

**THURSDAY, AUGUST 6, 2020  
BOARD OF TRUSTEES OFF-CYCLE MEETING**

Location: Zoom Meeting

Time: 1:00-2:30pm

**Public Session**

ITEMS FOR ACTION

1. Addition to the *Rules of the University Faculty* – Dr. Bruce McPheron
2. Posthumous Degrees – Dr. Bruce McPheron

1:00-1:10pm

**Executive Session**

1:10-2:30pm

**ADDITION TO THE RULES OF THE UNIVERSITY FACULTY**

Synopsis: Approval of the following addition to the *Rules of the University Faculty*, is proposed.

WHEREAS the University Senate, pursuant to rule 3335-1-09 of the Administrative Code, is authorized to recommend through the president to the Board of Trustees the adoption of amendments to the *Rules of the University Faculty* as approved by the University Senate; and

WHEREAS the proposed addition to rule 3335-5-04 in the *Rules of the University Faculty* was approved by the University Senate on July 23, 2020:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves that the attached addition to the *Rules of the University Faculty* be adopted as recommended by the University Senate.

**The Ohio State University Board of Trustees**  
**August 6, 2020**

**Topic:**

Addition to the *Rules of the University Faculty*

**Context:**

The University Senate has recommended an addition to the *Rules of the University Faculty* to address the following topic:

**1. Change to Title IX Procedures for Faculty Cases 3335-5-04(A)(16)**

- Faculty Rule 3335-5-04 governs the procedures for reviewing allegations of faculty misconduct.
- To comply with the mandates of the Title IX regulations released by the U.S. Department of Education in May 2020, this language provides new procedures for the investigation and resolution of Title IX sexual misconduct cases involving faculty respondents in accordance with the university's Sexual Misconduct policy.
- The new Title IX rules include specific requirements related to the investigation, adjudication, sanctioning, and appeals of sexual misconduct as defined by those rules. These requirements apply to cases involving faculty, staff, and students.
- This addition states that Title IX complaints shall be investigated pursuant to the procedures set forth in the university's Sexual Misconduct policy.

### 3335-5-04(A)(16)

Complaints of sexual misconduct pursuant to Title IX of the Education Amendments Act of 1972 and implementing regulations that are made against faculty members shall not be subject to the procedures set forth in Sections (B) through (D) of this rule, nor shall they be investigated by a college investigation committee under Section (E). Instead, such complaints shall be investigated pursuant to the procedures set forth in the university Sexual Misconduct policy, and findings shall be made at the preponderance of the evidence standard. All findings of misconduct shall be referred to the applicable college investigation committee for a recommendation for sanctions only in accordance with Section (E)(3)-(4). The sanction recommendation shall be incorporated into the findings in accordance with the university Sexual Misconduct policy, and a written determination containing the combined findings and recommended sanction shall be issued. Complainant and respondent shall have equal rights to appeal the written determination to the executive vice president and provost in accordance with Section (G) of this rule. The appeal shall be on the grounds for appeal permitted by the Sexual Misconduct policy and in accordance with the procedures provided by that policy. No other appeals shall be permitted.

## POSTHUMOUS DEGREES

Synopsis: Approval of Posthumous Degrees for summer term 2020, is proposed.

WHEREAS pursuant to paragraph (E) of rule 3335-1-06 of the Administrative Code, the board has authority for the issuance of degrees and certificates; and

WHEREAS the faculties of the colleges and schools shall transmit, in accordance with rule 3335-9-29 of the Administrative Code, for approval by the Board of Trustees, the names of persons who have completed degree and certificate requirements; and

WHEREAS the Board of Trustees on June 3, 2020, approved degrees and certificates to be conferred on August 9, 2020, to those persons who have completed the requirements for their respective degrees and certificates and are recommended by the colleges and schools; and

WHEREAS the College of Engineering has recommended Hasan Khan be awarded a Bachelor of Science in Food, Agricultural and Biological Engineering degree, posthumously; and:

WHEREAS the College of Arts and Sciences has recommended Samuel Riley be posthumously awarded a Bachelor of Science in Geographic Information Science degree, posthumously; and

WHEREAS the College of Arts and Sciences has recommended Jesse Sympson be posthumously awarded an Associate of Arts degree, posthumously; and

WHEREAS the Graduate School and the College of Arts and Sciences have recommended that Ahmed Thabt be posthumously awarded a Master of Science in Physics degree, posthumously:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves that Hasan Khan, Samuel Riley, Jesse Sympson and Ahmed Thabt be awarded the above-named degrees, posthumously, on August 9, 2020.