

WEDNESDAY, FEBRUARY 24, 2021
ACADEMIC AFFAIRS AND STUDENT LIFE COMMITTEE MEETING

Brent R. Porteus
Jeff M.S. Kaplan
Abigail S. Wexner
Elizabeth P. Kessler
Michael Kiggin
Elizabeth A. Harsh
Reginald A. Wilkinson
Carly G. Sobol
Susan Olesik
Gary R. Heminger (*ex officio*)

Location: Zoom Meeting

Time: 2:30-3:45pm

Public Session

ITEMS FOR DISCUSSION

- | | |
|--|-------------|
| 1. <i>Provost's Report – Dr. Bruce McPheron</i> | 2:30-2:40pm |
| 2. <i>Senior Vice President for Student Life's Report and Presentation: Out of Classroom Experience in a Post(-ish) COVID-19 World – Dr. Melissa Shivers</i> | 2:40-3:00pm |
| 3. <i>Our Faculty: A Strategic Overview – Dr. Bruce McPheron</i> | 3:00-3:10pm |
| 4. <i>Our Increasingly Strong and Diverse Student Body – Dr. Bruce McPheron</i> | 3:10-3:20pm |
| 5. <i>Discussion of the Academic Affairs & Student Life Committee Charter – All</i> | 3:20-3:25pm |

Written Report (Public): Academic Affairs, Student Life & Research Scorecard

ITEMS FOR ACTION

- | | |
|--|-------------|
| 6. Approval of November 2020 Committee Meeting Minutes – Mr. Brent Porteus | 3:25-3:40pm |
| 7. Revision of the Faculty Discipline Process – Dr. Bruce McPheron | |
| 8. Revision of the Grading Policies – Dr. Bruce McPheron | |
| 9. Faculty Personnel Actions – Dr. Bruce McPheron | |
| 10. Degrees and Certificates – Dr. Bruce McPheron | |
| 11. Honorary Degrees – Dr. Bruce McPheron | |

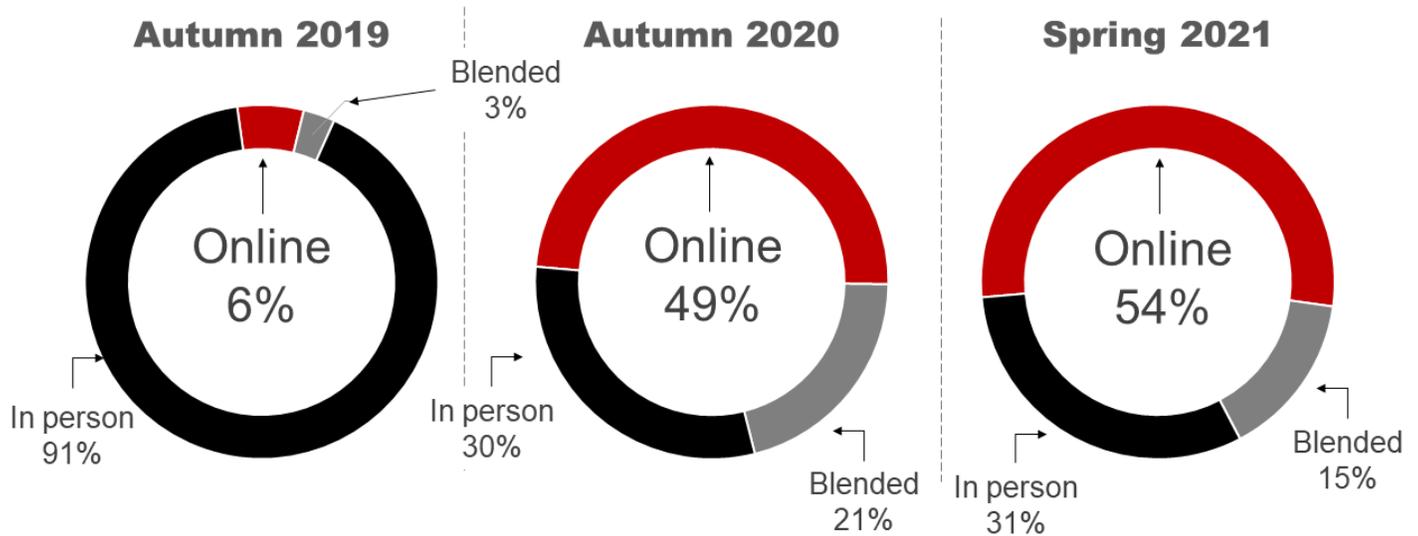
Executive Session

3:40-3:45pm

In Spring 2021, Ohio State instructors continue to offer courses in person, online and in blended formats.

HOW SECTIONS ARE TAUGHT

In Autumn 2020, 49% of course sections were taught online, and that number increased to 54% in Spring 2021. In person teaching remained about 30%. Teaching modes reflect instructional decisions about how best to deliver course material; student preferences; and the effect of COVID-19 related absences on teaching and learning.

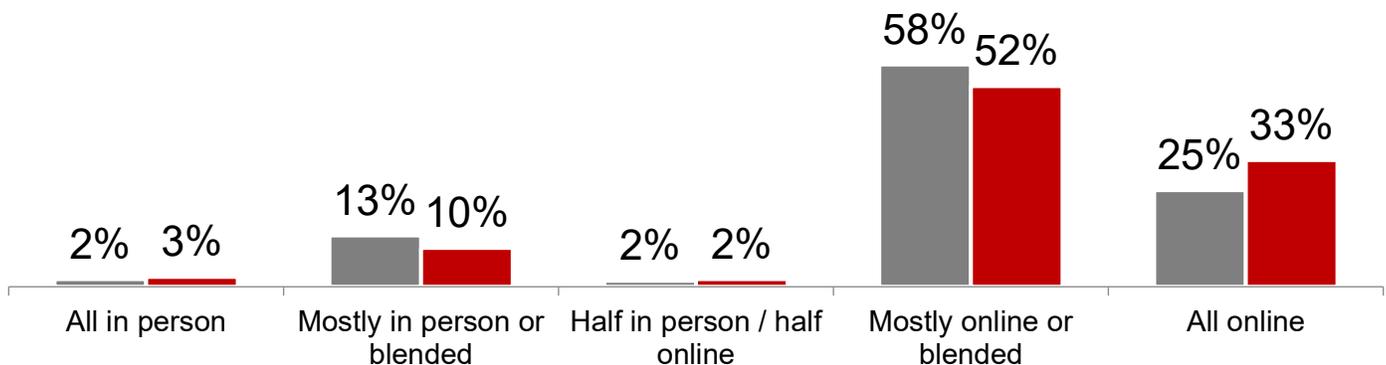


HOW STUDENTS ARE LEARNING

Most Ohio State students continue to schedule courses that include a mix of in person and online elements. A third of students are taking fully online courses in Spring 2021, up from 25% in Autumn 2020.

Students' course schedules

■ Autumn 2020 ■ Spring 2021



Online courses are coded as “distance learning.” Blended courses are coded as “hybrid” or “distance enhanced.”

All data represent full-time, degree-seeking students across all ranks and all campuses who are not in fully online programs.

Autumn data are from Oct. 11, 2020. Spring data are from Jan. 27.



SpringForward is an academic recovery program that provides at-risk undergraduate students with opportunities and support to succeed at Ohio State. Created in 2017, SpringForward has traditionally supported new first-year students (NFYS) who have a cumulative GPA below 2.5 with the following:

- A 2-credit course, Becoming a Self-Regulated Learner (ESEPSY 2059), taught in partnership with the Dennis Learning Center.
- For eligible students, a comprehensive summer enrichment and scholarship program before their second year, which includes academic coaching, advising and community building. Participating students receive ongoing support after completing the summer program.

Initial data show that SpringForward students see their GPA increase by more than 0.6 on average in their first year. In many cases, that allows them to remain eligible for financial aid and return to good academic standing.

EXPANDED OUTREACH AND COVID-19

SpringForward has expanded since its creation in 2017, and the program has enhanced outreach during the pandemic. Since 2018, the program has partnered with the Second-year Transformational Experience Program to support SpringForward participants during their second year. A similar partnership with STEP and Buckeyes First, a program for incoming first-generation students, is being piloted in Autumn 2021. Other outreach includes:

- Expanded its target audience to 2,788 new first-year, campus change and transfer students in Spring 2021. In Spring 2020, the program targeted an audience of 656 new first-year students and one transfer student.
- Increased its target audience for Spring 2021 to include students who took multiple classes with Pass/No Pass grading in Autumn 2020.
- Increased the number of seats offered for the Becoming a Self-Regulated Learner course from 171 seats in Spring 2020 to 213 seats in Spring 2021.
- Expanding its summer cohort size from 55 students in 2020 to 75 students in 2021.

SPRINGFORWARD STUDENT OUTREACH IN 2020 V. 2021

	2020	2021
Students invited to apply for SpringForward programming	657	2,788
New first-year Campus change Transfer	656 0 1	1,717 213 858
Average cumulative GPA*	2.235	2.233
First-generation	68.8%	31.5%
Underrepresented minority	24.8%	23.6%

* 2020 grades were influenced by expanded Pass/No Pass grading.

SPRINGFORWARD 2020 COHORT HIGHLIGHTS

- 55 participants
- 66% Pell eligible
- 8 Honors & Scholars | 15 Young Scholar Program | 9 Morrill Scholarship Program students
- 92.7% improved their cumulative GPA between time of application and program completion
- Average GPA increased from 1.988 (Autumn 2019) to 2.684 (Summer 2020)



The Iconic Ohio State Experience: *A strategy that has endured*



The Ohio State University's rich legacy was born in a single building that served multiple purposes: classroom, laboratory and living space. Over the years, these complementary uses have emerged as hallmarks of the Buckeye experience: Learning. Innovation. On-campus experience. As our state's flagship and land-grant institution, we continue to serve as the leading center of education and knowledge creation, and the way we deliver the Ohio State experience continues to evolve in ways that make our university ever-more accessible.

In response to the COVID-19 pandemic, it has been important to look to our founding guideposts to map the path forward, looking for ways to preserve our strategic positioning, while advancing our reach and impact, as a land-grant institution was founded to do. A strong focus on our virtual environments has been key so that we could advance new opportunities to deliver the incomparable Buckeye experience. Many of these digital enhancements will make our institution stronger in the long-term.

Now, as we plan for life post-COVID, we must remember that it is the moments and memories made on our campuses that build the core of the iconic Buckeye experience that has been sought by and delivered to hundreds of thousands since our founding.

The residential experience has been cited by research as the single-most important piece of the collegiate experience, contributing to critical learning and student development. (Pascarella & Terenzini, 1991). Residential living contributes to increased retention and persistence by creating social integration and sense of belonging for all students, and especially for diverse student populations (Mayhew et al., 2016). This is especially true for our "at-promise" student groups, such as low-income, first generation and students of color.

Ohio State has advanced as a national leader in providing an excellent, affordable education and promoting economic diversity. It is crucial that we consider these efforts and values in our decision-making process. We must ensure we are building in opportunities and structures that maintain access to a holistic experience for our at-promise students.

A review of the research literature supports that:

- Living on campus is critical to student learning, development, retention, persistence and overall success.
- The residential experience fosters social integration and a sense of belonging on campus that is challenging to replicate in virtual environments.
- It is imperative that institutions provide appropriate support and resources to student populations that demonstrate greater need for such supports. These groups include but are not limited to low-income, first generation, students of color, international students and students identifying as LGBTQIA+. Research suggests these groups especially benefit from a residential experience.

Data from the 2020 Student Life Survey demonstrates the strong relationships between a residential experience and student involvement belonging. Among first-year students, 76% of those living on campus are involved in a co-curricular activity (e.g., student organization,



Student Life-program, community service or service-learning), compared to 26% of their peers living off-campus. Ninety-three percent of second-years living on campus are involved compared to 63% of second-years living off-campus. When asked if they feel like a member of the Ohio State community, a question designed to get at sense of belonging, students living in the residence halls were significantly more likely to agree (92% of first-year and 93% of second-years on campus compared to 81% of first-years and 84% of second-years off campus).

These gaps in involvement and sense of belonging are larger among some of our at-risk student populations. For example, among all first- and second-year students, 80% of first-generation students living on-campus are involved, compared to 29% of those living off-campus (for reference, the gap among non-first-generation peers is 83% involved living on-campus compared to 59% involved living off-campus). Ninety-six percent of first-generation students living on-campus feel like a member of the Ohio State community, compared to 79% of their peers living off-campus. Among non-first-generation students, 91% of those living on campus feel like a member of the community compared to 85% of those living off-campus.

As we continue our post-pandemic planning, we must consider the students' experience, and how we can foster a safe and healthy environment that engenders communities and connections, regardless of students' physical location but with a focus on creating spaces where our students can come together in ways that are meaningful and supportive of learning and academic progress.

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Advancing an Extraordinary Student and Staff Experience: *The future of Student Life at Ohio State*



Given the unprecedented pace of change on today's college campuses, it is more important than ever that Ohio State's Student Life organization be strategically positioned as innovative, forward-thinking, flexible and proactively meeting the needs of our always-changing student body and those of our staff members.

In August, Dr. Melissa Shivers announced a future vision for the Student Life organization that will align the division's work and structure around six core areas of focus:

- Student Engagement and Support
- Well-being and Health
- Residential Experience
- Academic Partnership and Career Success
- Inclusion and Belonging
- Administrative Excellence

While these areas of focus are very consistent with the work of Student Life, what is different from the current structure is that the portfolios will be aligned to create more and advanced synergies within the individual work teams, while offering a more balanced foundation and scope of work at the senior leadership level. The foundational concepts that directed the restructuring analysis included:

- Aligning the organization with strategic priorities and emphasizing areas for development
- Emphasizing function-based teams to improve coordination and empower action
- Simplifying the organizational structure to increase efficiency
- Establishing a better-balanced span of control
- Setting the stage for professional development and more defined career paths
- Administrative balance and cost management and containment

Also, it is important to highlight that an intentional and sustained culture-strengthening effort will focus on:

- Appreciation
- Support
- Connection
- Care

A deeper dive into the six core areas of focus

Rather than a vertical or horizontal structure, the new team design organizes work around functions and strategic directions. Supporting the structure is the expectation of consistent cross-office collaboration, reinforced by leadership engagement strategies and continued use of enhanced and outcomes-based practices.



Below offers a closer look at each of the core areas:

Student Engagement and Support: As has been shared far and wide, “Creating the Extraordinary Student Experience” is the core mission of the Office of Student Life. The Student Engagement and Support group will ensure we are taking an innovative approach to our work with – and for – students, and will continually seek data and ideas to help monitor and meet current and future student needs. The area will take the lead on all aspects of student campus engagement and programming, with an emphasis on leadership, service and resiliency. The departments and programs that will report to Dean of Students and Associate Vice President for Student Engagement and Support include:

- Ohio Union
- Parent and Family Relations
- Sorority and Fraternity Life
- Student Activities and Orientation
- Student Advocacy
- Student Conduct

A new **Leadership and Service area** that will be overseen by an Executive Director of Leadership and Service, who will have a reporting line to Dr. Shivers, will include:

- Buckeye Leadership Fellows
- Buck-I-SERV
- Keith B. Key Buckeye Social Entrepreneurship Program
- Leadership Development
- OSU Votes
- Pay It Forward
- Student Philanthropy

Well-being and Health: This area will lead all aspects of student health and wellness. The team will advance our commitment to student and staff well-being and ensure collaboration and consistency among Student Life units, as well as campus partners. The departments and programs that will report to the Associate Vice President for Well-being and Health will include:

- Counseling and Consultation Service
- Recreational Sports and Esports
- Student Health Services
- Student Wellness Center
- Programs that focus on Student Life staff well-being

Belonging and Inclusion: It has never been more critical to create experiences and social engagement opportunities for all students and staff. To be successful, we must build structures, support and resources that foster – and lead to - a sense of belonging, which is critical to retention and persistence for students, and retention and engagement for staff members. This area is designed to create innovative and customized initiatives, as well as lasting and comprehensive programs that uphold and grow our commitment to inclusion, equity and diversity efforts. The unit will advance student and staff training and programming and will serve as campus liaisons and ambassadors. The departments and programs that will report to the Associate Vice President for Inclusion and Belonging will include:

- Disability Services
- Multicultural Center
- Social Change



- Training and development
- Programs that focus on Student Life Inclusion efforts

Residential Experience: Core to Ohio State's legacy and success is our residential experience. This team will define, create and realize the future of the student residential experience, on- and off-campus, and will envision the Residential Experience 2.0. The group will also advance the next innovations in dining. The departments and programs that will report to the Associate Vice President for the Residential Experience include:

- Dining Services
- Housing Administration
- Off-Campus and Commuter Student Services
- Residence Life

Academic Partnership and Career Success: The partnership between the academic and co-curricular units are crucial to helping students make the most of their comprehensive student experience. This area will ensure alignment between the Office of Academic Affairs and the Office of Student Life and advance critical career outcomes, including spearheading Careers 2.0 for Student Life. The unit will also inspire and oversee an environment of assessment and data-driven decisions. The departments and programs that will report to the Associate Vice President for Academic Partnership and Career Success include:

- Buckeye Careers
- Career Counseling and Support Services
- Center for the Study of Student Life
- Graduate and Professional Student Programs and Services
- Student Life's Student Employment Experience (SEE)
- Second-year Transformational Experience Program (STEP)
- Programs that focus on digital student engagement

Administrative Excellence: Organizational effectiveness, operational excellence and strategic communications are more than just buzz words. They are the cornerstone of strong and successful organizations, and the teams within this focus area will leverage our administrative structure for overarching collaboration, both within Student Life and also with university and community partners and supporters. The administrative operations will be split into two areas, the first that leverages the resources of fiscal management, technology services and facilities management. The departments and programs that will report to the Associate Vice President for Administration and Finance include:

- BuckID
- Budget and Planning
- Event and Conference Management
- Student Health Insurance
- Student Life Building Services
- Student Life Energy Management and Sustainability
- Student Life Environmental Services
- Student Life Facilities Operations
- Student Life Facilities Planning and Design
- Student Life Facilities Services
- Student Life Risk and Emergency Management
- Student Life Technology Services

The other administrative area will focus on strategic engagement for the Office of Student Life, including the operations and strategic priorities for the Senior Vice President for Student Life. Student Life Development will report to the Senior Vice President and the departments and programs that will report to the Associate Vice President and Chief of Staff include:

- Student Life Communications and Marketing
- Programs and initiatives that focus on partner engagement and innovation



Our faculty: A Strategic Overview



Bruce A. McPheron, PhD
Executive Vice President and Provost

February 24, 2021 | Academic Affairs and Student Life Committee



FACULTY DISTRIBUTION

Ohio State employs 7,596 faculty (autumn 2020) in four different appointment categories. Of the total, 836 faculty were part-time.

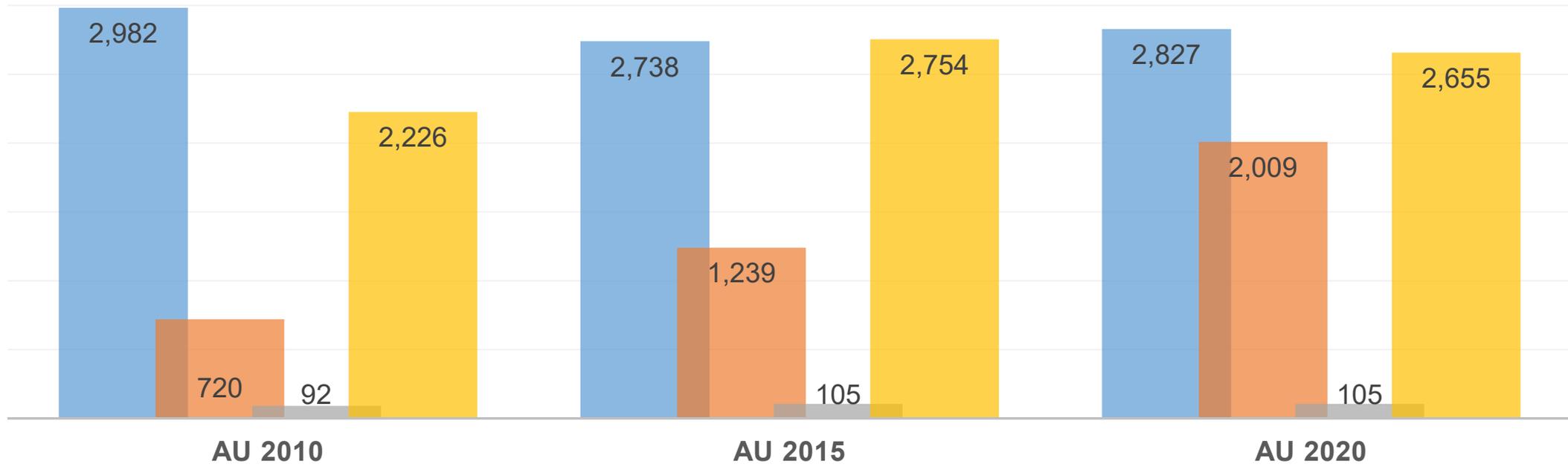
- 1. Tenure track:** Instruction; research and creative inquiry; service to the university and the public at large
- 2. Clinical/Teaching/Practice:** Primarily instruction in non-health sciences colleges and clinical providers and instruction in health sciences
- 3. Research:** Research and graduate student mentoring.
- 4. Associated:** Primarily instruction



FACULTY DISTRIBUTION & OTHER TRENDS

Faculty by appointment type
(Autumn 2010, 2015, 2020, full- and part-time)

■ Tenure Track ■ Clinical/Teaching/Practice ■ Research ■ Associated



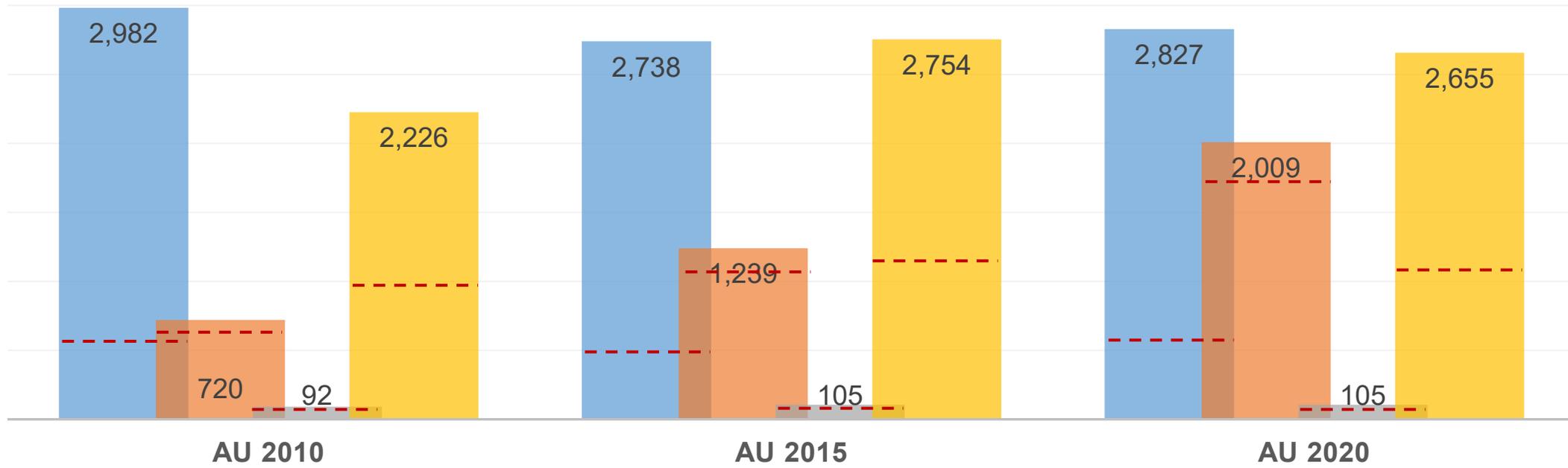


FACULTY DISTRIBUTION & OTHER TRENDS

Faculty by appointment type (Autumn 2010, 2015, 2020, full- and part-time)

Portion of each category from College of Medicine

■ Tenure Track ■ Clinical/Teaching/Practice ■ Research ■ Associated

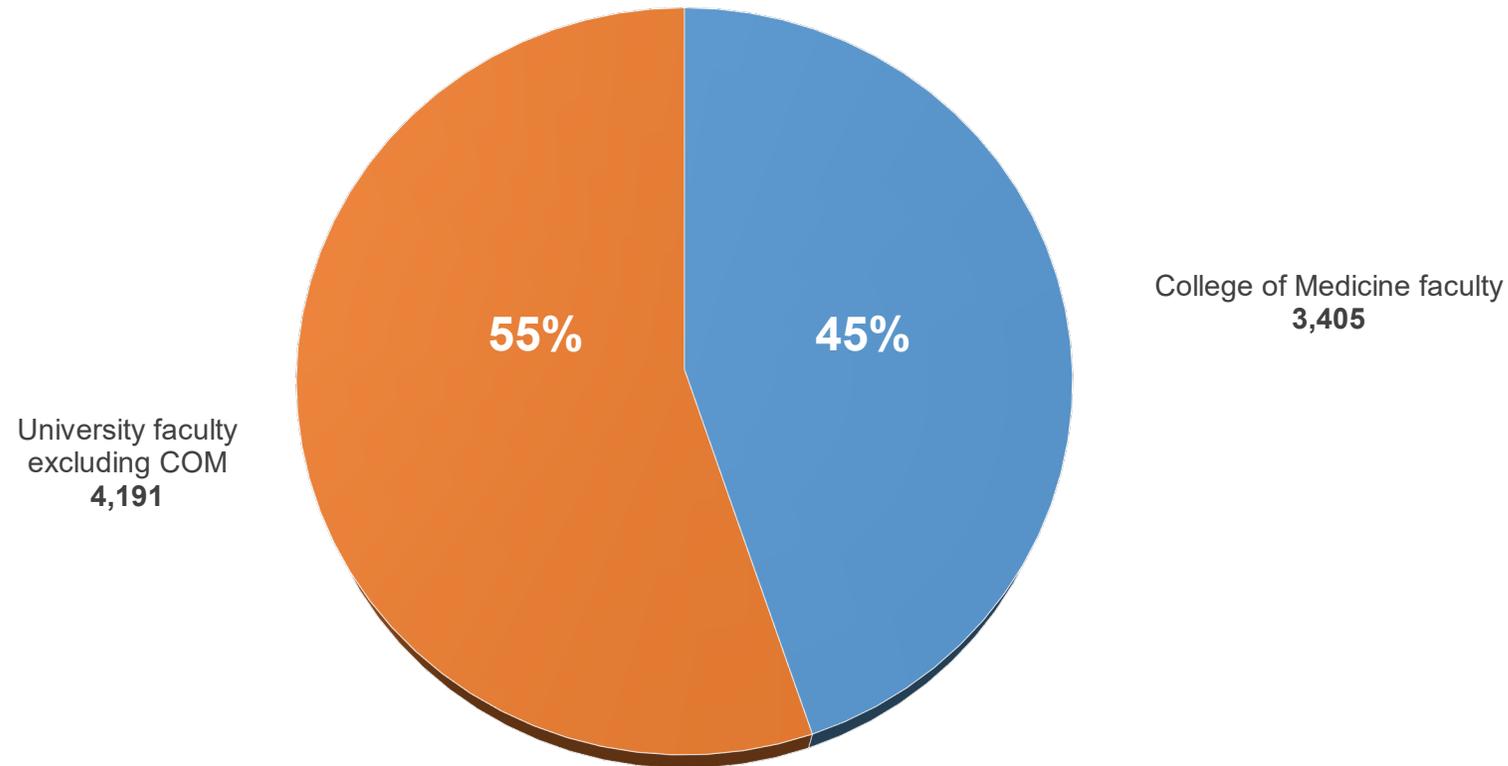




FACULTY DISTRIBUTION

University faculty – within and outside the College of Medicine

Autumn 2020

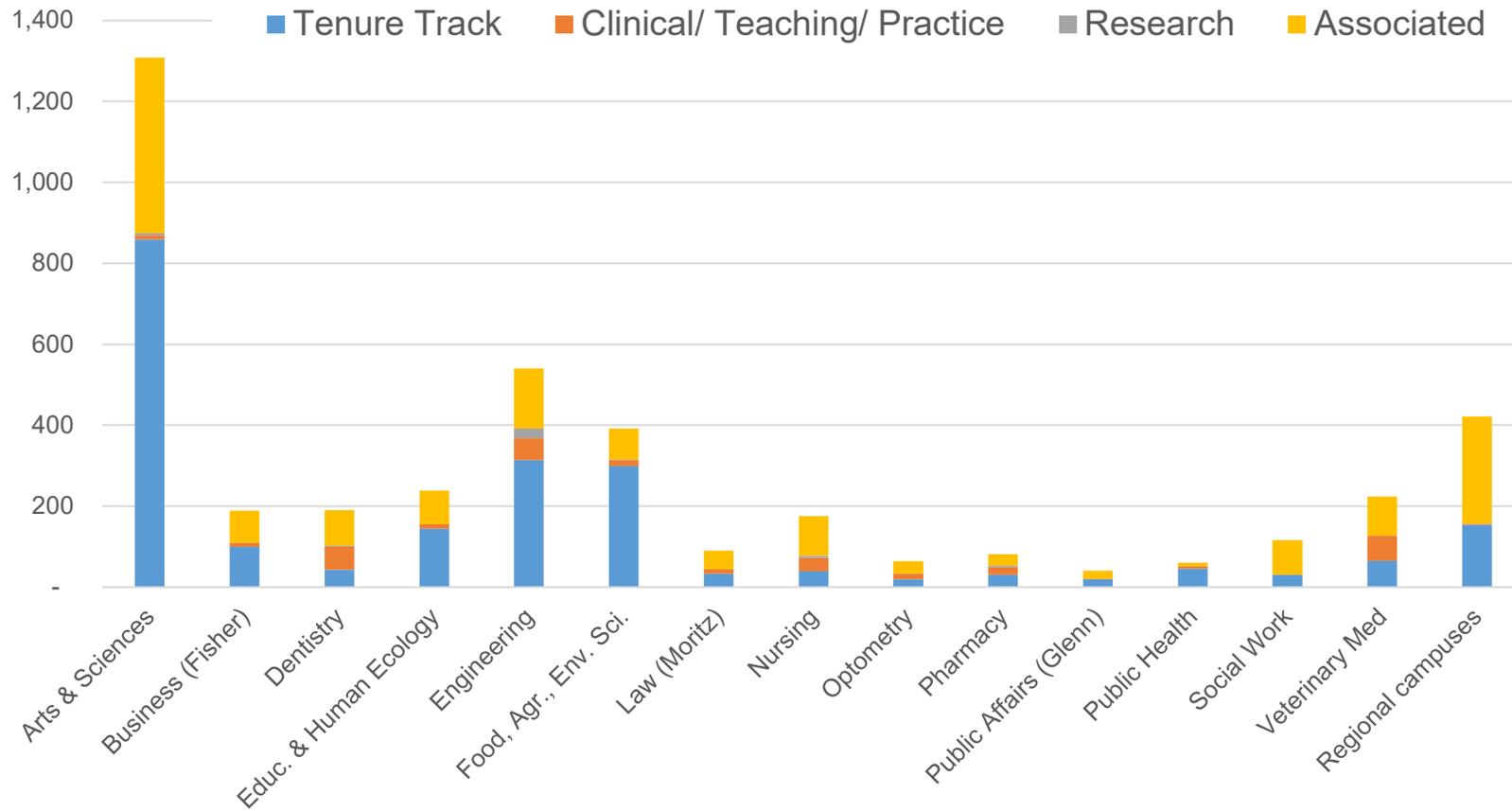




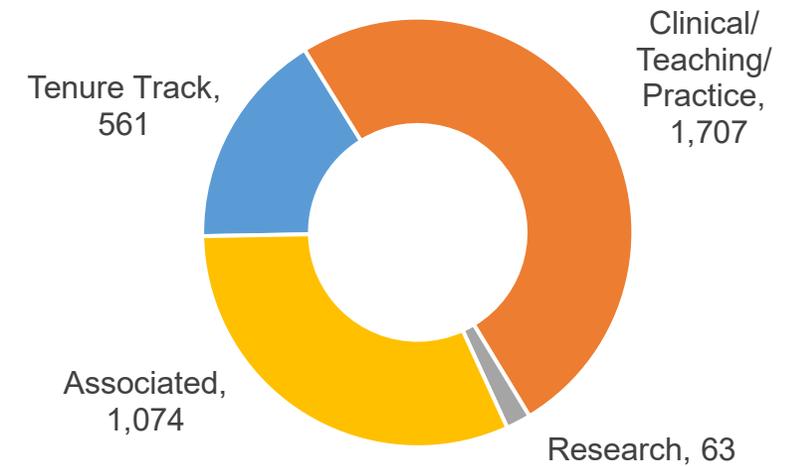
FACULTY DISTRIBUTION

Faculty distribution by college

All appointment types, full- and part-time, Autumn 2020



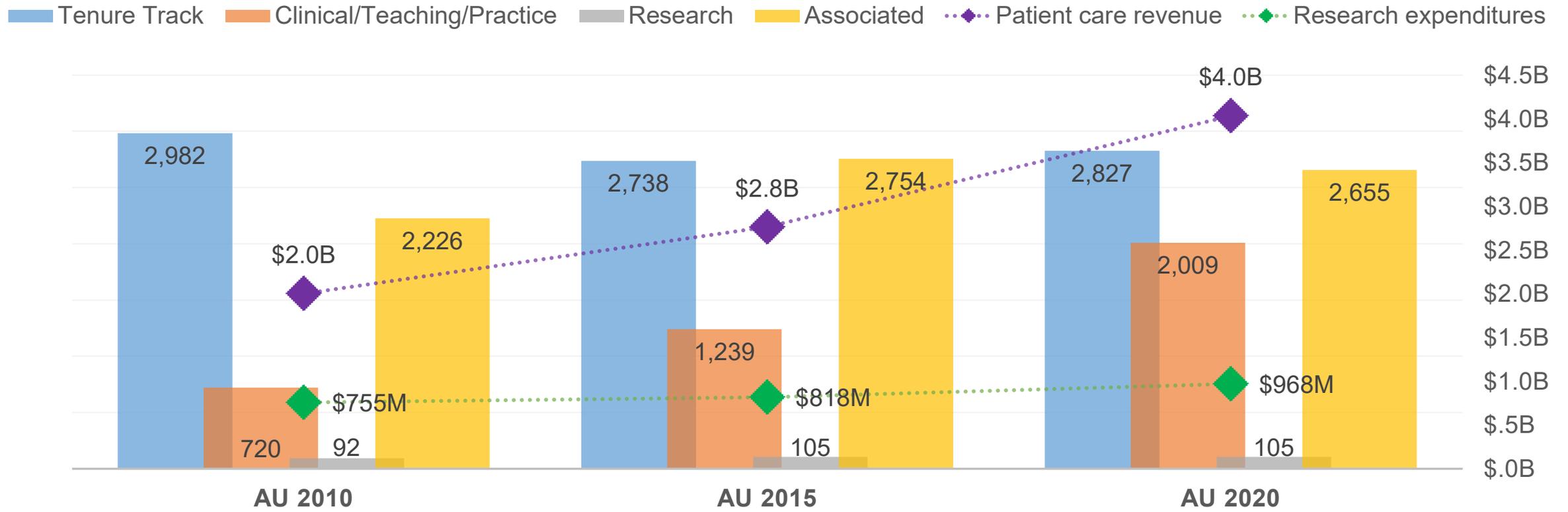
College of Medicine
3,405 faculty members





FACULTY DISTRIBUTION & OTHER TRENDS

Faculty by appointment type (Autumn 2010, 2015, 2020, full- and part-time)





HOW FACULTY ARE HIRED

- Hiring is based on strategic priorities set by each college and unit ***in alignment with university-level initiatives.***
- Faculty hiring (excluding associated appointments) usually requires a national search. In all cases, we expect hiring from a diverse pool of highly qualified candidates.
- Based on the search committee report and the recommendation of the chair, the college dean decides whether to extend an offer.



HOW FACULTY ARE HIRED

- An appointment as an **assistant professor** in the tenure track is probationary without tenure. Appointment as **associate professor** or professor includes a positive decision on tenure. No faculty member attains tenure automatically.
- **Tenure** is decided by peers based on excellence in the scholarship of instruction, research and creative inquiry, outreach and service. The Office of Academic Affairs provides university-level expectations, and each tenure-initiating unit sets criteria appropriate to the discipline.
- In the case of **tenure-track faculty**, an assistant professor will ordinarily be considered for promotion and tenure in the sixth year of service, with promotion and tenure effective in the seventh year.



NON-TENURE TRACK PROMOTIONS

Clinical/teaching/practice faculty and research faculty

- Hired on fixed-term contract appointments (clinical: 3-5 years; research: 1-5 years) that do not entail tenure.
- Promotions are decided by peers based on position with greater emphasis on scholarship of instruction for clinical/teaching/practice faculty and research and creative inquiry for research faculty.

Lecturers (associated faculty)

- Hired on course, semester-long or 1-year appointments. Appointments can be full-time or part-time.
- May be promoted to senior lecturers. Appointments for senior lecturers range from 1 to 3 years.



UNIVERSITY INITIATIVES



University initiatives such as Targeted Investments in Excellence and the Discovery Themes challenge the boundaries of knowledge and serve the people of Ohio. They also shape our hiring priorities.

Through these and other efforts, Ohio State seeks to focus strengths across disciplines to collaboratively address society's most pressing challenges.



DISCOVERY THEMES

The Discovery Themes were launched in 2014 to marshal the scholarly excellence of Ohio State in four broad interdisciplinary subject areas.

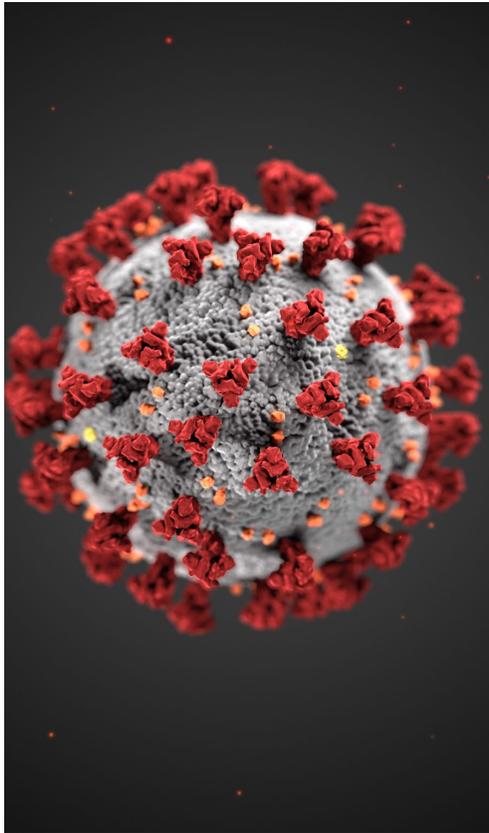
- **Energy and Environment**
- **Food Production and Security**
- **Health and Wellness**
- **Humanities and the Arts**

To date, 180 faculty have been hired across the eight Discovery Themes programs.

Translational Data Analytics, the initiative's cross-cutting foundational program, has hired the most faculty — 58.



CONTRIBUTIONS TO OHIO'S COVID FIGHT



Faculty from three institutes that emerged from the Discovery Themes — **Translational Data Analytics, Infectious Diseases, and Sustainability** — have partnered with the state of Ohio on a rapid-response team to model COVID trends and to inform decisions about reopening businesses and schools.

The institutes also are working together on the *Rebuild, Renew, Reshape Initiative* to respond to the pandemic's longer lasting effects related to sustainability, resilience and justice.



KEY PRIORITIES

- Accelerate investments in academic excellence
- Expand faculty with focus on:
 - Research productivity
 - Diversity of faculty
 - Improved student-faculty ratio to further enhance student learning outcomes



Our Increasingly Strong & Diverse Student Body

Bruce A. McPheron, PhD
Executive Vice President and Provost

February 24, 2021 | Academic Affairs and Student Life Committee



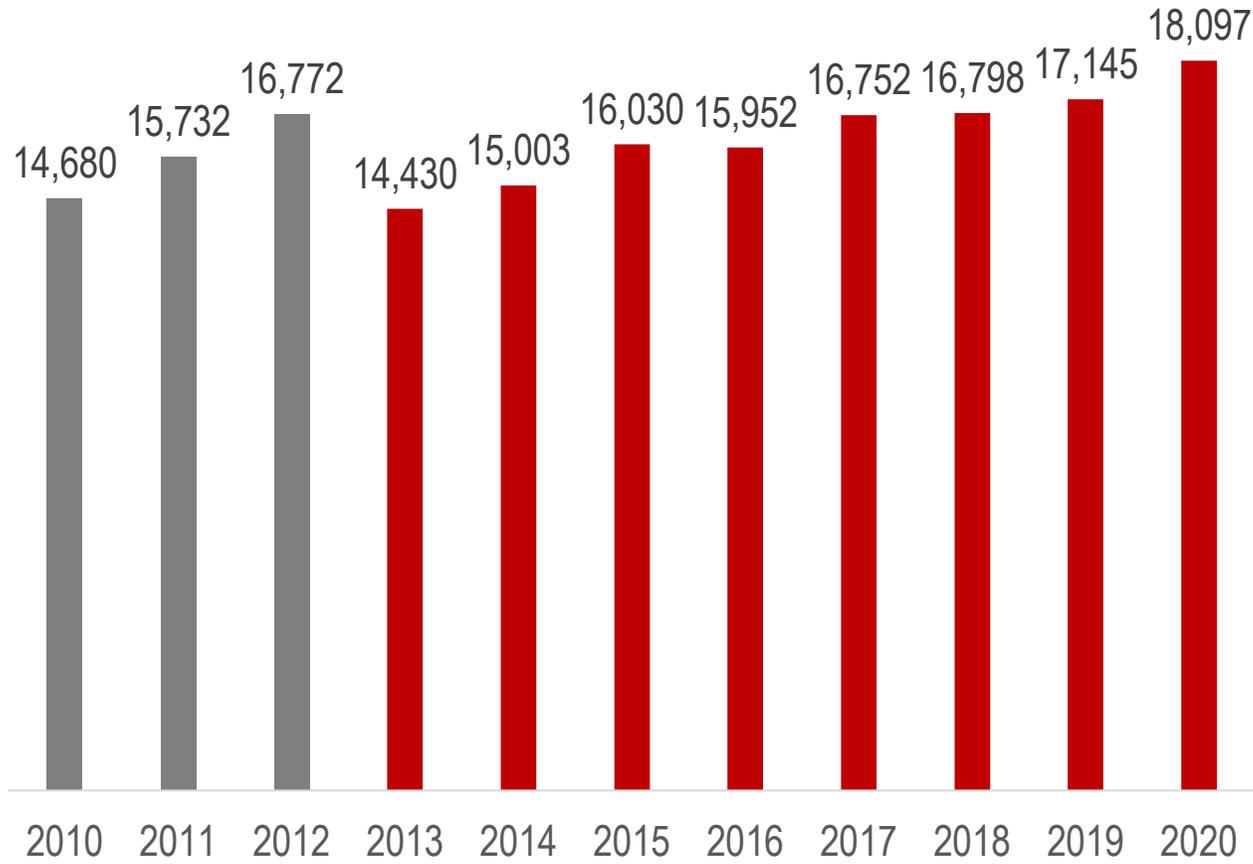


Four key insights

1. The size, quality and diversity of our student body has grown steadily
2. Our enrollment planning encompasses all levels and campuses
 - National rankings tend to focus on Columbus campus undergraduates
3. Student success metrics have grown, but we remain focused on disparities
4. The upcoming enrollment plan must match our strategic goals, resources

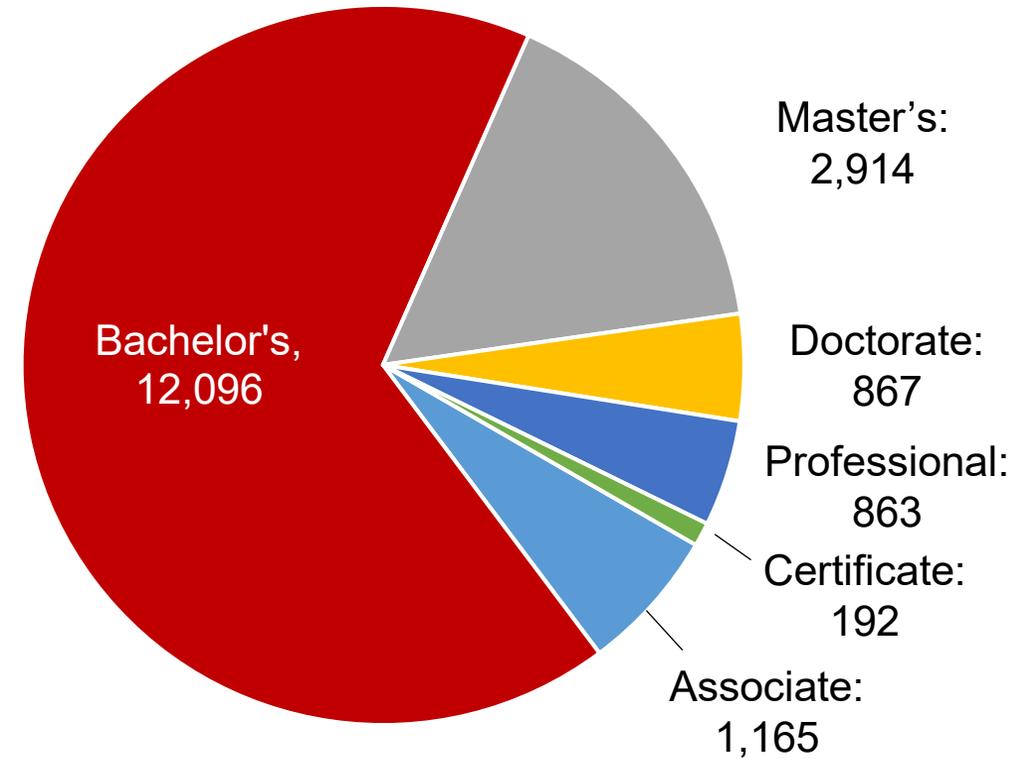


Degrees awarded



Pre-semester conversion in gray

Awarded in 2020





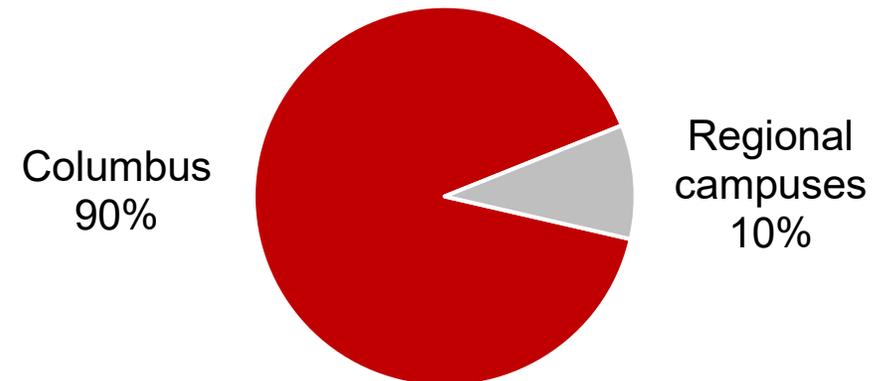
Overview of our student body

	AU2020	% of total
Undergraduates	53,557	78.8%
Graduate	11,110	16.3%
Professional	3,290	4.8%
Total	67,957	100%

Enrollment has grown 6% since 2010, driven by Columbus undergraduates.

	AU2020
Columbus	61,369
Regional campuses	6,588
Lima	998
Mansfield	1,012
Marion	1,158
Newark	2,873
CFAES Wooster	547

2020 enrollment by location

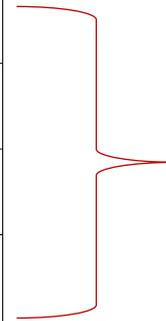




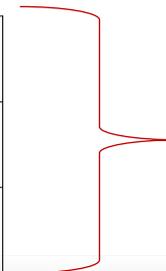
Columbus campus – NFYS undergraduates

Ohio State has strengthened its national & international reputation while serving students from Ohio. With regional campuses and transfer students, 79% of Ohio State’s undergraduates are from Ohio.

New first-year students (NYFS)	AU10	AU19	Change from AU10	AU20	Change from AU10
Number enrolled	6,549	7,630	+16.5%	8,602	+31.3%
Ohio residents	78.6%	67.7%	-10.9%	71.1%	-7.5%
U.S. non-residents	14.1%	23.5%	+9.4%	24.4%	+10.3%
International	7.3%	8.8%	+1.5%	4.5%	-2.8%
Minority	16.6%	25.4%	+8.8%	24.3%	+7.7%
First Generation	18.3%	23.7%	+5.4%	19.2%	+0.8%
Pell	20.0%	18.2%	-1.8%	16.4%	-3.6%



Due to the pandemic, our 2020 class was larger with a smaller international cohort.



The diversity of our students is a critical part of our land-grant mission.



Columbus campus – NFYS undergraduates

New students are arriving better prepared and with more college credits.

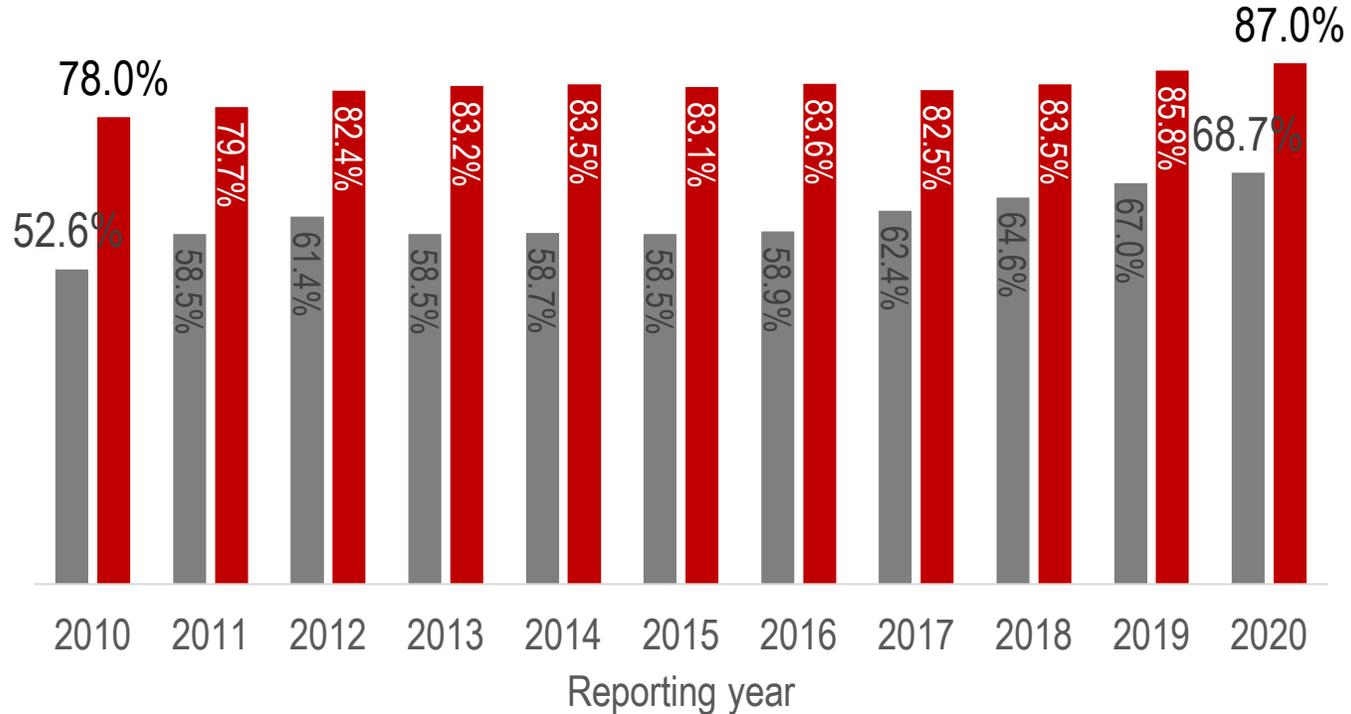
New first-year students (NYFS)	AU10	AU19	Change from AU10	AU20	Change from AU10
Avg. ACT	27.8	29.5	+1.7	28.8	+1
Top 10% of HS class	54%	61%	+7%	55%	+1%
Top 25% of HS class	89%	94%	+5%	91%	+2%
% with college credit	71.9%	85.3%	+13.4%	78.0%	+6.1%
% entering as Rank 2	10.4%	27.6%	+17.2%	23.4%	+13.0%



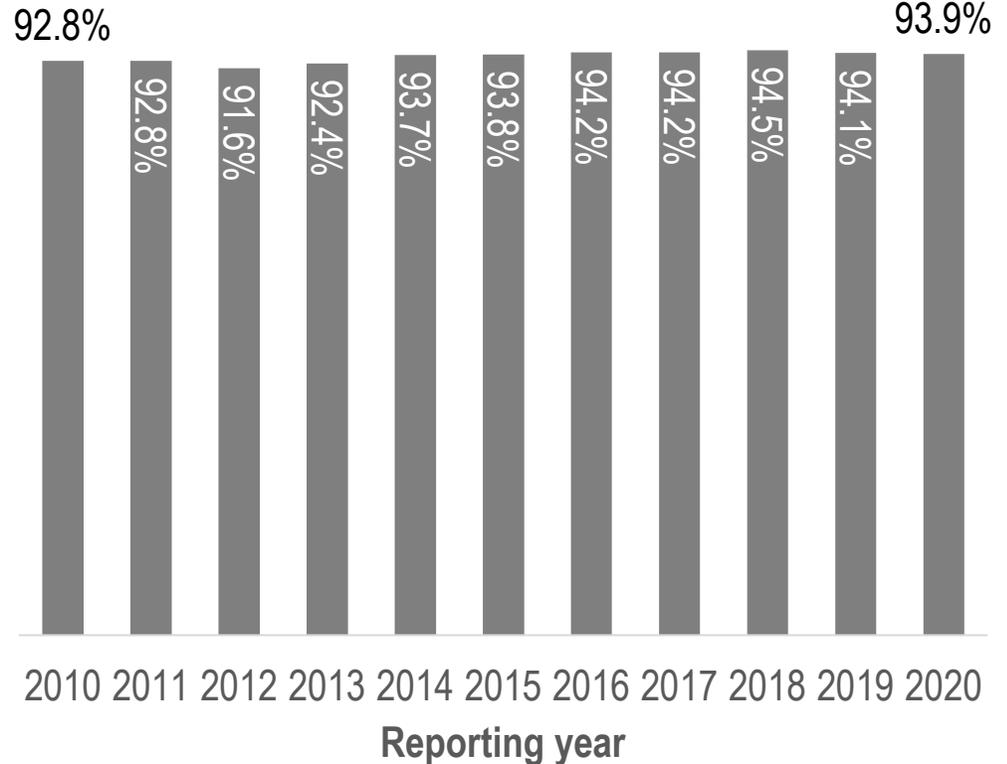
Student Success – Columbus undergraduates

Graduation rates

■ 4-year rate ■ 6-year rate



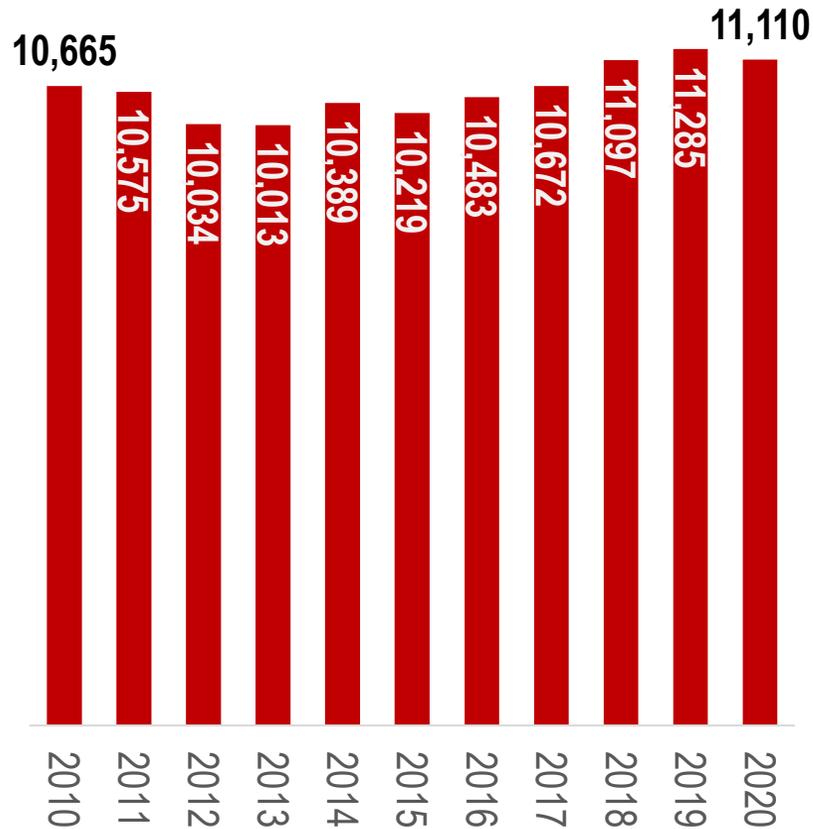
1st-year retention





Graduate students

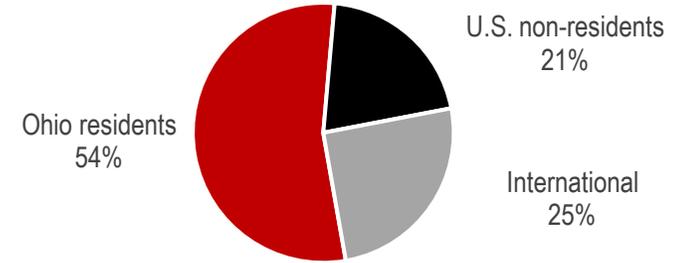
Overall graduate enrollment



Graduate student overview

- 2,571 incoming students in Autumn 2020, down from 2,715 in Autumn 2019 (the pandemic reduced the number of new international graduate students)
- 2020 cohort was 21.7% minority, up from 17.8%
- Average incoming GPA is consistently about 3.5

2020 total (PhD and master's) enrollment



Performance of PhD students, by cohort

	2012-14	2015-17	2018-20	Change from 2012-14
Median time to degree	5.7	5.4	5.3	-0.4

	Enter 2009-11	Enter 2012-14	Enter 2015-17	Change from 2009-11
Degree or retained after 3 years	86.4%	88.0%	89.1%	+2.7%
Ph.D. by 6 years	55.2%	59.9%	TBD	n/a
Ph.D. by 9 years	70.8%	TBD	TBD	n/a



Enrollment planning process

- Multi-year strategic enrollment plan under development
- Plan will begin with academic year 2022-23
- Focus is comprehensive: undergraduate, graduate and professional
 - All campuses: Columbus, Lima, Mansfield, Marion, Newark, Wooster
 - Ohio State Online
 - College Credit Plus
- Strategy will be aligned with other priorities, resources



SUMMARY OF ACTIONS TAKEN

November 18, 2020 – Academic Affairs, Student Life & Research Committee Meeting

Voting Members Present by Zoom Virtual Meeting:

Brent R. Porteus
Cheryl L. Krueger
Abigail S. Wexner
Alan A. Stockmeister

Elizabeth P. Kessler
Jeff M.S. Kaplan
Anand Shah
Susan V. Olesik

Gary R. Heminger (ex officio)

Members Absent:

Hiroyuki Fujita

PUBLIC SESSION

The Academic Affairs, Student Life & Research Committee of The Ohio State University Board of Trustees convened on Wednesday, November 18, 2020, virtually over Zoom. Committee Chair Brent Porteus called the meeting to order at 3:30 p.m.

Items for Discussion

1. **Provost's Report:** During his report, Dr. Bruce McPheron provided an update on the first overhaul of our core General Education curriculum in 30 years. He reported that this process is now in the implementation phase. This new curriculum structure will provide students with a strong educational grounding and more flexibility to pursue second majors, minors and electives. The new structure also reflects Ohio State's motto of Education for Citizenship. Dr. McPheron described the curriculum development process as "faculty-led" with more than 1,000 faculty having weighed in throughout the process. The curriculum is comprised of three parts – foundation courses; courses in thematic areas, such as sustainability or health and well-being; and bookend courses at the beginning and end of the program.
2. **University Task Force on Safety and Well-Being:** Dr. Melissa Shivers with Student Life and Jay Kasey with Administration & Planning shared a report from the University Task Force on Community Safety and Well-Being, which they co-chaired. The task force was formed after the death of a student, Chase Meola, in an off-campus incident. This group was charged with facilitating a comprehensive analysis of the challenges, opportunities, successes and gaps related to the safety and well-being of on- and off-campus students and community members. The goal was to review the safety issues on and around campus in order to make recommendations for improvement, and to identify tactics that will minimize violence, crime and high-risk activities and behaviors. It was specified that the task force's approach should be anchored in principles that reinforce partnership, well-being, community-building and outcomes-based results. The task force made a variety of recommendations related to three themes – safety awareness and education; enhanced security measures; and outreach and engagement efforts. Some of these recommendations included the development of a comprehensive educational campaign that focuses on risk-reduction efforts as well as the many campus-wide safety resources and programs; increasing the number of cameras and improving lighting in off-campus areas; and expanding the Off-Campus Housing Excellence Program to further engage landlords in providing safe living environments.



Items for Discussion (continued)

3. A Safe and Healthy Campus: Lessons and Looking Ahead: Dr. McPheron, Dr. Shivers and Dr. Morley Stone, SVP for Research, shared an update on the university's response to COVID-19, as well as the lessons learned and advances that will be applied to spring semester. To provide more context around the university's approach to COVID-19 testing, contact tracing and monitoring, they were joined by Dr. Peter Mohler, chief scientific officer for the Wexner Medical Center, and Dean Amy Fairchild from the College of Public Health. This group discussed the function of the COVID-19 Implementation Response Team and the Comprehensive Monitoring Team, and how the central focus of their approach has been on student, staff and faculty health and safety. Approximately 70% of undergraduate students still had an in-person component to their classes during autumn semester, ensuring that they had an opportunity to interact with instructors. Meanwhile, the university retained its focus on reinforcing certain behaviors, such as hand washing, mask wearing and physical distancing.
4. Academic Affairs, Student Life & Research Scorecard: The scorecard reflects updates for metrics involving the new freshman class, student academic success and research progress. No metrics are currently marked as red (below goal).

Items for Action

5. Approval of Minutes: No changes were requested to the August 2020 committee meeting minutes; therefore, a formal vote was not required, and the minutes were considered approved.
6. Resolution No. 2021-45, Approval to Establish a Clinical/Teaching/Practice Faculty Appointment Type in the College of Arts and Sciences

Synopsis: Approval to allow the College of Arts and Sciences to establish a clinical/teaching/practice faculty appointment type is proposed.

WHEREAS Faculty Rule 3335-7 establishes that colleges may establish a clinical/teaching/practice faculty appointment type for non-tenure track teacher/practitioners who are primarily engaged in teaching activities; and

WHEREAS the College of Arts and Sciences has requested the establishment of this faculty appointment type in order to:

- provide graduate and undergraduate students more access to high-quality instruction in appropriate college courses; and
- place the college among aspirational peers, many of which incorporate dedicated teaching faculty into their educational programs – including curriculum development and delivery and student advising; and
- provide a career path for its best non-tenure-track teachers that enhances the college's ability to attract and retain the most qualified individuals for these positions; and

WHEREAS the University Senate approved the proposal on September 14, 2020:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves the establishment of a clinical/teaching/practice faculty appointment type in the College of Arts and Sciences.

(See Appendix X for background information, page XX)



Items for Action (continued)

7. Resolution No. 2021-46, Approval Rename the Master of Education in Agricultural and Extension Education Degree Program to Master of Education in Agriscience

Synopsis: Approval to rename the Master of Education in Agricultural and Extension Education degree program in the Department of Agricultural Communication, Education and Leadership (College of Food, Agricultural, and Environmental Sciences) to Master of Education in Agriscience, is proposed.

WHEREAS the Master of Education in Agricultural and Extension Education is a licensure program for students who possess a bachelor's degree in agriculture and would like to become certified to teach agriscience education; and

WHEREAS the Department of Agricultural Communication, Education and Leadership has proposed to rename the program to the Master of Education in Agriscience; and

WHEREAS the proposed name will directly align the master's degree program with the undergraduate degree title that leads to licensure, and

WHEREAS the proposed name is more recognizable to prospective employers; and

WHEREAS the University Senate approved the proposal on Sept. 14, 2020:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves the renaming of the Master of Education in Agricultural and Extension Education degree program to Master of Education in Agriscience.

(See Appendix X for background information, page XX)

8. Resolution No: 2021-47, Approval to Rename the Department of Theatre to the Department of Theatre, Film, and Media Arts

Synopsis: Approval to change the name of the Department of Theatre (College of Arts and Sciences) to the Department of Theatre, Film, and Media Arts, is proposed.

WHEREAS the College of Arts and Sciences currently has offerings in the Department of Theatre, the Film Studies program and the Moving-Image Production major; and

WHEREAS the college intends to bring these interdisciplinary programs together in one department, creating an urgently needed artistic community for our students and faculty; and

WHEREAS these interdisciplinary programs share many related methods and concerns, and it is increasingly clear that segregating live and mediated performance both administratively and pedagogically leads to redundancies that could be effectively eliminated through such a union; and

WHEREAS the college proposes to rename the Department of Theatre to the Department of Theatre, Film, and Media Arts, a name aligned with names of academic departments at leading peer and aspirational peer institutions; and

WHEREAS the University Senate approved this proposal on October 22, 2020:



Items for Action (continued)

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves the name change of the Department of Theatre to the Department of Theatre, Film, and Media Arts.

(See Appendix X for background information, page XX)

9. Resolution No: 2021-48, Approval to Rename the Department of Ophthalmology and Vision Science to the Department of Ophthalmology and Vision Sciences

Synopsis: Approval to change the name of the of the Department of Ophthalmology and Vision Science (College of Medicine) to the Department of Ophthalmology and Vision Sciences, is proposed.

WHEREAS the Department of Ophthalmology and Vision Science consists of eight subspecialty practices – Comprehensive, Cornea and Anterior Segment, Specialty Contact Lenses, Retina, Uveitis, Glaucoma, Neuro-Ophthalmology and Oculoplastics; and

WHEREAS the College of Medicine is proposing to change the department's name to the Department of Ophthalmology and Vision Sciences to reflect the many research programs and collaborations with other departments; and

WHEREAS the University Senate approved this proposal on October 22, 2020:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves changing the name of the Department of Ophthalmology and Vision Science to the Department of Ophthalmology and Vision Sciences.

(See Appendix X for background information, page XX)

10. Resolution No: 2021-49, Faculty Personnel Actions

BE IT RESOLVED, That the Board of Trustees hereby approves the faculty personnel actions as recorded in the personnel budget records of the university since the August 27, 2020, meeting of the board, including the following appointments, appointments/reappointments of chairpersons, faculty professional leaves and emeritus titles

Appointments

Name: GEORGIOS ANAGNOSTOU
Title: Professor (Miltiadis Marinakis Endowed Professorship of Modern Greek Language and Culture)
College: Arts and Sciences
Term: August 15, 2020 through June 30, 2025

Name: *CAROL R. BRADFORD
Title: Professor and Dean (Leslie H. and Abigail S. Wexner Dean's Chair in Medicine)
College: Medicine
Term: October 1, 2020 through September 30, 2025



Items for Action (continued)

Name: DIANE M. DAGEFOERDE
Title: Interim Chief Information Officer
Office: Chief Information Officer
Term: October 3, 2020 through April 2, 2021

Name: LI-CHIANG LIN
Title: Assistant Professor (Umit S. Ozkan Professorship in Chemical and Biomolecular Engineering)
College: Engineering
Term: September 1, 2019 through August 31, 2024

Name: TREVON LOGAN
Title: Interim Dean, Social and Behavioral Sciences
College: Arts and Sciences
Term: October 1, 2020 through December 31, 2020

Name: JACQUELINE K. WILKINS
Title: Associate Dean and Director, OSU Extension
College: Food, Agricultural, and Environmental Sciences
Term: November 1, 2020 through June 30, 2024

*New Hire

Reappointments

Name: JOHN D. BARTLETT
Title: Professor (George C. Paffenbarger Alumni Chair in Dental Research)
College: Dentistry
Term: November 1, 2020 through October 31, 2025

Name: BRAD J. BUSHMAN
Title: Professor (Margaret Hall and Robert Randall Rinehart Chair)
College: Arts and Sciences
Term: September 1, 2020 through August 31, 2021

Name: JENNIFER CROCKER
Title: Professor (Ohio Eminent Scholar in Social Psychology)
College: Arts and Sciences
Term: October 1, 2020 through June 30, 2025

Name: MICHAEL J. EARLEY
Title: Professor-Clinical (Vision Service Plan (VSP) Chair for the Advancement of Professional Practice)
College: Optometry
Term: September 1, 2018 through August 31, 2023

Name: DAMON E. JAGGARS
Title: Vice Provost and Dean
Office: University Libraries
Term: January 1, 2021 through June 30, 2025



Items for Action (continued)

Name: NORMAN F. JOHNSON
Title: Professor (Martha N. and John C. Moser Chair in Arthropod Biosystematics and Biological Diversity)
College: Arts and Sciences
Term: September 1, 2020 through August 31, 2023

Name: ANI L. KATCHOVA
Title: Associate Professor (Farm Income Enhancement Endowed Chair in Agricultural Policy, Trade and Marketing)
College: Food, Agricultural, and Environmental Sciences
Term: January 1, 2020 through December 31, 2024

Name: BODO E. KNUDSEN
Title: Associate Professor (Henry A. Wise II, MD, Endowed Chair in Urology)
College: Medicine
Term: July 1, 2020 through June 30, 2024

Name: ANIL K. MAKHIJA
Title: Professor and Dean (John W. Berry, Sr. Chair in Business)
College: Fisher College of Business
Term: October 1, 2020 through June 30, 2024

Name: RUSTIN M. MOORE
Title: Dean
College: Veterinary Medicine
Term: January 1, 2021 through June 30, 2025

Name: RITA H. PICKLER
Title: Professor (FloAnn Sours Easton Endowed Professorship in Child and Adolescent Health)
College: Nursing
Term: October 1, 2020 through September 30, 2025

Name: ALEXANDER E. WENDT
Title: Professor (Ralph D. Mershon Professorship in National Security Studies)
College: Arts and Sciences
Term: July 1, 2019 through June 30, 2023

(See Appendix X for background information, page XX)



Items for Action (continued)

11. Resolution No: 2021-50, Degrees and Certificates

Synopsis: Approval of Degrees and Certificates for autumn 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 Fisher College of Business has recommended that Chase Meola be awarded a Bachelor of Science in Business Administration degree, posthumously:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves the degrees and certificates to be conferred on December 13, 2020, to those persons who have completed the requirements for their respective degrees and certificates and are recommended by the colleges and schools; and

BE IT FURTHER RESOLVED, That the Board of Trustees hereby approves that Chase Meola be awarded a Bachelor of Science in Business Administration degree, posthumously.

(See Appendix X for background information, page XX)

Action: Upon the motion of Mr. Porteus, seconded by Mr. Kaplan, the board adopted the foregoing motions by unanimous voice vote with the following members present and voting: Mr. Porteus, Ms. Krueger, Mrs. Wexner, Mr. Stockmeister, Ms. Kessler, Mr. Kaplan, Mr. Shah, Dr. Olesik and Mr. Heminger.

EXECUTIVE SESSION

It was moved by Mr. Porteus, and seconded by Dr. Olesik, that the board recess into executive session to discuss business-sensitive trade secrets and student conduct matters required to be kept confidential by federal and state statutes, and to discuss personnel matters regarding the employment, dismissal or discipline of public employees.

A roll call vote was taken and the board voted to go into executive session, with the following members present and voting: Mr. Porteus, Ms. Krueger, Mrs. Wexner, Mr. Stockmeister, Ms. Kessler, Mr. Kaplan, Mr. Shah, Dr. Olesik and Mr. Heminger.

The board entered executive session at 4:58 p.m. and the board meeting adjourned at 5:28 p.m.

**REVISION OF THE FACULTY DISCIPLINE PROCESS –
CHANGES TO THE RULES OF THE UNIVERSITY FACULTY**

Synopsis: Approval of the following amendments 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 changes to rule 3335-5-04 (“the 04 Rule”) in the *Rules of the University Faculty* were approved by the University Senate on January 28, 2021:

NOW THEREFORE

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

**The Ohio State University Board of Trustees
Academic Affairs & Student Life Committee
February 24, 2021**

Topic:

Revision to the *Rules of the University Faculty*: Procedures for addressing complaints of faculty misconduct (“the 04 Rule”)

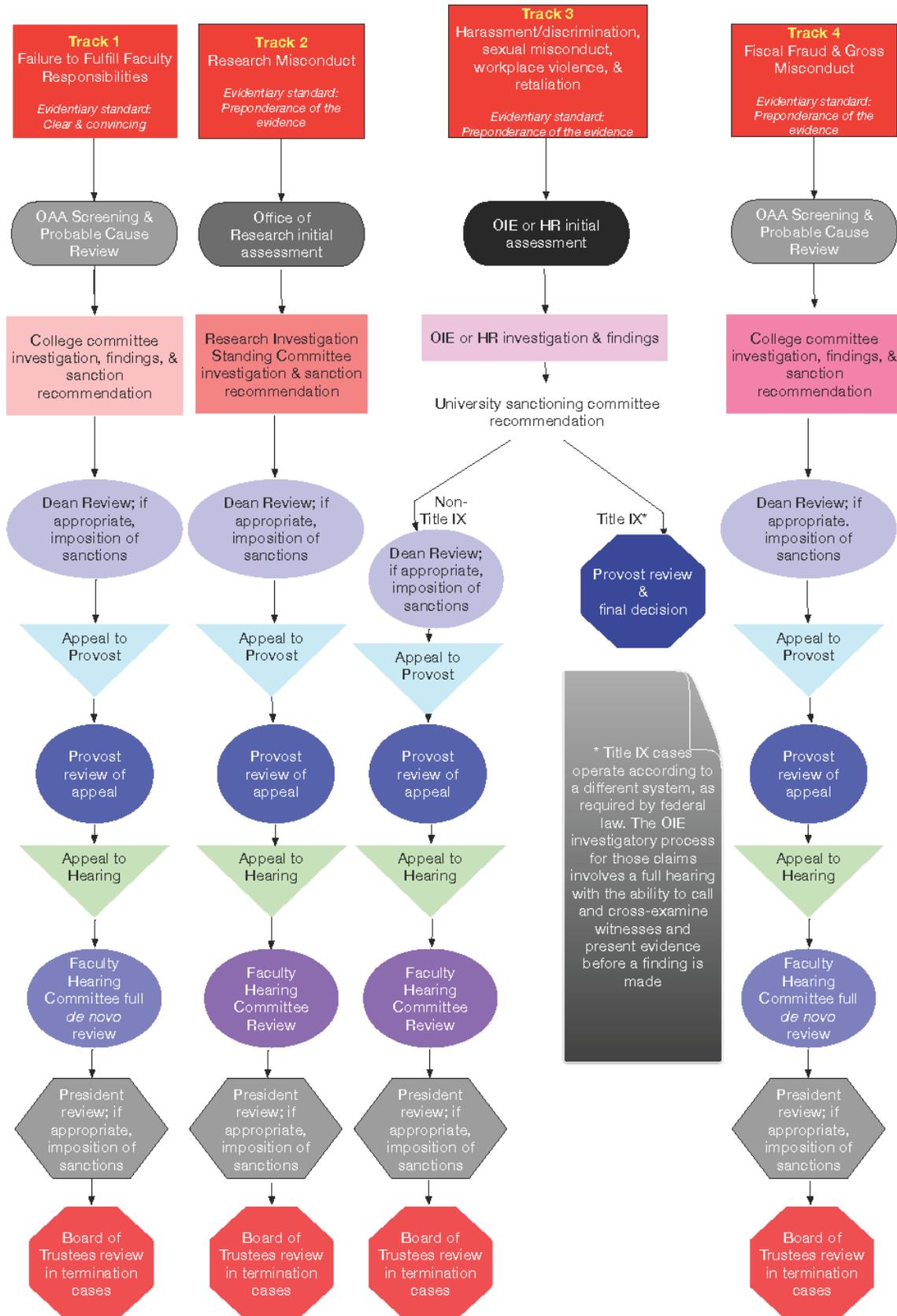
Context:

The University Senate has recommended extensive revisions to section 3335-5-04 of the *Rules of the University Faculty* to streamline procedures for addressing complaints of misconduct made against faculty members.

- Section 3335-5-04 is written by faculty members to ensure all members of the faculty are held to the highest ethical and professional principles in each academic discipline while sustaining the academic freedom of the faculty.
- The proposed revision incorporates specialized processes and regulatory compliance for issues such as investigations into research misconduct and sexual misconduct.
- The proposed revision therefore creates four tracks for misconduct cases:
 1. failure to meet academic responsibilities;
 2. research misconduct,
 3. sexual misconduct, protected class discrimination and harassment, whistleblower retaliation, and workplace violence; and
 4. all other misconduct.
- The new rule also:
 - provides clearer guidance in evaluating appropriate sanctions.
 - establishes standards of evidence for similar offenses across university populations (students, staff, faculty) except for failure to meet faculty responsibilities, which is a faculty-specific complaint.
 - clarifies that Section 3335-5-04 applies to all cases of alleged faculty misconduct, not only potentially terminable offenses, and provides clear processes for addressing less serious allegations of misconduct in a timely manner.
 - sets forth various process improvements including standardized screening processes, alternative dispute resolution, timing, notification, and clarity of offenses.

Given the extensive revisions to Section 3335-5-04, the proposed rule and existing rule are attached instead of a strikeout version. A flowchart illustrating the procedures governing the four tracks is appended on the following page.

Proposed 04 Tracks



PROPOSED REVISION TO 3335-5-04**3335-5-04 Procedures for complaints of misconduct made against faculty members.**

- (A) This rule shall apply to all formal complaints of misconduct against faculty members as defined in rule 3335-5-19 (A) and (B). Complaints may be filed under this rule against any individual with a faculty appointment, including administrators who hold such appointments.
1. Complaints about the performance of administrators in their administrative capacity must be brought pursuant to applicable rules or policies for those administrative positions; all complaints against administrators who hold faculty appointments relating to the violation of applicable law, university policies or rules, or unit governance documents (other than those related to the performance of the administrator's duties) must be brought under this rule.
- (B) Complaints shall proceed under the general procedures set forth in this rule and the specific procedures set forth in the following four subsections based on the nature of the allegations.
1. Complaints involving allegations of failure to meet faculty obligations shall proceed under rule 3335-5-04.1. A faculty member may be disciplined under this rule, and may be terminated if the conduct constitutes serious failure to meet faculty obligations for violations established under rule 3335-5-04.1(A).
 2. Complaints involving allegations of research misconduct shall proceed under rule 3335-5-04.2. A faculty member may be disciplined up to and including termination for violations established under this rule.
 3. Complaints involving allegations of sexual misconduct, workplace violence, whistleblower retaliation, discrimination, harassment, and retaliation based on protected status shall proceed under rule 3335-5-04.3. A faculty member may be disciplined up to and including termination for violations established under this rule.
 4. Complaints involving allegations of violations of applicable law, university policies or rules, or unit governance documents shall proceed under rule 3335-5-04.4, unless they fall under rule 3335-5-04.2 or 3335-5-04.3. A faculty member may be disciplined under this rule, and may be terminated if the conduct constitutes grave misconduct or non-trivial financial fraud for violations established under rule 3335-5-04.4(A)(1)–(2).
- (C) Conflicts:
1. No administrator may act in their administrative capacity in the consideration of any complaint naming them as respondent. If a complaint names a department chair, school director, or a dean as respondent, the executive vice president and provost (hereinafter "provost") shall appoint an equivalent rank administrator from another department or college to perform the responsibilities of the named official under this rule. If a complaint names the provost as respondent, the president shall appoint an individual to perform the responsibilities of the provost. If a complaint names the president as respondent, the Board of Trustees shall appoint an individual to perform the responsibilities of the president.

2. If any individual with responsibilities under this rule has a conflict of interest with a complainant or respondent, such that the individual stands to benefit personally or incur personal harm depending on the outcome, or otherwise has a relationship with the faculty member against whom the complaint is made (hereafter “respondent”) that creates a bias, or otherwise could not fairly and impartially perform those responsibilities, the individual shall not participate in this process, and a replacement shall be named in accordance with Section (C)(1) of this rule. In the event that a member of an investigation or sanctioning committee has such a conflict, that individual shall be replaced in accordance with the applicable procedures for that committee.
- (D) If the provost determines that a faculty member’s presence on campus is detrimental to the safety and well-being of the university community or university property, the provost may reassign the faculty member off campus with pay pending completion of the process set forth in this rule.
 - (E) At each step of the process, individuals with responsibilities under this rule may use informal dispute resolution to resolve the complaint to their satisfaction as well as that of the complainant and the respondent in accordance with applicable policy. The appropriateness of an informal resolution in any case will depend on the circumstances of each particular case. All such resolutions must be reported to the Office of Academic Affairs for review and approval before being finalized. In addition, reports must be made to the Office of Research (for proceedings under Faculty Rule 3335-5-04.2), or the Office of Institutional Equity or Office of Human Resources (for proceedings under Faculty Rule 3335-5-04.3) as may be applicable.
 - (F) Complainants and respondents may expressly or implicitly relinquish their rights to participate in any step of this process, including but not limited to by failing to respond to reasonable attempts to schedule required meetings, or by failing to appear for scheduled sessions. If a complainant or respondent relinquishes their rights of participation at any step, that relinquishment does not prevent that individual from exercising any rights that may be applicable at any other step of the process. To the extent not specified in this rule, complainants and respondents shall be entitled to all rights required by state and federal law that are applicable to these proceedings.
 - (G) All records of proceedings under this rule shall be maintained by the Office of Academic Affairs. Such records shall be afforded the same privacy and confidentiality afforded to comparable records of other university employees, subject to public records laws and other disclosures within and external to the university in accordance with applicable law and the need to know such information to support university operations.
 - (H) The term “day” as used in this rule means “calendar day.” If the last day of a designated time period falls on a weekend or a day on which the university is closed, the time period shall expire at the close of business on the next succeeding business day.
 - (I) Complainants and respondents shall be given written notice of decisions required by this rule. Any notice shall be sent by certified mail and by email. The time period for any action to be taken after delivery of the notice shall begin to run on the date on which the notice is mailed.
 - (J) At each step of the process set forth in this rule, a respondent may be accompanied by one support person of their choosing (including but not limited to personal legal counsel). Except as otherwise provided in rules 3335-5-04.1 through 3335-5-04.4,

though, such individual shall only be entitled to appear with the respondent and shall not be entitled to participate in or delay the process in any way.

- (K) The timelines set forth in this rule and in rules 3335-5-04.1 through 3335-5-04.4 are mandatory. However, the provost or designee may grant defined extensions of any time period on an as-needed basis upon written request.

3335-5-04.1 Procedures for complaints of failure to meet academic responsibilities.

- (A) This rule applies to complaints made against faculty members involving their failure to meet academic responsibilities as defined in rule 3335-5-01(C). A faculty member may be disciplined for violations established under this rule, and may be disciplined up to and including termination for serious failure to meet faculty obligations. For the purposes of this rule “serious failure to meet faculty obligations” is defined as conduct that reflects gross indifference or consistent failure to satisfactorily perform the faculty obligations set forth in rule 3335-5-01(C).
- (B) Initial proceedings.
1. A complaint may be filed by any student or university employee, including employees from administrative offices who are filing complaints arising out of investigations by those offices. Complaints may be filed with a chair, dean, associate dean, provost, vice provost for academic policy and faculty resources (hereinafter “vice provost”), or the president. All complaints must be referred to the vice provost for initial review in accordance with this rule.
 2. The complaint shall be set forth in writing and shall state facts to support an allegation that a faculty member has failed to meet their academic responsibilities.
 - i. The vice provost shall review every complaint to determine whether the complaint presents an actionable violation and that the complaint is not clearly retaliatory or abusive in nature. If the vice provost is named as a respondent, the provost shall identify a designee. If the vice provost determines that a complaint either does not allege a violation that can be addressed under this rule or was filed for clearly retaliatory or abusive purposes, the vice provost must consult with the complainant within seven days of filing to clarify the nature of the complaint. The vice provost may dismiss such a complaint within seven days of consulting with the complainant if it cannot be addressed under this rule or is clearly retaliatory or abusive in nature. This determination does not prohibit referral of a complaint filed under this rule to another applicable university process.
 1. The complainant may appeal this dismissal in writing to the provost within seven days of this decision. Upon receiving such an appeal, the provost may either reinstate the complaint or dismiss it, and that decision is final. The provost must issue a decision within fourteen days of receiving such an appeal.
 - ii. If the vice provost determines that the complaint should proceed or if the complaint is reinstated by the provost, the vice provost shall furnish a copy of the complaint to the respondent and shall refer it to the

respondent's department chair for a probable cause review in accordance with section (C) of this rule.

1. If the faculty member's department chair is the complainant or respondent, the complaint shall be referred to the faculty member's dean for the initial probable cause review.
2. For the purposes of this provision, the term "department chair" includes school directors, deans of colleges without departments, and regional campus deans and directors.
3. Only allegations stated in the complaint shall be considered at the various stages of deliberation. However, additional facts relevant to the allegations set forth in the complaint may be presented throughout the process.

(C) Probable cause review.

1. The department chair shall review the allegations in the complaint and discuss the matter with the complainant and the respondent to determine whether there is probable cause to believe that the allegations are true.
2. If the department chair determines that there is not probable cause to believe that the allegations are true, the chair shall dismiss the complaint.
 - i. If the complaint is dismissed, the complainant may appeal the dismissal to the dean. The appeal must be in writing and filed with the dean within twenty-one days after the notice of the chair's decision was mailed. Upon receiving such an appeal, the dean may either reinstate the complaint and refer it to the college investigation and sanctioning committee or dismiss it, and such a dismissal is final. The dean must issue a decision within thirty days after receiving such an appeal.
3. If the department chair determines that there is probable cause to believe that the allegations are true, the department chair shall refer the matter to the college investigation and sanctioning committee unless the department chair completes an informal resolution in accordance with rule 3335-5-04(E).
4. The department chair shall complete this process within fourteen days.

(D) College investigation and sanctioning committee.

1. Each college shall appoint a college investigation and sanctioning committee, which shall fulfill the responsibilities set forth in this section. The committee shall be all tenured faculty or a majority of tenured faculty if including clinical/teaching/practice faculty who are non-probationary associate professors or professors. A college may include faculty members from other colleges on its committee.
2. Upon receipt of a referral of a complaint from the department chair, the committee shall meet with the complainant and the respondent and shall review any documentary evidence provided by these parties. The respondent shall be given copies of any documentary evidence provided to the committee as part of the investigation and be given an opportunity to respond to all such documentation. The committee shall have the authority to gather information relevant to the complaint, including by interviewing individuals other than the complainant and respondent as the committee sees fit or as recommended by the complainant or respondent. The committee shall strive to maintain confidentiality in the proceedings.

3. At the conclusion of the investigation, the committee shall prepare a preliminary report that identifies the proposed findings of fact, a conclusion as to whether a violation occurred under the clear and convincing evidence standard, and if so whether the conduct rose to the level of serious failure to meet faculty obligations as defined in rule 3335-5-04.1(A). The committee shall provide that document to both the complainant and respondent for review. Each party shall have seven days to respond and to identify any alleged errors or omissions in the findings.
4. Following review of any comments by the parties, the committee shall thereafter make any modifications to the report that it deems appropriate and issue a final report. If the committee concludes that a violation occurred, the committee shall include its proposed sanction in the final report.
5. In evaluating sanctions, the committee shall consider the totality of the circumstances, including aggravating and mitigating factors.
 - i. Aggravating factors may include, but are not limited to:
 - a. the significance and impact of the faculty member's failure to meet academic responsibilities if serious failure is found;
 - b. the strength of the evidence presented;
 - c. whether the respondent has previously been found to have engaged in misconduct;
 - d. whether the respondent's conduct caused injury or harm to another individual, university property, or the university's reputation; and
 - e. whether the respondent had received prior warnings about engaging in the conduct at issue.
 - ii. Mitigating factors may include, but are not limited to:
 - a. the conduct at issue did not cause injury or harm to another individual, university property, or the university's reputation; and
 - b. the respondent accepted responsibility for the misconduct.
6. The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may further include a combination of sanctions:
 - i. Verbal reprimand;
 - ii. Written reprimand;
 - iii. Mandatory counseling or other rehabilitation;
 - iv. Restrictions on duties or privileges;
 - v. Restriction of access to university property or services;
 - vi. Reduction of salary base;
 - vii. Reduction of twelve-month appointment to nine-month appointment;
 - viii. Reduction of full-time equivalent (FTE) appointment;
 - ix. Reduction of rank;
 - x. Revocation of tenure;
 - xi. Termination of employment due to serious failure to meet faculty obligations.

7. The committee shall complete its investigation and submit its report to the respondent's dean within forty-five days.
- (E) Decision by the dean.
1. After reviewing the report and recommendation of the college investigation and sanctioning committee, the dean may:
 - i. Dismiss the complaint if the committee did not find a violation;
 - ii. Impose the committee's proposed sanction;
 - iii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
 - iv. Increase the sanction if the committee determined that the respondent engaged in a serious failure to meet faculty obligations.
 2. The dean shall make a decision in twenty-one days. The final report of the college investigation and sanctioning committee and the dean's decision shall be sent to the complainant and the respondent.
 3. Appeals:
 - i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training, but a respondent may place a response to this sanction in their primary personnel file.
 - ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost.
 - iii. If the dean imposes a sanction that revokes tenure or terminates employment, the matter shall be automatically appealed to the provost.
 - iv. In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.
- (F) Review of appeals by the provost.
1. After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:
 - i. Affirm the dean's sanction;
 - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the dean's sanction;
 - iii. Increase the sanction; or
 - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
 2. The provost shall make a decision within fourteen days of receiving materials from the dean and respondent as applicable.
 3. If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (D)(6)(vii) through (xi) of this rule, the

respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.

4. An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed.
 - (A) The faculty hearing committee.
 1. Within fourteen days of receipt of an appeal from a respondent, the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the appeal and to provide a recommendation to the president regarding the appropriate action. The respondent and the provost or designee may each make one preemptory challenge to the seating of one person on the hearing panel and one preemptory challenge to the selection of a presiding officer.
 2. The parties to this hearing shall be the respondent and the provost, or designee.
 3. The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
 4. The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.
 5. Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
 6. The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal.
 7. The hearing panel will not be bound by the findings of the college investigation and sanctioning committee or the provost.
 8. An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
 9. At the conclusion of the proceedings, the hearing panel shall make written conclusions with respect to each substantive issue raised, including but not limited to:
 - i. appropriateness of the sanction, and, if found to be inappropriate, the faculty hearing committee's recommended sanction in accordance with the factors set forth in section (D)(5) of this rule.
 - ii. conflict of interest, procedural error, or substantial new evidence.
 - iii. findings of the college investigation committee.
 10. The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.
 - (I) The president.

1. Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
 - i. Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
 - ii. Recommend to the board of trustees termination of employment for cases of serious failure to meet faculty obligations on such terms and conditions as the president may deem advisable;
 - iii. Remand the case to the hearing panel for reconsideration; or
 - iv. In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step as appropriate.
 4. The president's decision on all sanctions less than termination of employment is final.
 5. Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.
 6. The president shall make a decision within thirty days.
- (J) Board of trustees.
1. The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

3335-5-04.2 Procedures for complaints of research misconduct made against faculty members.

- (A) This rule applies to complaints involving research misconduct made against faculty members. A faculty member may be disciplined up to and including termination for violations established under this rule. Research misconduct is defined in rule 3335-13-08 and the Research Misconduct policy.
- (B) Preliminary assessment and inquiry.
 - 1. Complaints alleging research misconduct must be filed with or referred to the Office of Research.
 - 2. The Office of Research shall ensure that a preliminary assessment is performed in accordance with the Research Misconduct policy to determine whether the complaint alleges research misconduct as defined in the policy and is sufficiently credible and specific so that research misconduct may be identified.
 - 3. If the preliminary assessment concludes that the allegations in the complaint meet the definition of research misconduct and are sufficiently credible and specific so that potential evidence of research misconduct may be identified, the Office of Research shall proceed to an inquiry review in accordance with the Research Misconduct policy to determine whether the allegations have sufficient substance to warrant an investigation.
 - 4. If the inquiry concludes that the allegations have sufficient substance and that an investigation is warranted in accordance with the Research Misconduct policy, an investigation shall be initiated as set forth in section (C) of this rule. All other procedural steps, including but not limited to appeals, shall be performed in accordance with the Research Misconduct policy.
 - 5. In both the preliminary assessment and inquiry steps, complainants and respondents shall be afforded procedural rights, including but not limited to the rights to review documentary evidence, submit evidence, be accompanied by an advisor, review and file a written response to reports, and make appeals, as specifically defined in the Research Misconduct policy.
- (C) Investigation and sanctioning.
 - 1. If a complaint is referred for investigation, the Office of Research shall convene an investigation and sanctioning committee consisting of a minimum of three voting members from the Research Integrity Standing Committee in accordance with the Research Misconduct policy.
 - 2. The committee shall examine all the documentation and conduct formal interviews, when possible, of the respondent, the complainant, and others who may have information relevant to the complaint, but shall strive to maintain the confidentiality of the proceedings.
 - 3. The respondent shall be given copies of any documentary evidence provided to the committee as part of the investigation and be given an opportunity to respond to all such documentation.
 - 4. At the conclusion of the investigation, the committee shall prepare a preliminary report in accordance with this rule and the Research Misconduct policy. Findings and conclusions shall be based on the preponderance of the evidence standard.

- The respondent shall have fourteen days to respond and to identify any alleged errors or omissions in the preliminary report.
5. In evaluating sanctions, the committee shall consider the totality of the circumstances, including aggravating and mitigating factors.
 - i. Aggravating factors may include, but are not limited to:
 1. the degree to which the respondent's conduct was flagrant, egregious, or willful;
 2. the significance and impact of the faculty member's failure to meet academic responsibilities if relevant;
 3. the strength of the evidence presented;
 4. whether the respondent has previously been found to have engaged in misconduct;
 5. whether the respondent's conduct caused injury or harm to another individual, university property, or the university's reputation; and
 6. whether the respondent had received prior warnings about engaging in the conduct at issue.
 - ii. Mitigating factors may include, but are not limited to:
 1. the conduct at issue did not cause injury or harm to another individual, university property, or the university's reputation; and
 2. the respondent accepted responsibility for the misconduct.
 6. The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may include a combination of sanctions:
 - i. Verbal reprimand;
 - ii. Written reprimand;
 - iii. Mandatory counseling or other rehabilitation;
 - iv. Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;
 - v. Restrictions on duties or privileges;
 - vi. Restriction of access to university property or services;
 - vii. Reduction of salary base;
 - viii. Reduction of twelve-month appointment to nine-month appointment;
 - ix. Reduction of full-time equivalent (FTE) appointment;
 - x. Reduction of rank;
 - xi. Revocation of tenure;
 - xii. Termination of employment.
 7. After receipt of any comments from the respondent, the committee shall complete its investigation and submit its final report to the Deciding Official set forth in the Research Misconduct policy in accordance with that policy. If the committee concludes that research misconduct occurred, the respondent shall have the right to submit an appeal of that decision to the Deciding Official in accordance with the Research Misconduct policy.

- i. If a finding of research misconduct is confirmed following review of the report and any appeals by the Deciding Official, the case shall be referred to the respondent's dean for further proceedings under section (D) of this rule. If no finding of research misconduct is made following such review, the case shall be dismissed.

(D) Decision by the dean.

1. After reviewing the report and recommendation of the investigation and sanctioning committee, the dean may:
 - i. Uphold the committee's proposed sanction;
 - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
 - iii. Increase the sanction.
2. The dean shall make a decision in twenty-one days. The final report of the investigation and sanctioning committee and the dean's decision shall be sent to the complainant, if any identified, and the respondent.
3. Appeals:
 - i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training.
 - ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost for review.
 - iii. If the dean imposes a sanction that revokes tenure or terminates employment, the matter shall be automatically appealed to the provost.
 - iv. In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.

(E) Review of appeals by the provost.

1. After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:
 - i. Affirm the dean's sanction;
 - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the dean's sanction;
 - iii. Increase the sanction; or
 - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
2. The provost shall make a decision within fourteen days of receiving materials from the dean and respondent as applicable.
3. If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (C)(6)(vii) through (xii) of this rule, the

respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.

4. An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed. Appeals to the faculty hearing committee shall be limited to one or more of the following grounds:
 - i. the sanction is disproportionate to the violations committed in view of the aggravating and mitigating factors;
 - ii. substantial new evidence has been discovered (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct); or
 - iii. there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent.

(F) The faculty hearing committee.

1. Within fourteen days of receipt of an appeal from a respondent the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the complaint and to provide a recommendation to the president regarding the appropriate action to be imposed. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
2. The parties to this hearing shall be the respondent and the provost, or designee.
3. The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
4. The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.
5. Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
6. The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal.
7. An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
8. At the conclusion of the proceedings, the hearing panel shall make separate written conclusions with respect to each substantive issue raised at the hearing.
 - i. If the respondent challenges the appropriateness of the sanction, the faculty hearing committee shall set forth what their recommended sanction is in accordance with the factors set forth in section (C)(5) of this rule.

- ii. If the respondent alleges conflict of interest, procedural error, or substantial new evidence, the faculty hearing committee shall set forth what their conclusions are and whether they believe that further proceedings are appropriate.
 9. The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.
- (G) The president.
 1. Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
 - i. Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
 - ii. Recommend to the board of trustees termination of employment on such terms and conditions as the president may deem advisable;
 - iii. Remand the case to the hearing panel for reconsideration; or
 - iv. In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step of the process for further proceedings as appropriate.
 2. The president's decision on all sanctions less than termination of employment is final.
 3. Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.
 4. The president shall make a decision within thirty days.
- (H) Board of trustees.
 1. The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

3335-5-04.3 Procedures for complaints of sexual misconduct, workplace violence, whistleblower retaliation, and protected class discrimination, harassment, and retaliation made against faculty members.

- (A) This rule applies to complaints made against faculty members involving sexual misconduct, workplace violence, whistleblower retaliation, and protected class discrimination, harassment, and retaliation as defined in applicable university policies. A faculty member may be disciplined up to and including termination for violations established under this rule.
- (B) Initial proceedings.
1. Complaints of sexual misconduct and protected class discrimination, harassment, and retaliation must be filed with or referred to the Office of Institutional Equity, and complaints of workplace violence and whistleblower retaliation separate from protected class or sexual misconduct must be filed with or referred to the Office of Human Resources.
 2. The applicable office shall perform a preliminary assessment to determine whether the complaint warrants further investigation, whether an informal resolution would be appropriate, whether the matter should be referred to a different university office or process, or whether the matter should be closed and not proceed further in the process.
 3. If the applicable office determines that further investigation is warranted and that an informal resolution is not appropriate at that stage in the process, it shall notify the complainant and respondent of its decision to pursue an investigation and shall assign an investigator to investigate the complaint.
- (C) Investigation determinations.
1. Complaints of sexual misconduct pursuant to Title IX of the Education Amendments Act of 1972 and implementing regulations shall be investigated pursuant to the procedures set forth in the university Sexual Misconduct policy. All findings of misconduct shall be referred to the university sanctioning committee for a recommendation for sanctions only in accordance with Section (D) of this rule.
 2. For all other complaints subject to this rule:
 - i. The investigator shall perform the investigation in accordance with applicable university policy and shall meet with both the complainant and respondent and review any documentary evidence provided by these parties. The investigator shall have the authority to gather information relevant to the complaint, including through interviewing individuals other than the complainant and respondent as the investigator sees fit or as recommended by the complainant and respondent, but shall otherwise strive to maintain confidentiality in the proceedings.
 - ii. The parties shall receive all of the rights set forth in the applicable policy, and shall further have the right to receive the policies, standards, and procedures applicable to the investigation.
 - iii. The parties shall be given the ability to review copies of any documentary evidence that is provided to the investigator as part of the investigation and is relevant to the substance of the complaint. Parties shall have the

ability to respond to all such documents during the investigation, and the ability to suggest witnesses who may be contacted as part of the investigation within the investigator's discretion.

- iv. When fact gathering is complete, the investigator shall prepare a written investigative summary (preliminary report) that identifies the relevant and material facts in the case. The investigator shall provide that document to both the complainant and respondent for review. Each party shall have fourteen days to respond and to identify any alleged errors or omissions in the investigative summary.
- v. Following review of any comments by the parties, the investigator shall thereafter make any modifications to the report that the investigator deems appropriate and issue a final report that will include the summary of the facts gathered, analysis of the allegations, and findings as to whether the applicable policy was violated under the preponderance of the evidence standard. If a violation is found, this report shall be provided to the university sanctioning committee to determine the appropriate sanction. If no violation is found, the complaint shall be dismissed.

(D) The university sanctioning committee.

1. The university sanctioning committee is responsible for determining what sanction to recommend for a policy violation.
 - i. The university sanctioning committee shall consist of fifteen tenured members of the faculty selected by the executive committee of faculty council from at least eight different Colleges and regional campuses. Each member of the university sanctioning committee must receive required training before serving on the panel. Each selected person shall serve a three-year term followed by a one-year term as an alternate member. A chair shall be elected from the membership in the spring for a one-year term, starting during the subsequent summer session.
 - ii. The chair shall select three members of the committee to sit on each sanctioning panel. Panelists may not be drawn from the complainant's or respondent's tenure initiating unit, as may be applicable. Alternates may be assigned to university sanctioning panels at the chair's discretion.
2. Upon receipt of the investigation report, the committee shall meet with the investigator to discuss the investigation and findings, and may request clarification on any aspect of the investigation process. The committee shall also offer both the complainant and the respondent the opportunity to meet with the committee to present their views as to an appropriate sanction.
3. In evaluating sanctions, the investigation and sanctioning committee shall consider the totality of the circumstances, including aggravating and mitigating factors.
 - i. Aggravating factors may include, but are not limited to:
 - a. the degree to which the respondent's conduct was flagrant, egregious, or willful;
 - b. the strength of the evidence presented;
 - c. whether the respondent has previously been found to have engaged in misconduct;

- d. whether the respondent's conduct caused injury or harm to another individual, university property, or the university's reputation; and
 - e. whether the respondent had received prior warnings about engaging in the conduct at issue.
 - ii. Mitigating factors may include, but are not limited to:
 - a. the conduct at issue did not cause injury or harm to another individual, university property, or the university's reputation; and
 - b. the respondent accepted responsibility for the misconduct.
 - 4. The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may further include a combination of sanctions:
 - i. Verbal reprimand;
 - ii. Written reprimand;
 - iii. Mandatory counseling or other rehabilitation;
 - iv. Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;
 - v. Restrictions on duties or privileges;
 - vi. Restriction of access to university property or services;
 - vii. Reduction of salary base;
 - viii. Reduction of twelve-month appointment to nine-month appointment;
 - ix. Reduction of full-time equivalent (FTE) appointment;
 - x. Reduction of rank;
 - xi. Revocation of tenure;
 - xii. Termination of employment.
 - 5. For sexual misconduct complaints under Title IX, the committee shall reach its sanction decision within thirty days. This sanction decision 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. The complainant and respondent shall have equal rights to appeal the written determination to the provost for review in accordance with Section (F) of this rule and shall not be reviewed by the respondent's dean under Section (E) of this rule. All appeals must be in writing and be filed within fourteen days after the written determination is issued. 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.
 - 6. For all other complaints under this rule, the committee shall complete its review and submit its report to the respondent's dean within thirty days.
- (E) Decision by the dean.
- 1. For all complaints under this rule except sexual misconduct complaints under Title IX, the dean may, after reviewing the report and recommendation of the university sanctioning committee:

- i. Uphold the committee's proposed sanction;
 - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
 - iii. Increase the sanction.
 2. The dean shall make a decision in twenty-one days. The final report of the university sanctioning committee and the dean's decision will be sent to the complainant and the respondent.
 3. Appeals:
 - i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training.
 - ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost for review.
 - iii. If the dean imposes a sanction that revokes tenure or terminates employment, the matter shall be automatically appealed to the provost.
 - iv. In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.
- (F) Review of appeals by the provost.
1. After reviewing the record of a case upon appeal or upon referral by the dean, the provost may:
 - i. Affirm the dean's sanction or the sanction imposed by the university sanctioning committee for sexual misconduct complaints under Title IX;
 - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the sanction;
 - iii. Increase the sanction; or
 - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
 2. The provost shall make a decision within fourteen days of receiving materials from the dean, respondent or complainant as applicable. Complainant and respondent shall each have the right to respond to a filing by the other party.
 3. For complaints of sexual misconduct under Title IX, the provost's decision shall be final.
 4. For all other complaint subject to this rule:
 - a. If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (D)(4)(vii) through (xii) of this rule, the respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.

5. An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed. Appeals to the faculty hearing committee shall be limited to one or more of the following grounds:
 - i. the sanction is disproportionate to the violations committed in view of the aggravating and mitigating factors;
 - ii. substantial new evidence has been discovered (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct); or
 - iii. there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent.

(G) The faculty hearing committee.

1. Within fourteen days of receipt of an appeal from a respondent the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the complaint and to provide a recommendation to the president regarding the appropriate action to be imposed. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
2. The parties to this hearing shall be the respondent and the provost, or designee.
3. The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
4. The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.
5. Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
6. The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal. However, in all proceedings, the hearing panel shall afford complainants equal rights to participate in any proceeding and the ability to present a response to the respondent's claims as applicable.
7. An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
8. At the conclusion of the proceedings, the hearing panel shall make separate written conclusions with respect to each substantive issue raised at the hearing.
 - i. If the respondent challenges the appropriateness of the sanction, the faculty hearing committee shall set forth what their recommended sanction is in accordance with the factors set forth in section (D)(3) of this rule.

- ii. If the respondent alleges conflict of interest, procedural error, or substantial new evidence, the faculty hearing committee shall set forth what their conclusions are and whether they believe that further proceedings are appropriate.
 9. The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.
- (H) The president.
 1. Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
 - i. Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
 - ii. Recommend to the board of trustees termination of employment on such terms and conditions as the president may deem advisable;
 - iii. Remand the case to the hearing panel for reconsideration; or
 - iv. In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step of the process for further proceedings as appropriate.
 2. The president's decision on all sanctions less than termination of employment is final.
 3. Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.
 4. The president shall make a decision within thirty days.
- (I) Board of trustees.
 1. The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

3335-5-04.4 Procedures for complaints of misconduct and other violations of applicable law, university policies or rules, or governance documents made against faculty members.

- (A) This rule applies to complaints made against faculty members involving misconduct and other violations of applicable law, university policies or rules, or unit governance documents that do not otherwise fall under rules 3335-5-04.1, 3335-5-04.2, or 3335-5-04.3. A faculty member may be disciplined for violations established under this rule, up to and including termination for violations constituting grave misconduct or non-trivial financial fraud. For the purposes of this rule:
1. “Grave misconduct” is defined as flagrant, egregious, and willful misbehavior in violation of the law or established university rules or policies.
 2. “Nontrivial financial fraud” is defined as a deliberate act or deliberate failure to act that is contrary to law, rule, or policy so as to obtain unauthorized financial benefit from the university for oneself, one’s family, or one’s business associates. Nontrivial financial fraud includes, but is not limited to, misappropriation of university funds or property, authorizing or receiving compensation or reimbursement for goods not received or services not performed or hours not worked, or unauthorized alteration of financial records.
- (B) Initial proceedings.
1. A complaint may be filed by any student or university employee, including employees from administrative offices who are filing complaints arising out of investigations by those offices. Complaints may be filed with a chair, dean, associate dean, provost, vice provost for academic policy and faculty resources (hereinafter “vice provost”), or the president. All complaints must be referred to the vice provost for initial review in accordance with this rule.
 2. The complaint shall be set forth in writing and shall state facts to support an allegation that a faculty member has engaged in misconduct or has otherwise violated applicable law, university policies or rules, or unit governance documents.
 - i. The vice provost shall review every complaint to determine whether the complaint presents an actionable violation and that the complaint is not clearly retaliatory or abusive in nature. If the vice provost is named as a respondent, the provost shall identify a designee. If the vice provost determines that a complaint either does not allege a violation that can be addressed under this rule or was filed for clearly retaliatory or abusive purposes, the vice provost must consult with the complainant within seven days of filing to clarify the nature of the complaint. The vice provost may dismiss such a complaint within seven days of consulting with the complainant if it cannot be addressed under this rule or is clearly retaliatory or abusive in nature. This determination does not prohibit referral of a complaint filed under this rule to another applicable university process.
 1. The complainant may appeal this dismissal in writing to the provost within seven days of this decision. Upon receiving such an appeal, the provost may either reinstate the complaint or dismiss it, and that decision is final. The provost must issue a decision within fourteen days of receiving such an appeal.

- ii. If the vice provost determines that the complaint should proceed or if the complaint is reinstated by the provost, the vice provost shall furnish a copy of the complaint to the respondent and shall refer it to the respondent's department chair for a probable cause review in accordance with section (C) of this rule.
 - 1. If the faculty member's department chair is the complainant or respondent, the complaint shall be referred to the faculty member's dean for the initial probable cause review.
 - 2. For the purposes of this provision, the term "department chair" includes school directors, deans of colleges without departments, and regional campus deans and directors.
- 3. Only allegations stated in the complaint shall be considered at the various stages of deliberation. However, additional facts relevant to the allegations set forth in the complaint may be presented throughout the process.

(C) Probable cause review.

- 1. The department chair shall review the allegations in the complaint and discuss the matter with the complainant and the respondent to determine whether there is probable cause to believe that the allegations are true.
- 2. If the department chair determines that there is not probable cause to believe that the allegations are true, the chair shall dismiss the complaint.
 - i. If the complaint is dismissed, the complainant may appeal the dismissal to the dean. The appeal must be in writing and filed with the dean within twenty-one days after the notice of the chair's decision was mailed. Upon receiving such an appeal, the dean may either reinstate the complaint and refer it to the college investigation and sanctioning committee or dismiss it, and such a dismissal is final. The dean must issue a decision within thirty days after receiving such an appeal.
- 3. If the department chair determines that there is probable cause to believe that the allegations are true, the department chair shall refer the matter to the college investigation and sanctioning committee unless the department chair completes an informal resolution in accordance with rule 3335-5-04(E).
- 4. The department chair shall complete this process within fourteen days.

(D) College investigation and sanctioning committee.

- 1. Each college shall appoint a college investigation and sanctioning committee, which shall fulfill the responsibilities set forth in this section. The committee shall be all tenured faculty or a majority of tenured faculty if including clinical/teaching/practice faculty who are non-probationary associate professors or professors. A college may include faculty members from other colleges on its committee.
- 2. Upon receipt of a referral of a complaint from the department chair, the committee shall meet with the complainant and the respondent and shall review any documentary evidence provided by these parties. The respondent shall be given copies of any documentary evidence provided to the committee as part of the investigation and be given an opportunity to respond to all such documentation. The committee shall have the authority to gather information relevant to the complaint, including through seeking to interview individuals other

than the complainant and respondent as the committee sees fit or as recommended by the complainant and respondent. The committee shall strive to maintain confidentiality in the proceedings.

3. At the conclusion of the investigation, the committee shall prepare a preliminary report that identifies the proposed findings of fact, a conclusion as to whether a violation occurred under the preponderance of the evidence standard, and if so whether the conduct rose to the level of grave misconduct or non-trivial financial fraud as defined in rule 3335-5-04.1(A)(1)(i)–(iii). The committee shall provide that document to both the complainant and respondent for review. Each party shall have seven days to respond and to identify any alleged errors or omissions in the findings.
4. Following review of any comments by the parties, the committee shall thereafter make any modifications to the report that it deems appropriate and issue a final report. If the committee concludes that a violation occurred, the committee shall include its proposed sanction in the final report.
5. In evaluating sanctions, the committee shall consider the totality of the circumstances, including aggravating and mitigating factors.
 - i. Aggravating factors may include, but are not limited to:
 - a. the degree to which the respondent’s conduct was flagrant, egregious, or willful if grave misconduct is found;
 - b. the significance and impact of the faculty member’s failure to meet academic responsibilities if serious failure to meet faculty obligations is found;
 - c. the degree and impact of the fraud if non-trivial financial fraud is found;
 - d. the strength of the evidence presented;
 - e. whether the respondent has previously been found to have engaged in misconduct;
 - f. whether the respondent’s conduct caused injury or harm to another individual, university property, or the university’s reputation; and
 - g. whether the respondent had received prior warnings about engaging in the conduct at issue.
 - iii. Mitigating factors may include, but are not limited to:
 - a. the conduct at issue did not cause injury or harm to another individual, university property, or the university’s reputation; and
 - b. the respondent accepted responsibility for the misconduct.
6. The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee’s analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may further include a combination of sanctions:
 - i. Verbal reprimand;
 - ii. Written reprimand;
 - iii. Mandatory counseling or other rehabilitation;

- iv. Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;
- v. Restrictions on duties or privileges;
- vi. Restriction of access to university property or services;
- vii. Reduction of salary base;
- viii. Reduction of twelve-month appointment to nine-month appointment;
- ix. Reduction of full-time equivalent (FTE) appointment;
- x. Reduction of rank;
- xi. Revocation of tenure;
- xii. Termination of employment in cases of grave misconduct or non-trivial financial fraud.

7. The committee shall complete its investigation and submit its report to the respondent's dean within forty-five days.

(E) Decision by the dean.

1. After reviewing the report and recommendation of the college investigation and sanctioning committee, the dean may:
 - i. Dismiss the complaint if the committee did not find a violation;
 - ii. Impose the committee's proposed sanction;
 - iii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
 - iv. Increase the sanction if the committee determined that the respondent engaged in grave misconduct or non-trivial financial fraud.
2. The dean shall make a decision in twenty-one days. The final report of the college investigation and sanctioning committee and the dean's decision shall be sent to the complainant and the respondent.
3. Appeals:
 - i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training. A respondent may, place a response to this sanction in their primary personnel file.
 - ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost.
 - iii. If the dean imposes a sanction that revokes tenure or terminates employment, or if the case involves a finding by the committee of grave misconduct or non-trivial financial fraud, regardless of the sanction, the matter shall be automatically appealed to the provost.
 - iv. In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.

(F) Review of appeals by the provost.

1. After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:
 - i. Affirm the dean's sanction;

- ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the dean's sanction;
 - iii. In the case of grave misconduct or non-trivial financial fraud increase the sanction; or
 - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
 - 2. The provost shall make a decision within fourteen days of receiving materials from the dean and respondent as applicable.
 - 3. If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (D)(6)(vii) through (xii) of this rule, the respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.
 - 4. An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed.
- (G) The faculty hearing committee.
- 1. Within fourteen days of receipt of an appeal from a respondent, the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the appeal and to provide a recommendation to the president regarding the appropriate action. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
 - 2. The parties to this hearing shall be the respondent and the provost, or designee.
 - 3. The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
 - 4. The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.
 - 5. Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
 - 6. The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal.
 - 7. The hearing panel will not be bound by the findings of the college investigation and sanctioning committee or the provost.

8. An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
 9. At the conclusion of the proceedings, the hearing panel shall make written conclusions with respect to each substantive issue raised, including but not limited to:
 - i. appropriateness of the sanction, and, if found to be inappropriate, the faculty hearing committee's recommended sanction in accordance with the factors set forth in section (D)(5) of this rule.
 - ii. conflict of interest, procedural error, or substantial new evidence.
 - iii. findings of the college investigation committee.
 10. The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.
- (H) The president.
1. Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
 - i. Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
 - ii. Recommend to the board of trustees termination of employment for cases of grave misconduct or non-trivial financial fraud on such terms and conditions as the president may deem advisable;
 - iii. Remand the case to the hearing panel for reconsideration; or
 - iv. In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step of the process.
 2. The president's decision on all sanctions less than termination of employment is final.
 3. Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.
 4. The president shall make a decision within thirty days.
- (I) Board of trustees.
1. The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

CURRENT 04 RULE

3335-5-04 Hearing procedures for complaints against faculty members.

(A) Definitions and construction.

- (1) This rule shall apply to all formal complaints of misconduct against faculty members as defined in Chapter 3335-5 of the Administrative Code. Complaints may be filed under this rule against administrators who hold faculty appointments.
- (2) As appropriate, department chairs, deans, or the executive vice president and provost (hereinafter "provost") will attempt, through the use of informal consultation, to resolve complaints to their satisfaction and that of the complainant, and the faculty member against whom the complaint is made (hereinafter "respondent").
- (3) Gross incompetence is defined as conduct that reflects gross indifference or consistent failure to satisfactorily perform faculty obligations. Allegations of gross incompetence shall be judged on the basis of a faculty member's serious failure to meet his or her obligations as a faculty member.
- (4) Grave misconduct is defined as flagrant, egregious, and willful misbehavior in violation of the law or established university rules or policies. Allegations of grave misconduct shall be judged on the basis of acts or omissions which seriously impair the effectiveness of a faculty member to meet his or her obligations as a faculty member.
- (5) Nontrivial financial fraud is defined as a deliberate act or deliberate failure to act that is contrary to law, rule or policy so as to obtain unauthorized financial benefit from the university for oneself, one's family or one's business associates. Nontrivial financial fraud includes, but is not limited to, misappropriation of university funds or property, authorizing or receiving compensation or reimbursement for goods not received or services not performed or hours not worked, or unauthorized alteration of financial records.
- (6) Research misconduct is defined as fabrication, falsification or plagiarism in proposing, performing, or reviewing research, or in reporting research results. A finding of research misconduct requires: a) that there be a significant departure from accepted practices of the relevant research community; and b) the misconduct be committed willfully, knowingly, or recklessly. Research misconduct does not include honest error or differences of opinion.
- (7) Department chairs, deans, or the provost shall not act in their administrative capacities in the consideration of any complaint naming them as respondent. If a complaint names a department chair or a dean as respondent, the provost shall appoint an equivalent rank administrator from another department or college to perform the responsibilities of the named official under this rule. If a complaint names the provost as respondent, the chair of the steering committee of the university senate shall perform the responsibilities of this official under this rule.
- (8) All records of proceedings under this rule shall be maintained in the office of academic affairs. Such records shall remain confidential to the extent permitted by law.
- (9) At the time of their initial appointment and when they receive their annual review, faculty members shall be given notice of their right to review their personnel file maintained by their tenure initiating unit (hereinafter "primary personnel file"). A member of the faculty may place

in his or her primary personnel file a response to any evaluation, comment or other material contained in the file.

- (10) Documents related to the performance of a faculty member which are received by his or her tenure initiating unit prior to the filing of a complaint may not be introduced in proceedings under this rule unless they have been placed in the faculty member's primary personnel file, and the faculty member has been so informed, or copies have otherwise been provided to the faculty member.
- (11) The designation "department chair" in this rule includes division chair, school director, deans of colleges without departments, and regional campus deans and directors.
- (12) The term "day" as used in this rule means "calendar day." If the last day of a designated time period falls on a weekend or a day on which the university is closed, the time period shall expire at the close of business on the next succeeding business day.
- (13) If at any time the provost determines that a faculty member poses a clear and present danger to persons or property, the provost may temporarily and immediately reassign the faculty member or, in the event of allegations of nontrivial financial fraud, suspend the faculty member with pay pending completion of investigation of a complaint under this rule. The provost shall be responsible for assuring that a complaint is filed promptly.
- (14) Respondents shall be given written notice of decisions required by this rule. Any notice shall be sent by certified mail, and a copy shall be sent by regular mail. The time period for any action to be taken after delivery of the notice shall begin to run on the date on which the notice is mailed.
- (15) Complainants shall be given written notice of decisions of the department chair and the dean, and the final disposition of the case. Any notice shall be sent by certified mail, and a copy shall be sent by regular mail.
- (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.

(B) Initial proceedings.

- (1) A complaint may be filed by any student or university employee.
- (2) The complaint shall be set forth in writing. A copy shall be furnished to the respondent by the administrator with whom the complaint is filed.

- (3) A complaint shall state facts to support an allegation that a faculty member has failed to meet his or her obligations as a faculty member, has committed acts or omissions which otherwise impair his or her effectiveness in meeting these obligations, has engaged in grave misconduct, research misconduct, has committed nontrivial financial fraud, or has otherwise violated university rules.
 - (4) Only allegations stated in the complaint shall be considered at the various stages of deliberation.
 - (5) A complaint may be filed with a department chair, a dean, the provost or the president. If a complaint is filed with the dean, provost, or president, it shall be immediately referred to the appropriate department chair for initial review. A complaint against a faculty member in a college without departments shall be referred directly to the dean of the college. If a complaint is filed against a regional campus faculty member, the regional campus dean shall serve jointly with the department chair in the initial review. The regional campus dean and the department chair must agree that there is probable cause for the case to go forward.
- (C) Review by the department chair.
- (1) The department chair shall review the allegations in the complaint and discuss the matter with the complainant and with the respondent.
 - (2) If the chair determines that there is probable cause to believe that the allegations are true and that it is not appropriate to reach an informal resolution, the chair shall refer the matter to the dean.
 - (3) If the chair determines that there is not probable cause to believe that the allegations are true, the chair shall dismiss the complaint. In this event, the complainant may appeal the dismissal to the dean. The appeal must be in writing and must be filed with the dean within twenty-one days after the notice of the chair's decision was mailed. In the event of an allegation of grave misconduct, research misconduct, or nontrivial financial fraud, the chair shall refer the matter to the dean.
 - (4) The chair shall make every effort to complete the review in fourteen days.
- (D) Review by the dean.
- (1) Upon receipt of an appeal or a referral of a complaint from a department chair, the dean shall review the allegations in the complaint and discuss the matter with the complainant and the respondent.
 - (2) If the dean determines that there is probable cause to believe that the allegations are true and that it is not appropriate to reach an informal resolution, the dean shall refer the matter to the college investigation committee.
 - (3) If the dean determines that there is not probable cause to believe that the allegations are true, the dean shall dismiss the complaint. The proceedings shall terminate at this point except in cases involving faculty members in colleges without departments or in the event of an allegation of grave misconduct, research misconduct, or nontrivial financial fraud. In the case of colleges without departments, the complainant may appeal a dismissal by the dean to the college investigation committee. The appeal must be in writing and must be filed with the dean within twenty-one days after the dean's decision was mailed to the complainant. Upon receipt of an appeal the dean shall immediately forward the appeal to the college investigation committee, which shall proceed in accordance with paragraph (E) of this rule. In the case of an allegation of grave misconduct, research misconduct, or nontrivial financial fraud, the matter shall be forwarded to the college investigation committee.

- (4) The dean shall make every effort to complete the review in fourteen days.
- (E) The college investigation committee.
- (1) Each college shall establish a procedure for the creation of a standing college investigation committee, which shall consist of tenured faculty members. A college may include on its college investigation committee tenured faculty members from other colleges.
 - (2) Upon receipt of a referral of a complaint from the dean, the college investigation committee shall meet with the complainant and the respondent and shall review any documentary evidence provided by these parties. The respondent shall be given copies of any documentary evidence provided to the committee by the complainant. The committee may also obtain relevant information from other persons, but shall protect the confidentiality of the proceedings. At the conclusion of its investigation, the committee shall deliver to the dean its findings, a recommendation concerning the merits of the complaint and, if the complaint is judged to have merit, a proposed sanction. Findings of the committee shall be based on clear and convincing evidence.
 - (3) Any proposed sanctions shall be commensurate with the nature of the complaint. Sanctions of a continuing nature must include time limitations and an annual review. Sanctions include but are not limited to:
 - (a) Verbal reprimand;
 - (b) Written reprimand;
 - (c) Mandatory counseling or other rehabilitation;
 - (d) Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;
 - (e) Reassignment of duties or other restrictions on duties or privileges;
 - (f) Restriction of access to university property or services, the abuse of which led to the complaint;
 - (g) Reduction of salary base not to exceed thirty-three percent for one-year;
 - (h) Reduction of twelve-month appointment to nine-month appointment;
 - (i) Combination of above sanctions;
 - (j) Dismissal of non-tenured faculty; and
 - (k) Dismissal of tenured faculty.
 - (4) The committee may recommend termination of employment of tenured faculty members only in demonstrated cases of gross incompetence or, grave misconduct, research misconduct, or nontrivial financial fraud.
 - (5) The committee shall make every effort to complete its investigation and submit its report within forty-five days.
- (F) Decision by the dean.

- (1) After reviewing the report and recommendation of the college investigation committee, the dean may:
 - (a) Dismiss the complaint;
 - (b) Uphold the committee's recommendation and proposed sanction;
 - (c) Uphold the committee's recommendation with what would reasonably be interpreted as an equivalent or lesser sanction.
 - (2) If the college investigation committee has recommended a sanction other than termination of employment, the dean may not increase the sanction to termination of employment except in the case of grave misconduct, research misconduct, or nontrivial financial fraud
 - (3) The dean shall make a decision in thirty days.
 - (4) Except in the case of grave misconduct, research misconduct, or nontrivial financial fraud, if the dean dismisses the complaint, the proceedings shall be terminated and the matter closed. The dean shall refer all cases of grave misconduct, research misconduct, and nontrivial financial fraud, to the provost.
 - (5) The respondent may appeal any decision or sanction to the provost.
 - (6) An appeal by the respondent must be in writing and must be filed with the provost within twenty-one days after notice of the dean's decision was mailed.
- (G) Review of appeals by the executive vice president and provost.
- (1) After reviewing the record of a case appealed by a respondent or referred by the dean, the executive vice president and provost may:
 - (a) Dismiss the complaint;
 - (b) Uphold the dean's decision and proposed sanction;
 - (c) Uphold the dean's decision with what would reasonably be interpreted as an equivalent or lesser sanction.
 - (d) In the case of grave misconduct, research misconduct, or nontrivial financial fraud, increase the sanction.
 - (e) In the case of grave misconduct, research misconduct, or nontrivial financial fraud, reverse the dean's decision and impose a sanction.
 - (2) The executive vice president and provost shall make every effort to reach a decision within fourteen days.
 - (3) If the executive vice president and provost upholds the dean's decision and proposed termination of employment, or if the executive vice president and provost modifies a sanction that is less than termination, the respondent may appeal to the faculty hearing committee. In all other cases, the executive vice president and provost's decision shall be final.
 - (4) An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within twenty-one days after notice of the executive vice president and provost's decision was mailed.
- (H) The faculty hearing committee.

- (1) Within thirty days of receipt of an appeal from a respondent the faculty hearing committee which is established by rule 3335-5-48.10 of the Administrative Code, shall convene a hearing panel to consider the complaint. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
 - (2) The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
 - (3) Respondents shall have the right to be represented by legal counsel or any other person of their choice, to examine the witnesses and evidence against them, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
 - (4) The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised by the general counsel.
 - (5) The hearing panel shall receive testimony and other evidence as it deems to be material and relevant to the issues before it.
 - (6) An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the office of the executive vice president and provost.
 - (7) At the conclusion of the proceedings, the hearing panel shall make separate written findings of fact with respect to each substantive issue raised at the hearing and a recommendation as to a sanction, if any, to be imposed. Such findings of fact and recommendation, together with a recording of the proceedings, shall be transmitted to the president of the university and to the respondent. Findings of the hearing panel shall be based on clear and convincing evidence.
 - (8) The hearing panel will not be bound by the findings of the college investigation committee or the executive vice president and provost.
 - (9) The hearing panel may recommend termination of employment of tenured faculty members only in demonstrated cases of gross incompetence, grave misconduct, research misconduct, or nontrivial financial fraud.
 - (10) The hearing panel shall make every effort to conclude the proceedings within sixty days.
- (I) The president.
- (1) Upon receipt of the written findings of fact and recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
 - (a) Dismiss the complaint;
 - (b) Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
 - (c) Recommend to the board of trustees termination of employment on such terms and conditions as the president may deem advisable;
 - (d) Remand the case to the hearing panel for reconsideration.

- (2) Any decision of the president shall be communicated in writing to the hearing panel and to the respondent.

(J) Board of trustees.

The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall give the respondent an opportunity to present to it arguments in writing, or in person, or both.

(Board approval dates: 4/4/1997, 12/4/1998, 2/4/2000, 6/7/2005, 7/8/2005, 9/9/2011, 6/7/2013, 6/5/2015, 8/6/2020)

**REVISION OF THE GRADING POLICIES –
CHANGES TO THE RULES OF THE UNIVERSITY FACULTY**

Synopsis: Approval of the following amendments 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 changes to rule 3335-8-21 (L) in the *Rules of the University Faculty* were approved by the University Senate on January 28, 2021:

NOW THEREFORE

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

**The Ohio State University Board of Trustees
Academic Affairs & Student Life Committee
February 24, 2021**

Topic:

Revision to the *Rules of the University Faculty*: “PE” Emergency Pass Grade system

Context:

The University Senate has recommended revisions to the *Rules of the University Faculty* to add the “PE” Emergency Pass Grade system to section 3335-8-21(L) MARKS of the *Rules of the University Faculty*.

- The rule change will create a mechanism in the faculty rules to alter the traditional A-E system during exceptional circumstances, which are defined as widespread circumstances outside the control of students and instructors that may adversely affect academic performance.
- The creation of the Emergency Pass Grade is designed to offer students greater flexibility and support for their overall well-being during exceptional circumstances while bringing a new level of standardization to grading during those times.
 - In Spring 2020 and Autumn 2020, the university enacted Pass/No Pass grading systems as part of the response to the COVID-19 pandemic.
 - The Emergency Pass Grade system will create a consistent approach to exceptional circumstances.
- When a student earns a PE mark, they will still receive credits toward graduation, but the PE will not be factored into their grade-point average.
- The Emergency Pass Grade system would become effective in academic terms when exceptional circumstances are declared by vote of the Senate or by the provost following the recommendation of the Council on Enrollment and Student Progress (CESP) and approval of the Senate Steering Committee.
- During exceptional circumstances:
 - Undergraduates will receive a PE mark when they earn what would normally be a D+ or D.
 - Graduate students will receive a PE mark when they earn what would normally be a C+, C, C-, D+, or D.
 - For both graduate and undergraduate students, a failing grade will be recorded as NP (non-pass) or NEN if the student stopped attending the course during the semester.
- The Emergency Pass system does not affect instances where certain grades are required to progress in a sequence or to gain admission to a program. Nor does it affect policies that determine academic standing. Accommodations to allow use of PE grades in these cases will remain at the discretion of the individual program or college.

The University Senate voted on Jan. 28, 2021, to declare exceptional circumstances for Spring 2021 and invoke the “PE” Emergency Pass Grade system to help address the circumstances caused by the COVID-19 pandemic.

Rules Changes Accompanying CESP “Emergency Pass” Proposal

3335-8-21 Marks.

The official marks of the university are as follows: "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E," "EM," "EN," "NEN," "I," "K," "P," "PA," "PE," "NP," "R," "S," "U," "W." These marks shall have the following meaning:

(L) “PE” — Emergency Pass

- (1) In the event that Exceptional Circumstances is declared all courses for that semester normally graded A-E shall be recorded as follows:
 - a. undergraduates graded D+ or D shall be recorded by the registrar as PE.
 - b. graduate students graded C+, C, C-, D+, or D shall be recorded as PE.
 - c. a grade of E shall be recorded as NP, and the EN mark shall be recorded as “NEN.”
 - (2) “Exceptional Circumstances” is defined as widespread circumstances outside the control of students and instructors that may adversely affect academic performance.
 - (3) Exceptional Circumstances are declared by the Senate, or by the Provost following a recommendation from the Council on Enrollment and Student Progress and confirmation by the Senate Steering Committee.
 - (4) Hours graded "PE" count toward the minimal number of hours required for a degree but are not computed in the point-hour average of the student.
 - (5) The PE grade shall revert to the letter grade reported by the instructor upon student petition to the Registrar. Petitions shall be made before the end of the second succeeding semester or summer term, but prior to graduation. Such a reversion is irrevocable.
 - (6) Policies requiring certain grades for progression in a sequence, admission to a program, or academic standing would be unaffected by this system. Accommodations to allow use of PE grades these cases remain at the discretion of the individual program or college.
 - (7) In any semester in which Exceptional Circumstances have been declared by Senate or Provost, the deadline for a student to withdraw from a course without petition as defined in 3335-8-32 (E) shall be extended by 3 weeks in 15-week semesters and a proportional amount in shorter sessions.
 - (8) Grade forgiveness used for a course taken during a semester in which Exceptional Circumstances have been declared by Senate or Provost will not counting toward the three-course limit defined in 3335-8-27.1 (C).
-

3335-8-26.1 Recalculation of cumulative point-hour ratio.

- (A) An undergraduate student who re-enrolls in the university after an absence of five or more years may petition the dean or director of his or her enrollment unit to recalculate the cumulative point-hour ratio of his or her previous residency. If the petition is approved, all courses taken will remain on the permanent record. Those with marks of "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "EM," "K," "PA," "PE," or "S" will be counted for credit only. No other marks will be counted for credit.
-

3335-8-27.1 Grade forgiveness rule.

- (A) This rule may be applied for a maximum of three courses.
- (B) Grade forgiveness used for a course during Exceptional Circumstances as defined in 3335-8-21 (L) will not count toward the three-course limit.
- (C) The graduate school and graduate professional colleges may formulate appropriate modifications of paragraph (A) of this rule, subject to the approval of the council on academic affairs, and publish the rule in their bulletins.
-

3335-9-30

(C) Have satisfactorily completed the number of credit hours required for the curriculum being pursued. The minimum number of credit hours required in each curriculum shall include the credit hours required under rules 3335-8-06 and 3335-8-07 of the Administrative Code. Credit hours required to satisfy admission conditions shall not be used to satisfy the requirements of rules 3335-8-06 and 3335-8-07 of the Administrative Code. Credit hours are considered as "satisfactorily completed" only if the student has received, at this university, the mark "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "EM," "K," "S," "PA," or "PE" in those hours (see rule 3335-8-21 of the Administrative Code).

3335-8-32 Withdrawal from courses or from the university.

(F) The above deadlines shall be extended as spelled out in 3335-8-21 (L) (6) in any semester in which Exceptional Circumstances have been declared.

FACULTY PERSONNEL ACTIONS

BE IT RESOLVED, That the Board of Trustees hereby approves the faculty personnel actions as recorded in the personnel budget records of the university since the November 19, 2020, meeting of the board, including the following appointments, appointments/reappointments of chairpersons, faculty professional leaves and emeritus titles:

Appointments

Name: NICOLE P. BERNAL
Title: Professor-Clinical (American Electric Power Foundation Chair in Burn Care)
College: Medicine
Term: March 1, 2021 through June 30, 2025

Name: DELIANG GUO
Title: Professor (Urban and Shelley Meyer Professorship in Cancer)
College: Medicine
Term: March 1, 2021 through June 30, 2025

Name: *AYANNA HOWARD
Title: Dean (Monte Ahuja Endowed Dean's Chair)
College: Engineering
Term: March 1, 2021 through June 30, 2026

Name: RYAN D. KING
Title: Divisional Dean, Social and Behavioral Sciences
College: Arts and Sciences
Term: January 1, 2021 through June 30, 2025

Name: LINDA LOBAO
Title: Professor (Distinguished Professor-CFAES)
College: Food, Agricultural, and Environmental Sciences
Term: January 1, 2021 through December 31, 2026

Name: M. SUSIE WHITTINGTON
Title: Professor (Distinguished Professor-CFAES)
College: Food, Agricultural, and Environmental Sciences
Term: January 1, 2021 through December 31, 2026

Name: AHMED YOUSEF
Title: Professor (Distinguished Professor-CFAES)
College: Food, Agricultural, and Environmental Sciences
Term: January 1, 2021 through December 31, 2026

*New Hire

FACULTY PERSONNEL ACTIONS (CONT)

Reappointments

Name: W.C. BENTON
Title: Professor (Edwin D. Dodd Professorship in Management)
College: Fisher College of Business
Term: September 1, 2021 through August 31, 2026

Name: DAN CHOW
Title: Professor (Frank E. and Virginia H. Bazler Chair in Business Law)
College: Moritz College of Law
Term: November 15, 2020 through November 15, 2025

Name: KATHERINE H. FEDERLE
Title: Professor (Joseph S. Platt-Porter, Wright, Morris, & Arthur Professorship)
College: Moritz College of Law
Term: November 15, 2020 through November 15, 2025

Name: EDWARD FOLEY
Title: Professor (Charles W. Ebersold and Florence Whitcomb Ebersold Chair)
College: Moritz College of Law
Term: November 15, 2020 through November 15, 2025

Name: JOHN FULTON
Title: Professor (Food, Agricultural and Biological Engineering Professorship)
College: Food, Agricultural, and Environmental Sciences
Term: August 16, 2019 through August 15, 2024

Name: LARRY GARVIN
Title: Professor (Lawrence D. Stanley Professorship in Law)
College: Moritz College of Law
Term: November 15, 2020 through November 15, 2025

Name: TIM JUDGE
Title: Professor (Joseph A. Alutto Chair in Leadership Effectiveness)
College: Fisher College of Business
Term: September 1, 2021 through August 31, 2026

Name: RUSTIN M. MOORE
Title: Dean (Ruth Stanton Chair in Veterinary Medicine)
College: Veterinary Medicine
Term: January 1, 2021 through June 30, 2025

Name: PETER SHANE
Title: Professor (Jacob E. Davis and Jacob E. Davis II Chair in Law)
College: Moritz College of Law
Term: November 15, 2020 through November 15, 2025

FACULTY PERSONNEL ACTIONS (CONT)

Reappointments
(cont'd)

Name: RIC SIMMONS
Title: Professor (Chief Justice Thomas J. Moyer Professorship for the Administration of Justice and Rule of Law)
College: Moritz College of Law
Term: November 15, 2020 through November 15, 2025

Name: MARC SPINDELMAN
Title: Professor (Isadore and Ida Topper Professorship in Law)
College: Moritz College of Law
Term: November 15, 2020 through November 15, 2025

Appointments/Reappointments of Chairpersons

KRISTI L. WILLIAMS, Interim Chair, Department of Sociology, effective January 1, 2021 through June 30, 2021

SUSAN WILLIAMS, Chair, Department of English, effective January 1, 2021 through June 30, 2024

Faculty Professional Leaves

GREG M. ALLENBY, Professor, Department of Marketing and Logistics, effective Autumn 2021

STANLEY E. BLAKE, Associate Professor, Department of History, effective Autumn 2021

FRANCIS DONOGHUE, Professor, Department of English, change from Autumn 2020 to Spring 2021

CURTIS P. HAUGTVEDT, Associate Professor, Department of Marketing and Logistics, effective Autumn 2021

JOSH D. HAWLEY, Professor, John Glenn College of Public Affairs, effective Spring 2022

GRZEGORZ A. REMPALA, Professor, College of Public Health, change from Spring 2020 to Autumn 2021

XUE WANG, Associate Professor, Department of Accounting and Management Information Systems, effective Spring 2022

ELIZABETH WEISER, Professor, Department of English, effective Autumn 2021

Faculty Professional Leave Cancellations

ANNE E. CAREY, Professor, School of Earth Sciences, cancellation of FPL for Spring 2021

LAUREN SQUIRES, Associate Professor, Department of English, cancellation of FPL for Spring 2021

ROBYN WARHOL, Professor, Department of English, cancellation of FPL for Autumn 2020

KRISTI WILLIAMS, Professor, Department of Sociology, cancellation of FPL for Spring 2021

Emeritus Titles

PETER B. BAKER, III, Department of Pathology, with the title of Professor Emeritus, effective January 9, 2021

ANNE E. CAREY, School of Earth Sciences, with the title of Professor Emeritus, effective January 9, 2021

BERNHARD FISCHER, Department of Germanic Languages and Literatures, with the title of Professor Emeritus, effective June 1, 2020

RICHARD J. FREULER, Department of Engineering Education, with the title of Professor Emeritus-Clinical, effective June 1, 2021

TERRY L. GUSTAFSON, Department of Chemistry and Biochemistry, with the title of Professor Emeritus, effective June 1, 2021

BLAINE W. LILLY, Department of Mechanical and Aerospace Engineering, with the title of Professor Emeritus, effective January 1, 2021

MORTON E. O'KELLY, Department of Geography, with the title of Professor Emeritus, effective January 1, 2021

STEVEN A. SEVERYN, Department of Anesthesiology, with the title of Associate Professor Emeritus-Clinical, effective January 1, 2021

MARK SPLAINGARD, Department of Pediatrics, with the title of Professor Emeritus-Clinical, effective February 23, 2021

VISHWANATH V. SUBRAMANIAM, Department of Mechanical and Aerospace Engineering, with the title of Professor Emeritus, effective January 1, 2021

WILLIAM P. WEISS, Department of Animal Sciences, with the title of Professor Emeritus, effective February 1, 2021

Promotion, Tenure, and Reappointments

COLLEGE OF MEDICINE

REAPPOINTMENT-CORRECTION

Gavrilin, Mikhail, Internal Medicine, July 1, 2020

REAPPOINTMENT

Geng, Liying, Cancer Biology and Genetics, July 1, 2020

Hu, Zhiwei, Surgery, effective July 1, 2020

DEGREES AND CERTIFICATES

Synopsis: Approval of Degrees and Certificates for spring term 2021 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 College of Social Work and the Graduate School have recommended that Victoria Strauss be awarded a Master's in Social Work degree, posthumously:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves the degrees and certificates to be conferred on May 9, 2021, to those persons who have completed the requirements for their respective degrees and certificates and are recommended by the colleges and schools; and

BE IT FURTHER RESOLVED, That the Board of Trustees hereby approves that Victoria Strauss be awarded a Master's in Social Work degree, posthumously.

HONORARY DEGREES

Synopsis: Approval of the honorary degrees listed below is proposed.

WHEREAS the Committee on Honorary Degrees of the University Senate, pursuant to rule 3335-5-48.8 of the Administrative Code, have approved for recommendation to the Board of Trustees the awarding of honorary degrees as listed below:

David D. Awschalom	Doctorate of Science
Robert Bilott	Doctorate of Science
Robert Langer	Doctorate of Science

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby approves the awarding of the above honorary degrees.



THE OHIO STATE UNIVERSITY

Memorandum

December 22, 2020

To: Ohio State University Senate

From: Honorary Degrees Committee
Caroline S. Wagner, Chair, 2020-2021

Subject: Nomination of David D. Awschalom for an Honorary Degree

This memorandum summarizes the nomination for an Honorary Degree of Dr. David D. Awschalom, who was nominated for the honor by Dr. Joseph Heremans, Ohio Eminent Scholar and Ohio State Professor in the Department of Mechanical and Aerospace Engineering.

Dr. Heremans noted that Dr. Awschalom has a close and extremely valuable connection to Ohio State University, in that he has been the Ph.D. thesis or postdoctoral advisor of four of Ohio State's most brilliant faculty. These faculty members are Ezekiel Johnston-Halperin, Jay Gupta, and Roland Kawakami in OSU's Department of Physics, and Roberto Myers in OSU's Department of Materials Science and Engineering, all of whom support this nomination. Dr. Awschalom is also a collaborator on a past grant at Ohio State and he served in the past as an external advisor for the OSU MRSEC "Center for Emerging Materials."

To quote at length from Dr. Hereman's nomination letter, he makes the case for the extraordinary scientific contributions made by Dr. Awschalom as follows:

"Prof. Awschalom's work demonstrates that quantum technologies can be realized in practical architectures, namely impurity spins in semiconductors like diamond and silicon carbide. These impurity spins, with solid-state device engineering, provide favorable frameworks for quantum electronics, information and information processing, and communication, as well as quantum sensing. With his emphasis on optical entanglement of single spins, Prof. Awschalom's work demonstrates the possibility and promise of quantum technologies at the macroscale using significant developments in fabrication at the nanoscale, quantum control, and engineering of materials. As an example of



his commitment to these fields, Prof. Awschalom has led a project to develop a dedicated quantum testing route for entanglement distribution and control protocols on an existing 30-mile-long single-mode fiber-optic link between Argonne National Laboratory and Fermi National Accelerator Laboratory. ANL and FNAL each will have nodes for remote experiments operating at telecom wavelengths, and the distance over which these experiments can operate meets or exceeds the distance used at other testing facilities in the US and the world. The testing facility has been constructed with an eye to advancement and flexibility, allowing various quantum platforms to be interchanged or upgraded at either end. The desired quantum-coherence characteristics will be achieved through basic research using a bottom-up approach at each quantum node, with focuses on quantum material design, synthesis, and coherent control. The DOE recently jointly awarded UChicago/FNAL/ANL a significant facility grant to realize a functional research facility out of this fiber-optic link.”

Dr. Heremans stated that: “These contributions demonstrate that Prof. Awschalom is both deserving of this honor and an excellent representative of Ohio State’s reputation for excellence.”

The Senate Committee on Honorary Degrees considered the nomination; the seven members of the committee voted unanimously in favor of passing to the Senate a recommendation to confer upon Dr. Awschalom the degree of Doctor of Science, *honoris causa*.

We are pleased to submit this nomination and the accompanying supporting materials to the Ohio State University Senate.



THE OHIO STATE UNIVERSITY

Memorandum

December 22, 2020

To: Ohio State University Senate

From: Honorary Degrees Committee
Caroline S. Wagner, Chair, 2020-2021

Subject: Nomination of Robert Bilott for an Honorary Degree

This memorandum summarizes the nomination for an Honorary Degree of Mr. Robert Bilott of Cincinnati, Ohio. Mr. Bilott, an attorney, was nominated for the honor by Ohio State Professor Linda Weavers, PhD, PE, BCEE, who holds the John C. Geupel Endowed Professorship in the Department of Civil, Environmental, and Geodetic Engineering in the College of Engineering, Ohio State University. The nomination is supported by letter from Alicia L. Bertone, Dean of the Graduate School and Vice Provost for Graduate Studies, who holds the ENGIE-Axium Endowed Dean's Chair in the Veterinary Clinical Science Department, also at Ohio State. A third internal letter of support was offered by Nicholas Basta, Professor of Soil and Environmental Science and Director of the Environmental Science Graduate Program at Ohio State University.

External letters offering strong support of the nomination were provided by:

- Dr. Timothy J. Buckley, of Carrboro, NC, a staff member of the U.S. Government Environmental Protection Agency and formerly on the faculties of the Ohio State University and Johns Hopkins University Schools of Public Health.
- Steven Grossman, of Bexley, OH, formerly Executive Director of the Ohio Water Development Authority.
- Arlene Blum, of Berkeley, CA, Executive Director of the Green Science Policy Institute.
- David Sedlak, PhD, NAE, of Berkeley, CA, the Plato Malozemoff Professor of Engineering in the Environmental Engineering Program of the University of California at Berkeley.



Mr. Bilott is nominated for his groundbreaking work in environmental law. He has received such notability due to his litigation in a case against DuPont Company in which he uncovered the toxicity of a non-regulated chemical, called Per- and Polyfluoroalkyl substances (PFAS), PFOA or C-8. Mr. Bilott's work uncovered serious harm to human health inflicted by the release of this chemical into the water supply. About this action, Dr. Blum noted that: "His litigation against DuPont chemical company is considered among the most significant class-action lawsuits in the history of environmental law."

Mr. Bilott led research in which he linked the use, release and disposal of PFOA or C-8 compound to exposure of individuals in communities in the areas surrounding a plant owned and operated by DuPont Chemical making Teflon and similar products. Dr. Timothy Buckley writes: "Mr. Bilott's actions brought early and critical public health relief to communities in and around the DuPont facility in Parkersburg, WV. Moreover, the actions required by Mr. Bilott's litigation provided much of the epidemiologic evidence by which we now understand PFAS exposure and health effects. This epidemiology provides the basis by which public health officials around the world are regulating PFAS."

Mr. Bilott spent over 20 years on this case, during which time he sorted through hundreds of thousands of pages of documents sent to him by DuPont to unravel the toxicity and exposure, and he compelled 70,000 people in the community to submit blood samples to determine health outcomes from exposure. According to Dr. Linda Weavers, these blood samples and the resulting epidemiological study are unprecedented in public action on environmental impacts of pollutants. Dr. Weavers writes: "They have allowed the scientific community to conclusively state many health effects are related to PFOA. This data was then used in court for the over 3000 clients with these diseases (of the 70,000) to win lawsuits against DuPont. Even more impactful is that he really brought the problems of PFOA to light world-wide."

Dr. Sedlak wrote: "While Mr. Bilott won class action lawsuits in federal court on behalf of his clients, he has not rested. He continues to litigate on behalf of the public. He has initiated suits related to exposure of millions of Americans to the entire class of PFAS chemicals. His current litigation effort is to have the companies that have produced these compounds pay for research to determine the health outcomes to not only the original compound of litigation, PFOA, but the many other chemicals that make up the class of PFAS. His work is impactful in Ohio, the United States, and globally."

In his supporting letter, Dr. Nasta adds: "Since then, PFAS has become the environmental contaminant of public health concern of our generation. It is now being studied and



mitigated by all government agencies and industries globally. It is impossible to overestimate the importance that Mr. Bilott has made to expose and now address this global concern.” Dr. Nasta also states that Mr. Bilott’s actions are far beyond the high standards expected of someone practicing law.

The Senate Committee on Honorary Degrees considered the nomination; the seven members of the committee voted unanimously in favor of conferring upon Mr. Bilott the degree of Doctor of Science, *honoris causa*.

We are pleased to submit this nomination and the accompanying supporting materials to the Ohio State University Senate.



THE OHIO STATE UNIVERSITY

Memorandum

December 22, 2020

To: Ohio State University Senate

From: Honorary Degrees Committee
Caroline S. Wagner, Chair, 2020-2021

Subject: Nomination of Robert Langer for an Honorary Degree

This memorandum summarizes the nomination for an Honorary Degree of Dr. Robert Langer, the David H. Koch Institute Professor at Massachusetts Institute of Technology in Cambridge, Massachusetts. Dr. Langer was nominated for the honor by Dr. Yizhou Dong, Associate Professor of the College of Pharmacy at the Ohio State University. The nomination is supported by a letter from Dr. Henry Mann, Dean and Professor of the College of Pharmacy. Three supporting letters from Ohio State faculty were submitted by Stuart Cooper, Professor of the Department of Chemical and Biomedical Engineering; Arnab Chakravarti, the Klotz Family Chair in Cancer Research at the James Medical Center; and Dehua Pei, Charles H. Kimberley Professor of Chemistry and Biochemistry, College of Arts and Sciences.

Enthusiastic and impressive external letters of support were provided by the following scholars:

- Gordana Vanjak-Novakovic, University Professor and The Mikati Foundation Professor of Biomedical Engineering, Columbia University, New York, New York.
- W. Mark Saltzman, Goizueta Foundation Professor of Chemical and Biomedical Engineering, Yale University, New Haven, Connecticut.
- Marsha A. Moses, Julia Dyckman Andrus Professor of the Department of Surgery, Harvard Medical School, and Director of the Department of Vascular Biology of Children's Hospital, Boston, Massachusetts.

Dr. Langer has many accomplishments to his name over the course of a highly distinguished career. In a quote from an article in *Nature* magazine noting his many



accomplishments and why he won the Queen Elizabeth Prize for Engineering, the article notes the following facts about Dr. Langer's career:

- Eliminated or reduced restenosis, one of the major problems in cardiovascular disease treatment, saving and extending the lives of millions of patients each year.
- Led to numerous new treatments for cancer and blindness.
- Led to the first FDA approved skin based on cells using synthetic polymers (e.g. for burn victims or patients with skin ulcers).
- Made it possible to create virtually any tissue through tissue engineering (Pearson, *Nature*, 458: 22-24, 2009).

Dr. Vunjak-Novakovic notes the following: "Professor Langer is one of the most influential scientists and arguably the most influential engineer of our time. His numerous contributions to biotechnology and medicine are reflected by his >1500 scientific papers and >1400 granted or pending patents. According to Google Scholar, Professor Langer is the most cited engineer in history and tied for 4th most cited individual in any field. He is widely recognized as the pioneer in the fields of drug delivery systems and tissue engineering. During his earlier career, he pioneered the controlled release of macromolecular drugs (e.g., peptides and proteins) by using synthetic polymers."

Dr Langer founded two major areas of biomedical engineering: controlled drug release, and tissue engineering. His discoveries have led to novel medical treatments that have profoundly affected the well-being of humanity, according to the supporting letters. Dr. Moses writes: Dr. Langer is "the Father of controlled release drug delivery technologies, has revolutionized this important field of research and, along with it, modern medical practice. The drug delivery systems that he created, validated and shepherded into the clinic are now being used by millions of patients around the world and have resulted in the creation of new and powerful therapies, as well as significantly improved existing ones. Few technologies have impacted medicine as broadly and as significantly as drug delivery systems."

It is clear that Dr. Langer has humanitarian goals as well as scientific ones. Dr. Vunjak-Novakovic further notes: "Dr Langer has dedicated his life to training others, including the poor and underprivileged, inventing life saving technologies and public service. He has revolutionized biomedical engineering by educating generations of scientists and creating new technologies. Over the four decades of his academic career at MIT, he has trained more biomedical scientists and engineers than anyone else in the country, and



has the largest number of former trainees that are now faculty at the universities all around the world.

Dr. Saltzman finishes his letter with the following statement: “Robert Langer is one of the most innovative and productive scientists of our time, in any discipline. His pioneering work on biomedical materials has set a new standard for biotechnological innovation, and has enabled new therapies that are renewing and extending the quality of life for individuals around the world. He is truly deserving of this honor, and his name is on equal footing with the distinguished honorary degree recipients you have recognized. I recommend him to you without hesitation or reservation.”

The Ohio State University would join over 35 other distinguished universities in bestowing the honor of Honorary Degree on Dr. Robert Langer.

The Senate Committee on Honorary Degrees considered the nomination; the seven members of the committee voted unanimously in favor of passing to the Senate a recommendation to confer upon Dr. Langer the degree of Doctor of Science, *honoris causa*.

We are pleased to submit this nomination and the accompanying supporting materials to the Ohio State University Senate.

Measurement		2017-18	2018-19	2019-20	2020-21	Status	2020-21 Target	5-7 Year Target			
Teaching and Learning	Faculty Who Have Completed Instructional Redesign (n= 1,422) ¹	N/A	N/A	N/A	37* (24.7% of annual target)		150 (cumulative)	853			
	Gateway/Critical Department Courses Redesigned (n=100)	N/A	N/A	N/A	2* (16.7% of annual target)		12 (cumulative)	75			
	Percentage of faculty who have completed Teaching Practices Inventory	Launched in 2019	74.9%	82.7%	N/A (Expected of new UG teaching faculty)	■	N/A	80% (Mandatory for all new UG teaching faculty by 2021)			
	Percentage of faculty who have completed Teaching@OhioState modules/UITL Reading List	Launched in 2019	47.2%	69.0%	N/A (Expected of new UG teaching faculty)	■	N/A	80.0%			
	WSJ / THE Student Engagement Survey Public University Rank	16th	20th	11th	15th	▼	Maintain Top 10	Top 5			
Access and Affordability	Percent of NFYS Pell recipients	Columbus	16.9%	16.4%	18.2%	16.4%	▼	18.5%	20.0%		
		Regional	38.5%	36.5%	34.8%	30.8%	▼	N/A	In Progress		
	Percentage of Pell recipients with 100% tuition and mandatory fees met (Ohio residents)	Columbus	78.0%	96.0%	96.0%	Available Mid-Oct 2021	▲	95.0%	100.0%		
		Regional	50.0%	60.0%	84.0%	Available Mid-Oct 2021	▲	65.0%	N/A		
	Total institutional aid awarded to students (Columbus)	Non-Need-based	\$74.7M	\$77.6M	\$78.5M	\$71.7M	▼	N/A	In Progress		
		Need-based	\$114.0M	\$121.0M	\$127.8M	\$132.2M	▲	N/A	In Progress		
	Percentage of UG students graduating with no debt	48%	50%	53%	Available Mid-Oct 2021	▲	50%	50%			
	Average student debt for UG graduating cohorts who borrowed	\$27,453	\$27,242	\$27,133	Available Mid-Oct 2021	▼	N/A	N/A			
No. of Columbus campus students who changed from Ohio State regional campuses or transferred from Ohio community and technical colleges	2,337	2,327	2,370	2,347	▼	N/A	In Progress				
Student Experience and Success	First year retention rates	Columbus	94.2%	94.5%	94.1%	93.9%	▼	94.6%	95.0%		
		Regional	67.7%	70.5%	68.7%	74.5%	▲	71.0%	71.0%		
	Four/Six-year graduation rates (Columbus, Freshman Cohort)	Four-year	62.4%	64.6%	67.0%	68.7%	▲	65.0%	70.0%		
		Six-year	82.5%	83.5%	85.8%	87.0%	▲	85.0%	88.0%		
	Graduation rates for transfer students (to Columbus campus)	Four-year	68.0%	69.0%	68.7%	72.8%	▲	N/A	In Progress		
		Six-year	72.1%	72.7%	74.4%	74.6%	▲	N/A	In Progress		
	Six-year graduation rates by Pell status (Columbus)	Pell Recipients	74.4%	75.7%	78.3%	80.4%	▲	N/A	In Progress		
		Non-Pell Recipients	84.7%	85.3%	87.5%	88.3%	▲	N/A	In Progress		
	Degree completions (All Campuses)	Bachelors	11,349	11,478	12,096	Available Spring 2021	▲	N/A	N/A		
		Masters	2,761	2,750	2,914						
		Doctoral	855	886	867						
		Professionals	807	802	863						
		Total	15,772	15,916	16,740						
Participation in undergraduate student activities	80.9%	80.2%	76.4%	Available Winter 2021	▼	83%	In Progress				
Sense of belonging score - graduate/professional students (4-point scale, 4 being the most positive)	3.03	3.06	3.01	Available Winter 2021	▼	3.20	In Progress				
Graduating students' overall satisfaction with Ohio State experience	Columbus	91.1%	88.8%	89.5%	Available June 2021	▲	91%	In Progress			
	Regional	90.2%	90.3%	92.3%							
Graduating students who say Ohio State is a good investment	Columbus	75.2%	70.0%	72.2%	Available June 2021	▲	75%	In Progress			
	Regional	71.1%	76.0%	70.1%							
Research and Creative Expression Excellence and Faculty Success	Number of National Academy Members and other Prestigious Awards		289	297	311	314*	▲	300	370		
	Recruit and retain talent	Chaired Faculty	N/A	N/A	198*	226	▲	205	220		
		Postdoctoral Scholars	642	595	659	628	▼	650	800		
		Grad. Research Associates Funded on Grants	1,284 (64%)	1,295 (62%)	1,427 (64%)	1,501 (68%)	▲	1,489 (65%)	1,700		
	Total R&D Expenditures/ US university rank - NSF HERD	Expenditures	\$875M	\$929M	\$968M	Available Fall 2021	▲	\$950M	\$1.1B		
		Ranking	25th (14th public)	25th (15th public)	Rank Available Fall 2021					21st	15th
	Total industry-funded R&D Expenditures/ US university rank - NSF HERD	Expenditures	\$139M	\$158M	\$150M	Available Fall 2021	▼	\$165M	\$175M		
		Ranking	5th (2nd public)	4th (1st public)	Rank Available Fall 2021					3rd	2nd
	Total number of publications, citations and other creative expression indicators	Publications	21,671	22,695	23,407	Available October 2021	▲	23,150	25,000		
		Citations	376,572	424,374	462,381					433,000	468,500
		Performances and Exhibitions	In Progress	In Progress	In Progress					In Progress	In Progress
Technology Commercialization	Gross License Income	\$7,972,860	\$8,862,863	\$5,679,924	Available October 2021	▼	\$5,000,000	\$9,000,000			
	Start-ups	19	14	13					15	25	
	Invention Disclosures	458	418	367*					425	475	
Reputation and Strategic Position	USNWR, America's Best Colleges Rank (Publics)		17	17	17	Available Sept. 2021	◀▶	In Progress	In Progress		
	Number of Graduate & Professional Programs in Top 25		55	60	68	Available March 2021	▲	In Progress	In Progress		
	Online Degree/certificate Programs	# of Programs	27	36	45	47*	▲	50	In Progress		
		Program Enrollment	2,520	3,652	4,701	5,188*	▲	5,000	In Progress		
		Revenue Generation	\$13.7M	\$18.4M	\$28.0M	\$36.0M*	▲	\$35M	In Progress		

¹ n=full-time instructors in undergraduating-serving colleges completing TSP 1 & 2 by May 2020.

* Data with an asterisk (*) are most recent, year-to-date data.

- Meets or Exceeds Goal
- Caution
- Below Goal - Action Needed
- Data Pending for most recent year
- ▲ Performance Up from last Scorecard Update
- ◀▶ No Performance Change from last Scorecard Update
- ▼ Performance Down from last Scorecard Update
- Measure met; will be replaced with new metric