agenda). He noted that these changes do not require Board action.

There were no questions about the changes.

Program Reviews

Consent Resolution: Program Reviews

AP Dewald introduced a consent resolution to accept program reviews for six programs (refer to Tab 24 of agenda):

- College of Arts and Sciences
  - Geography
  - Mathematics
- Regional Higher Education
Board Chair Scholl asked whether, as the University moves to One OHIO, the number of RHE programs will change. AP Dewald responded that it will frequently change due to resource sharing and community needs.

Trustee Goodman moved, and Chair Scholl seconded, to add all consent-agenda resolutions to the consent agenda for action by the full Board of trustees. The motion passed unanimously.

There being no further business, Committee Chair Cooper adjourned the meeting at 1:06 pm.

**OHIO Honors Program Inaugural Cohort**

At the beginning of the 2 pm Resources, Facilities, and Affordability Committee meeting, time was allotted for the presentation on the inaugural cohort of the OHIO Honors Program that was skipped during the Academics and Student Success Committee meeting (refer to Tab 11 of agenda). The presentation was delivered by Dr. Cary Roberts Frith, Interim Dean of the Honors Tutorial College.

Academics and Student Success Committee Chair Cooper asked about the diversity of future cohorts and whether ‘late bloomers’ are invited to participate. Interim Dean Frith said the program has provided supports including a $1,000 experiential learning grant for first cohort and first option to access to the Living Learning housing. Trustee McClain said he sees this program as a first step to the 21st-century university experience. Interim Dean Frith said the college is working with Dean Sayrs of University College to extend some of the high-impact experiential-learning opportunities further. Trustee Goodman praised the work done on campus with Fulbright and Goldwater faculty drills, and he encouraged other trustees to sit in on them. He noted that OHIO continues to excel at securing prestigious competitive national awards and expressed his appreciation to the faculty mentors. Board Chair Dave Scholl said he looks forward to creation of the Engagement Corridor, which will provide these scholars and their friends space to relax and interact.

This portion of the meeting concluded at 2:37 pm.
Committee Chair Peggy Viehweger called the meeting to order. Committee members present included Trustee Steve Casciani, Trustee Diane Smullen, National Trustee David Pidwell, Student Trustee Austin McClain, and Alumni Representative Casey Christopher. Other board members present included Chair David Scholl, Vice Chair Janelle Coleman, Trustee Cary Cooper, Trustee Matthew Evans, Trustee N. Victor Goodman, Trustee Eileen Sheil, National Trustee John Gainor, Student Trustee Justin Kelley. Additional attendees: Faculty Representative Susan Williams, Board Secretary David Moore, and President Nellis.

- **Resolution, FY20 & Multi-year University Budget Update**

  Senior Vice President for Finance and Administration Deb Shaffer provided the Trustees with an update on the FY20 budget process noting that the State’s biennial budget is expected by the end of June. The annual budget planning spanned the academic year and involved input from and consultation with each facet of the University’s shared governance model. Many of the planning assumptions and details reviewed with the Trustees at both their March meeting and the May retreat are unchanged. To ensure financial sustainability of the plan due to its projected use of reserves, the President directed the multi-year budget planning be carried through FY25, extending the multi-year budgets from four years to six.

  The projected $65.8M use of reserves through FY23 to bridge multi-year academic strategies is followed by two years of recovery. The recovery of that begins in FY24 when the investments being made in strategies for new program revenues coupled with ongoing expense reductions are projected to reverse the trend and begin contributing to the rebuilding of reserves. The cumulative six-year reserve use through FY25 is $39.1M. SVP Shaffer reviewed the major revenue and expenditure categories, trend lines over the recent past, and the drivers and assumptions incorporated in the projections presented. Category highlights include:

  - **State Share of Instruction (SSI)** – $1.5B in state funding is projected to be available for distribution across Ohio higher education institutions
    - **Ohio** is projected to receive $170.5M in FY20 based on course completions (30% of Ohio’s SSI) and degree completions (51% of Ohio’s SSI) and the impacts of varying combinations of risk factors
Projections of OHIO’s course and degree completions through FY25, impacted by class size and enrollment estimates, show a decline in SSI revenue starting in FY21, continuing through FY23, and leveling off for FY24 and FY25.

Even with future year enrollment increases projected in the short term, SSI revenues to OHIO will not fully recover for at least 4 years, until the recent declining enrollments in the pipeline graduate.

- The College of Medicine gets its own allocation of the statewide Medical School SSI (13% of OHIO’s SSI) and their share has been increasing with the growth of enrollments in Dublin and Cleveland.
- The Doctoral allocation accounts for the 6% balance of OHIO’s FY20 SSI projection.

Enrollments and Tuitions – Strategic Executive Enrollment Committee (SEEC) enrollment goals for Athens Undergraduate (UG), Graduate, Regionals, and eCampus UG through FY25 were utilized for planning and reviewed during the meeting.

- Athens UG – enrollment projections to trend up after Fall 2020; favorable projections are based on the myriad strategies, including:
  - expected marketing and branding improvements
  - benefits realized from increased alumni engagement
  - increased international enrollments from new market investments
  - combined Honors Program prospective students
- Regionals – expectation that enrollments will decline slightly for FY20 and then stabilize and remain at a constant level
- Graduate – enrollment increases from new graduate, professional, and certificate programs
- eCampus – gradual online enrollment increases plus growth in new programs

Financial Aid and Net Tuition – modest net tuition growth is projected in FY21 following four years of declining net tuition based on declining UG enrollments coupled with additional investments in new scholarship programs.

- Strategic uses of financial aid are being modeled by the enrollment team, including consultants, to arrive at the best use of the available aid to maximize enrollments
- The current version of the state biennial budget bill reflects a significant increase in Ohio College Opportunity Grant (OCOG).

Compensation – wages and benefits are the largest drivers of expense growth, accounting for ~65% of total costs. Statistics by employee classifications compare year-over-year numbers and dollars for faculty, administrators, classified and bargaining unit staff, and students.

- The Benefits Advisory Council (BAC) manages benefit cost to no greater than a 5% increase in university costs; the university health benefit cost experiences have been running below expected increases resulting in growth in reserves; some credit can be attributed to Wellness programs for employees and their families.
• Internal Debt Service – this cost has been growing over time as external debt is utilized for facility investments, inclusive of both deferred maintenance and programmatic investments, and the respective debt service is incorporated into the operating budgets. In FY20 debt service accounts for approximately 9% of the operating expense.

New revenue and expense reduction strategies were developed for the academic units at mid-year which contributed to forecasted incremental net new revenues in FY20, adding to the strategies already reported in the FY19 budget. SVP Shaffer discussed the significant expense reductions for the College of Arts & Sciences as a result of the impact of College Credit Plus (CC+) and the increasing credits for general education courses that new students bring with them. Administrative units, excluding IT and D&I, realized cost reductions of 7% between FY18 and FY20 and are currently in the process of reducing an incremental $2.3M in FY20 in reaction to the reduction in UG enrollments. These non-academic units will continue to identify efficiencies and expense reductions as appropriate to balance the University budget and respond to enrollment declines.

SVP Shaffer shared the analysis of the Strategic Opportunity Reserve (SOR), funded annually by $4.5M in investment earnings and 2% of enrollment related revenues (SSI & UG tuition), and the planned use of these reserves for investments and enrollment variability, reminding the Board that the SOR was utilized in FY19 to address the enrollment shortfall impact on current and future revenues. The source of the $65.8M in reserve funds to bridge the investments in new academic revenue and expenditure reduction strategies through FY23 is the $110.5M in Academic Unrestricted Reserves identified within the University’s Working Capital. SVP Shaffer referred to the Working Capital ‘cylinder’ presentation (included in the Budget Book) to illustrate the various reserves within the University’s cash and investments.

SVP Shaffer referred the Trustees to the FY20 budget resolution included for approval.

Trustee Scholl made a motion to recommend approval of the FY20 University Budget resolution to the full board; Trustee Smullen provided a second; the motion was unanimously approved.

- Resolution, FY20 Tuition and Fees – Graduate Off-Campus Programs and Current Reduced Rates
This resolution is for Graduate and other fees for market- based programs.

Chair Scholl made a motion to recommend approval of the FY20 Tuition and Fees – Graduate Off-Campus Programs and Current Reduced Rates resolution to the full board; Trustee Casciani provided a second; the motion was unanimously approved.
eCampus students have requested the availability of experiential learning experiences and career counseling services. The attached fees will provide resources for point-of-contact support with trained staff and faculty, online services and supports through a portal, and one-on-one counseling. Implementation of a Career Fee was a specific carve out in the last state budget bill. Expenditures of funds must be connected to student career and experiential learning and must be verifiable.

Trustee Scholl made a motion to recommend approval of the FY20 Tuition and Fees – Career and Experiential Learning Fee: eCampus; Trustee Casciani provided a second; the motion was unanimously approved.

SVP Shaffer introduced the FY21-26 Six-Year CIP discussion and indicated that approval is being sought for the FY20 Annual CIP, the projects to be submitted with the FY21-22 State Capital Plan, and the FY21-26 Six Year CIP. This CIP was developed through extensive analyses and consultation between Facilities and Operations, University Planning, Academic and Administrative leadership with a focus on decreasing and slowing down capital spend.

Associate Vice President for University Planning Shawna Bolin provided an overview of the planning process including key factors that are driving strategies for a reduced level of spending. Bolin advised that this $374M, 6-year prioritization plan is significantly reduced from the FY19-24 6-year plan. Projects of this slowed-down plan are being prioritized based on current funding availability coupled with factors arising from in-depth study results and programmatic impacts.

Chief Facilities Officer and Senior Associate Vice President Steve Wood discussed the prioritization of deferred maintenance (DM) investments. The slowed-down plan still results in significant reductions of the backlog per square foot. As shared at the March meeting, the DM priorities were compared to the programmatic and functional priorities to arrive at the projects for investment over the next 6-year CIP. The CIP funding relies on the State biennial capital allocation and Century Bond funds. The reduced capital investment over the next 6-year plan will result in delaying $64M in deferred maintenance projects, but the FY26 projected DM backlog per / GSF of $49.50 is within the targeted range of $40 - $50 / GSF and is down from the FY14 DM backlog of $85.33 / GSF.

Additional metrics shared reflect that there have been no net new space additions to campus since 2014 and the new space added has been offset by planned demolitions of buildings. Additionally, while the CIP addresses deferred maintenance, it still includes transformational projects such as HCOM, ROC, Clippinger, and the Administrative Relocation. OHIO’s capital plan is consistent with our peers across the state in dealing
with deferred maintenance of aging facilities and infrastructure while transforming and modernizing spaces to fit current needs. Deferred maintenance backlog continues to be reduced as part of every project and it was stressed that the total DM backlog of nearly $0.5B reflects all campuses, but only those Ridges buildings which are occupied. Capital planning will continue with an eye toward the campus of 2030.

**Trustee Scholl made a motion to recommend approval of the FY20 Annual CIP, the FY21-FY22 State Capital Project Requests, and FY21-FY26 Six-Year CIP resolution to the full board; Trustee Casciani provided a second; the motion was unanimously approved.**

- **Resolution, FY20 Century Bond Allocation**

SVP Shaffer reminded the trustees of the Century Bond 16-year commitment to allocate $10M annually to address deferred maintenance priorities. In accordance with the Century Bond Guiding Principles, the resolution provides authorization for the FY20 $10M allocation of Century Bond funding to address deferred maintenance and fund operating investments in deferred and preventive maintenance projects identified within the FY20 Annual CIP.

**Trustee Viehweger made a motion to recommend approval of the FY20 Century Bond Allocation resolution to the full board; Trustee Casciani provided a second; the motion was unanimously approved.**

- **Resolution, Line of Credit (LOC) Extension**

In August 2016 the Board authorized management to execute a $50M LOC as liquidity insurance against capital plan cashflows. The LOC is set to terminate on December 1, 2019 and this request extends the LOC, under the same terms, for another 2–6 years. There will be no settlement costs in association with this extension and fees on drawn balances are expected to decrease due to tax law changes.

**Trustee Scholl made a motion to recommend approval of the Line of Credit Extension resolution to the full board; Trustee Casciani provided a second; the motion was unanimously approved.**

Chair Viehweger advised that the five Consent Agenda items on the Resources, Facilities and Affordability agenda would be acted upon in one combined committee recommendation following review and discussion of each.

- **Consent Agenda, Declaration of Surplus Land**

SVP Shaffer advised the trustees of an existing long-term lease for University land occupied by the Athens County Libraries at their 30 Home Street location. This action declares the exact footprint of the occupied land as surplus, to be given to the Libraries
with a clause that if the location ceases to exist as an Athens County Library the land will revert to the University.

- **Consent Agenda, AEP Easement**
The AEP easement allows for the rerouting of utility lines in conjunction with the construction of the Union Street Green HCOM facility.

- **Consent Agenda, Athens Bike Path Easement**
Director of Real Estate Dominick Brooks reported that this resolution renews the 25-year easement for land under the jurisdiction of Ohio University which forms part of the bike path between Nelsonville and Athens Ohio in exchange for $1.

- **Consent Resolution, Capital Projects**
Chief Facilities Officer and Senior Associate Vice President Steve Wood provided information for the five capital project requests for board approval:
  - Gamertsfelder Bathroom $2M renovation project amended to include funding to address the failing HVAC system for a revised total budget of $7.6M
  - Clippinger Renovation Phase 2 project with an estimated budget of $33.6M
  - Grosvenor Hall $1.8M renovation project in conjunction with the Russ Opportunity Center and Administrative Relocation projects
  - Brown House and Edgehill Building demolitions for $815K
  - University cost share of $768K for the Richland Avenue Pedestrian Crossing, addressing the University’s #1 safety priority. The balance of the project’s $3.3M budget will be borne by the City, supplemented by a $1.8M ODOT grant.

- **Consent Resolution, Undergraduate Scholarship Match Program Extension**
Vice President for University Advancement Nico Karagosian requested the Undergraduate Scholarship Match Program (USMP) currently scheduled to end on June 30, 2019 be extended one year to include donor commitments made on or before June 30, 2020. The original USMP was approved by the University board in August 2013. In FY19 revisions were approved to abolish limits on match funds by college, amend restrictions on donor preferences, and expand the program benefit beyond the Athens campus to the regional campuses. The request to extend the program through June 2020 provides another year to generate additional philanthropy for these easily administered endowments and allows for further refinement of future fundraising campaigns over the next year.

Trustee Scholl made a motion to recommend the five resolutions listed below be retained on the Consent Agenda
- Declaration of Surplus Land
- AEP Easement
- Athens Bike Path Easement
• Capital Projects
• Undergraduate Scholarship Match Program Extension

Trustee Casciani provided a second; the motion was unanimously approved.

● Advancement Update

VP UA Karagosian updated trustees on activities since March 2018 including review of the Foundation’s strategic priorities and their alignment to the University’s pathways and priorities as well as progress toward the new funding model. The Foundation’s priorities around donor support and outreach are emphasized in the philanthropic goal setting for FY20 being conducted with the colleges and units across campus. Statistics around total alumni, donors, and levels of giving highlight the opportunities to significantly increase levels of engagement and support.

The Trustee’s engaged in discussion on the question How to increase the amount of giving from alums? OHIO’s first Giving Day in April 2019 raised more than $440K in an extremely successful 24-hour, high-energy campaign with only 0.4% of alums participating. Success has also been realized through attainment of new OHIO Match scholarships, a program for which a 1-year extension to June 2020 is being requested, and through gifts and commitments to The President’s Circle established to provide support for emerging opportunities for the advancement of OHIO’s mission. Alumni Representative Christopher joined VPUA Karagosian to discuss the Alumni Association’s Five-year Plan which establishes the goal of strengthening alumni engagement to advance the mission and vision of Ohio University as its core business.

Administratively, FY19 resulted in 51 successful searches and new hires in key leadership and support positions. At the Foundation’s meeting earlier this month Assistant Vice President, Foundation Finance & Administration, Candice Casto presented an updated funding model and the rationale for the recommended model. Following discussions with both University and Foundation trustees and leadership, further study and analysis, and peer benchmarking, the Foundation (OUF) board approved a revision to the endowment spending policy that lowers the endowment administrative fee by 10 basis points per year, from 2.0% in FY20 to 1.5% in FY25. A proposal to implement a 5% current-use gift tax to be assessed at the time of gift will be discussed with the University executive and academic leadership this Fall, followed by recommendation to the OUF board at their November meeting. The combination of a current-use gift fees and lowering the annual administrative fee are in the long-term interests of maintaining the endowment’s purchasing power.

● Investment Advisor Update
Trustee Scholl updated the Trustees on the process for procuring a new investment consultant and reviewed the history leading up to the Request for Proposal (RFP) issued for the University’s and Foundation’s investment consulting and advisory services in early FY19. Trustee Scholl discussed his participation and credited Director of Investments Dave Gaume and the Small Working Group, comprised of other University and Foundation trustees, leadership and staff, with conducting a very sophisticated and rigorous RFP and selection process.

The selection of FEG (Fund Evaluation Group) was approved by the Foundation board June 8, 2019. Contract negotiation and finalization of the service agreement is proceeding. The negotiation team includes SVP Shaffer, Director Gaume, OUF Investment Committee member Frank Stevens, and a member of the General Counsel’s office. The new agreement will include expectations for the structure of future investment relations including the services and decisions to be provided by the investment firm and strategy and return expectations. The University and Foundation boards will be approving a new investment policy which incorporates the structure of the FEG agreement and responsibilities.

VPUA Karagosian requested OU trustees consider and forward to him possible nominees to serve on the Foundation board with related investment expertise. Trustee Scholl suggested the University Governance and Compensation Committee act on this request.

- **Information Items:**
  - Financial Update – FY19 forecast
  - Facility Project & Planning Updates – the information reports for Facility and Planning Projects are shared as part of each Board agenda.

The meeting was adjourned.
Ohio University Board of Trustees

Audit and Risk Management Committee Meeting
Ohio University, Eastern – Shannon Hall, Theater
Friday, June 21, 2019 – 8:30 AM

Present: Audit and Risk Management Committee Chair Diane Smullen, Board Chair David Scholl, Trustees Eileen Sheil, Peggy Viehweger, Steve Casciani, Mathew Evans, Cary Cooper, Victor Goodman, National Trustees David Pidwell and John Gainor, Alumni Representative Casey Christopher, Student Trustees Justin Kelley and Austin McClain, Board Secretary David Moore, and President Duane Nellis.

Audit and Risk Management Committee Chair Smullen called the meeting to order at 8:30 a.m.

FY 2019 External Audit Update

Mr. Danny Sklenicka from Plante Moran provided the Audit Committee with an update on the status of the FY19 audit. There were no audit results to report as a result of their interim audit work. The audit is progressing as expected and they will be back on campus to complete the audit prior to the October 15th deadline. Trustee Pidwell asked about the relation between the University and Plante Moran and how it has evolved over time. Mr. Sklenicka commented on the positive relationships that have been developed with University staff.

FY19 Audit Plan Status

Jeff Davis, Chief Audit Executive summarized the FY19 audit plan completion. The audits for University Research, the Patton College of Education and Scripps College of Communication have also been completed with the final reports to be issued in the next few weeks.

FY20 Audit Plan Resolution

Mr. Davis discussed the proposed FY20 audit plan. The plan includes eight audits. Trustee Peggy Viehweger made a motion to approve a resolution accepting the annual audit plan. The motion was seconded by Trustee Scholl. Vote was unanimous. Mr. Davis also discussed additional audit activity that will take place in FY20. Board Chair Dave Scholl asked if the staff size was adequate. Mr. Davis replied that based on benchmarking of peer universities in the state, the staff size is comparable and that the office is provided with the necessary resources by President Nellis.

Summary of the Audit Process

Mr. Davis provided a brief summary of the audit process because there are new members of the audit committee.
Audit and Risk Management Committee and Internal Audit Charters

Mr. Davis briefly discussed the two charters that govern the internal audit operation. They are the Audit and Risk Management Committee Charter and the Internal Audit Charter.

There was no unfinished business.
Audit Committee Chair Smullen adjourned the meeting at 8:56 a.m.
Ohio University Board of Trustees

Governance and Compensation Committee

Minutes

Friday, June 20, 2019

Present were Chair Goodman and Committee members, Cooper, Evans, Sheil; National Trustees Gainor; Alumni Representative Christopher, and Student Trustee Kelley. Also present were Trustees Casciani, Scholl, Smullen, Pidwell, Viehweger; Student Trustee McClain; President Nellis; Secretary to the Board David Moore and General Counsel John Biancamano.

The meeting was called to order at 9:00AM.

1. **Appointment of Secretary of the Board of Trustees**

   Trustee Goodman made a motion to recommend the appointment of David Moore as Secretary of the Board of Trustees. Trustee Cooper seconded. Motion passed.

2. **Appointment of Treasurer to the Board of Trustees**

   Trustee Goodman made a motion to recommend the appointment of Deb Shaffer as Treasurer to the Board of Trustees. Trustee Sheil seconded. Motion passed.

The Committee adjourned at 9:15AM.
Chair Scholl called the meeting to order at 8:00am.

Present: Chair David Scholl, Trustees Steve Casciani, Cary Cooper, Matthew Evans, Victor Goodman, Eileen Sheil, Diane Smullen, Peggy Viehweger; Student Trustees Austin McClain and Justin Kelley, National Trustees David Pidwell and John Gainor; Alumni Representative Casey Christopher, President Duane Nellis, and Board Secretary David Moore.

The Executive Committee went into Executive Session to discuss the purchase or sale of property, hiring and compensation of a public employee, and to discuss an information security issue.

Chair Scholl made the motion; Trustee Casciani seconded; Chair Scholl called for a roll call vote. The motion passed unanimously at 8:10am.

At 10:30am Chair Scholl asked for a motion to go out of executive session. Chair Scholl made the motion; Trustee Viehweger seconded; Chair Scholl called for a roll call vote. The motion passed unanimously.

The Committee considered a resolution on President Compensation.

Chair Scholl made a motion to recommend the resolution for approval; Trustee Smullen seconded; Chair Scholl called for a vote; the motion passed unanimously.

Chair Scholl adjourned the meeting at 10:39 am.
Ohio University
Student Code of Conduct
last updated March 8, 2019

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Appendix

Appendix A: Ohio Revised Code Section 3333.38 (House Bill 95)
Appendix B: Student Sexual Misconduct, Relationship Violence, and Stalking Process
Part A: Mission
Ohio university, including its regional campuses and online programs, holds as its central purpose the intellectual and personal development of its students. Distinguished by its rich history, diverse campus, international community, and beautiful Appalachian setting, Ohio university is also known as well for its outstanding faculty of accomplished teachers whose research and creative activity advance knowledge across many disciplines. It is this purpose that provides the aspirational basis for the “Student Code of Conduct”.

As we like to remind students, they are Bobcats no matter where they are. This means that each member of the OHIO community is responsible for their behavior, both on and off campus. When occasions arise where members of the community engage in behavior that violates the prohibited conduct listed in Part D, the community standards process will be initiated. This process exists to protect the interest of the community and to challenge those whose behavior is not in accordance with our expectations of members of the Ohio university community. The university fully recognizes the right of all students to seek knowledge, debate, and freely express their ideas. Discourse and disagreement are fundamental components of any academic endeavor, and students will not be subject to disciplinary action for their lawful expression of ideas.

Sanctions implemented through the process are designed to give students the opportunity to reflect on their choices, challenge their ethical decision-making, and aid them in adjusting their behavior to become congruent with our community expectations. Being a member of the Ohio university community is a privilege, and the community standards process will determine if a student’s conduct warrants that they should no longer share in that privilege.

Part B: Scope of the Code
The “Student Code of Conduct” applies to the conduct of individual students, student organizations and student groups, both undergraduate and graduate, including students enrolled in the heritage college of osteopathic medicine, at regional and extension campuses, through the college credit plus program, and in distance education programs, such as e-learning. The right of all students to seek knowledge, debate and freely express their ideas is fully recognized by the university. The prohibited conduct described in Part D applies to student behavior and will not be used to impose discipline for the lawful expression of ideas.

The “Student Code of Conduct” applies to all students, student organizations and student groups, regardless of whether or not the alleged behavior occurred on or off campus. Further, the “Student Code of Conduct” may also be applied to behavior conducted online, via e-mail or through other electronic mediums. Ohio university does not regularly search for this information, but may take action if such information is brought to the attention of University officials.

The community standards process may be initiated when a student is charged with conduct that potentially violates both civil/criminal law and University policy, without regard to pending litigation in court or criminal arrest and prosecution. This includes instances where a current student is charged
with serious violations of civil or criminal law, regardless of when that violation occurred. The community standards process may be carried out prior to, simultaneously with, or following criminal proceedings off campus. Determinations made and sanctions imposed under the “Student Code of Conduct” will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

Part C: Definition of Terms
The below definitions apply to the community standards process. For definitions and other information related to the “Student Sexual Misconduct, Relationship Violence, and Stalking Process”, please see the Appendix B.

1. **Advisor** – An Ohio university employee or student selected by the complainant or respondent to assist them throughout the community standards process. This advisor may advise and assist the complainant or respondent in the preparation for any meetings or hearings that may occur; accompany the complainant or respondent through all community standards process meetings and hearing; and to actively participate in the proceedings to the extent desired by the complainant or respondent. Advisors may not be witnesses in the matter at hand, and they may not provide direct information or testimony at any point in the process. Advisors are not provided as part of the community standards process, and complainants and respondents wishing to use an advisor are responsible for obtaining one.

2. **Campus** – Property or buildings owned, leased, operated, controlled or managed by Ohio University, including all regional campuses, regardless of their location.

3. **Complainant** – Person who was subject to alleged misconduct as described in the “Student Code of Conduct”. There may be more than one complainant for an incident.

4. **Hearing Authority** – Any person, or persons, authorized by the director of the office of community standards and student responsibility, or designee to make findings as to whether a student has violated the prohibited conduct part of the “Student Code of Conduct”. This includes but is not limited to housing and residence life staff, office of community standards and student responsibility staff, and members of the university hearing board.

5. **Hearing Board Advisor** – A staff member from the office of community standards and student responsibility designated to advise members of the university hearing board during university hearing board hearings.

6. **Hearing Board Chair** – A member of the university hearing board who has been designated by the hearing board advisor to serve as the chairperson for a university hearing board hearing.

7. **Hearing Officer** – A hearing authority who has been designated to preside over an administrative hearing and make findings as to whether a student has violated the prohibited conduct part of the “Student Code of Conduct”.

8. **Members of the University Community** – Refers, collectively and individually, to faculty, staff, students, trustees, volunteers (e.g., advisors), organizations, groups, alumni, and contractors of the university or any of its campuses, facilities, programs, or events.
9. **Preponderance of Evidence** – Standard of proof used by the hearing authority. Preponderance of evidence means that the statements and information presented in the matter must indicate to a reasonable person that it is more likely than not that the respondent committed a violation.

10. **Referral** – Document which contains the basis for the alleged violation of the prohibited conduct part of the “Student Code of Conduct”, including but not limited to police reports or incident reports submitted to the office of community standards and student responsibility.

11. **Referring Party** – Person or office which reported the alleged violation of the prohibited conduct part of the “Student Code of Conduct” to the office of community standards and student responsibility.

12. **Respondent** – Student, student group, or student organization whom it is alleged committed a violation or violations of the “Student Code of Conduct”. There may be more than one respondent for an incident. In the cases of student groups or student organizations, the president, director, or other member of leadership will participate in the student conduct process on behalf of the group or organization.

13. **Student** – Any person from the time they are admitted to Ohio university up through the date of graduation. This includes, but is not limited to, new students at orientation, persons not currently enrolled but who are still seeking a degree from Ohio university, persons currently under suspension, and any other person enrolled in a credit earning course offered by Ohio university, including students enrolled in the college credit plus program. For purposes of exercising jurisdiction for university discipline, it also includes any person who has graduated from Ohio university if the university determines that his/her graduation or receipt of credit may have involved misconduct while he/she was working toward a degree as well as currently enrolled students who have been charged with serious violations of civil or criminal law, regardless of when that violation occurred.

14. **Student Groups** - A number of persons who are associated with the university and each other, but who have not registered, or are not required to register, as a student organization (included but not limited to athletic teams, musical or theatrical ensembles, academic or administrative units, clubs not registered as a student organization).

15. **Student Organization** - A number of persons who are associated with one another and have registered with the university as a student organization, including but not limited to clubs, club sports, or fraternities and sororities.

16. **Support Person** – Any person chosen by either the complainant or the respondent to provide support to them throughout their interactions with CSSR. This person does not actively participate in the process, but can be present at meetings and hearings to provide support to the complainant or respondent. The support person cannot be a witness in the matter in question.

17. **University** – Ohio university, including all of its regional campuses and online programs.

18. **University Appeal Board** – A panel of three individuals selected to review appeals as described in Part 8. The panel will be made up of three individuals from the university hearing board: either one faculty member, one staff member, and one student or one faculty or staff member, and two students.
19. **University Hearing Board**—A panel of three individuals who are responsible for hearing matters involving alleged violations of the prohibited conduct part of the “Student Code of Conduct” when the director, associate director, assistant director, or hearing officer in CSSR has determined that suspension or expulsion may be appropriate sanctions if the respondent is found responsible for the charge(s). A hearing board is composed of two students and one faculty or staff member.

20. **University Official**—Any person employed by the university (including but not limited to faculty, staff, administration, and student staff members) acting within the scope of their job duties.

21. **Witness**—Person who is requested to participate in an investigation or a hearing because they may have information about the alleged misconduct. Witness names may be supplied by the complainant, respondent, or others with knowledge of the matter. All witnesses requested to appear at a hearing by CSSR will be considered university witnesses.

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**Part D: Prohibited Conduct**

The university considers the behavior described in the following sub-parts as inappropriate for members of the Ohio university community. These rules apply to all Ohio university students, student groups, and student organizations for behavior that occurs both on and off campus. The right of all students to seek knowledge, debate and freely express their ideas is fully recognized by the university.

1. **Academic Misconduct**
   a. Plagiarism: Using another’s work, in whole or in part, without acknowledging the source and presenting that material as one’s own academic work. This includes, but is not limited to:
      i. Reproducing another person’s work, whether published or unpublished (this also includes using materials from companies that sell research papers)
      ii. Using another's ideas or written words without properly acknowledging the source:
         a. Quoting a source word for word without providing quotation marks and citations.
         b. Copying words or ideas from a source without appropriate citations.
      iii. Submitting work that is substantially identical to another source in content and/or organization without appropriately citing the source.
      iv. Using other intellectual property in a work without appropriate citations, permissions, or rights (when applicable). Intellectual property includes but is not limited to images, videos, software programs, computer code, or pieces of music.
   b. Cheating: Any attempt by a student to answer questions on a test, quiz, or assignment by means other than his or her own knowledge, without authorization from the instructor resulting in unfair academic advantage. This includes, but is not limited to:
      i. Using the textbook or other materials, such as a notebook, not authorized for use during an examination.
ii. Using technology (i.e. cell phones, laptop computers, social media, text messages, etc.) to aid in the completion of work when not permitted to do so.

iii. Observing or copying the work of another student or allowing another student to plagiarize, copy, or observe one’s own work.

iv. Using unauthorized material during a test, notes, formula lists, notes written on clothing, etc.

v. Taking a quiz, exam, or similar evaluation in place of another person.

vi. Providing or requesting assistance from another person in a manner prohibited by the instructor.

vii. Using a laboratory, computer, or calculator inappropriately or without authorization.

viii. Changing material on a graded exam and then requesting a re-grading of the exam.

ix. Acquiring unauthorized knowledge of an examination or any part of an examination.

x. Signing in any person other than one’s self for class attendance.

c. Multiple Submissions: Submitting the same academic work for credit more than once unless specifically authorized by the instructor of record.

d. Fabrication or Falsification: Knowingly using and/or presenting invented or fabricated information, falsified research, or other findings.

e. Misrepresentation: Misrepresenting facts in an attempt to gain an academic advantage. This includes, but is not limited to:

   i. Providing false or misleading information in an attempt to receive an extension or postponement of a test, quiz, or other assignment

   ii. Providing false or misleading information in an attempt to receive a re-take of an exam or a re-submission of an assignment

   iii. Providing false or misleading information as part of an academic probation/dismissal appeal process.

Please note: An instructor may impose a grade penalty for academic misconduct and/or file a disciplinary referral.

2. Possessing/Providing False and Misleading Information

   a. Furnishing false information to university officials or law enforcement officers acting within the scope of their job duties.

   b. Forgery, alteration, or misuse of university documents and/or records.

   c. Possession, use and/or attempted use of false identification.

   d. Manufacture, distribution, or sale of false identification.

   e. Transferring, lending, borrowing or altering university identification.

3. Alcoholic Beverages Violation

   a. Use and/or possession of alcoholic beverages except as expressly permitted by law and University Policy 24.001. This includes, but is not limited to, the underage possession or consumption of alcohol.
b. Selling, distributing, or furnishing of alcoholic beverages except as expressly permitted by law and University Policy 24.001. This includes, but is not limited to providing alcohol to a person under the legal drinking age.

c. Furnishing or causing to be furnished any alcoholic beverage to any person in a state of noticeable intoxication.

d. Misconduct under the influence of alcohol including but not limited to operating a vehicle under the influence, disorderly conduct by intoxication, and public intoxication.

e. Failure of a student organization to take all necessary steps to ensure that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or within any property or transportation it owns, operates, and/or rents.

4. Controlled Substance and/or Drug Violation

a. Use and/or possession of marijuana or substances derived from marijuana, except as expressly permitted by law.

b. Use and/or possession of other controlled substances except as expressly permitted by law.

c. Use and/or possession of drug related paraphernalia except as expressly permitted by law.

d. The abuse, misuse, sale, or distribution of prescription or over the counter medication.

e. Manufacture, distribution, sale and/or offer for sale of any controlled substance or drug, except as expressly permitted by law.

f. Intentionally or recklessly inhaling or ingesting substances (e.g. nitrous oxide, glue, paint, etc.) that will alter a person’s state of mind.

g. Misconduct under the influence of a controlled substance, including but not limited to operating a vehicle under the influence, disorderly conduct by intoxication, and public intoxication.

5. Disruptive Conduct

a. Conduct that substantially and materially disrupts or interferes with university operations including but not limited to teaching, research and/or administrative activities which occur on or off campus.

b. Causing, inciting, or participating in any disturbance that presents a clear and present danger to others, causes physical harm to others, or damage and/or destruction of property, including but not limited to participating in or inciting a riot.

c. Failure to comply with lawful orders of university officials or law enforcement officers acting within the scope of their job duties.

d. An act which deliberately interferes with the freedom of speech of any member or guest of the university community.

e. Misuse and/or tampering with any university safety equipment including but not limited to firefighting equipment, fire alarms, smoke detectors, blue light phones, etc.

f. Public Urination

g. Election Tampering: Tampering with the election of any Ohio university recognized student organization, including the student senate.

6. Harmful Behavior
a. Physical harm or threat of physical harm to any person.

b. Harassment: Unwelcome conduct (including written or electronic communication) that is so severe, pervasive, and objectively offensive that it substantially interferes with the ability of a person to work, learn, live or participate in, or benefit from the services, activities, or privileges provided by the university. In no event shall this provision be used to discipline a student for speech protected by the first amendment of the United States.

c. Discrimination: Unwelcome conduct (including written or electronic communication) against another individual that is based upon an individual protected category (as defined in Ohio University Policy 40.001) that is so severe, pervasive, and objectively offensive that it substantially interferes with the ability of a person to work, learn, live or participate in, or benefit from services, activities, or privileges provided by the university. In no event shall this provision be used to discipline a student for speech protected by the first amendment of the United States.

d. Reckless but not accidental action that poses a reasonable risk of physical harm to others.

e. Stalking: (For stalking based on sex or gender, please see Section D.7.h., below.) A course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or that would cause a reasonable person to suffer substantial emotional distress. A "reasonable person" is a person under similar circumstances or similarly situated to the victim. "Substantial emotional distress" is significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling. Stalking requires two or more acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means engages in the following behaviors: follows, monitors, observes, surveils, threatens, or communicates to or about a person; or interferes with a person's property. The following are examples of behaviors that could constitute stalking: sending unwanted emails, texts, letters, or gifts; asking someone or someone's acquaintances where they are or where they are going; repeatedly calling someone on the phone; using the internet to threaten someone; appearing at someone's class or workplace without a legitimate reason.

7. Sexual Misconduct, Relationship Violence and Stalking

   a. Sexual Harassment by Quid Pro Quo: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.

   b. Sexual Harassment by Hostile Environment: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.

   c. Non-Consensual Sexual Intercourse: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.

   d. Non-Consensual Sexual Contact: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.

   e. Sexual Exploitation: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.
f. Domestic violence: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.
g. Dating Violence: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.
h. Stalking: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.
i. Retaliatory Harassment: See University Policy 03.004: Sexual Misconduct, Relationship Violence and Stalking.

8. Hazing
   a. Recklessly or intentionally endangering the mental, emotional, or physical health and/or safety of a student: See University Policy 23.010: Hazing.
c. Coerced consumption: See University Policy 23.010: Hazing.
e. Coerced activities: See University Policy 23.010: Hazing.
f. Acts of sexual misconduct, relationship violence, or stalking, as defined by University Policy 03.004.

9. Theft
   a. Taking without consent the property or services of the university, another person, business, or organization.
b. Possessing property that can reasonably be determined to have been stolen from the university, another person, business, or organization.

10. Damage to Property
    a. Vandalism, destruction, or damage to public or private property.
b. Reckless but not accidental action that poses a reasonable risk of damage or destruction of public or private property.

11. Use or Possession of Weapons and/or Dangerous Materials
    a. Possession, storage or use of weapons including but not limited to firearms, compressed-air guns, pellet guns, etc. on university owned or affiliated property except as expressly permitted by law.
b. Possession, storage or use of dangerous materials including but not limited to fireworks, explosives or chemicals which are corrosive or explosive on university owned or affiliated property except as expressly permitted by law.
c. Any object not mentioned above used to intimidate, threaten, harm, and/or provide force can be considered a weapon under this provision.
d. Use of a weapon to intimidate, threaten, or harm another person.

12. Misuse of Keys and/or Access Device
    a. Unauthorized use, distribution, duplication, or possession of any key or other access device issued for any campus building, structure, room or facility.

13. Misuse of the University Disciplinary Process
a. Falsification, distortion, or misrepresentation of information during the community standards process, including filing a false complaint against another person.
b. Hindering or interfering with the community standards process by failing to abide by the notice from a university official to appear for a student conduct meeting or hearing.
c. Intimidation or retaliation in response to an individual’s participation in, or use of, the community standards process.

14. Trespass or Misuse of Facilities
   a. Misuse or unauthorized use of any facility.
   b. Unauthorized entry or attempted entry into any facility.

15. Violation of Ohio University Student Housing Handbook
   a. Violation of any published housing and residence life policy, rule and/or regulation, including the housing contract.

16. Violation of University Policy
   a. Violation of any university policy and/or procedure of Ohio university.

17. Violation of Law
   a. Conduct that would constitute a violation of any local, state, and/or federal law, including violation of the Code of Ordinances of the city of Athens.

Part E: Community Standards Process
The following processes apply to those involved in matters being addressed by the community standards process. For information regarding the process for resolving a sexual misconduct allegation, please see Appendix B.

1. Referrals – Members of the Ohio university community may file a student conduct referral alleging that a student, student group, or student organization has violated the prohibited conduct outlined in the “Student Code of Conduct”. The office of community standards and student responsibility (CSSR) may also receive referrals from external entities, including law enforcement and members of the general public. Upon receipt of a referral, the director of the office of community standards and student responsibility, or designee, may review all relevant information and may consult with any appropriate parties regarding the incident in question. It is the responsibility of the director of the office of community standards and student responsibility (CSSR) to determine the appropriateness of the referral as well as how the referral will be processed. Upon receipt of a referral and if appropriate, interim measures (including presidential interim suspension), may be implemented as outlined in Part I.

2. Hearing Authorities – Hearing authorities are responsible for processing cases involving alleged violations of prohibited conduct as described in the “Student Code of Conduct”. The director of CSSR (or designee) is responsible for determining the appropriate hearing authority for each matter. The following are hearing authorities:
   a. Hearing Officer – Appropriate staff members from the office of community standards and student responsibility and housing and residence life as determined by the director of CSSR (or designee) are responsible for hearing matters involving alleged violations of
the prohibited conduct part of the “Student Code of Conduct” and serve to advise both
the complainant and the respondent regarding procedures related to the “Student Code
of Conduct”. They have the authority to conduct community standards conferences, to
serve as a hearing officer in an administrative hearing and to serve as an advisor to the
university hearing board and the university appeal board. They have the authority to
impose a full range of sanctions under the “Student Code of Conduct”, up to and
including disciplinary suspension and disciplinary expulsion.

b. **University Hearing Board** – The university hearing board (UHB) is responsible for
hearing matters involving alleged violations of the prohibited conduct part of the
“Student Code of Conduct” when an appropriate CSSR staff member has determined
that disciplinary suspension or disciplinary expulsion may be appropriate sanctions if the
respondent is found responsible for the charge(s). A hearing board is composed of two
students and one faculty member or administrator. The UHB is advised by a CSSR staff
member and does not directly impose sanctions under the “Student Code of Conduct”.
In instances where the respondent is found in violation, the UHB will make a
recommendation regarding sanctions to the dean of students or designee, who will then
impose any sanctions.

3. **Community Standards Conference**
   Any student, student group, or student organization (hereinafter referred to as the respondent)
who has been charged with an alleged violation of the prohibited conduct part of the “Student
Code of Conduct” will first be scheduled for a community standards conference with the hearing
authority assigned to review the allegation. The respondent will be notified in writing of the
date, time, and location of the community standards conference. Written notification will
include:
   a. the specific charges pending against the respondent;
   b. a brief summary of the referral;
   c. statement of rights and responsibilities; and
   d. if applicable, a statement notifying the respondent that the alleged conduct is significant
      enough that they may face suspension or expulsion if the charge is substantiated.

The community standards conference is the first step in the community standards process, and
serves to provide the respondent with the opportunity to discuss the allegations that led to the
referral. The respondent will receive more information regarding the community standards
process, clarification of their rights and options, the ability to inspect and review all relevant
information as well as a range of potential sanctions for the violation in question should the
charges be substantiated. After a discussion regarding the incident and review of relevant
information, the respondent will have an opportunity to accept or deny responsibility for the
charge(s). If the respondent accepts responsibility for the charge(s), the hearing authority will
sanction the respondent as part of the community standards conference.

If the respondent denies responsibility for one or more of the charges, the hearing authority will
proceed to schedule a hearing for the student. If the hearing authority has determined that should the charge(s) be substantiated, disciplinary suspension or disciplinary expulsion are not appropriate sanctions, the respondent will be scheduled for an administrative hearing. If the hearing authority determines that disciplinary suspension or disciplinary expulsion are potential sanctions, the respondent may choose either an administrative hearing or a university hearing board.

The respondent must attend the community standards conference. If the respondent fails to appear for two scheduled community standards conferences and the absence is not excused, the conference will proceed in their absence. In these instances, if the hearing authority has determined that disciplinary suspension or disciplinary expulsion are not potential sanctions should the charge(s) be substantiated, the matter will be resolved in the community standards conference based on an evaluation of the evidence available to the hearing authority at the time of the scheduled conference. If the hearing authority determines that disciplinary suspension or disciplinary expulsion are potential sanctions should the charge(s) be substantiated, the respondent may be scheduled for an administrative hearing and sent notification of that hearing. Alternatively, a hold may be placed against the student’s registration until such time as the community standards process is complete. If a hearing is scheduled, the date for a hearing will be determined within a reasonable period of time following the community standards conference. Hearing notification shall include:

- the date, time, and location of the hearing;
- the specific charges against the respondent;
- a statement of rights and responsibilities; and
- in instances of administrative hearings only, the name of the hearing officer.

4. **Hearings**

The purpose of a hearing is to provide an equitable forum for the review of the available information regarding an alleged incident of misconduct. The hearing authority will decide by the preponderance of evidence whether or not the respondent is found responsible for the charge(s). All hearings are closed to the public, with the exception of advisors and/or support persons for the complainant and respondent. All parties directly participating in the hearing (the respondent, complainant, and staff member from CSSR or housing and residence life who is presenting the information) may remain present the entire time, excluding deliberations.

- **Types of Hearings**
  - **Administrative Hearing** – Administrative hearings are presided over by a single hearing officer. The hearing officer will be someone other than the staff member who conducted the original community standards conference. If the respondent fails to appear at a scheduled administrative hearing and the absence is not excused, the hearing may proceed in the respondent’s absence or may be rescheduled at the discretion of the hearing officer. All hearings conducted under this process will be administrative hearings, unless a student is
facing separation from the university (suspension or expulsion) and requests a university hearing board review their matter.

ii. **University Hearing Board Hearing** – University hearing board hearings are presided over by members of the university hearing board. Each university hearing board hearing will have a hearing board chair. The chair is responsible for keeping the proceedings moving forward. If the respondent fails to appear at a scheduled university hearing board and the absence is not excused, the hearing may proceed in the respondent’s absence or may be rescheduled at the discretion of the chair. Each university hearing board is assigned a hearing board advisor. The role of the advisor is to ensure the community standards process is adhered to and to answer procedural questions posed by any party during the hearing. The hearing board advisor will also keep the proceedings focused on issues relevant to the specific allegations. The hearing board advisor will not participate in a determination of a finding or sanction. However, the board advisor may be summoned by university hearing board members during deliberations to answer questions regarding the community standards process. Students may request a university hearing board hearing when they face possible separation from the university (suspension or expulsion), should they be found in violation.

iii. **Sanction-Only Hearing** – Students may select a sanction-only hearing when they accept responsibility for the charges against them but would like the opportunity to have the hearing authority review the matter for the purposes of determining an appropriate sanction. Sanction-only hearings are structurally similar to administrative and university hearing board hearings, except that the hearing authority will only make a determination regarding sanctioning. The hearing authority for sanction-only hearings may be either a single administrator or the university hearing board, depending on the possible outcome facing the student, as described above.

b. **Hearing Procedures for Administrative and University Hearing Board Hearings**

Items i–iii will generally proceed in the order listed below, though the hearing authority reserves the right to adjust the order as appropriate or necessary.

i. **Guidelines**

1. The hearing authority will explain the respondent’s rights and responsibilities, and, if applicable, the complainant’s rights and responsibilities.
2. The hearing authority (in conjunction with the board advisor, if applicable), is responsible for assuring that these rights as well as the process described in this Part are adhered to during the hearing.
3. The respondent or the complainant may ask for the removal of a hearing authority by providing written or verbal evidence of bias.

   a. In cases before a hearing board, the charge of bias is made to the chairperson who will determine whether it is valid. If the
charge of bias is against the chairperson, the hearing board advisor shall decide whether it is valid. If bias is found, the hearing will be rescheduled.

b. In an administrative hearing, the charge of bias against the hearing authority can be made to the director of CSSR, prior to the hearing. The director will decide if the charge is valid. If bias is found, the director will assign a new hearing authority to conduct the hearing.

4. The hearing authority may ask questions of any party at any time throughout the hearing.

5. The hearing authority is responsible for determining the relevancy of questions asked during a hearing. The hearing authority may deem certain questions irrelevant and not allow them to be asked. In university hearing board hearings, the hearing board advisor may assist the hearing chair in those determinations.

6. The hearing authority may exclude persons from the hearing if they are disruptive, or postpone the hearing because of disruptive behavior of participants or observers.

ii. Introduction

1. Each party in the room will introduce themselves and explain their role in the hearing.

2. The hearing authority will ask the respondent to briefly introduce themselves and explain why they have requested the hearing.

iii. Presentation of Information

1. Following the respondent’s introduction, a staff member from either CSSR or housing and residence life will provide the hearing authority with a detailed summary of the incident and, if applicable, any subsequent investigation.

2. If there is a complainant, the complainant will then have an opportunity to provide the hearing authority with a summary of their role and perspective on the incident. The hearing authority may question the complainant at this time, followed by the staff member from CSSR or housing and residence life and the respondent (if applicable).

3. The hearing authority will then ask the respondent to describe their involvement in the matter at hand as it pertains to the charges being considered in the hearing. The hearing authority may question the respondent at this time, followed by the staff member from CSSR or housing and residence life and the complainant (if applicable).

4. The staff member from CSSR or housing and residence life will then present any relevant witnesses or documentary information to the hearing authority. The staff member from CSSR or housing and residence life may ask questions of any witness presented. The hearing
authority, respondent, and complainant (if applicable) will each have the opportunity to ask questions regarding the information presented.

5. The complainant (if applicable) will then present any relevant witnesses or documentary information to the hearing authority. The complainant may ask questions of any witness presented. The hearing authority, respondent, and staff member will each have the opportunity to ask questions regarding the information presented.

6. The respondent will then present any relevant witnesses or documentary information to the hearing authority. The respondent may ask questions of any witness presented. The hearing authority, complainant (if applicable), and staff member will each have the opportunity to ask questions regarding the information presented.

7. The staff member from CSSR or housing and residence life will have an opportunity to make a summary statement.

8. The complainant, if applicable, will have an opportunity to make a summary statement.

9. The respondent will have an opportunity to make a summary statement.

iv. Deliberation and Finding

1. The hearing authority will go into closed session to determine by the preponderance of evidence whether the respondent will be found in violation of the charges pending in this matter. University hearing boards determine findings by majority vote.

2. The hearing will re-convene for the announcement of the finding. If the respondent is not found responsible for the violation, the case will be dismissed. If the respondent is found responsible for a violation of one or more of the pending charges, the hearing will proceed to sanctioning.

v. Sanctioning

1. The respondent will be offered an opportunity to speak on their own behalf and to present character witnesses or written references for consideration in determining a sanction.

2. The complainant, if applicable and present, will be given the opportunity to present a verbal impact statement. If there is a complainant who has chosen not to attend the hearing but has provided an impact statement to the staff member from CSSR or housing and residence life, it will be given to and read aloud by the hearing authority. Any impact statement must be presented to the hearing authority only after a finding of violation has been made in the matter.

3. The staff member from CSSR or housing and residence life will give an overview of the respondent’s disciplinary history, if any. The respondent will be given the opportunity to respond to the overview.
4. If the respondent was presented with a possible sanction during their community standards conference, the staff member from CSSR or housing and residence life will share that proposed sanction with the hearing authority.

5. The hearing authority will consider the following in determining a sanction:
   a. statements and evidence presented at the hearing;
   b. seriousness of the violation;
   c. the complainant’s oral or written statement of impact;
   d. the respondent’s character information;
   e. prior disciplinary record of the respondent; and
   f. disciplinary precedent.

6. The staff member from CSSR or housing and residence life will be provided an opportunity to ask the respondent questions relevant to sanctioning.

7. The hearing authority may ask follow up questions of the staff member from CSSR or housing and residence life or the respondent regarding any of the above information.

8. The hearing authority will go into closed session to determine a sanction.

9. The hearing will reconvene for the announcement of the sanction.
   a. In university hearing board hearings, the sanction is recommended to the dean of students or designee, who will make the final decision. While normally the Board’s recommendation will be the sanction imposed, the dean of students or designee may impose a different sanction. The dean of students or designee will send the student written notification of the decision.
   b. In administrative hearings, the sanction is imposed by the hearing officer. The hearing officer will send the student written notification of the decision.

   c. **Hearing Procedures for Sanction-Only Hearings**
      Items i-iii will generally proceed in the order listed below, though the hearing authority reserves the right to adjust the order as appropriate or necessary.
      i. **Guidelines**
         1. The hearing authority will explain the respondent’s rights and responsibilities, and, if applicable, the complainant’s rights and responsibilities.
         2. The hearing authority (in conjunction with the board advisor, if applicable), is responsible for assuring that these rights as well as the process described in this Part are adhered to during the hearing.
3. The respondent or the complainant may ask for the removal of a hearing authority by providing written or verbal evidence of bias.
   a. In cases before a hearing board, the charge of bias is made to the chairperson who will determine whether it is valid. If the charge of bias is against the chairperson, the hearing board advisor shall decide whether it is valid. If bias is found, the hearing will be rescheduled.
   b. In an administrative hearing, the charge of bias against the hearing authority can be made to the director of CSSR, prior to the hearing. The director will decide if the charge is valid. If bias is found, the director will assign a new hearing authority to conduct the hearing.
4. The hearing authority may ask questions of any party at any time throughout the hearing.
5. The hearing authority is responsible for determining the relevancy of questions asked during a hearing. The hearing authority may deem certain questions irrelevant and not allow them to be asked. In university hearing board hearings, the hearing board advisor may assist the hearing chair in those determinations.
6. The hearing authority may exclude persons from the hearing if they are disruptive, or postpone the hearing because of disruptive behavior of participants or observers.

ii. Introduction
   1. Each party in the room will introduce themselves and explain their role in the hearing.
   2. The hearing authority will review the charges against the respondent and ask the respondent to affirm that they are accepting responsibility for those charges.
   3. The hearing authority will ask the respondent to briefly introduce themselves and explain why they have requested this sanction-only hearing.

iii. Presentation of Information
   1. Following the respondent’s introduction, a staff member from either CSSR or housing and residence life will provide the hearing authority with a detailed summary of the incident and, if applicable, any subsequent investigation.
   2. If there is a complainant, the complainant will then have an opportunity to comment on the summary given by the staff member.
   3. The respondent will then have an opportunity to comment on the summary given by the staff member.
4. The hearing authority will then have the opportunity to ask the respondent (and complainant, if applicable), any questions they may have about the incident.

iv. Sanctioning

1. The hearing authority will then transition the hearing to the sanctioning stage.
2. The respondent will be offered an opportunity to speak on their own behalf and to present character witnesses or written references for consideration in determining a sanction.
3. The complainant, if applicable and present, will be given the opportunity to present a verbal impact statement. If there is a complainant who has chosen not to attend the hearing but has provided an impact statement to the staff member from CSSR or housing and residence life, it will be given to and read aloud by the hearing authority. Any impact statement must be presented to the hearing authority only after a finding of violation has been made in the matter.
4. The staff member from CSSR or housing and residence life will give an overview of the respondent’s disciplinary history, if any. The respondent will be given the opportunity to respond to the overview.
5. If the respondent was presented with a possible sanction during their community standards conference, the staff member from CSSR or housing and residence life will share that proposed sanction with the hearing authority.
6. The hearing authority will consider the following in determining a sanction:
   g. statements and evidence presented at the hearing;
   h. seriousness of the violation;
   i. the complainant’s oral or written statement of impact;
   j. the respondent’s character information;
   k. prior disciplinary record of the respondent; and
   l. disciplinary precedent.
7. The staff member from CSSR or housing and residence life will be provided an opportunity to ask the respondent questions relevant to sanctioning.
8. The hearing authority may ask follow up questions of the staff member from CSSR or housing and residence life or the respondent regarding any of the above information.
9. The hearing authority will go into closed session to determine a sanction.
10. The hearing will reconvene for the announcement of the sanction.
   a. In sanction-only hearings conducted by the university hearing board, the sanction is recommended to the dean of students or
designee, who will make the final decision. While normally the Board’s recommendation will be the sanction imposed, the dean of students or designee may impose a different sanction. The dean of students or designee will send the student written notification of the decision.

b. In sanction-only hearings conducted by an administrative hearing officer, the sanction is imposed by the hearing officer. The hearing officer will send the student written notification of the decision.

5. Presenting a Case Using University Legal Counsel

In rare instances, the university may decide to formally present a student conduct case using legal counsel. In such cases, the respondent will be given adequate notice in order to seek legal counsel, if so desired. In these instances, the case will be heard by a university hearing board and the director of the office of legal affairs (or designee) will serve as a non-voting member of the hearing board.

Part F: Sanctions & Conditions of Sanction

1. Sanctions – Students, student organizations, and student groups of Ohio university are responsible for abiding by all Ohio university policies. When a respondent is found in violation of the prohibited conduct part of the “Student Code of Conduct”, appropriate disciplinary sanctions will be imposed. Sanctions will take into account prior disciplinary history, if any. Sanctions are defined as follows:

a. **Reprimand** – Official notification of unacceptable behavior and violation(s) of the “Student Code of Conduct”. Any further misconduct may result in more serious disciplinary sanctions.

b. **Disciplinary Probation** – Sanction imposed for a designated period of time. Further violation of prohibited conduct as outlined in Part D may result in further disciplinary action up to and including disciplinary suspension or disciplinary expulsion. Periodic probationary meetings may also be required. All assigned conditions of sanction must be completed prior to the conclusion of disciplinary probation; otherwise the disciplinary probation will remain in effect.

c. **Disciplinary Suspension** – Sanction imposed for a designated period of time. During the period of suspension, a student may not attend classes (either in person or online), or participate in University related activities, whether they occur on or off campus. Additionally, a student under disciplinary suspension may not be present on University premises unless authorized in writing in advance under conditions approved by the director of the office of community standards and student responsibility. All assigned educational sanctions must be completed prior to the conclusion of disciplinary suspension; otherwise the disciplinary suspension will remain in effect.

i. Students who have been suspended from the university must petition for reenrollment through the director of the office of community standards and
student responsibility. Reenrollment may be granted, with further probationary status, at the discretion of the director. Students must complete a re-enrollment form through the registrar and be in good academic standing with their college and be otherwise eligible to re-enroll in order to return to the university.

ii. Disciplinary suspension of a student organization or student group is a temporary revocation of University recognition. While an organization or group is suspended, it may not use University resources or participate as an organization in any University activities or events. A student organization suspension will not exceed five years. Student organizations or groups that have been suspended from the university must petition for reenrollment through the director of the office of community standards and student responsibility. Reenrollment may be granted, with further probationary status, at the discretion of the director.

d. **Disciplinary Expulsion** – Sanction which permanently removes the student from their academic program and separates the student from the University without the opportunity to graduate or reenroll in the future. A student under disciplinary expulsion may not be present on university premises unless authorized in writing in advance under conditions approved by the director of the office of community standards and student responsibility. Expulsion will be noted on the student’s academic transcript.

   i. Disciplinary expulsion of a student organization or student group is the permanent revocation of University recognition of that organization.

2. **Conditions of Sanction** – In conjunction with a sanction, a student found to have been in violation of prohibited conduct may be assigned conditions of sanction that are educational in nature and reflect the nature of the violation. Conditions of sanction include but are not limited to, reflective papers, seminars, community restitution, access restriction, revocation of rights and privileges, fines/fees, etc. If a student has any outstanding conditions of sanction at the conclusion of disciplinary probation or suspension, that student’s disciplinary probation or suspension status will remain in effect pending the completion of the conditions of sanction. Additionally, failure to complete conditions of sanction by the deadline given will result in the placement of a disciplinary hold on the student’s academic records.

**Part G: Student Rights & Responsibilities**
The following rights and responsibilities apply to those involved in a matter being addressed by the community standards process. For information regarding the rights and options available to those involved in the resolution of a sexual misconduct allegation, please see Appendix B.

1. **Rights of Respondent** – All respondents in the community standards process have the following rights:

   a. Written notice of the charge(s) made against them and the basis of the allegation that led to the charge(s).
b. In matters that could result in a sanction of suspension or expulsion, the above-mentioned notification will alert the respondent to the possible severity of the outcome.
c. The right to an advisor, as defined in Part C.
d. The right to a support person, as defined in Part C.
e. To request reasonable accommodations due to disability as outlined in Part (G)(3).
f. Reasonable access to inspect and review their own case file, which includes all information that would be used during the community standards process, to the extent permitted by confidentiality laws.
g. Explanation of the resolution options available to them through the community standards process.
h. To be presumed not responsible for a violation of prohibited conduct until found in violation by a preponderance of the evidence.
i. To speak or not speak on their own behalf.
j. The opportunity to respond to information used as part of the decision-making process.
k. To deny responsibility for the charge(s) facing them and request a hearing.
l. To question any witnesses that participate as part of a hearing.
m. The right to appeal, as described in Part H.
n. To waive any of the above stated rights provided that the waiver is made freely and in writing.

2. Rights of the Complainant – All complainants in the community standards process have the following rights:
   a. To pursue criminal or civil charges where a legal case exists (without University assistance).
   b. Explanation of the resolution options available to them through the community standards process.
   c. To be free from harassment and intimidation from respondents and others as they engage this process.
   d. The right to an advisor, as defined in Part C.
   e. The right to a support person, as defined in Part C.
   f. To request reasonable accommodations due to disability as outlined in Part (G)(3).
   g. To provide information for consideration during the community standards process, and to know the results of the process to the extent allowed under federal laws and university policies.
   h. The opportunity to appear at any hearing that may take place in order to provide relevant information.
   i. The opportunity to question any witnesses that participate as part of a hearing.
   j. The opportunity to submit a written impact statement for use in a hearing, even if the complainant chooses not to attend the hearing.
3. Responsibilities of Respondents, Complainants, and Witnesses – All respondents, complainants, and witnesses in the community standards process have the following responsibilities:
   a. To be honest and forthright in all information they provide during the community standards process. Presenting false and misleading information during this process is a violation of prohibited conduct as outlined in Part D.
   b. To attend all required meetings, conferences, or hearings, as scheduled, unless alternate arrangements are made in advance.
   c. To refrain from disruption of the hearing process. Disruption of this process is a violation of prohibited conduct as outlined in Part D.
   d. Complainants and respondents have the responsibility to prepare and present their entire case as well as secure the presence of any witnesses who will speak on their behalf.

4. Reasonable Accommodation for Students with Disabilities – Any student with a disability involved in this process has the right to request reasonable accommodation in order to ensure their full and equal participation in this process. Students wishing to request reasonable accommodations should make those requests directly to the office of Student Accessibility Services (SAS). Students do not have to disclose information about the complaint or charge to SAS to request reasonable accommodation except to the extent that it may assist in the determination of reasonable accommodations. Accommodations are determined on an individual basis by SAS staff and implemented in consultation with CSSR and ECRC (if applicable). Examples of reasonable accommodation include but are not limited to sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings. Students are responsible for requesting accommodations in a timely manner; failure to do so may result in a delay in the process.

   - Student Accessibility Services
     Baker University Center, 348
     740-593-2620
     disabilities@ohio.edu
     http://www.ohio.edu/uc/sas

Part H: Appeal Process
The following appeal processes apply to those involved in matters being addressed by the community standards process. For information regarding the appeal process regarding allegations of sexual misconduct, please see Appendix B.

1. A respondent that has accepted responsibility for, or was found in violation of prohibited conduct through the community standards process, may appeal the finding(s) and condition(s) of sanctions imposed within five business days after the receipt of written notification detailing
the decision of the case. Upon reasonable request, the five-business day deadline may be extended by the director of the office of community standards and student responsibility.

2. In the appeal, the respondent must state the reason(s) for the appeal, the supporting facts, and the requested solution. An appeal is not a rehearing of the matter and cannot be filed simply because the student disagrees with the outcome. An appeal may only be submitted for one or more of the following reasons:
   a. The sanctions and/or conditions of sanctions are extraordinarily disproportionate to the violation(s); and/or
   b. A procedural defect occurred that significantly impacted the outcome of the hearing; and/or
   c. Discovery of new and significant information that could have affected the outcome of the hearing and that was not known, or could not reasonably have been discovered and/or presented at the time of the hearing.

3. University Appeal Board
   a. All appeals will be heard by the university appeal board. The appeal board will meet in a closed session, within a reasonable period of time, and will either grant or deny the appeal by a majority vote.
   b. If the student alleges that the sanction was extraordinarily disproportionate to the violation and the appeal board finds the sanctions extraordinarily disproportionate, the appeal board may reduce the sanction.
   c. In considering appeals based on a procedural defect or the presence of new information, if the appeal board finds that there was a defect in the procedure or that new information was presented which was sufficiently substantial to the outcome, the appeal board will order a new hearing or remand the matter to the original hearing authority as appropriate.
   d. The respondent will be notified of the outcome of their appeal in writing by the director of the Office of community standards and student responsibility.

4. Vice Presidential Appeal
   a. The respondent may request the vice president for student affairs or designee review a university appeal board decision if the university appeal board denies the appeal.
   b. An appeal to the vice president for student affairs or designee must be submitted to the office of the vice president for student affairs within three business days after the receipt of written notification of the appeal board decision.
   c. The appeal is limited to the grounds of the original appeal to the University Appeal Board, except in cases where the respondent is appealing on the basis of new evidence.
   d. If the student alleges that the sanction was extraordinarily disproportionate to the violation and the vice president for student affairs or designee finds the sanctions to be extraordinarily disproportionate, the vice president for student affairs or designee may reduce the sanction.
   e. In considering appeals based on a procedural defect or new information being presented, and the vice president for student affairs or designee finds that there was a defect in the procedure or that new information was presented which was sufficiently
substantial to the outcome, the vice president for student affairs, or designee will order a new hearing or remand the matter to the original hearing authority as appropriate.

f. The respondent will be notified of the outcome of their appeal in writing by the vice president for student affairs or designee within a reasonable period of time.

g. The decision of the vice president for student affairs or designee is the final decision in the matter.

Part I: Interim Measures, Interim Suspension, and State of Emergency

1. Interim Measures
   a. When the alleged actions of a student threaten the good order or safety of the university, interim measures may be put into place. Interim measures are administrative directives that are intended to insure the safety of the university and prevent a situation from escalating. Interim measures may be made at any point after a referral is received and may include, but are not limited to:
      i. Administrative directives for no contact;
      ii. Temporary or permanent re-assignment of university housing; and/or
      iii. Restriction of access to particular areas of campus.
   b. CSSR will make decisions on interim measures after appropriate consultation. Professional staff in housing and residence life may initiate an immediate residential move in the case of allegations of sexual misconduct, violence, or threats of violence. They may also issue temporary administrative directives for no contact under the same circumstances. Housing and residence life will notify CSSR in writing of any interim measures they initiate as soon as possible, but no later than the next business day. All interim measures described above will be documented in writing.

2. Interim Suspension or Interim Suspension of Housing
   a. When the behavior of a student disrupts the good order of the university or poses a risk to the safety of the campus, the university may place the student on an interim suspension. This action immediately suspends the student from university premises and activities.
   b. The interim suspension will be decided by the dean of students (or designee), in consultation with appropriate university offices. The interim suspension will be confirmed in writing, and remain in effect until such time as the alleged violations of the “Student Code of Conduct” are resolved. The student will be notified of the interim suspension by the director of community standards and student responsibility (or designee). Within three business days of the notification of the interim suspension, the student may request a review of the interim suspension. The request for review must be submitted in writing and include all relevant documentation the student wishes to be considered as part of the review. The purpose of the review is to determine only if the student poses an on-going threat. The vice president for student affairs (or designee) will then determine if the interim suspension remains in effect, is modified, or is rescinded. For instances involving allegations of sexual misconduct, relationship violence, or stalking (as defined in University Policy 03.004), the vice president or
designee will make their decision in consultation with the Title IX coordinator. The
decision on the review will be provided to the student in writing and is final.
c. The student may request an extension of the deadline to submit a request for review in
extreme circumstances, such as hospitalization or incarceration. Students may be
required to provide documentation related to their request for an extension.
d. The outcome of the review will not impact the pending disciplinary process. If the vice
president for student affairs (or designee) upholds the interim suspension, the decision
will remain in effect until the pending charges through the office of community
standards and student responsibility have been resolved. The student will be notified of
the decision of the vice president for student affairs (or designee) in writing within a
reasonable time frame.
e. If the final decision of the community standards process is to suspend or expel the
student, the sanction will take effect from the date of the interim suspension. If the
decision is a reprimand or disciplinary probation, or if the student is found not to be in
violation of the charges, for purposes of the record, the interim suspension will be
deemed not to have occurred. The student has the right to appeal the final decision in
accordance with Part H.

3. State of Emergency
   a. Pursuant to Section 3345.26 of the Revised Code, the board of trustees or president of a
college or university which receives any state funds in support thereof, may declare a
state of emergency when there is a clear and present danger or the orderly conduct of
lawful activities at such college or university through riot, mob action or other
substantial disorder, and may do one or more of the following, as are necessary to
preserve order and discipline at such college or university during such emergency:
      i. Limit access to university property and facilities by any person or persons;
      ii. Impose a curfew;
      iii. Restrict the right of assembly by groups of five or more persons;
      iv. Provide reasonable measures to enforce limitations of access, a curfew and
restrictions on the rights of assembly imposed pursuant to this part.
b. Notice of action taken pursuant to Part (I)(3)(a) shall be posted or published in such
manner as is reasonably calculated to reach all persons affected.
c. Parts (I)(3)(a) and (I)(3)(b) of this document shall not be construed to limit the authority
of the board of trustees, president or other proper official of a college or university to
impose reasonable restrictions on use of and access to, and the hours and use and
access to university property and facilities, for purpose of regulating the proper
operation of such university, and regardless of whether any emergency exists.

Part J: “Student Code of Conduct” review process
   1. Timeline
      a. The full “Student Code of Conduct” will undergo a formal review process every two
years. The review will take place under the direction of the director of the Office of
community standards and student responsibility in collaboration with the “Student Code of Conduct”: Review & Standards Committee.

b. Should changes to the “Student Code of Conduct” be necessary for the purposes of complying with local, state, or Federal law, or as deemed necessary by the student code of conduct: review and standards committee, changes may be made outside of the two-year cycle.

c. The appendices are independent of the “Student Code of Conduct” and are not part of the formal review process. For those appendices that require periodic review, the information for that process is listed in that appendix.

2. Proposing Changes to the “Student Code of Conduct”

a. Any member of the Ohio university community may propose amendments to the “Student Code of Conduct”. Proposed amendments shall be reviewed by the student code of conduct: review and standards committee for possible consideration.

3. Approval Process

a. All proposed changes to the “Student Code of Conduct” must be reviewed and approved by the student code of conduct: review and standards committee. Those changes will be submitted to the vice president for student affairs for consideration.

b. Changes to “Student Code of Conduct” procedure (Parts C, E, G, H, and K) are subject to approval by the vice president for student affairs before implementation.

c. Changes to “Student Code of Conduct” policies (Parts A, B, D, F, I, and J) are subject to approval by the president and formal action by the board of trustees prior to implementation.

Part K: Acknowledgements

Parts of the Ohio university “Student Code of Conduct” are adapted from the national center for higher education risk management (NCHERM) group “Model Developmental Code of Student Conduct” and are used here with permission. Additionally, the office of community standards and student responsibility and the student code of conduct: review and standards committee wishes to acknowledge the following for their example and assistance in crafting this code of conduct: North Carolina state university; old dominion university; plagiarism.org - http://www.plagiarism.org/plagiarism-101/what-is-plagiarism; Ohio state university; university of central Florida; university of Florida; university of Texas at Austin; wright state university.

This document has been formatted in order to comply with the fourth edition of the “Rule Drafting Manual” by the Ohio legislative service commission.
Appendix A
Ohio Revised Code Part 3333.38 (House Bill 95)

A. Pursuant to Ohio Revised Code Section 3333.38(C), Ohio university must immediately dismiss an individual who is convicted of, pleads guilty to, or is adjudicated a delinquent child for a violation of Ohio Revised Code Section 2917.02 (aggravated riot) or Ohio Revised Code Section 2917.03 (riot). Pursuant to Ohio Revised Code Section 3333.38(B), an individual who is convicted of, pleads guilty to, or adjudicated a delinquent child for any of the following offenses shall be ineligible to receive any student financial assistance supported by state funds for two calendar years from the time the individual applies for such assistance:
   1. a violation of Ohio Revised Code Section 2917.02 (aggravated riot) or Ohio Revised Code Section 2917.03 (riot),
   2. a violation of Ohio Revised Code Section 2917.04 (failure to disperse) that is a misdemeanor of the fourth degree,
   3. a violation of Ohio Revised Code Section 2917.13 (misconduct at emergency) that is a misdemeanor of the fourth or first degree and occurs within the proximate area where four or more others are acting in a course of conduct in violation of Ohio Revised Code Section 2917.11 (disorderly conduct).

B. The student financial assistance programs supported by state funds includes any post-secondary student financial assistance supported by state funds, including assistance granted under Ohio Revised Code Section:
   3315.33 Ohio Scholarship Fund for Teacher Trainees
   3333.12 Ohio Instructional Grant Program and Part-time Ohio Instructional Grant Program
   3333.21 Ohio Academic Scholarship Program
   3333.26 Tuition Waiver for Child or Spouse of Public Service Officer Killed in Line of Duty
   3333.27 Student Choice Grant Program
   3333.28 Nurse Education Assistance Program
   3333.29 Student Workforce Development Grant Program
   3333.372 Ohio Outstanding Scholarship and Ohio Priority Needs Fellowship
   5910.03 Scholarship for Children of Deceased or Disabled Veterans of the Armed Services of the United States
   5910.032 Children of Persons Declared Prisoner of War or Missing in Action
   5919.34 National Guard Scholarship Program
Appendix B:
Student Sexual Misconduct, Relationship Violence, and Stalking Process

This process will be used to adjudicate alleged student violations of Ohio University Policy 03.004 as well as alleged violations of the Student Code of Conduct. This document describes the process for investigating and adjudicating reports of alleged sexual misconduct, relationship violence, and stalking that involve students or student organizations as the respondent. Per the Ohio University catalog, available here (https://catalogs.ohio.edu/), official University correspondence is sent to students through their University e-mail address. Therefore, formal correspondence sent to students engaged in this process will occur via e-mail.

This process provides for a prompt, fair, and equitable investigation and resolution of sexual misconduct allegations made against students.

A. Confidential Resources

Confidential resources are those entities that are not required to disclose the details of incidents reported to them to University Equity and Civil Rights Compliance (ECRC) for further investigation. While the university strongly encourages formal reporting of sexual misconduct, relationship violence, and stalking, we also recognize that students impacted by these issues may wish to take advantage of health and support resources without disclosing the situation to the university. There are a number of confidential resources to which students may speak, whether or not they are participating in a formal university process. On campus, those resources are:

- Campus Care
  1st Floor Hudson Health Center
  740-593-1660
  http://www.oucom.ohiou.edu/campuscare/services.htm

- Counseling and Psychological Services
  3rd Floor Hudson Health Center
  740-593-1616 (24/7 Line)
  http://www.ohio.edu/counseling/index.cfm

- Survivor Advocacy Program
  Lindley Hall, 038
  740-597-7233 (24/7 Line)
  survivor.advocacy@ohio.edu
  http://www.ohio.edu/survivor

B. Definitions

For the purposes of this process, the following definitions apply:

Adviser – Individual selected by either a complainant or respondent to assist them in preparation for and during any meetings or hearings related to this process. An advisor may assist the complainant and respondent by helping to prepare materials, draft questions, and confer with the complainant and respondent during meetings and hearings, as long as this does not
unreasonably disrupt or delay the process. An advisor may also represent the complainant and respondent by asking questions of the other party and witnesses at the hearing; however, an advisor may not make statements on behalf of the parties. An advisor may be anyone of the student’s choosing, including an attorney, but cannot be a witness to the matter in question.

Complainant – Person who was subject to alleged misconduct as described in Policy 03.004 and/or the Student Code of Conduct. There may be more than one complainant for an incident.

Gatekeeper – Entity responsible for determining if a matter fits within the scope of Policy 03.004 and should, therefore, be resolved by this process. University Equity and Civil Rights Compliance (ECRC) serves as the gatekeeper for this process.

Hearing Authority – Panel of two individuals chosen from the pool of trained investigators in ECRC and Community Standards and Student Responsibility (CSSR) who have not participated in the investigation of the matter at hand.

Investigators – Individuals who are chosen from a pool of trained investigators in ECRC and CSSR. Two investigators will be assigned and will conduct a prompt, thorough, and impartial investigation that includes conducting interviews and completing the investigative report.

Preponderance of Evidence – Standard of proof used by the hearing authority. Preponderance of evidence means that the statements and information presented in the matter must indicate to a reasonable person that it is more likely than not that the respondent committed a violation.

Process Advisor – Member of the university community who has been specifically trained to provide information to complainants or respondents regarding the process. This person does not actively participate in the process but can be present at meetings and hearings to provide support to the complainant or respondent. Process advisors cannot be a witness in the matter in question. A list of process advisors can be obtained by request from CSSR or ECRC.

Referring Party – Person who reported the alleged policy violation to the Office of Equity and Civil Rights Compliance.

Respondent – Student, student organization, or student group (as defined by the Student Code of Conduct) who is alleged to have committed a violation or violations of Policy 03.004 and/or the Student Code of Conduct. There may be more than one respondent for an incident.

Sexual Misconduct – See Policy 03.004: Sexual Misconduct, Relationship Violence, and Stalking (http://www.ohio.edu/policy/03-004.html)

Support Person – Any person chosen by either the complainant or the respondent to provide support to them throughout their interactions with ECRC and/or CSSR throughout this process. The complainant and respondent are each entitled to two support people at a time, but these do not have to be the same individuals throughout the process. Support people do not actively participate in the process, but can be present at meetings and hearings to provide support to the complainant or respondent. A support person cannot be a witness in the matter in question.
**Witness** – Person who is requested to participate in an investigation or a hearing because they may have information about the alleged misconduct. Names of potential witnesses may be supplied by the complainant, respondent, or others with knowledge of the matter. All witnesses requested to appear at a hearing will be considered university witnesses.

**C. Report of Potential Violation**

Complainants may self-report incidents of sexual misconduct, relationship violence, or stalking directly to ECRC. Referrals or third-party notices of alleged sexual misconduct, relationship violence and stalking also come from a variety of sources, including but not limited to students, faculty, and staff members. Per Policy 03.004, immediately upon learning of potential sexual misconduct, any employee with a duty to report violations of this policy 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 University Equity and Civil Rights Compliance.

ECRC staff will then inform the Title IX coordinator of the report. ECRC and CSSR are also responsible for notifying the appropriate law enforcement agency if the report indicates that sexual violence and/or another felony may have been committed. While ECRC and CSSR are obligated to contact law enforcement, complainants are not required to speak with the police unless they so choose. ECRC will also work with the Ohio University Police Department to assess if a timely warning needs to be issued to the campus community in relation to the report. Complainants are encouraged to contact either the Ohio University Police Department or other appropriate law enforcement agency to file a report if they so choose. Staff members in ECRC and CSSR are available, if requested, to assist students in contacting the appropriate law enforcement agency.

Additionally, if any party involved in alleged non-consensual sexual contact or non-consensual sexual intercourse is a minor, University personnel will notify Job and Family Services or other appropriate agencies, as required by Ohio law. Further, ECRC will collect and share statistical information as required by the Clery Act.

**D. Gatekeeping**

ECRC serves as the initial gatekeeper responsible for conducting the preliminary assessment to determine if there is enough information to initiate a formal investigation. This responsibility exists because ECRC serves as the university’s Title IX compliance office and oversees Title IX grievance processes. If there is no reasonable cause to believe that Policy 03.004 has been violated, ECRC will notify appropriate parties and close the matter. Should additional information come forward at a later date, ECRC may re-open the matter. Should ECRC decide that the matter does not meet gatekeeping, they will notify the appropriate parties of available resources. ECRC may also refer the matter to CSSR for resolution under the student conduct process if the report contains other alleged violations of the *Student Code of Conduct*. If ECRC determines there is reasonable cause to initiate an investigation, that investigation will be conducted in accordance with Section O below.

Gatekeeping is ongoing and will continue to occur once a matter has moved to investigation and may be re-evaluated as new information becomes available. There may be instances in which the information collected in the course of the investigation does not meet the elements of the sexual misconduct violation of policy 03.004. In situations where this becomes the case, the investigative team will make a written recommendation to the Title IX Coordinator to close the matter related to the sexual misconduct process.
The Title IX Coordinator will review the recommendation and decide which process is best suited to resolve the issue. If the Title IX Coordinator agrees to close the issue in the sexual misconduct process, the investigative team will issue a letter to both the complainant and respondent with that information and the rationale for that decision, with a copy to the Title IX Coordinator and the director of Community Standards and Student Responsibility. If there are other allegations that could constitute violations of the Student Code of Conduct, the issues will be referred to CSSR for review.

E. Concurrent Proceedings External to the University

The Sexual Misconduct, Relationship Violence, and Stalking Process may be initiated when a student is alleged to have engaged in conduct that violates university policy, including when the alleged conduct may also potentially violate criminal or civil law. The university may initiate this process regardless of any external criminal, civil, or administrative proceeding. This process may be carried out prior to, simultaneously with, or following those proceedings. Determinations made and sanctions imposed under this process will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

Records generated as a result of this process are considered educational records and governed by the Family Educational Rights and Privacy Act (FERPA), and are therefore subject to release under the order of a lawful subpoena.

F. Concurrent Proceedings Internal to the University

The Sexual Misconduct, Relationship Violence, and Stalking Process may be initiated when a student is alleged to have engaged in conduct that violates university policy 03.004 and the Student Code of Conduct. In addition to the investigation and resolution process described in this document, if the student is also employed on campus as a faculty or staff member, other processes may apply. The Title IX Coordinator, in consultation with other individuals as appropriate, will determine which process will take precedence or if the processes (or portions thereof) will run concurrently. For example, a student may be placed on leave from their employee position while the investigation takes place. In making this determination, the Title IX Coordinator will consider a number of factors, including but not limited to:

- The primary relationship of the respondent to the university
- The role the respondent was in at the time the incident occurred
- The context of the incident, including the environment in which the misconduct is alleged to have occurred

In order to minimize the burden on all involved parties and to resolve the matter in a timely manner, the investigative report and final outcome from the primary process may be shared, as necessary and appropriate, with the decision makers in other processes.

G. Assessment of Interim Measures

All reports will be reviewed to determine if interim measures are necessary. Interim measures may be implemented even if a formal investigation is unable to proceed. Interim measures may be made or requested at any point after a report is received and may include but are not limited to:

- Administrative directives for no contact
- Temporary or permanent re-assignment of housing
• Restriction of access to particular areas of campus
• Altered academic arrangements (moving an individual from class, completing work online, etc.)
• Designated “safe hours” of use for communal spaces on campus (e.g., the Ping Center and/or dining halls)

The university reserves the right to determine the most appropriate course of action in making these arrangements. In most cases, ECRC and CSSR will make decisions on interim measures. In situations where a residential move is required due to allegations of sexual misconduct, relationship violence, or stalking, professional staff in the Department of Housing and Residence Life may initiate an immediate residential move and/or restrict access to residence halls. They may also issue temporary administrative directives for no contact under the same circumstances. Housing and Residence Life will notify ECRC and CSSR in writing of any interim measures they initiate as soon as possible but no later than the next business day. All interim measures described above will be documented in writing. Both respondent and complainant are eligible to receive interim measures as requested and deemed appropriate. Every attempt will be made to minimize disruption to both parties when interim measures are enacted.

Additionally, ECRC and CSSR may jointly assess reports as they are received to determine if there is a need to recommend an interim suspension of the respondent. That recommendation will then be presented to the Dean of Students (or designee) for consideration. If the decision is made to proceed with an interim suspension, the respondent will be notified in writing by the Dean of Students (or designee) as per the process outlined in the Student Code of Conduct.

H. Complainant Options, Rights, and Resources Meeting

Staff from ECRC will contact the complainant as soon as possible upon receipt of a report of alleged sexual misconduct, relationship violence, or stalking to set up an options, rights, and resources meeting. The following will be covered:

• Medical, mental health, law enforcement, and other resources available both on campus and in the surrounding community
• Possible interim measures (see Section G above)
• The obligation of the university to investigate every report of alleged sexual misconduct, relationship violence, and stalking under federal and state law, Ohio University policy, and out of concern for the safety of our campus community
• The obligation of ECRC and CSSR to notify the appropriate law enforcement agency if the report indicates that sexual violence and/or another felony may have been committed. While ECRC and CSSR are obligated to contact law enforcement, complainants are not required to speak with the police unless they so choose.
• The process for investigating and resolving alleged violations of sexual misconduct, relationship violence, and stalking
• The rights of the complainant and respondent (see Section M below)
• The option to request confidentiality and the process by which that request will be evaluated (see Section I below)

ECRC may also verify the information received in the initial report with the complainant. Should the complainant not respond to ECRC’s initial attempt to contact them, ECRC will make two additional attempts. Should the complainant not respond at all, ECRC will send the complainant written
acknowledgment of their non-participation and notice of the next steps in the process. Should the complainant later choose to participate, they may re-engage at any point before the process is concluded.

I. Request for Confidentiality

Complainants may request that their name not be used as part of any investigation that the university may initiate. Confidentiality will be discussed during the initial options, rights, and resources meeting. Referring parties may share that a complainant wishes to request confidentiality, but it will not be considered a formal request until made, in writing, by the complainant to ECRC. Complainants requesting confidentiality need to be aware that the inability to use a complainant’s name can significantly impede the university’s ability to investigate and, in most cases, the university will be unable to investigate the matter or resolve it through student conduct or other university processes. Additionally, confidentiality can also impact the interim measures the university is able to put in place.

Should a complainant wish to request confidentiality, that request will be reviewed jointly by ECRC and CSSR. The university will make every effort to honor a complainant’s request for confidentiality; however, there are times when that request will not be able to be granted. The following factors will be taken into account when considering a complainant’s request for confidentiality:

- The reported use of force during the commission of an alleged violation of sexual misconduct, relationship violence, or stalking
- The reported use of a weapon during the commission of an alleged violation of sexual misconduct, relationship violence, or stalking
- Significant physical injury resulting from an alleged violation of sexual misconduct, relationship violence, or stalking
- The involvement of multiple respondents in the commission of an alleged violation of sexual misconduct, relationship violence, or stalking
- Prior allegations (substantiated or not) of sexual misconduct, relationship violence, or stalking made against the respondent
- Other relevant factors, including but not limited to:
  - The frequency and severity of the alleged behavior
  - The age of the complainant (for example, if the complainant is a minor)
  - Any position of trust a respondent may hold due to the nature of their employment or other relevant status with the university

The complainant will be notified in writing of the outcome of their request for confidentiality. In situations where confidentiality has been granted, if another report is made regarding the same alleged perpetrator, the request for confidentiality may be reconsidered in the interest of the safety of the campus community. In those instances, ECRC and/or CSSR will attempt to contact the complainant to discuss the need to revoke confidentiality. If the complainant is unable to be reached or does not respond after two attempts, ECRC and/or CSSR will notify the complainant in writing regarding the revocation of confidentiality before proceeding to use the complainant’s name.

If no request for confidentiality is made, the investigation will proceed using the complainant’s name.

J. Respondent Notice, Rights, and Resources Meeting
After sufficient information regarding the allegations has been gathered, staff from ECRC will contact the respondent to inform them that a report has been received alleging a violation of Ohio University Policy 03.004 and the Student Code of Conduct. The respondent will be sent correspondence informing them of the alleged violation(s) and requesting their presence at a meeting. At the initial meeting the respondent will not be asked any questions about the allegations. ECRC staff will discuss the following:

- The obligation of the university to investigate every report of alleged sexual misconduct, relationship violence, and stalking under federal and state law, Ohio University policy, and of concern for the safety of our campus community.
- The process for investigating and resolving alleged violations of sexual misconduct, relationship violence, and stalking.
- The rights of the complainant and the respondent (see Section M).
- The details of the allegation as well as the name of the complainant.
- Medical, mental health, law enforcement, and other resources available both on campus and in the surrounding community.
- Possible interim measures (see Section G above)

Should the respondent not respond to the initial attempt to meet, ECRC will make two additional attempts. If the respondent does not respond at all, ECRC will send the respondent written acknowledgment of their non-participation and notice of the next steps in the process. The respondent will continue to be notified throughout the investigation and may participate at any point in the process prior to its conclusion.

After the initial meeting staff from ECRC will provide the respondent follow up communication with the summary of the allegation(s) as well as notice of the official charges, as of the date of the letter. The respondent will then be notified of a meeting date and time with the investigators to discuss the matter in full detail (see Section O).

It is important to note that the charges may change as the investigation progresses and more information is gathered. Should that occur, the respondent will be notified of any changes (see Section O).

K. **Amnesty for Alcohol and Drugs**

In an effort to encourage reporting of alleged sexual misconduct, relationship violence, and stalking violations, students will not be subject to referrals for action under the *Student Code of Conduct* if they engaged in the unlawful or prohibited personal use of alcohol or drugs during the incident when the alleged violation occurred. Amnesty applies only to the personal use of alcohol or drugs during the incident in question and does not extend to other potential violations of the *Student Code of Conduct* that may have been committed. Amnesty does not apply to matters in which drugs or alcohol are used to facilitate a violation of Ohio University Policy 03.004 and/or the *Student Code of Conduct*.

L. **Related Student Code of Conduct Allegations**

In situations where the sexual misconduct matter has moved to a formal investigation, any additional *Student Code of Conduct* allegations connected to the sexual misconduct that arise during the investigation may be adjudicated within the sexual misconduct process. This would also include any student conduct charges resulting from allegations of violation of *University Policy 40.001: Equal*
Employment and Educational Opportunity. In these instances, CSSR staff will review and determine the appropriate charges under the Student Code of Conduct. Two examples of allegations that will be resolved in this manner are allegations that the respondent used alcohol or drugs to facilitate sexual misconduct and possession or use of a weapon in the course of sexual misconduct. These are alleged Student Code of Conduct charges, and the sanctions for those related charges, if substantiated and regardless of whether the sexual misconduct charge is substantiated, would be determined in the hearing.

M. Rights of the Complainant and Respondent

Respondents have the right to be, and will be, presumed not responsible for a violation of prohibited conduct until found in violation by a preponderance of the evidence.

Additionally, both complainants and respondents have the right to:

- Have an advisor, a process advisor, and up to two support people, present during any meetings or hearings that may occur as part of this process
- Have legal counsel serve as an advisor in this process. The role of an advisor is outlined in Section B above
- Request reasonable accommodations due to disability (see Section N below)
- Have their matter handled in a forthright and timely manner
- Receive advance notice of any meetings in which they are entitled to participate and the purpose of those meetings
- Provide statements, evidence, and information as part of the investigation
- Know the names of all witnesses that are contacted as a part of the investigation
- Know the specific charges being made under Policy 03.004 and the Student Code of Conduct and the range of potential sanctions should a violation be found
- A copy of the redacted pre-hearing investigative report in order to prepare for the hearing
- Inspect information compiled by the investigators for the purpose of the sexual misconduct resolution process in order to prepare for the hearing
- Speak or not speak as a part of the process
- Question witnesses that participate in the hearing, either personally or through their advisor
- Rebut written materials presented in a hearing
- File a written appeal to the Vice President for Student Affairs (or designee)

N. Reasonable Accommodation for Students with Disabilities

Any student with a disability involved in this process has the right to request reasonable accommodation in order to ensure their full and equal participation in this process. Students wishing to request reasonable accommodations should make those requests directly to the office of Student Accessibility Services (SAS). Students do not have to disclose information about the complaint or charge to SAS to request reasonable accommodation except to the extent that it may assist in the determination of reasonable accommodations. Accommodations are determined on an individual basis by SAS staff and implemented in consultation with CSSR and ECRC. Examples of reasonable accommodation include but are not limited to sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings. Students are responsible for requesting accommodations in a timely manner; failure to do so may result in a delay in the process.

- Student Accessibility Services
O. Investigation

Once ECRC has determined that a matter will proceed, an investigation will be conducted by two investigators from the investigator pool. The team of two investigators will conduct a prompt, thorough, and impartial investigation. Every effort will be made for both investigators to be present at all interviews. The investigators will contact all relevant parties to set up a time to meet. Should the relevant party not respond to the initial attempt to meet, the investigators will make at least one additional attempt before moving forward in the process.

Investigations will consist of interviews with the complainant, respondent, and relevant witnesses. Witness names may be supplied by either or both the complainant and respondent. If unclear, investigators may request that the complainant and respondent explain how witnesses are related to a situation and what information they believe the person can provide to investigators. Additionally, the investigative team may determine through other means that they need to speak with someone and seek that person out independently. Witness interviews will be limited in scope to the relevant facts of the matter. Character witnesses and witnesses without relevant information will not be interviewed. The investigative team may request additional information and evidence from witnesses. The investigative team may need to conduct multiple interviews in order to follow up or clarify information provided by others. Student witnesses, while not required to speak, are required to attend scheduled interviews and meetings. Should they fail to attend, they may be charged under the Student Code of Conduct for failure to comply.

At times, investigations may uncover additional information that warrants the removal or addition of charges against the respondent or that indicates that another individual (or individuals), including the complainant, should be charged with a violation of Ohio University Policy 03.004 and/or the Student Code of Conduct. Should that occur, the parties will be notified of any charges that are to be dismissed or added. In the case of new charges, the investigators will request to meet with the party being charged to review the new charges and the specific allegations from which they stem. That meeting will be followed with a letter containing the summary (or updated summary) of allegations and notice of all current charges. An interview will be scheduled in order to discuss the new allegations and charges in more detail. As before, should the party not respond to the request to meet after two attempts, the process will continue to move forward.

At the conclusion of the investigation, the investigative team will write an investigative report. The investigative report will include the following:

- The names of the investigative team
- Applicable policies to the matter
- A list of involved parties
- A brief history of the investigation
- Overview of the allegations
- The violations that were alleged to have occurred
- Summaries of the interviews the investigative team conducted
• Other information as deemed relevant by the investigators

Both investigators will sign the report. This investigative report will be made available to both the complainant and the respondent.

P. Delay in Process

It is the goal of this process to provide a prompt, fair, and equitable process for all parties involved. Every effort will be made to investigate and resolve allegations as quickly as possible. However, in some circumstances, there may be a necessary delay in the process in order to appropriately address the unique circumstances involved in each case. In instances where a delay becomes necessary, the parties will be notified. Additionally, the parties can request an update on the status of their matter at any point.

Q. Pre-Hearing Meetings

Once the investigative report is complete, the investigative team will schedule separate meetings with both the complainant and the respondent. In that meeting, the investigative team will go over the investigative report with each party. At that time, both the complainant and respondent will be given access to the investigative report and any additional information or materials that were considered as part of the investigation. Additionally, both the complainant and respondent will be provided with a redacted copy of the investigative report. During the pre-hearing meeting, both the complainant and respondent will be informed as to when and where the hearing on this matter is scheduled to take place. Following the pre-hearing meeting, each party will be sent a letter confirming the date and time and containing information relevant to the hearing. Should the complainant and/or respondent not attend their scheduled pre-hearing meeting, they will be informed of the date of the hearing in writing.

Options for the hearing will also be discussed. Both the complainant and respondent may participate in the hearing in a number of ways. They may participate from another location by video conference, they may attend in person but request to be screened off from the other party, or they may attend the hearing without any alternative arrangements in place. If either party does not attend the hearing, it will be conducted as scheduled in that person’s absence.

The respondent will have three business days from the date of the pre-hearing meeting to decide if they would like to accept responsibility for the charge(s). If the respondent accepts responsibility for the charge(s), the hearing will not be held, and the investigative team will notify the complainant that the respondent has accepted responsibility and the hearing has been canceled. Any statement the respondent includes with their acceptance of responsibility will be shared with the complainant. The complainant will have an opportunity to provide an impact statement to be used in determining sanctioning. Any impact statement the complainant may submit will also be shared with the respondent. The deadline for the impact statement is three business days from when the complainant is notified that the respondent has accepted responsibility for the charge. The investigative team will then give the report, all documents and information collected during the investigation, and the impact statement (if any) to the hearing authority. The hearing authority will review those materials, determine an appropriate sanction, and notify the complainant and respondent of their decision in writing, with a copy to the Title IX coordinator. Both the complainant and the respondent have the right to appeal as outlined in Section T below.
R. Hearing

A hearing will be conducted for all matters that are not resolved by the respondent accepting responsibility after the pre-hearing meeting. At the discretion of the Title IX Coordinator, in consultation with CSSR, matters involving multiple complainants or respondents may be heard in the same hearing. Additionally, matters where there is a cross-complaint (e.g., both parties accuse each other of violating Policy 03.004 and the Student Code of Conduct), may also be heard in the same hearing. The hearing authority will use the preponderance of the evidence standard in making their decision as to whether or not university policy was violated. Both members of the hearing authority must agree that the standard of proof has been met. If the members of the hearing authority disagree, there will be no finding of violation.

All hearings under this process will be closed to the public. At designated times during the hearing, the complainant and respondent, or their advisors, may ask relevant questions directly of each other and witnesses. The hearing authority will determine if questions are relevant. For example, questions introducing the sexual history of either party with anyone besides each other would typically be deemed irrelevant and would not be permitted. If the hearing authority determines that a question is not relevant, the party asking the question may choose to reword the question or provide supporting information as to the relevance of the question for further consideration by the hearing authority. The hearing authority also reserves the right to disallow or require the parties to reword questions that have already been asked and answered. In addition, it is expected that all parties will ask and answer questions in a manner that maintains civility throughout the proceeding.

No later than two business days before a scheduled hearing, the complainant and respondent should provide the investigative team with the following:

- Any request for alternate arrangements they would like made for their participation in the hearing. This includes requests to participate remotely via video conference or for a divider to be present in the room. While late requests for alternative arrangements will be considered, they cannot be guaranteed.
- Any additional information or evidence they would like to be considered at the hearing. While all information should have been submitted prior to the pre-hearing meeting, occasionally some information presents itself at a later date. In order for it to be considered at a hearing, it should be submitted no later than two business days prior to the hearing. Additionally, if determined to be necessary based on the information submitted, ECRC/CSSR may, at their discretion, reschedule the hearing.
- The names (or pseudonyms as listed in the investigative report) of any witnesses they wish to have questioned during the hearing. Witnesses who are not named by either party or the hearing authority will not be scheduled to participate during the hearing but will be asked to be available should the need to ask a question arise.

The following is a guide as to how the hearing will be conducted:

- The hearing authority will begin the hearing by discussing expectations for the hearing.
- The hearing authority will give a brief overview of the nature of the allegations.
- The hearing authority may ask the investigative team clarifying questions regarding the investigation at any point during the hearing.
- The complainant will be given an opportunity to respond to the investigative report.
- The hearing authority will have an opportunity to ask complainant questions.
• The respondent, or their advisor, will be given the opportunity to ask relevant questions of the complainant as described above.
• The respondent will be given an opportunity to respond to the investigative report.
• The hearing authority will have an opportunity to ask respondent questions.
• The complainant, or their advisor, will be given the opportunity to ask relevant questions of the respondent as described above.
• The hearing authority will call witnesses and ask them questions.
• The complainant, or their advisor, will be given the opportunity to ask relevant questions of witnesses as described above.
• The respondent, or their advisor, will be given the opportunity to ask relevant questions of the witnesses as described above.
• The complainant will be given the opportunity to make a summary statement, including an impact statement if any, and any requested sanctioning considerations.
• The respondent will be given the opportunity to make a summary statement, including an impact statement if any, and any requested sanctioning considerations.

The hearing authority reserves the right to ask questions of anyone at the hearing at any time. Additionally, the hearing authority reserves the right to recess the hearing at any point and reconvene at a later time or date, should circumstances warrant.

At the end of the hearing, the hearing panel will go into closed session to deliberate on findings and, if applicable, sanctions. The standard of proof to make a decision on findings is a preponderance of evidence as defined in Section B above. Should any individual – complainant, respondent, or witness - choose not to participate in the hearing, statements provided by that individual as a part of the investigation may not be considered by the hearing authority in their deliberations.

Both parties will receive a formal written notice of the outcome of the hearing within five business days of the conclusion of the hearing, with a copy to the Title IX Coordinator. The finding of violation or not in violation will be given, along with a rationale for why the decision was made. If there is a finding of violation, the sanction will also be given, along with a rationale as to why that sanction was chosen. Sanctions, if any, will be determined in accordance with the sanctioning guidelines for sexual misconduct maintained by the Office of Community Standards and Student Responsibility.

S. Sanctioning

Students, student organizations, and student groups of Ohio University are responsible for abiding by all Ohio University policies. When a respondent is found in violation of Ohio University Policy 03.004 or Prohibited Conduct as defined by the Student Code of Conduct, appropriate disciplinary sanctions will be imposed. Sanctions are defined in Part F of the Student Code of Conduct.

CSSR is responsible for monitoring completion and compliance with all sanctions. A student suspended via this process, who has complied with all components of their sanctions and completed the re-enrollment requirements, will generally be permitted to re-enroll.
T. Appeal

Both the complainant and the respondent will have five business days from the written notification of the decision to appeal. Both parties have the right to appeal on the following grounds:

- Inappropriate sanction (cases of clear abuse of discretion by the hearing authority);
- A procedural defect occurred that significantly impacted the outcome of the hearing; and/or
- Discovery of new and significant information that could have affected the outcome of the hearing and that was not known or could not reasonably have been discovered and/or presented at the time of the hearing.

If either party submits an appeal, that appeal will be shared with the other party who will then have five business days to write a rebuttal. At their discretion, and for cause, the vice president for student affairs or designee may elect to extend the deadline for appeals and/or rebuttals. Should this occur, both parties will be notified of the new deadline. The appeals and rebuttals will be submitted to CSSR, who will forward them with the case file, to the vice president for student affairs or designee. Within two weeks of receiving the appeal(s) and rebuttal(s), the vice president for student affairs or designee will make a decision on the appeal in consultation with the Title IX coordinator or designee. If necessary, the vice president for student affairs or designee may take additional time to fully consider the appeal and rebuttal. Should this occur, both parties will be notified. The vice president or designee may uphold the decision, alter the sanction, order a new hearing, or remand the matter to the original hearing authority as appropriate. The appeal process is not a re-hearing on the matter. It is a closed process and is limited to the review of written documents and the case file.

U. Notice of Final Determination

If there is no appeal, the hearing chair will issue a notice of final determination to both the complainant and respondent once the appeal period has passed with a copy to the Title IX coordinator. If there is an appeal, the vice president for student affairs will issue a letter stating the outcome of the appeal. The letter will be sent to both the complainant and respondent with a copy to the Title IX coordinator and the director of CSSR. Unless a new hearing is granted, the letter from the vice president for student affairs is considered the notice of final determination.

V. Process Review

The offices of Community Standards and Student Responsibility, Legal Affairs, and Equity and Civil Rights Compliance will review this process periodically to assess the effectiveness and continued compliance. Any changes will be presented to the Review and Standards Committee.